

1938

38071

~~1938~~  
CO 533/491  
KENYA

38071

CLOSED  
UNTIL

Land and Agricultural Bank

1972

Financial assistance for Agricultural industry

vious

file

R-98	24/4
M. Watterston	25/4
0/4	30/4
295 D	30/4
98	

Subsequent

297

15/9

309

24/9

M. Parkin

24/9

Sir F. Stoddart

26/9

Sir J. Campbell

27.9.58

M. Boyce

28/9

M. Parkin

3/10

M. Dorman

3.10

309

=

A. Milne

14.10

Sir C. ...

(6) 10

299

28/10

297

2/10

M. Parkin

FILE A.

(1977) W. 1134/1-2 000, 10/32  
N.P.Co. G. 807/73c

Hand  
Agric.  
Bank

Gov. dep. 510  
79 38  
The report by Board of the Land & Agric.  
Bank setting out certain proposals for  
financial assistance by Govt. in aid of  
agricultural industry.

The recent history relevant to this despatch is briefly as follows:-

In a despatch of the 12th July (No. 4 on 38071/38) the Governor submitted proposals for raising an additional £250,000 of capital for the Land Bank. This together with other loan proposals, is to be discussed with the Treasury next month. In a minute of the 13th July on 38071/38 Sir J. Campbell wrote, "The proposals for the Land Bank seem to me considerably more favourable than they were" and in a minute of the 29th July on 38128/38, "It seems to me exceedingly difficult to justify any further addition to the Land Bank capital". From the third paragraph of the despatch of the 12th July referred to above it is seen that the £30,000 of the bank's capital which is still unused is expected to be consumed within the next three months, i.e., by the middle of October.

In the despatch on this file the Governor proposes certain measures of assistance to a number of coffee farmers who are borrowers from the bank and who are unlikely, owing to the unsuitability of their farms for coffee growing, to be able to meet their liabilities. It is thought that by changing from coffee to mixed farming in certain cases the farms could be made to pay and the Land Bank's money invested in them saved from loss. Some new capital would be required for this change over and the farms in question would not be able to meet new obligations, or even existing ones during the period of transition. It is therefore proposed in some 17 selected cases to make fresh loans, free of interest for from two to

five years, up to a total of £10,000 and to defer for five years the charges on some part of the loans already made. This action would require an amendment to the Land Bank Ordinance.

The proposal sounds very much like a new form of Government subsidy to agriculture. It is however perhaps more appropriate to regard it as an endeavour on the part of the Land Bank to rescue some of its assets from threatened loss. An ordinary commercial bank would be expected in similar circumstances to take action of the kind proposed and from the financial point of view it is clearly desirable that the Land Bank should be allowed to do so too. The difficulty is that to relieve some borrowers of their obligations and to provide them with capital free of cost will probably be regarded as unfair by those who have not failed to meet their obligations to the bank. There is also a further danger that to relieve some borrowers from their obligations may encourage others to think that if their enterprises fail, they too may be relieved of their <sup>obligations</sup> which would tend to lessen their incentive at all costs to make good.

A method of avoiding this apparent unfairness would be to lay down stringent conditions to be complied with by those who wish to benefit from the proposals. If these conditions are of a kind which are likely to be acceptable only to those borrowers who are in severe straits and have no prospect of success if this help is not forthcoming, it will not

*will not*

appear to the others that they have been unfairly treated, nor will it lead them to think that if they are involved in loss they too may be relieved of their obligations. These conditions might be, for instance, the public auditing of the full accounts of the working of the farms in question and the giving of an undertaking to follow the advice of the Department of Agriculture in all questions affecting their management.

There is one further difficulty involved in the proposals. If as appears from the quotations given in the second paragraph of this minute, the Land Bank will shortly have no more capital available, and if as appears possible, it is decided not to raise the further £250,000 of new capital, then the £10,000 required for this scheme will have to be found from elsewhere. The amount is not, however, very large and it ought to be possible, if necessary, to find it either out of the existing resources of the bank or from some source other than a new large scale loan.

On the whole the proposals appear to be sound and subject to the comments made above and to the availability of the £10,000 required, they should be approved.

*Charles White*

It seems to be the intention of the Department to raise this amount by way of a loan to be authorized by the Government for the Land Bank which will be repaid by the Government.

connection with Kenya's proposal to raise a new loan of 2750,000 for buildings, etc. Discussion of those proposals with the Treasury has been held up for the long expected despatch from Kenya (which has still not yet arrived) on the question of the repayment of the 25½ million loan to the K.A.A. In a recent despatch on another paper the Governor said that the despatch on the question of the 25½ million will come shortly, and when it arrives Mr. Freeston will be discussing the whole case with the Treasury. It would be convenient to have your observations upon the questions raised in this despatch.

*J. J. Bacon*

24.9.33.

Before expressing any definite opinion on the desirability or otherwise of the raising of a further 2250,000 for the Land and Agricultural Bank, I would wish to have fuller information of the progress which has been made with mixed farming and the proportion of the production from this activity which is absorbed locally and that which finds a market outside Kenya, whether in neighbouring territories or overseas. On the figures given in the enclosure to (1) there seems to be very little justification for an increase in capital as the arrears are heavy, and probably up to 250,000 of capital will not be recoverable.

There is justification for an attempt being made to save selected cases and I would raise no objection

objection to the proposal in the last paragraph of (1) provided that the working of the farms in question is subject to supervision by the Agricultural Department associated with district Committees of practical farmers, that accounts are also subject to examination and supervision and that a limit is set to the allowance for living expenses for the settler and his family in receipt of the special assistance.

*J. A. Siddle*

26.9.33.

It will be noted that the enc. to No. 1 here is the full report, of which extracts only were sent with No. 4 on 38071. That latter despatch asked for the additional quarter million to be raised for the bank. )

As to the quarter million loan proposal, I mentioned at some length in another file--the general loan file, I think. It seems to me that there is no case for such action. Things are going very badly with the Bank; it is already in serious difficulties; the general position is worse materially than it was in 1937 and the immediate preceding period; and the future is wholly unpredictable in present circumstances. Quite apart from all this--and the political argument that the raising and lending of this money might result in a position with say about 500

settlers out of a total of about 1,100 or so having their properties mortgaged to the Bank (i.e., in effect to the Govt:)-- we seem to be on the very edge of war. If war does come, the loan market will be most strictly reserved for H.M.G., necessarily.

The Kenya borrowing would be swept away, as a practical possibility, almost certainly.

2. AS regards the specific proposal in No: 1 here--para: 4--we have but little option, I think.

In that matter, we must depend on local action. I agree with Sir F. Stockdale's view. It is the most ominous; but the squander course seems to be to let them try their remedy. I would approve; but would make it quite clear that Kenya could not depend on the proceeds of a new loan to obtain the 10,000 new capital required. Till final decisions were reached as regards the loan proposals, it could not be assumed that further loan funds would in fact become available. I'd leave them to think out where the money is to come from.

The 27th: September, 1938.

In all the circumstances of the case the only practical solution at the moment seems to be to approve the proposal but on fairly stringent terms as to supervision. The arrangement will as stated involve an amendment of the Land Bank Ordinance and the Gov. should consider whether any additional provision is required to give effect to the suggestion regarding supervision including the accounts.

Let's point is probably not fully covered by the Govt's note to the Board under the title of the Land Bank Ordinance (1930) (No 2/1930). The Gov. should also be asked to consider whether it is legislatively practical to suggest any limitation to the Board's (2) of a better business special assistance of which I have some difficulty in suggesting a formula.

The Agents inform me that there is no possibility of issuing any loan on the London market at present.

W. Boyd  
28/9

Then it is generally agreed that the Gov's proposal should be approved & that (subject to the warning suggested at X in Sir J. Campbell's minute) this matter can be proceeded with independently of the Gov's proposal to raise another £14 million capital for the Land Bank.

So I approve (with the warning) subject to the provisions mentioned at the end of Sir F. Stockdale's minute & writing also as proposed by Mr. Boyce, as to the legal part.

J. J. Pascoe  
3/4

I reluctantly agree  
Off. for consn. A. T. M.  
17/9

I agree but the Gov. will dislike it. We have not yet got a clear view of the likely effect of recent events on loan plans.  
A.B.

P.T.P.

Sir C. Parkinson.

I think that you should see Sir J. Campbell's minute with which I agree. This is just another example of what happens when agricultural credit is provided by a Colonial Government. I have always had grave doubts about our general policy in these matters; and so far as Kenya is concerned it is obvious that we have yet to see the worst passages in the history of the Land Bank. There are other Colonies where similarly unprofitable loans are coming home to roost.

*A.P.*

14.10.1938

I agree. If there is criticism of these concessions, the answer is, in effect, that it is primarily in the interest of Govt. and Bank to make them.

*16:10.38*

To: Kenya 6/5 - 1 thousand -

3 - Kenya bank (2)

(Dup reqd on 28/10/38)

20.10.38

*28/10/38*  
*28/10/38*  
*28/10/38*

4 Chief Secretary 3 P.N.

6. 2. 41

Send copies of (1), (2) and (3) to Chief Sec<sup>y</sup>  
Kenya by 3 p.m. in reply to (4).

J.C. Waltham

at once

35/4/41

5 To Kenya 3 P.N. Conf. (w/c's of 1, 2 & 3)

30-4-41

**DESTROYED UNDER STATUTE**

AIR MAIL

When replying please quote

No. S. C. AGR. 32/1/2/2  
and date



THE SECRETARIAT

NAIROBI

KENYA

RECEIVED

27 APR 1941

O.O. REG.

6th February, 1941.

The Chief Secretary to the Government of the Colony and Protectorate of Kenya presents his compliments to the Under Secretary of State for the Colonies, and has the honour to ask that he may be furnished with a copy of a despatch which it is believed was transmitted towards the close of 1938, enclosing a Report by the Board of the Land and Agricultural Bank of Kenya and setting out certain proposals for financial assistance by Government in aid of the agricultural industry. The original of this despatch perished in the recent Secretariat fire, and it has not proved possible to trace any copies.

The main conclusions of the despatch were that a scheme should be introduced to be administered by the Board of the Land and Agricultural Bank designed to substitute mixed farming for coffee in areas for which coffee had proved unprofitable. To facilitate the introduction of this scheme approval was sought, to the remission of interest to a limit of £1,000 a year up to five years on approximately £25,000 of capital, and the remission of interest for a similar period on £10,000 of new capital.

It is believed that a reply was received to this despatch from the Secretary of State approving the proposals in principle but observing that their application must be deferred pending the provision of new capital. It will be appreciated if a copy of this reply may also be furnished.

*Wm*

*Referred to*

CONFIDENTIAL (2)

Colonial Office,  
Downing Street.

20 October, 1944.

Sir,

In connection with my despatch No. 65 of today's date in regard to certain proposals for financial assistance in aid of the agricultural industry, I have the honour to refer to your confidential despatch No. 104 of the 12th July, in which you recommended that steps should be taken for the raising of a further 2250,000 of capital for the Land Bank. No decision has yet been taken on this proposal, and the arrangements for financing the operations, of which I have conveyed my approval in my despatch under reference, cannot in the meantime be based on the assumption that further loan funds will be available.

I have the honour to be,

Sir,

Your most obedient,  
humble servant,

GOVERNOR,  
AIR CHIEF MARSHAL

etc., etc., etc.

C. O.

Mr. Paskin. 13. 10. 38.

38071/1/38. Kenya.

Mr. Dawe 14. 10.

Mr.

Mr. A. J. Dawe.

Sir H. Moore.

Sir G. Tomlinson.

Sir J. Shyburgh.

X Permt. U.S. of S. 16/38.

Party. U.S. of S.

Secretary of State.

Sir,

for comment

In connection with my despatch

DRAFTS

(28.) No. 615 of to-day's date in regard

to certain proposals for financial

assistance in aid of the agricultural

industry, I have etc. to refer to

your confidential despatch No. 184 of

the 12th July, in which you recommended

that steps should be taken for the

raising of a further £250,000 of capital

for the Land Bank. No decision has yet

been taken on this proposal, and the

arrangements for financing the operations

of which I have conveyed my approval

in my despatch under reference, cannot

in the meantime

be based on the assumption that

KENYA

CONFIDENTIAL (2)

GOVERNOR.

(No. 4 on 38071/38)

Copy to Kenya (5)

**FURTHER ACTION.**

Copy to be placed upon 38071/38.

Re-circulate to Mr. Paskin with 38071/38.

54

C. O.

Mr. Costley-White. 5/10/38.

Mr. Paskin. x/x  
Sir F. Stoddart 11/10  
Mr. Boyle 11. x  
Sir H. Moore 13. 1-0

Downing Street,

20 October, 1938.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S. 16 f/s

Parly. U.S. of S.

Secretary of State.

Government

(1)

2 DRAFTS

E N Y A  
NO. 6/5

GOVERNOR.

I have the honour to acknowledge the receipt of your despatch No. 510 of the 7th of September in regard to certain proposals for financial assistance in aid of the Agricultural industry and to inform you that, subject to the observations contained in the following paragraphs of this despatch, I approve the proposal in paragraph 4 of your despatch that, in selected cases, the charges on part of the loans from the Land Bank already made to the borrowers in question should be deferred for a period up to five years, and that new loans free of interest for not exceeding £500 in each case from two to five years should also be made to these borrowers.

FURTHER ACTION.

Copy to Janga (S)

On 30/11/38 2. In your Confidential despatch No. 154 of the 12th July, you recommended that steps should now be taken for the...  
Further

C. O.

Mr.

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Hermt. U.S. of S.

Early U.S. of S.

Secretary of State

additional provisions are required  
in the amending Ordinance to give  
effect to these stipulations.

I have, etc.

**DRAFT**

**FURTHER ACTION.**

KENYA  
No. 510



35  
12  
GOVERNMENT HOUSE  
NAIROBI  
KENYA

RECEIVED  
7  
C. O. REGISTRY

7 September 1938.

Sir,

I have the honour to enclose a report by the Board of the Land and Agricultural Bank, setting out certain proposals for financial assistance by Government in aid of the Agricultural industry.

2. The first of these is that Government should grant a temporary remission of interest in respect of the capital borrowed by the Bank in order that the Bank may in its turn reduce the interest rates charged to borrowers. The position in this regard is set out in paragraphs 3 to 6 of the Report.

3. The Governor has decided, after careful consideration, that assistance in this form would not be justified. The rate of interest charged by the Bank is admittedly high and it is true that the Bank is not at present in a position to reduce this rate if it is to meet its existing obligations. The fact remains,

however, that those who borrowed from the Bank did so on the understanding that the loans carried an interest rate of 6 1/2%, that this rate is necessary in order to comply with Section 32 of the Land & Agricultural Bank Ordinance and although the terms may be somewhat onerous His Excellency is not prepared to agree that Government has any obligation in the matter.

4. The proposals put forward in paragraphs 10 to 13 of the report fall in a different category. It seems proper to regard the maintenance of settled land

in/

THE RIGHT HONOURABLE  
MALCOLM MACDONALD, M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON. S.W. 1.

*Amund* (2)

*Copy to Kiangy*

in economic production as a matter which is in the general interest and there seems no reason why assistance prudently supervised on these lines should not properly be afforded by the State. Mixed farming in the Colony is now doing well and there seem to be sound prospects of permanent success where individual conditions are established by investigation to be reasonably good. The Government has an interest in protecting the assets of the Land Bank and in ensuring that the land upon which money has been advanced does not go out of production. The Board of the Land Bank in close collaboration with the Department of Agriculture may be confidently expected to administer with care and discretion a scheme designed to substitute mixed farming for coffee in areas for which coffee has proved unsuitable and the concessions which the Board seek are recommended for your approval; namely, remission of interest to a limit of £1,000 a year up to five years on approximately £25,000 of capital and the remission of interest for a similar period on £10,000 of new capital. This would, of course, necessitate an amendment of the Land Bank Ordinance.

I have the honour to be,  
 Sir,  
 Your most obedient,  
 humble servant,

*Edith Wade*

GOVERNOR'S DEPUTY.

in economic production as a matter which is in the general interest and there seems no reason why assistance prudently supervised on these lines should not properly be afforded by the State. Mixed farming in the Colony is now doing well and there seem to be sound prospects of permanent success where individual conditions are established by investigation to be reasonably good. The Government has an interest in protecting the assets of the Land Bank and in ensuring that the land upon which money has been advanced does not go out of production. The Board of the Land Bank in close collaboration with the Department of ~~\_\_\_\_\_~~ may be confidently expected to administer with ~~\_\_\_\_\_~~ a scheme designed to substitute mixed farming for coffee in areas for which coffee has proved unsuitable and the concessions which the Board seek are recommended for your approval; namely, remission of interest to a limit of £1,000 a year up to five years on approximately £25,000 of capital and the remission of interest for a similar period on £10,000 of new capital. This would, of course, necessitate an amendment of the Land Bank Ordinance.

I have the honour to be,  
Sir,  
Your most obedient,  
humble servant,

*Ad. Wade*

GOVERNOR'S DEPUTY.

The Hon'ble.  
The Colonial Secretary,

NAIROBI.

Sir,

I have the honour to inform you that the Board of the Land Bank have had under consideration the financial position of the Bank and that of its borrowers. The position at 31st. December, 1937, may be set out as follows :-

No. of Accounts.	Loan a/c.		Current a/c.	
	Principal	Principal Interest	Principal	Interest
305 No arrears	287,608	nil	nil	nil
104 Only December instalment owing	129,275	1,205	5,888	5,888
<u>409</u>	<u>£416,881</u>	<u>£1,205</u>	<u>£5,888</u>	<u>£5,888</u>
76 Not exceeding 1 year arrears	75,127	5,748	5,265	5,265
67 " " 2 years "	74,517	4,369	7,684	7,684
32 " " 3 " "	40,515	5,627	6,548	6,548
12 " " 4 " "	14,362	1,144	5,226	5,226
4 " " 5 " "	7,590	919	2,258	2,258
1 Exceeding 5 years	1,675	800	647	647
<u>122</u>	<u>£15,764</u>	<u>£18,000</u>	<u>£28,746</u>	<u>£28,746</u>
Grand total : 601 accounts : Loan a/c. Principal			630,665	
		Current a/c. do.		37,507
				£647,172
		Current a/c. Interest	28,746	
				£674,918

The Hon. Colonial Secretary.

2. The following table shows the distribution of the instalment which only fell due on 31st. December, 1937, and was unpaid on that date :-

	Principal	Current Account Interest
Accounts on which December, 1937 instalments only are owing	£1,205	£5,888
A/cs. with arrears not exceeding 1 year	474	978
" " " " " 2 yrs.	524	1,598
" " " " " 5 "	327	762
" " " " " 4 "	154	427
" " " " " 5 "	45	98
	<u>£2,709</u>	<u>£7,719</u>

3. Out of a total of £370,000 on which the Bank is paying interest to the Government interest was received in 1937 on £469,708. Put in actual figures the cash receipts for interest during 1937 amounted to £50,531 out of £40,252 actually due. Against an actual receipt of £50,531 the Bank paid out :-

Interest to Government		£25,565
Administration Expenses	£4,861	
Less Fees, etc.	<u>938</u>	<u>5,945</u>
		<u>£29,506</u>

There was thus a surplus in 1937 of £1,025 which reduced the accumulated deficiency of past years to £1,501.

4. The interest payment of £25,565 made to Government in 1937 represents 4.054% on the capital borrowed. Interest on loans is charged at 2% and it will be clear from the foregoing figures that the Bank can make no reduction in its interest charges until a higher proportion of its capital becomes remunerative and the interest arrears are reduced. No appreciable improvement is to be looked for in the immediate future.

The Hon. Colonial Secretary.

5. The Board are anxious to effect some reduction in interest rates to those borrowers who meet their obligations promptly. The rate of 6% compares with 8% charged by the commercial banks on farm mortgages and it is an onerous charge on the present level of produce prices. In order to effect a reduction it would be necessary for the Bank to secure an equivalent relief in its own interest liability, that is to say a temporary reduction would be necessary in the annual payments to the Kenya Government.

6. The rate of 6% was fixed when the Land Bank borrowing was at 4% and when the corresponding figure for the commercial banks was 8%. The latter has now been reduced by 2% and the Board request Government help in the form of a temporary remission of interest in order that as generous a reduction in interest rates as is possible may be made to Land Bank borrowers. The Board are satisfied that practical assistance in this form to agriculturists will help to stimulate production and development and thus redound to the general interest. The assistance required is the cash cost of any approved reduction in interest rate as ascertained from the Bank's accounts. Had the suggested arrangement been in force during 1957, this cost would have been as under :

Reduction of $\frac{1}{2}$ % (i.e. to 6%)	£2,549
" " 1% (i.e. to 5 $\frac{1}{2}$ %)	£4,696
" " 1 $\frac{1}{2}$ % (i.e. to 5%)	£7,046.

7. The Board have made a careful examination of each individual account which is in default either for principal or interest. As a result of an examination made early this year the accounts have been classified under the following headings :-

The Hon. Colonial Secretary.

- A. Cases which should meet outstandings during the year
- B. Cases which should reduce outstandings during the year
- C. Cases which appear to be deteriorating
- D. Cases which appear to be hopeless
- E. Cases which have fallen into the Bank's hands by foreclosure or abandonment.
- F. Cases taken over by the Farmers Conciliation Board.

8. The results of this classification are as follows :-

CLASS	No. of Accounts	Loan Accounts	Current Accounts	
		Principal	Principal	Interest
A	48	£50,958	£1,762	£2,755
B	58	72,686	5,165	6,184
C	42	46,888	44,132	5,511
D	51	38,882	5,557	6,874
E	10	18,645	-	1,869
F	8	5,155	1,162	725
	<u>197</u>	<u>£233,190</u>	<u>£15,776</u>	<u>£25,718</u>

9. Generally speaking the Bank's security under Classes A and B can be regarded as satisfactory and the same applies to a number of accounts under Classes C and D. It must be expected that certain cases under Classes C and D will eventually pass into the Bank's hands and be added to Class E. The eventual realisation of the properties in Class E may be expected to leave a deficiency for which a reserve provision in liquid form is so far lacking.

10. In the course of their examination of the individual circumstances of borrowers in default the Board were faced with particular cases of a class in which some remedial action seems to be demanded. These are cases which carry on the cultivation of coffee under conditions which preclude success in any circumstances and others which cannot

The Hon. Colonial Secretary.

survive at the present level of prices. The fact that these farms are a failure affects the Board in two ways. The borrowers are necessarily in default and the Bank's security, which was based on a valuation of the coffee, has been drastically diminished.

11. The Board consider that in certain cases (which would require individual investigation on the spot by disinterested examiners) although coffee is never likely to be successful there are other crops which could be substituted in some prospects of success. The difficulty is that further capital is required to enable a change over to be made but the properties would be unable to carry any additional obligations, or, indeed, existing obligations while the change over is being made. The Bank is unable to advance further funds under the terms of the Ordinance and the farmers are unable to assume further liabilities in present circumstances. The Board is anxious to see some action taken in approved cases and consider that the action required is :

- (a) to defer for 5 years the loan charges on some part of the present loans, and
- (b) to advance a further sum not exceeding £500 in each case free of interest for from 2 to 5 years.

12. It is clear that action on these lines can only be taken with Government help. The Board have no power to relieve borrowers of their obligations by postponing interest liability and to do so would be unfair to those who meet their obligations to the Bank. The Board cannot make further advances.

13. As explained above, any assistance given must be preceded by individual investigation but their examination

1938

Kenya

No. 38072

SUBJECT: C O 533/491

*Native Affairs Dept. Annual Reports*

Previous

1937 file

Subsequent 1940 file

see 7005/13/39 genl.

69  
Native

1 10h Dec 3pm

12 copies of Annual Report on Native Affairs for 1937. Spares to Library

2 6h Dec 3pm

Two copies of correction sheet. Spares to Library. This report is full of interest

DESTROYED UNDER STATUTE

have been through it quickly and marked in blue points which, as far as I know, have not been under separate cover here and which are of importance a special interest

The year was on the whole one of prosperity and progress for the natives. The PC Central Reserve

says that compared with previous years it was one of "unprecedented affluence". The Table showing

one income derived from the sale of the produce of the reserves shows a steady increase of from £190,000 in 1931 to £470,000 in 1936 and £650,000 last year.

Mr Clauson might like to see this. Large crops and high prices cannot be expected every year, however, so it is perhaps unwise to expect this very rapid rate of progress. (to be maintained)

p 4.

p 16.

p 65.

The work of the local native  
committees continues to be successful,  
both financially and otherwise.  
Revenue exceeded expenditure by  
some £20,000, and in many  
districts JCs and PCs report  
their satisfaction with the committees'  
work & progress.

The Native  
Tribunals also did excellent work,  
the PC Central Province writes that  
~~it~~ there is no doubt that the  
efficiency of these bodies increases  
with the passage of time.

The demand for education  
increases among both the more  
advanced and more backward  
tribes, and the willingness of the  
local native committees to vote  
money for this purpose is so  
strong that in one case the PC  
has had to advise limitation of  
expenditure on education in order  
that other services might not be  
starved.

There was an increase in  
crime in the colony generally,  
though there is still less than

p166

p169

p170

p187

M: Hordley  
said the same  
thing in connection  
with the removal of  
private "agent"  
holders from  
the Highlands.  
jjs

There was in 1934 the number  
of Africans sentenced to imprisonment  
was — curious coincidence — the same  
as the previous year, 7,057. On  
the other hand the daily average  
prison population was lower at the  
end of 1937 than it had been at  
the end of 1936; so there would not  
seem to be much cause for alarm.  
The prison industries continue to  
expand.

The first 3 pages of Chapter VIII  
are particularly interesting. Mr.  
Horsing writes that generally speaking  
the most backward natives of these  
tribes are those residing in their  
native areas. Although there

are notable exceptions — of good  
employees helping their natives'  
development, the general rule is  
that natives away from their tribes  
miss the stimulus and discipline  
of tribal life, & the educational  
facilities in the Reserves. This  
destroys at a blow the many benefits  
in general natives benefit by  
their association with white men.

p149

p161

p174

p175

p168

in their every day life.

The conditions of employment were good in 1937. Wages rose, and natives could find employment at any time if they wished it.

There were signs of a definite labour shortage in some places, but by the end of the year the position had improved, and it was calculated that there was still a margin of labour not yet absorbed.

There have been cases of juveniles being employed in contravention to the law. The allegations of Archdeacon Owen (see 38221/1/38 - in ex) are clearly not without foundation.

Two points of criticism:-

① The tables on pp 49 & 108 would be much more useful if columns giving stats were included.

② On pp 166-8 there are tables giving comparisons between various years & years showing the earlier periods as the

right of horizontal tables and at the bottom of vertical tables. This practice was objected to in the case of the Agricultural Dept Report of 1936, but still occurs in the 1937 Veterinary Dept Report (which in 1936 was part of the Ag Dept).

? Perhaps these two points might be included in an s/o letter to Mr Hosking, saying that his report has been favourably commended.  
C. H. H. 17/11

In outline, this report is full, not only of intent but of grounds for satisfaction. 1937 was an excellent year as regards rains and prices, with the result that everyone was happy & money was available for improvements. 1938 was not so good, & it will be interesting to see how far the optimism of this Report is maintained in the Report for 1938.  
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KENYA—NATIVE AFFAIRS. REPORT FOR 1937

# KENYA COLONY AND PROTECTORATE

## NATIVE AFFAIRS

ANNUAL REPORT, 1937

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**1937**

1938

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# ANNUAL REPORT ON NATIVE AFFAIRS, 1937

## CHAPTER I ADMINISTRATIVE

Mr. H. R. Montgomery, C.M.G., was on duty as Chief Native Commissioner until the 4th May, when he proceeded to England on leave on urgent private affairs.

Mr. S. H. La Fontaine, D.S.O., O.B.E., M.C., acted as Chief Native Commissioner from the 4th May until the return of Mr. Montgomery on the 27th June in addition to holding his substantive post of Provincial Commissioner, Central Province.

Mr. E. B. Hosking, O.B.E., acted as Chief Native Commissioner from the 22nd September, when Mr. Montgomery again proceeded to England on leave on urgent private affairs, until the end of the year and was afterwards confirmed in the appointment with effect from the 20th December.

2. During the year under review secondments from the cadre of Administrative Officers numbered twenty-eight. The duties which these officers were called upon to perform were numerous and varied and included the posts of Acting Chief Native Commissioner, Acting Commissioner of Mines, Acting Resident Magistrate and Assistant Registrar of the Supreme Court, Private Secretary to His Excellency the Governor, Collector under the Land Acquisition Act, 1894, Municipal Native Affairs Officer and Labour Officer in addition to the usual Secretariat posts. Four officers were seconded to posts overseas, to the British Broadcasting Co. in the United Kingdom and the administrative services of Palestine and Zanzibar. At the end of the year twenty officers were still seconded.

3. The following awards were made to officers and natives during the year:—

*Companion of the Most Distinguished Order of Saint Michael and Saint George*—

Mr. V. G. Glenday, O.B.E., Provincial Commissioner.

*Officer of the Most Excellent Order of the British Empire*—

Mr. Gerald Reece, District Officer.

2  
*King's Medal for Native Chiefs (Silver)*—

Chief Nderi wa Wangombe of South Nyeri.

*Certificates of Honour*—

Headman Paulo Mboya Akoko of South Kavirondo.

Headman Elijah Bonyo of Central Kavirondo.

Headman Torong'atrap Taptugen of Kericho.

Interpreter Lohara Lodonge of Parkana.

Selah Ngela, Sub-Permanent Way Inspector, K.U.R. and H.

Njeroge Katakara, Sub-Permanent Way Inspector, K.U.R. and H.

Andrea Odiamo, Clerk, Class II, K.U.R. and H.

Abdulla Fadlmulla, Overseer of the Royal Agricultural and Horticultural Society of Kenya at the Nairobi Show Ground.

The Coronation Medal was awarded to 24 Administrative Officers and 104 Arabs, Somalis and Natives.

4. Mr. H. R. Montgomery, C.M.G., Chief Native Commissioner, retired on the 20th December. He joined the Administration as an Assistant District Commissioner in the year 1908. He was promoted to be a Senior Provincial Commissioner, 2nd Grade, in the year 1929, and Provincial Commissioner, 1st Grade, in 1931, and became Chief Native Commissioner in the year 1934.

His service was an enviable record of energy, enthusiasm and devotion to the development and welfare of the native people he administered.

5. The Labour Section and Native Registration Section remained at the strength of the previous year and the reports of the Officers in Charge are appended.

## CHAPTER II POLITICAL AND GENERAL

The event of the year in the Native Reserves was the Coronation of His Majesty King George VI and the occasion was celebrated throughout the length and breadth of the Colony and Protectorate with inspiring enthusiasm. In the words of the Provincial Commissioner, Central Province:—

"A wave of patriotic emotion permeated all classes of the community in the Province, the natives not less than Europeans and Asians, turning out in each township

3  
and station in their thousands and vying with each other in the expression of a loyalty which none who witnessed it could doubt be both sincere and profound."

At every district headquarters a religious service was held at the flagstaff and His Excellency the Governor's message was read; thereafter the day was given over to football matches, presentation of medals, listening to the broadcast of the Service in Westminster Abbey and the King's speech, tree planting, feasting, dancing, fireworks, bonfires and torch-light processions.

2. His Excellency the Governor, Sir Robert Brooke-Popham, G.C.V.O., K.C.B., C.M.G., D.S.O., A.F.C., arrived in the Colony on April 6th and took an early opportunity of visiting Native Reserves.

In continuation of the Coronation celebrations His Excellency was at Kisumu on the 15th May, where a contingent of the King's African Rifles and the band of the King's African Rifles were present. A parade held in the morning was attended by some 13,000 natives and some 3,500 school children. The presence of all the Chiefs of the Province with their standard bearers and retainers added to the interest of the occasion. His Excellency presented Certificates of Honour to Native Chiefs and subsequently attended a reception, while an air rally, fireworks and a dance concluded the festivities. A visit was made to Kakamega on the following day.

His Excellency visited Nyeri at the beginning of June; was at Embu, Meru, Fort Hall and Machakos in July; and in the Masai country and Maralal in the Samburu area in September. At the end of that month he made an extended tour of the Native Reserves of Nyanza Province and, incidentally, delighted Chief Paul Agoi of North Kavirondo, by attending a tea party in his house. In August he flew all over the Northern Frontier visiting Garissa, Wajir, Moyale and Mandera, and in October he was at Isiolo where he visited the refugee camp. On more than one occasion he visited the Coast Province.

Sir Armigel Wade, C.M.G., O.B.E., while Acting Governor at the beginning of the year, paid several visits to the Coast and in February went from Malindi to Lamu, up the Tana River to Garissa and thence via Garba Tula to Meru and Nyeri.

The visits are much appreciated by the native peoples and they have every reason to be very grateful for the many opportunities given them during the year to obtain direct access to His Excellency in their own reserves.

3. The year was one of undoubted progress throughout the reserves. An adequate rainfall ensured a sufficient food supply. Improved agricultural methods, controlled marketing, and better prices contributed to the increasing wealth of the natives of the progressive Nyanza and Central Provinces. The total value of native exports amounted to £651,573—hides and skins and cotton contributing £501,977 of this amount. In the more backward areas there were increasing signs of a desire for enlightenment and progress.

4. The year was generally free from political agitation and from disturbance. Border affairs were less frequent and the only serious incident was the Luo-Washihiri riot at Mombasa, of which details are given later. This might have become far more grave had it not been suppressed promptly and efficiently by the officers of the Administration and Police on the spot.

5. During the first part of the year as a result of Italo-Ethiopian hostilities an influx of refugees crossed the border on both sides of Lake Rudolf into Turkana and the Northern Frontier. The protection of these sick and war-weary people became a very heavy additional burden. The refugees were finally concentrated at a camp at Isiolo under civil administration.

Throughout the year the situation caused by the Italian occupation of Ethiopia made the administration of the tribesmen on our northern frontiers a matter of some difficulty and anxiety. It was handled with tact and firmness, and great credit is due to the officers and men of the Civil Administration and of the Military and Police who performed their duties with the high efficiency expected of those stationed on the frontier. The aid given by the Royal Air Force in maintaining communications and in patrol work was invaluable.

The pastoral people benefited by the increased value of stock which was maintained throughout the year. The situation had otherwise no repercussions on the native peoples elsewhere in the Colony.

6. Collection of Native Hut and Poll Tax amounted to £534,502—a sum of approximately £10,000 less than the sum paid during the previous year. This is partly accounted for by the fact that the previous year's collection had exceeded the estimate and there were less arrears to collect in the year under review. Though in many districts the tax was paid with commendable promptitude it is remarkable that in the more affluent areas it was collected with most difficulty. The District Commissioner, Fort Hall, writes:

"Tax dodging by able-bodied young men, who refused to work in their own country or out of it, again caused serious anxiety. Added to this trouble was the unsatisfactory attitude of many other natives of both sexes who had plenty of ready money but would not pay their taxes until pressure had been brought to bear upon them individually."

The popularity of payment by the "Kodi" stamp system is evidenced by the fact that 2,492,638 stamps of the value of Sh. 1 were sold as compared to 1,560,654 during the previous year when the system was introduced.

It had been recommended in both the Walsh-Montgomery Report on Native Taxation and in the report of Sir Alan Pim, Financial Commissioner, that special revenue officers should be posted in the larger districts. During the year three such officers were appointed, as an experiment, to Nairobi and to North and South Kavirondo districts. The actual collection of Hut and Poll Tax ceased therefore to be the duty of administrative officers in these districts.

7. During the month of May a committee was appointed consisting of the Chief Native Commissioner, the Treasurer, an Elected Member of Legislative Council and a Missionary, to review and report upon the conditions which influenced Sir Alan Pim to recommend the reduction of payment of hut and poll tax on account of extra huts and to advise as to the adoption of this recommendation. The Committee collected a considerable amount of data bearing on the subject but, towards the end of the year, a Provincial Commissioner was seconded to investigate the question of the functional and financial relations existing between the Central Government and Local Native Councils with a view to Government effecting such changes in existing relations as might be considered desirable. It was deemed wise to await submission of his report before the Committee tendered their final recommendations.

8. The Commission, referred to in last year's report, appointed to enquire into abuses perpetrated by native authorities in the collection of hut and poll tax, recommended that salaries of headmen should be reviewed. Mr. Alan Plan had expressed the opinion that a new scale should be paid on a higher scale commensurate with the work which they are required to perform. Provincial Commissioners and Officers in Charge were requested to submit comments and, where practicable, proposals for the introduction of larger administrative units. At the end of the year their recommendations were still receiving the consideration of Government.

9. At the end of the preceding year a free grant of £42,000 from the Colonial Development Fund had been sanctioned for the provision, improvement and investigation of water supplies in native areas. The scheme related to Mukomas location in the Kiambu District; the Machakos, Embu, Meru, and Kitui Districts of the Central Province; the Kilifi and Digo Districts of the Coast Province; the Masai Reserve and the Turkana and Northern Frontier areas. It was intended that operations should take four years to complete. During the year schemes for Mukomas location and the Masai Reserve were prepared and investigations in the Embu District were in progress.

10. Sir Frank Stockdale, K.C.M.G., C.B.E., Agricultural Adviser to the Colonial Office, visited East Africa and was in the Colony for about a fortnight in the month of February. A report of his visit was received in July. Sir Frank visited the Coast area, the Kavirondo districts of the Nyanza Province, the Kamba Reserve and other areas of the Central Province and the Nandi and Kamasia Reserves of the Rift Valley Province. He appeared much impressed with the increased development in the Reserves since his visit six years previously and the improvement in the quality of crops due to the existing marketing services. With a view to assisting the development of better native agriculture he recommended the establishment of two additional agricultural experimental stations to be located in the Nyanza and Central Provinces.

In order to conserve soil fertility in the Reserves he recommended that a sum of £25,000 per annum be set aside for five years for additional agricultural control measures and that an equal sum be earmarked for the development of better

systems of agriculture and animal husbandry. He expressed appreciation of the soil reconditioning work being carried out in the Kamasia Reserve.

Sir Frank Stockdale commented very fully on the serious menace which the progressive soil erosion in certain native areas presented and the need for a campaign against it. He stressed the expenditure of funds on a large scale. This had engaged the attention of Government for years and much propaganda work has been done.

The condition of the Machakos Native Reserve had become so serious that it was obvious that it would be necessary to resort to methods of compulsion in order to relieve the area of excess stock and to recondition the land. An Agricultural Officer was detailed early in the year to report on the position in this Reserve and he produced a gloomy picture of progressive devastation with a formidable estimate of the cost of reconditioning. Later in the year a report by a soil engineer was issued and in September a scheme was evolved whereby these two officers, with the assistance of a water engineer, should be detailed to work as a soil conservation service. The Royal Air Force gave great help by taking photographs from the air of devastated areas.

An application was made to the Secretary of State for a grant of £10,000 and a loan of £24,000 from the Colonial Development Fund for the purpose of carrying on reclamation, soil conservation measures and reconditioning in the Machakos Reserve, and in December it was learnt that both the grant and the loan had been sanctioned. The Machakos Local Native Council has been contributing annually, £1,500 to reconditioning measures, and it was intended that the Council should bear the interest and redemption charges on the loan, believing that interest in maintenance would be thus stimulated and popular support encouraged.

Reports on soil erosion and reconditioning were also issued on the Kitui District and the Kamasia Reserve.

At the end of the year a comprehensive circular was issued to administrative officers on the subject, enclosing a draft Land and Water Preservation Bill, a draft Standard Resolution relating to soil erosion and draft Rules to deal with overstocking, for their comment.

11. Messrs. Liebig's Extracts Co. were occupied during the year in building the meat factory at Athi River.

They commenced buying operations towards the end of the year, but, owing to rising stock prices, had difficulty in obtaining cattle at the price they were in a position to offer.

The opening up of an export meat market is the salvation of the overstocked native reserves for reconditioning of the tired land, possible without destocking.

The Commissioners held their statutory meetings in July and October and among the more important business of the latter was the evacuation of excess cattle, repatriation of native vagrants and supervisees, remuneration and reorganization of headmen, the Marriage Ordinance, Hut and Poll Tax and the development of surplus agricultural land in Native Reserves.

#### *Nyanza Province*

13. Great success attended the development of Divisional Tribunals throughout the Kavirondo Districts of the Province. The system was first inaugurated in the year 1935 in the Central Kavirondo District and the great increase in the number of cases tried shows the confidence that they inspire among the natives. The work of the Tribunals will be commented on at length in the appropriate chapter.

14. Politically speaking the most important event of the year was the reorganization of the locations and the election of Olugongo headmen in North Kavirondo and Murika headmen in Central Kavirondo to replace the paid Mlango Elders. These titles were given in accordance with popular acclaim and their duties are similar. The Uganda system was taken as a model: the aim being to form larger units by combining small locations and creating states similar to the Saza in Uganda.

It will be some time before the idea of territorial, apart from clan, jurisdiction is fully realized. In North Kavirondo the clan feeling is prominent and liable at any time to lead to a minor fracas.

From this district parties of Local Native Councillors were sent to the Eastern Province of Uganda to absorb as much of the atmosphere as possible so that when the time comes, North Kavirondo as a whole will understand and be ready to adopt a modification of the "Saza" system.

In the Central Kavirondo District the newly appointed Murukas drew salaries varying from Sh. 10 to Sh. 20 per month.

The two locations of West and East Alego, which were formerly one, were combined under one Chief and the population of this location, 53,940, will nearly justify the creation of a "Saza-dom". The change over has naturally created certain problems but the District Commissioner reports that the system seems popular and is working well. The main difficulty encountered has been the intense clan feeling evinced by the Luo.

15. The Chiefs have responded well to this new organization. They have worked loyally and again were responsible for hut and poll tax collections throughout their locations.

Of Chief Paulo Mboya of Karachuonyo, in South Kavirondo, the Provincial Commissioner writes:

"He runs an easy first as the most successful Chief in the Reserve and, in my opinion, it would be difficult to find his equal in the Colony. While in 1935 tax could not be collected in his location until the cotton crop came into the market in December, £5,000 was paid in January, 1937. His example has given extraordinary impetus to other Chiefs.

Of the other Chiefs in this District he writes:—

"The past year in retrospect has been prosperous and the headman must be given a large share of the praise.

As a body they are good, though like any other body of men there are outstanding characters, and those of less effective personality. What becomes increasingly noticeable is the fact that the Chiefs take their jobs seriously as a whole-time job, whereas in the past they were inclined to view them as fairly remunerative part-time occupations. More than one Chief now keeps strict office hours and sees that his underlings do likewise."

16. The year can be recorded as one of progress and prosperity in the North Kavirondo Reserve. The District Commissioner's report is a record of the building of courts, houses, bridges and hide bandas; latrine pits were dug, improved water supplies installed, and soil conservation measures introduced. In nearly every case the expenditure was incurred by the Local Native Council, but thanks are due to departmental officers for their wise spending of the funds entrusted to them and they have reason to be proud of the results achieved.

From the native point of view the district has progressed in every way during the year and there seems to be less distrust and suspicion than formerly. The reasons for this are two-fold:—

(1) two bumper crop years with good prices prevailing; and

(2) the gradual diminution of the European population owing to the decrease in prospecting activities. The native agitator can thus no longer allege that the Reserve is being handed over to the *Wacungu*.

17. Unfortunately the North Kavirondo Central Association has been active but not very helpful, either to Government or to their own people. They managed to get a question asked in the House of Commons about the undue severity in tax collection from women in the district, unmindful of the fact that this form of collection has been abandoned for some years in North Kavirondo. Of the Association the District Commissioner writes:—

"For twenty months, and probably a vastly longer time outside the personal knowledge of the writer, every attempt has been made to induce this Association to work in line with Government, but so far without avail."

The Kavirondo Taxpayers' Welfare Association were not so active and have dropped their demand for a paramount Chief. They have been advised to submit their questions through the proper constitutional channel, to wit the Local Native Council.

18. North Kavirondo is not only the most politically minded of the districts but also, due to clan partisanship, the most prone to local disturbances. The following extract from the District Commissioner's annual report testifies to this:—

"In May a riot occurred in Bunyore, near Luanda, between natives of Opat's and Marenyi's milango and over thirty persons were injured—one fatally. All the known rioters were subsequently convicted.

In Kisa the adherents of the C.M.S. church near Hwesero fell out, and the church was burnt to the ground. The natives concerned were of the rival Kisa and Samia clans, and decided thereupon to build separate churches, and Archdeacon Owen was asked to ensure that, if they did so, the buildings should be at least half-a-mile apart.

The Kisa disregarded the Archdeacon's requests and administrative action had to be taken to pull down their newly built church.

The Samia, having been told that they could not enter a separate team in the inter-location *Ndege Chai* football shield competition, got their own back by entering a 'North Samia' team in Nairobi, purely as a means of continuing the inter-clan strife elsewhere.

A Hut Counter was murdered in Maragoli in May, and a Forest Guard murdered and his body mutilated in West Kakamega in November, but, on the whole, considering the size of the population and the ever-present *fitina* or jealousy the disturbances have been agreeably few.

Another attempt to end the long outstanding feud between the Kager and Abakolwe was made when Jairo Owino and Okumu met Shadrack Owelo, the President of the Ugenya Kager Luo Clan Association in Kisumu in October and tried to persuade him to induce the Kager to accept the money for compensation deposited by the Abakolwe at Kakamega in 1934 after the murder of the Rev. Alfayo and the Ja-Roho rioting. The attempt failed and merely led to a further demand by the Kager for all the land south-west of Mumias which they claim to be theirs and it looks as though Government would eventually become the richer by £350 and the Kager-Abakolwe problem no nearer solution.

The Watatoni in Kimilili first sued Chief Amtala for assault and failing to prove their case they employed their lawyer to frame a petition to the Chief Native Commissioner, reiterating their desire for independent recognition. This must have cost them some money, and had no effect.

The Itaho on the north and south banks of the Yala were reunited after many years when Chief Milimu resigned in December and Shivachi, a former Chief and now a very old man, was returned to power over the Itaho, assisted by Olugongo Ashione, who has repeatedly proved himself to be a strong man on the north bank.

19. Of similar subjects the District Commissioner, Central Kavirondo, writes:—

"It is pleasing to report that the political agitations mentioned in last year's report have been discontinued.

The election of Murakas caused a great deal of excitement and far more interest was displayed by the natives in these elections than in the elections for the Local Native Council held at the end of the year. The result is that a few persons are dissatisfied by their defeat at the polls but no real rancour lingers and the new system has been received well as a whole.

The Luo love to make a noise and they are being treated justly and are all advances they very soon settle down to their leaders."

He further reports that the year was one of continued progress and is reflected in the fact that though the original estimate for hut and poll tax collection was £56,000, the sum of £59,000 was collected.

Encouraged by the excellent cotton season of 1936-37 the natives needed no stimulus to plant more cotton. Unfortunately the year was an exceptionally wet one and the cotton crop suffered particularly in the October-November season, thereby causing many of the reopening bolls to become spoilt. The rains caused the roads to become almost impassable over a large part of the district and for at least three months Nyakatch was cut off by road access across the Kano plains. On the other hand the maize crop was an excellent one and the price was far above the average all the year. Rice on the Kano was largely spoilt by over-flooding. He writes:—

"The district has on the whole had a successful year and, though the growing pains the young Luo are rather evident at present, they are still loyal to their officers and generally ready to fall in with new ideas. The older generation are inclined to fall in with the younger more than formerly and a certain restiveness against the old type of Chief is being felt. This is all to the good but it is still hard to find the really intelligent men who make good leaders and will rule justly and wisely and are not out to feather their nests."

20. It is believed that the carrying into effect of certain of the recommendations of the Land Commission—the creation of 640 acres at Chemapel for a township and the

21. Disturbances in South Kavirondo are not of a political nature—witchcraft and the cultivation and use of bhang are the most prevalent vices of the Luo of the district. The District Commissioner writes:—

"A flare of one or other in an area calls for more drastic efforts of detection and prevention, and the area becomes quiescent, but sooner or later there is a recurrence in some other locality. The latest of these crimes was the cultivation of a complete island in the Kuja River as a bhang garden on the borders of Kanyadoto and Kabwoch. Thirty odd persons were involved. The greatest danger of this opiate in this district is its connexion with Mumboism and for this reason, if for no other, strict measures must be adopted to prevent its cultivation and use."

The District enjoyed a year of exceptional prosperity and the District Commissioner records:—

"Both food and cash crops have been up to expectation and consequently taxes have been paid with the least possible degree of hardship and the final figures create a record for the last seven years. Local Native Council rate payments also constitute a record for payment within the year when due.

The final batches of Lumbwa Laibon—29 men, 82 women, 126 children with 1,492 head of stock—were moved to Gwassi during the year, and all connexion with Lumbwa is now severed. Their debts were finally adjusted, and beyond the difficulty of marriage, there remains no reason for any future contact with their past habitat."

22. This marriage difficulty arises from the fact that the Talai clan, to which the Laibons belong, are exogamous and even though it is divided into two distinct branches, will not intermarry. Marriage with the uncircumcised Nilotic tribes surrounding them is of course unthinkable, but a certain amount of intercourse is taking place between the Talai and Watende. The diversity of language, the variance of the customary marriage price, which is high among the Watende, and the reluctance of their girls to leave their home location and live in Gwassi are all impediments but not insuperable barriers to intermarriage.

23. The removal of the Laibon from the internal admin-

leeway to make up and no spectacular change can be yet expected. The District Commissioner, Kericho, writes:—

"It is difficult to determine to what extent the removal of the Laibons will undermine their influence with the tribe. It is not easy to achieve a complete cessation of intercourse as Gwassi is but a few days' walk away. A demand for Laibon medicines can still be met though not so readily as formerly."

There is little change to report in the economic condition of the Kipsigis. Maize remained the only economic crop and the sale of stock on the hoof provided the greater part of the ready cash obtained by the tribe.

The system of internal government by means of locational councils to assist the Chiefs and Headmen was continued and appears to be a considerable success in some locations. Each locational council elects one of its members to a divisional council to assist the divisional Chief.

One advance made resulted from the posting of an agricultural officer to the Reserve during the year; the Local Native Council have voted funds for agricultural activities; inspection services have been started and marketing of produce will therefore be on sounder lines.

24. Great efforts have been made to encourage a keener interest in athletic sports and football in the hope that these will give the warriors an outlet for their surplus energy so often expended in adventurous stock thefts.

It became more evident that the acquisition of wealth, and not merit, prompted the stock thieving activities of the tribe. Though organized raids were few in number, collaboration between Kipsigis and Luo or Kisii thieves steadily increased and thefts were common.

From South Kavirondo it was reported that stock theft by Kisii and Abakoria constituted a problem marring the tranquillity of the district, and though habitual to both tribes, by about June it assumed proportions far surpassing its usual seriousness. The Abakoria were extending operations into the Masai and Luo locations and these two tribes were prepared to kill a Bakoria at sight.

To effect reform *barazas* were held with the Abakoria, at which they were warned of the action taken by Government in the past when a tribe became lawless and truculent, and a

tribal police patrol was stationed at Kihancha which is on the main track used by the thieves. The removal of Chief Nikolau of Bakoria and the loss of life incurred when stealing in Masai country improved the position.

The majority of thefts by Kisii were internal and the proceeds were mainly disposed of to Kipsigis squatters along the border for cash or in exchange for other beasts which they could safely keep. The length of the Kisii border made executive action difficult, but the District Commissioner reports:—

"I called a very large *baraza* in Kisii of all the Chiefs, sub-headmen and elders from the seven Kisii locations and, as one would expect, this *baraza* was attended by vast numbers of young men, and when finally assembled totalled approximately three thousand men.

I informed them that for some time past their tribe had been notorious amongst the officers stationed in the district for their general troublesome nature and that this reputation was fast spreading through the Colony, as officers of the Administration came and went.

I reminded them of the punitive measures taken against them when their lawlessness led them to raid the Government station at the beginning of the war, and that there is a limit to-day to what Government is prepared to tolerate in the matter of lawless attitude by a tribe.

Finally I pointed out that in the last decade they had made rapid strides in their economic development, and general civilizing progress and expressed amazement that these influences should lead them to increased perpetration of one of their oldest bad traits—namely that of stock theft—and I called on public opinion to do all in its power to prevent it and also to prevent the crime, which was becoming far too prevalent, namely that of indecently assaulting girls. I appealed to the Elders to take firm steps to prevent the rapid decline back to the habits of barbarity, and so to reinstate the good name of the Kisii as a tribe.

The response was amazing. An oath was taken by a leading Elder from each location having received the response from the people of his location, to do all in their power to prevent these crimes, and to foster public opinion of disgust against them.

Though it is too early yet to express any opinion as to lasting results of these efforts, since the *baraza* nearly two months ago there has been a very vast improvement in the general demeanour of the tribe, even to the extent of public opinion, handing over-stolen stock in their area, in some cases disclosing the thieves."

25. Stock thieving is luckily a pastime of which the inhabitants of the Nandi Reserve are practically innocent but in 1925 there were less than 175 complaints of theft—most of these complaints came before the magistrates.

For one-and-a-half months one District Officer was entirely employed on the investigation and trial of over fifty cases of illegal possession of stolen stock by Nandi squatters on the farms in the Kisumu-Londiani district.

As a result thirteen convictions were obtained and the number of stock thefts appreciably decreased.

#### *Central Province*

26. The Provincial Commissioner writes:—

"For the natives the year was one of abounding plenty and, as compared with previous years, of unprecedented affluence.

Economic prosperity resulted in increased political contentment. The value attached by Africans to their position as subjects of the King and their loyalty to the Throne was evidenced by the boundless enthusiasm displayed in the Province on the occasion of the Coronation of King George V and in such practical ways as contributions to the King George V Memorial Fund, which almost reached the sum of £500.

The only political problem which agitated the minds of Kikuyu natives was the land question and especially the claims of landless Kikuyu to settlement in accordance with the recommendations of the Land Commission Report."

27. The problem of finding land for squatters, whose contracts had expired on farms and who had no option but to return to their Reserves, became of major importance.

Great credit must be given to the various administrative officers, who have had constantly to handle this difficult problem throughout the year, and that the situation never

caused major embarrassment to Government or a tribal riot was due largely to their tact and efficiency in dealing with the situation.

The situation was further complicated by the fact that the increasing land consciousness of the Masai tribe resulted in the return from the Masai Reserve of many Kikuyu who had been settled for a long time in that Reserve but whose continuance there was no longer approved.

The Ndeiya area of the Kiambu District, which had formerly been reserved for grazing purposes, was speedily occupied and the agricultural portions of it cultivated to meet the requirements of these people. The Muguga area, which consists of some 4,000 acres, was also allocated to landless squatters and to such of the right-holders on European farms in the district as were prepared to accept allotments of land in final extinction of their rights.

The transfer of the Tigonii right-holders to Nyamweru area proceeded without friction or disturbance. The land in the latter area is of great fertility and the 50 per cent increase of the area over and above that abandoned in Tigonii would appear to have been accepted by the majority as a fair, if not liberal, exchange. Generous compensation for disturbance was given and, by the end of the year, seven-and-a-half "clans" or family groups had removed from Tigonii. The members of the remaining two-and-a-half "clans" who refused to move were still in the Tigonii area at the end of the year.

28. The village cleaning campaign and the improvement of grain stores by the application of "rat-stops" were continued with outstanding success throughout the year in those reserves which are subject to the outbreak of plague. These measures have now been willingly accepted by the people who fully appreciate their value.

29. A welcome feature of the year was the awakening of all communities of the Province to the need for measures to prevent soil erosion. In the native reserves the increasing anxiety is marked and the willingness of the Local Native Councils to devote money to reconditioning measures was much in evidence.

Destocking measures took place and towards the end of the year the Yatta Plateau, which had been added to the Murchison Reserve in accordance with the recommendation of the Land Commission was limited to 12,000 head of cattle, which was considered the maximum number capable of being

grazed in that area without deterioration of the grazing. The removal of the surplus number was accomplished without disturbance of any kind and the almost immediate improvement of the grazing which resulted in the area has been remarkable.

30. The year was one of considerable social, educational and economic outlook of the district and was a period of further recovery from the drought and famine experienced in the year 1934. A considerable movement of natives back to the native reserve after the famine migrations took place. Rainfall at Kitui was plentiful and exceeded all records since 1904.

A year of comparative plenty was naturally accompanied by a decrease in the export of stock, the price of which continued to be high. The District Commissioner records:—

"Propaganda was, therefore, directed to making the native more provident-minded. He was invited to sell his surplus stock and invest the proceeds in the Post Office Savings Bank, rather than take the risk of the next drought devastating the herds. That the seed of propaganda has not fallen on barren ground is borne out by a slight fall in the price of stock consequent on a healthy increase in the stock offered for sale at a time when neither collection of hut tax nor shortage of food compelled this course."

The propaganda has had the effect of paving the way to destocking in such areas as may require it but that the position is to some extent realized is demonstrated by a general approval of a proposal to pay half the bride price in cash and to register marriages.

Facilities for the sale of meat and stock are being provided. Native authorities have been urged to stimulate the slaughter of stock at markets; negotiations are in progress for the holding of regular stock auctions and the stock route to the coast is being greatly improved.

A long-range policy for the improvement of buildings both in Kitui township and the Reserve is foreshadowed and a large-scale manufacture of burnt bricks took place with this object in view. The Kamba have a natural propensity for practical work and the country is favoured with a wide distribution of suitable clay. It was decided that when vacancies occur in the ranks of tax clerks, ex-pupils of the Native Industrial Training Depot should be appointed to help address this work.

31. Kiambu District has a right to be proud of its achievement in the world of sport. With a team of Tribal Police they won the light weight tug-of-war event at the Olympic Games; white individual members of the district representing the Central Province gained first and second place in the high jump and first in the hurdles and many places in other events.

The District Commissioner writes:—

"A newcomer to the district cannot but be impressed at the intense keenness shown by young people of both sexes from the earliest age in drill competitions. However fantastic the form of drill, it demands and achieves a great measure of precision which denotes many hours of strenuous practice and discipline. It is understood that drill is now replacing *ngomas* as a means of working off energy, and school authorities, both missionary and independent, are to be congratulated in encouraging this type of exercise."

There are various boy scout Mission troops in the district but, in addition, Senior Chief Koinange runs his own troop which he maintains at his own expense. His son, John Koinange, has a warrant as scoutmaster of the troop.

Members of this troop attended the Scout Camp at Mombasa and took part in other scout activities of the Colony and, in addition, appeared in ceremonial parades held at Government House and elsewhere. Their appearance and bearing were always a subject of congratulation.

There is considerable desire among the more enlightened members of the district that the scout movement should be encouraged and to the furtherance of this end the Local Native Council voted £10 to assist the movement. Senior Chief Koinange is a member of the General Scout Council.

32. Progress was made during the year with the total demolition of Pangani village in Nairobi and the provision of accommodation in the native location of Pumwari. Increased accommodation for natives has become a serious need in Nairobi.

A new concrete stand was added to the Native Stadium. Structural alterations were made to the pavilion and the surroundings were improved by the planting of flower beds and the improvement of car parks and paths.

The year was most successful in the realm of sport. Pangani won the Police Shield and the Maxwell Cup, the Nairobi team won the Olympic Games, and a Kikuyu native (Wachira) carried off the Victor Ludorum belt for the second time.

The Inter-Territorial Sports were held in Nairobi and, for the first time in the history of the contest, Kenya defeated Uganda by 66 points to 21 points.

33. During the year the reduction of the number of Chiefs by the amalgamation of locations continued in the South Nyeri and Embu districts and an increase of efficiency resulted.

Of the work of Chiefs and Headmen the Provincial Commissioner writes:—

"During the year Chiefs and Headmen in the Province again proved worthy of the tributes paid to their services in previous years. In some of the districts the collection of tax by chiefs was extended with outstanding success and in the Kitui District all the tax was so collected. When the large sums handled by these chiefs and the comparative smallness of their pay are taken into account the efficiency of their work and their resistance to temptation are highly commendable.

Chief Koinange of Kiambu District, Chief M'Ngaine of Meru District, Chief Kasina of Kitui District, Chief Arthur Mairani of Embu District, and Chief Ndungu of Fort Hall District, are perhaps the outstanding chiefs in the Province.

Chief Koinange continues to wield great influence in the Kiambu District, which is no doubt due to the fact that he is not afraid fearlessly to represent the views of his people when he considers that there is a cause for legitimate complaint.

Chief Kasina of Kitui District exercises a remarkable control over the largest location in the Province and is an instance of the successful K.A.R. soldier achieving equal success in civil life.

Chief M'Ngaine of Meru District, though comparatively senior in years, is a wise and progressive leader of the Meru people whose advice is highly valued by the District Commissioner.

Chief Ndungu of Fort Hall District holds an outstanding position in what was formerly the most political location of that District.

Chief Arthur Mairani has been foremost as a leader amongst the more primitive tribesmen of the Embu District."

34. Kikuyu political associations were not much in evidence during the year though the usual letters and telegrams on matters affecting the native peoples were continuously received.

35. The Independent Movement amongst the Kikuyu, which finds expression on the one hand in the establishment of schools independent of the control of any Mission, and on the other hand in the Independent Churches, continued unabated during the year. The "Concordat" reached during August, 1936, with the representatives of the Independent Schools Association was generally observed by this body, though not by its offshoot, the Karinga Schools Association. The latter body, which is independent of and antagonistic to the Independent Schools Association, opened a number of schools in the Kiambu District in spite of the express refusal of the Local Native Council to sanction their institution, and it was necessary to take proceedings against the recalcitrant managers and close the schools.

36. The coloured Archbishop Alexander who founded the Independent Church returned to South Africa in the early part of the year. The latter part of his stay was marked by undignified quarrels between him and the leading members of the Kikuyu Independent Schools Association, which was instrumental in bringing him out of the country.

Shortly after his departure a schism broke out in the African Orthodox Church, the doctrine of which he came to teach. The latter has now broken up into the adherents on the one hand of the Orthodox Church, which teaches doctrines akin to those of the Greek Orthodox Church, and into the African Pentecostal Church, the doctrines of which are at present unknown. The main cause of the schism is the desire of the leaders of the Independent Schools Association to obtain control of the substantial funds of the Church and the new African Pentecostal Church with which they are identified has been formed with this object.

Before he left, Archbishop Alexander ordained six Kikuyu ministers distributed amongst the four Kikuyu Districts.

*Rift Valley Province*

37. The year was a prosperous one in the Native Reserves.

In the Settled Areas one administrative change was carried out during the month of May and the Trans Nzoia District again became a separate entity under its own District Commissioner.

In the combined Nairu Ravine Noyasha District the District Commissioner reports:

"Among natives the Kavirondo form the majority of the squatters, are getting such excellent prices for their maize that their whole energies are bent on the production of this crop.

The Kavirondo are prosperous but suffer from the fickleness of their women folk, who have realized that life in a settled area offers opportunities much beyond those they enjoy in a native reserve. One thing that has emerged strongly during the year is the great desire of natives in the District for schools. The situation has been exploited by private individuals under the aegis of native controlled 'churches', but by the end of the year steps were being taken to rectify the position.

The year has seen the move of the Esageri, Makalia and Mariashoni sections of the Wanderobo to the Nandi, Lumbwa and Masai Reserves. Only the Tinet now remain."

38. In the Nandi Reserve there was a slight food shortage at the beginning of the year owing to the failure of crops in the year 1936. Fava seed was distributed in February and excellent harvests were reaped throughout the Reserve.

This harvest, combined with the high prices obtained by cattle, has had the effect of making the year under review more prosperous than usual for this normally wealthy tribe.

39. Stock thefts decreased considerably and almost all the cases reported have been followed by the conviction of the thieves and the recovery of the stolen cattle. It is very satisfactory to record that in most of these cases the thieves have been traced through the investigations of the Nandi themselves.

On one occasion, after receiving information that some suspicious characters had gone down the Nandi Escarpment into the Kepp Plains, some thirty Moran, acting entirely

of their own accord, lay in ambush the whole night on the cattle paths leading up the escarpment and eventually caught two stock thieves and seven head of stolen cattle on their way up.

The change in public opinion is noteworthy and is having every encouragement. Stock thefts by Nandi in the neighbouring Settled Areas of Uasin Gishu and Kisumu-Londiani also show a considerable decrease over the previous year. In most of these cases the thieves have been arrested and the stolen stock recovered.

40. During the year under review 157 Wandorobo with 1,723 head of cattle and 1,611 sheep and goats were returned to Nandi from the forest reserves of Uasin Gishu, Nakuru and Kisumu-Londiani Districts.

The District Commissioner writes:—

"The two main forces which tend to retard the development of the tribe, Laibonism and the inherent lawlessness of the young men of the warrior age, have been rigidly suppressed.

The general discipline of the Moran has shown a distinct improvement: Chiefs' orders have been obeyed promptly and cheerfully and petty crime in the Reserve and Settled Areas has decreased considerably.

Laibonism has been quiescent throughout the year. It is still a latent menace to the peace and good government of the District and constant vigilance by the Administration is necessary to suppress this evil.

The Chief Laibon or Orkoiyot, Barsarion arap Kimaraye, and his cousin Arap Kinemat, continued to reside in Kapsabel.

In March some young men from the south of the district were found to be giving presents to Arap Kinemat with a view to invoking his aid in removing all employees other than Nandi, from certain farms in Kisumu-Londiani District. The whole affair died a natural death as soon as the facts were known to the Administration.

A point for consideration in connexion with this tribe is the ever increasing numbers that go out of the Reserve as squatters on farms. The District Commissioner believes that at least half the tribe together with probably 300,000 head of cattle are already accommodated on European farms. They

do not go out in order to obtain wages: their purpose is to obtain extra grazing for their stock and they do the minimum amount of work required. This is undoubtedly becoming a problem as the farmers will soon find that they are heavily overstocked with squatters' cattle.

41 It is satisfactory to report that no serious murders were committed during the year by the tribe. It was, therefore, possible for administrative officers to devote their time and energy to the betterment of the tribe and not merely to the maintenance of law and order.

At a *baraza* attended by His Excellency the various spokesmen assured him that the tribe intended in future to obey the orders of Government.

The Police Levy Force, which had been imposed at the beginning of the preceding year, was dispensed with and the newly circumcised Lemukuria undertook the formal taking over of the country from the Keleko age grade. The Laigwenak—the leaders of the new age grade—were given to understand that they were trusted to control their followers and that it was their responsibility to see that no occasion was given for the imposition of further heavy punishments on the tribe.

Orders were given through the Laigwenak; they were consulted at *barazas* and generally allowed a certain precedence to encourage them to take pride in their positions. As they appeared willing to carry out their duties they were informed by His Excellency at the *baraza* held at Maralal that they would be allowed to carry spears as an insignia of their rank. The Elders of the tribe were also consulted on all possible occasions, especially in connexion with the newly formed Local Native Council where several displayed keen intelligence.

The period during which the new age grade may remain as Moran has been reduced from seven to three years.

The Mugat or initiation ceremonies are described as follows by the District Commissioner:—

"In sectional precedence, led always by the Nyaparai and El Masula, first the L'Orok Ngishu and then the En-oirob Ngishu slew dappled bulls discovered by their people

This completed, and the year appearing fortunate with promising rains, the Murichu elders similarly began in November, the Il Mugat L'akaigwani ceremony, involving the slaughter of a white bull by the section Laniobi; the division of its hide by the Murichu to be worn as garters by the Moran, and the later ritual killing by each warrior of a steer on which he and his comrades feasted.

The Mugat L'akaigwani had, at the close of the year, been performed by the L'Orok Ngishu sections when the En-oirob Ngishu have followed suit during the January and February new moons the age grade will be completed: no others may be circumcised into it and the warriors may marry when they will.

42 The Ngeelal and Nyissir sections of the Turkana resident in the El Barta grazing area of the Samburu country showed less disposition than usual to trespass owing to the excellent rains which ensured that plenty of water and grass could be obtained without going far afield. They did not, however, evince any marked inclination towards the payment of tax and whenever an officer visited them to collect they generally migrated to the desolate region about Lake Sagota. The poorer members of this tribe continued to poach game in the less accessible and more thickly bushed parts of the game reserve but an attempt was made to induce them to settle down by providing them with an area near Womba, where under supervision of the native agricultural instructor, they could plant crops. This has so far been only partially successful.

The Laikipia section of the Wandorobo undoubtedly settled down better during the year and became more amenable to administration. The Samburu Wandorobo, who had previously occupied the Mathews Range, continued for the most part to cultivate *shambas* near Womba where they had been persuaded to settle during the previous year.

As regards the neighbouring tribes of the Boran and Rendille the former continued to trespass into the uninhabited portion of Samburu lying between Koiya and Chanlers Falls. Relations with the Rendille continued to be most amicable and it was found that a number of Samburu had moved over into the Rendille country to avoid their various obligations. Although the Rendille wished them to remain they were moved back into their own country.

43. The year was an exceedingly prosperous one for the Kamasia, Niemps and East Suk, who inhabit the Baringo District. The District Commissioner writes:—

"Rainfall has been ample (almost a record), crops good, prices of stock and (until the harvest) of hides and skins high, and no major epidemic has occurred either of humans or animals.

The District remains backward in the Colony, but a little progress has been made.

Inter-tribal relations were generally good, although the usual bickerings have taken place with the neighbouring tribes, no serious frictions have occurred.

The North Kamasia behaved well but showed little aptitude for progress of any sort. They had excellent crops and more grazing during the year than they have had for a considerable number of preceding years.

Some friction occurred between these natives and the Elgeyo-Marakwet over an area known as Chepkeron on the right bank of the Kerio River. This area although technically in the Baringo District is, by an agreement of more than twenty years' standing, closed to everybody for habitation, although it is communally held for grazing and open to the Marakwet for apiculture only. As for some years there had been no trouble it had become inhabited by both parties and counter allegations of petty stock theft arose. The old conditions have again been imposed.

Stock thefts have marred the year's record of good behaviour of the South Kamasia. A policy was pursued whereby rewards to informers are granted has not only led to the detection of offenders but has also led to the production of the culprits who committed earlier thefts. Mr. Langridge continued the reconditioning work in South Kamasia with marked success and some 9,000 acres in East Lembus were closed to all stock in the beginning of April. He constructed three new dams during the year and the existing dams were cleaned out. This method appears to be the most suitable way of improving the Kamasia water supplies.

44. The District Commissioner, Elgeyo-Marakwet, records:—

"The year under review is one in which material prosperity has largely returned to the Reserve. A more than average rainfall has resulted in excellent crops through-

out the District. The campaign for tilling *adungu* and *shambas*, stopping the wash on hillsides and the issue of new varieties of seeds could not have been followed with a better introduction, and the people have profited by the results. Food is plentiful and there is even in some places a surplus which is being kept in reserve. Having seen the new policy achieve success with such rapidity it is hoped that apathy and laziness in its old intensity will not again descend on the tribe.

With the exception of the first two months of the year, grazing has been good and there has been no real shortage of grass since, as the rains continued to the end of the year, The price of stock has remained high.

From the point of view of law and order the year has not been an entirely satisfactory one. Several thefts of stock on the farms bordering on the Reserve were committed at the beginning of the year and a considerable amount of petty thieving took place. The District Commissioner applied in June for a tribal police force to be imposed on Kapchemutwa and Kibuswa locations to support fifteen police and it became operative in September.

Unfortunately on the 18th September some 290 armed Elgeyo from the Reserve and border farms collected on a farm in Uasia Gishu District in answer to a hue and cry after stolen stock.

As a result of tactful handling no serious trouble arose although various Nandi squatters complained that their houses had been entered and their possessions stolen. It was considered necessary, however, to take action against the Elgeyo.

One important change of custom took place towards the end of the year. The Elgeyo Local Native Council members, speaking on behalf of the Elders of the tribe, stated that it had been decided to introduce the payment of stock for wives.

The Provincial Commissioner writes:

"Previously no *Mahari* had been paid except in the form of beer and this new step is to be deplored. I think that this question has undoubtedly arisen owing to the fact that many Elgeyo girls have married in Nandi and stock received on their behalf. The evils that may arise in connexion with the payment of *Mahari* had been pointed

out to the Elders but they remained firmly convinced in their own minds that the introduction of this new custom would be advantageous. The only qualifying factor is that the bride price is not due to be paid until the girl is pregnant."

Witchcraft still continues to be a menace among these people. The deportation in the preceding year of five witch-doctors to the coast had a beneficial effect, but there is no doubt that the members of this craft left in the Reserve exercised a considerable influence over the Elgeyo and the Marakwet.

#### Coast Province

45. The Provincial Commissioner writes of the year under review as follows:—

"The year on the whole was prosperous. Trade was good and prices ruled high in the first six months. Later trade was depressed and the severe slump in cotton prices seriously hit the Arab and native growers, diminishing their purchasing power. The long rains started early and finished abruptly, thereby reducing the cotton crop by half, and giving anxiety in regard to food crops, especially on the Fana River where floods and drought paradoxically coincided. The short rains, however, were excellent, and speedily restored the food situation."

46. The peaceful behaviour of the very mixed population of Mombasa has been a subject of comment for many years. Unfortunately it cannot be reiterated in discussing the year under review.

In July a riot occurred among the Chagga, but this fortunately was of little moment and of short duration.

A more serious riot took place during the following month, of which the District Commissioner writes:—

"In August a small quarrel between a Jajuo and a Mshihiri was the match which set alight a blaze which continued for several days and caused the death of eleven Washihiri and one Jajuo.

The night following the original quarrel a Jajuo was found murdered and this led to open fights, culminating in a pitched battle between 2,000 Kavirondo and sympathizers against about 500 Washihiri.

A complete evacuation from the Majengo area of Washihiri and Kavirondo was effected and reinforcements of police from Nairobi arrived and slowly peace and confidence was again attained, although there is still some slight suspicion in both ranks."

A Police camp of ten men has been kept in Majengo ever since the riots. It was unfortunately necessary, as an aftermath to the riots to suspend football matches under the auspices of the Arab and African Athletic Association before the completion of all the fixtures. A number of teams refused to take part in the matches unless the Kavirondo were debarred, contending that they were "foul players". Several meetings held with a view to conciliation failed in their object which, as much work had been done in ground improvement and match organization, was most disappointing.

47. The Freretown Village scheme, which has been the subject of much negotiation in the past, achieved settlement. Negotiations had been proceeding for the settlement of certain adherents of the Church Missionary Society on a small block of land at Freretown on the north mainland. It had been necessary to move these people, who were primarily freed slaves and their descendants from the main block of land which had been sold by the Mission to Nyali Ltd.

Various difficulties arose between the Church Missionary Society and the natives and finally the natives insisted on dealing directly with Government. The matter was brought to a satisfactory settlement towards the end of the year. The area will be administered by a Local Native Council, with the District Commissioner as Chairman. The Church Missionary Society will give £2,000 to this Council and thereafter be absolved from all responsibility in regard to this land and its inhabitants, but full freedom will be given to the Society to carry on religious work in the village.

48. Considerable progress was made in Kilifi District with a people who are notoriously backward, drunken and apathetic. This had been done by putting in more educated men as Headmen, Local Native Councillors, Tribunal Elders and Tribal Policemen. Drink has been better controlled and the improvement in discipline is reflected in a record tax collection.

49. A somewhat severe shortage of food was experienced in the Duruma area of the Digo District owing to insufficient rainfall. At the end of the year approximately two-thirds of

the 3,000 men, women and children who migrated to Girirama country, to the Digo area or the Changamwe area of Mombasa district in search of food, had returned.

50. Of the Tana River District the District Commissioner writes:—

"The year is chiefly memorable for its floods and its drought, one of the biggest floods on record with an almost total failure of the long coastal area. The short rains on the other hand were exceptionally heavy and prolonged and have been accompanied by a big flood. These unusual circumstances have had a profound effect on the history of the district for the year and should be borne in mind as forming a background to the whole of this report."

Political agitation or unrest have as yet no place in the life of this district, though feelings at times ran high between the various sections of the Pokomo.

Economically the year was not as good as its predecessor and in June and July owing to the destruction of ripening crops by the flood in May the food shortage in the upper locations became serious. The cotton growers had a very bad time also owing to unseasonable weather and the low price of the product in the 1937-38 season. Food prices were high and those who by good luck or good management succeeded in reaping their crops of rice, maize or chiroko got a very good financial return for their labours.

Reports of trouble over waterholes between the Akamba and the Galla were received and a meeting took place between the District Commissioner and an administrative officer from Kitui District at Waldena. The waterholes were divided as fairly as possible but there did not seem to be any serious ill feeling between the tribes.

51. The District Commissioner, Teita, reports that the year has been a most satisfactory one from every point of view. Rainfall was abundant and the demand for labour on the estates in the district was unlimited. There were no political agitations during the year and the Teita continued to be a pleasant, polite and tractable people to deal with. In his opinion the inhabitants of the Teita Hills can hold their own with many of the so-called advanced districts in the Central

#### *Masai District*

52. At the beginning of June a recommendation made by Sir Alan Pim—Financial Adviser—was carried into effect and the office of Officer in Charge, Masai, was combined with that of District Commissioner, Narok.

As has been previously reported, steps were taken at the wish of the Masai Local Native Councils to evacuate all Kikuyu from Masai-land. Many Kikuyu from Narok District made their way into Tanganyika Territory.

The Officer in Charge reports:—

"During the year all Kikuyu were evacuated from the Ngong area and the dangers of soil erosion and forest destruction have been to some extent arrested. A scheme was prepared to encourage Masai settlement and a number of Masai families had begun to move into the Ngong area before the end of the year. Both Seggi and Kimurwa, sons of the Laibon Lenana, had taken up residence in the Kiserian, where their father had lived up to the time of his death.

This move should enable the Veterinary Training Depot at Ngong to influence a part of the Masai Reserve. The Instructor in Stock has planned to keep in touch with the Masai settlers and to help them to make the best use of their opportunities as dairymen in an area uniquely suitable for mixed farming."

The plan for settling Kikuyu in some portion of the Masai Reserve received favourable consideration by the Masai, who expressed a readiness to sell a block of land on the Mau west of the Mara and the watershed to the east. No finality was reached before the end of the year.

53. There has been a welcome change in the attitude of the Masai towards the veterinary assistance offered them. Chief Legalishu, who is well aware of the disadvantages which the Masai experience as a result of their Reserve being in quarantine, decided that all the cattle belonging to the Purko Masai must be inoculated for bovine pleuro-pneumonia and the necessary crushes have been built.

He stipulated, however, that Mr. G. W. Low, the stock inspector at Rotlan, must do the inoculations himself or supervise them personally and great credit is due to this

54. Border stock thefts have fortunately been of rare occurrence but from April to October the Kilimanjaro Masai area on both sides of the border was disturbed by a series of daring thefts. In nearly every case the track led from Kenya into Tanganyika and was then lost. The prompt action of the Principal of the Loitokitok School resulted in the arrest of two Matapatu Moran from near Namanga and later of eight Masai from the Loitokitok area who confessed to the theft.

These disturbers of the peace are of the warrior class. It is recognized that in the employment of these Moran lies the solution of the Masai problem. Work on roads continued in the Loita and Siria country where 80 to 100 Moran were in employment for a number of months and did excellent work.

The question of some compulsory education and employment for all future ages of Moran was under consideration at the beginning of the year and the Officer in Charge put forward a recommendation that all Moran should be obliged to serve in some capacity for three months a year for five years from the year of circumcision and thereafter until marriage.

The matter appeared to be of some urgency when large numbers of "laiyok" collected to hunt lion and there was every indication that the new age was about to begin. Later the Elders decided that a new age was not possible for at least two years owing to the youth of the Kekonyuki "laiyok" as they precede other sections in the ceremonies inaugurating a new age. The Officer in Charge reported that a number of "laiyok" who would have been too old to await the next "Ngebata" were circumcised and incorporated in the Kidoto age. Although the decision was made to postpone the next Moran age many of the preliminaries were completed in the senior ages. The Tareto have taken over from the Twati and are now ready as "Ol Piron" elders to sponsor the new age.

55. It is evident that there is a very marked urge among a large number of the Masai people towards progress. This is evidenced by the fact that with their co-operation four village schools and five divisional centres have been started. The Officer in Charge writes:—

"Strenuous efforts must be made to preserve the best Masai customs such as respect to Elders, courtesy and courage and in the young physical fitness and abstinence

from 'drink'. The increase of drinking is a serious menace and must be resisted by the Masai if they wish to keep their finer qualities. Their physical fitness has been impaired by this and still more by venereal disease.

Considering the extent and damaging effect of these diseases it is noteworthy that before the end of the year an officer of the Medical Department had begun an eradication campaign in the Reserve and the popularity of his treatment and personality was evidenced by the enormous numbers (almost 100 per cent of those within ten miles) who came to his camp. It will take years to complete the work but the Masai are eager to see their tribe freed from this scourge which has probably resulted in the stationary if not decreasing numbers of their population."

#### Northern Frontier District

56. For the second year in succession the Italo-Ethiopian situation dominated all else in the Northern Frontier. The Officer in Charge remained at temporary headquarters at Moyale on the frontier.

At the beginning of the year the Italians had occupied all the frontier bordering on the Moyale District and with the defeat of Ras Desta in February had gained effective control of Southern Ethiopia and were moving westward towards Lake Stephanie.

The most important consideration throughout the year remained our relations with the Italians and their attitude towards our rights under the 1907 Treaty with Abyssinia. The situation was frequently extremely difficult, the main problems confronting the District Commissioner being:—

- (a) Incursions by the Banda into British territory and their failure to observe the boundary agreed to by Colonel Settani in 1936;
- (b) difficulties as regards our Treaty rights with regard to grazing and watering;
- (c) the effect of the Italian administrative policy on our tribal boundaries.

57. Hostilities in the early months of the year resulted in an influx of refugees across our frontier and the Officer in Charge writes:—

"For some time the area north-west of Marsabit had been watched carefully for entry of refugees from Ethiopia. They had begun to trickle down the west side of Lake

Rudolf and it looked as if the movement would continue on that side. One June 23rd, however, the Police Post at Karsa found near Alla Bay the tracks of a large number of people who had evidently proceeded in a southerly direction during the previous night. They were discovered to be Ethiopian refugees under the leadership of Fitarari Tadame, who had been deputy Governor of the Boran Province at Meqa under British rule. The whole party numbered about 4,500 men, women and children, and 1,000 animals—cattle, horses, mules.

Further parties continued to arrive until the number reached nearly 7,000 souls. With them they brought various diseases such as the most virulent type of smallpox, dysentery, typhoid and various hot-borne fevers like relapsing fever.

All had suffered from insufficient diet and food deficiency diseases were prominent. To feed, to inoculate and to treat the sick proved a serious business but, with the help of the Royal Air Force, Medical Department and the Police, this was done and they were concentrated at Northern Horr and Karsa. In the meantime it was decided to form one big central camp at Isiolo where both these people and those who had entered through Turkana, on the west side of the Lake, should be concentrated. On the 28th July, 57 refugees from Northern Horr arrived at the newly selected site at Isiolo."

Eventually some 6,288 people were concentrated in the camp.

58. The full story of the journey to the city of refuge cannot be given, but a few extracts from a report by the Senior Medical Officer, Dr. Cormack, who was sent up at the end of July, may paint the picture:—

"The earliest and last arrivals had smallpox, and the last band but one was particularly exhausted and diseased. As many of these people had been driven from their actual homes they had brought all they could carry or load on their animals of household goods, and all the money they possessed. This overburdened them and their beasts which died in large numbers daily owing to the lack of food and water. Even worse was the plight of the wretched scarecrows of worn-out animals which were so weak that even their owners, driven to the last extremity of misery, did not think it worth the labour of loading them, and which crawled alongside the column only to be shot by the Police

Such was the state of these refugees when they were met by the members of the Police and Medical Department who had the task of coping with the situation.

It is impossible to estimate exactly the numbers who arrived, but in round figures on the 4th August, when the writer arrived, there were about 2,900 at Northern Horr, and about 3,900 at Karsa. These figures include persons of all ages and both sexes. It may be stated here briefly that these eventually reached Isiolo 6,288, while in addition, from the time when an attempt to keep a record of deaths was made, and it must be said that the record was very far from being anything like complete, there died at Karsa, Northern Horr, Ulanula, or on the road, 300. That gives a total known to have arrived and of whom records exist of 6,588. It is estimated that several hundred others did in fact die, chiefly at Karsa or before even that place was reached, of whom no record exists, and whose deaths were never even reported. The misery of the people on first arrival, the amount of disease and its virulence at the time, language difficulties, as well as the extent of country over which they were scattered and the smallness of the Kenya staff account for this lack of exact knowledge.

"It is difficult to give an adequate picture of the refugees at this stage. There were a number, in round figures, 3,900 of men, women and children scattered about on bare, stony, rocky hillsides, in blazing sunshine, with most exiguous shelters from the sun consisting of sheets or blankets on bushes or small trees, or with none whatever. There was one waterhole to supply the larger party of 2,700 who were terribly exhausted, had no effective leaders, hardly anything to eat, were suffering from smallpox, dysentery, relapsing fever, typhus and malaria; who were dying rapidly and who had the greatest difficulty in mustering enough people to bury the dead in the rocky ground (shallow holes were scraped and stones piled over the corpses). A cave was utilized as the only shelter and in it were accommodated 120 smallpox cases, most of them having dysentery of a virulent type too. The floor of the cave was covered with the excreta of these wretches as well as the approach to it and to the waterhole, which had to be guarded day and night by armed police to prevent the miserable creatures getting right into it, or even, as did happen, to drag back the corpse of one who died on the edge of the water.

The staff then available to deal with this consisted of one medical officer and his cook, one dresser in addition to the two whom I brought up, and the driver of the ambulance wagon. The Police greatly helped. In addition to the Police feeding the well people, one man, Constable Omar, took round food to the sick, and his day's round took over twelve hours, climbing hills in great heat, with a hot wind blowing, searching out little scrapes and shelters containing sick unable to move or sometimes to call out. One Tribal Policeman, Wario, was of particular help to the Medical Officer.

Essential stores and personnel were collected and a plan of evacuation was drawn up.

The scheme was to send on foot such persons as were fit to go for the long march. Those present at North Horr were to go in three batches, each of was hoped of approximately the same size, with one more or less recognized leader in charge.

Mr. Cleland (of the Kenya Police) had arranged to collect and forward by lorry to Isiolo the heavy baggage so as to lighten both people and animals, and so set free more of the latter for riding. He also outlined each day's march which in every case was to end up at a waterhole. He also provided guides and escort. It may be remarked that a batch so numerous as over 900 was successfully handled on the march by so few as two native police constables, one as guide and one as escort, with the assistance of one motor lorry to lift anybody falling out, and carrying a small spare supply of water. I had recommended that if any march should require more than twelve hours for its performance, then there should be made at ten hours from the start a sufficiently large water dump to allow a pint per head of the estimated numbers in the *safari*. It was reckoned that there would be two such marches.

A lorry was to accompany each column throughout its whole march, containing barimals of water, and it was known that the people would travel in little family groups or similar-sized parties, each of which had one or more water-bottles, gourds or tins of water which they carried with them for use on the way. So great was the people's fear of thirst that one often saw people carrying full four-gallon petrol tins of water for the march, a tremendous weight which one was loath to make them discard.

When it was supposed that the head of each column would be nearing its new camping place the lorry accompanying it would be set off. It must be noted here that there was no military discipline to aid in the timing of the commencement of the individuals' march and each person or family group started when it seemed good to them after the guide had set off—sometimes hours after. This of course had to lead out each column for miles in space and hours in time. The lorry was to pick up any stragglers and bring them in.

The eventual remainders at North Horr and Karsa unable to march after perhaps several weeks of rest and treatment should be evacuated the whole way by lorry. These remainders in the end proved rather larger than was expected at this time. In all there were evacuated by lorry direct to Isiolo from North Horr, 2,294 people. This figure includes sick, old, weak, small children and some healthy persons looking after sick relatives. In addition some hundreds of such sick and weak were brought by lorry to North Horr from Karsa, and many hundreds got lifts for part of the way into camp each day, particularly the last few days into Isiolo.

The plan detailed above worked without any special hitch and of about 4,000 who did the march only six died, which may be considered an excellent result in view of the hardships both of the present march and of the people's recent past."

59. The organization, and control of the evacuation reflect the greatest credit on Dr. R. P. Cormack and Assistant Superintendent K. Cleland, and on all those in the field and at headquarters who so willingly co-operated with them.

At the end of the year the staff of the camp was as follows:—

- 1 District Officer.
- 1 Medical Officer.
- 2 Inspectors of Police.
- 120 Constables.
- 1 Construction Foreman.
- 2 Sub-Assistant Surgeons.
- 1 Asiatic Clerk.

The Medical Officer's wife, Mrs. McKenna, B.M., also worked in the camp, where she started a valuable women's clinic. The following account of the Ethiopian refugees' concentration camp at Isiolo is given by the District Commissioner. Administrative and departmental officers deserve great credit for the efficiency of the organization which was evolved under very difficult circumstances.

By October 9th the Ethiopian refugees who had entered the Colony were concentrated at Isiolo, and by the middle of October all were under cover in rough but adequate dwellings.

In view of the authority already possessed by the Amhara element and in particular by three wealthy and influential soldiers, it was expedient to divide the camp into three sections under these three leaders.

Administration through the leaders proved successful, although the Amharas, with their tradition of feudal aristocracy, did less than their share in the actual construction of the camp.

The camp guards and escorts were provided by the Kenya Police, and police lines, parade ground, office and guard room were all constructed by police and refugee labour.

A grant of £1,275 was received from the Abyssinian Relief Committee. Only a part of this sum was spent, the greater part being set aside for expenses in connexion with Mrs. McKenna's clinic, the encouragement of cultivation and handicrafts, and the education of children.

Shamba land was made available and vegetable seed and hoes were issued so that the Government ration might be augmented with camp grown vegetables. Seed cotton was issued to be woven into *shamma* cloth in many parts of the camp.

The services of Mr. Alan Smith of the Sudan Interior Mission were obtained, and under his direction a school was started in December. Not only the children of refugees but the large number of children who were forced to join the refugees *en route* from Ethiopia attended this school.

A Civil Court was established for the settlement of local claims for debt, etc. The Court consists of a panel

and an appeal to the District Officer is allowed. The Court worked satisfactorily; 238 cases were heard from the inauguration until the end of the year. There were only nine appeals to the District Officer.

The sudden concentration of thousands of Ethiopians of mixed origin necessitated many administrative measures, apart from the major problems of food, water, health, sanitation and public order. All the organization necessary for a small town was evolved in some form or another. Fire stations were set up, milk and vegetable markets established, and local by-laws framed and administered.

The payment of 10 cents per day to refugees engaged on camp works was authorized by Government. Muster rolls were kept of each gang employed on sanitation, grass cutting, timber cutting, etc., and payments made when ten days had been marked up on the labourer's ticket.

Payment was also authorized by Government at the rate of Sh. 5 to Sh. 8 per month to *fundis*, headmen, dressers, clerks, camp police, etc., in order to facilitate the internal administration of the camp. By the end of the year some 900 to 1,000 refugees were regularly at work, and the working gangs, hospital, camp police, etc., were staffed by some two hundred men drawing pay at the monthly rate."

60. Another problem which confronted the administration was the fact that the Italian authorities were inclined to abrogate the trans-frontier water and grazing rights which our tribesmen had enjoyed under the 1907 Treaty with Abyssinia. The Italian authorities stated that they would refuse all water unless the actual villages crossed into quondam Ethiopian territory. The result of this was that nearly all our Boran tribesmen west of Moyale crossed the border. On the east of Moyale the camel people, who were made of sterner stuff, flatly refused to do so. On September 4th the Officer in Charge met the Commissario of Yabelli regarding this question of water rights. He impressed on the Commissario the danger of such a policy and the latter promised to telegraph to his higher authorities. In September a reply was received granting our tribesmen their water rights for that dry season only.

61. In September a platoon of the King's African Rifles was moved to Gurar in order to reassure the tribesmen as to the integrity of the frontier but was withdrawn during the

The Officer in Charge met the Commissario on December 19th and a satisfactory agreement was reached as to the activities of the Italian local levies or "Bandas" along the line. Formal protests were from time to time exchanged with the Italian authorities as to alleged encroachments on either side but no regrettable incidents occurred.

62. A further disturbance was the outbreak of a riot in the Eritrean Internee Camps in November following a dispute during a cattle market. A mob of internees armed with firewood advanced in a threatening manner on the King's African Rifles guards who opened fire, killing 7 and wounding 29. A full enquiry was held by the Resident Magistrate, Nairobi, as a result of which the King's African Rifles were exonerated from all blame.

63. The tribesmen profited from the fact that the price of stock again remained high throughout the Northern Frontier and, although by the middle of the year the Italian purchases had been considerably reduced, these were counter-balanced by the large amount of meat wanted at Isiolo for both the Internee and Refugee Camps: the latter alone requiring about 100 beasts a week. The price of sheep also remained high and the export through Isiolo was considerable.

Once again the behaviour of the tribesmen was good. During August serious friction between the Abd Wak and the Aulihan developed on the Tana but, at a big *baraza* held at Garissa on the 25th September, the Officer in Charge was able to settle the matter and for the rest of the year the relations between the two tribes remained good.

64. With a view to water conservation a beginning was made in digging experimental pans in order to demonstrate to a water engineer in the future the results of some real experiments. Pans were dug at Galmagalo, Lug Bogol, Deifa and Sololo. All retained water well but that at Galmagalo was ruined by elephant.

A policy of limiting the weight of lorries and the closing of roads during the rainy periods was tried and proved eminently successful.

65. The District Commissioner, Moyale, reports that though rain was scarce during the first few months of the year grazing was good and, apart from frontier difficulties, the

encroachment southwards of the Gurre, was settled at an inquiry held at El Wak at which the District Officer, Mandera, attended and ordered the Eil Wak Gurre elders and the elders of the Fai section of the Degodia to enter into a bond to keep the peace for two years. No further trouble has since occurred.

It proved necessary to enforce the signing of a similar bond by the elders of the Murille and Degodia owing to a fight which took place between young men of the two tribes at Balahshir in June. The trouble arose over a woman and feelings ran high, but peace was soon restored.

66. From Wajir District it is reported that the rainfall was the heaviest remembered since the year Serenli was sacked. The black cotton soil areas became impassable to camels. The tribesmen scattered to the wet weather grazing areas, the Degodia to the north and west of Buna, while the Ogaden moved to the area on both sides of the Kismayu road. At the end of April the Ogaden, who had passed the dry weather in Italian Somaliland, began to appear.

There was some quarrelling between certain sections of the tribesmen over grazing and water rights during the year, but a *safari* or *baraza* by the District Commissioner to the places in dispute caused an amicable settlement.

As the short rains in the district were good, tribesmen did not go over to Jubaland as they did last year.

67. The District Commissioner, Marsabit, reports:

"Throughout the year the tribesmen were quiet and there were no disturbances, feuds or serious quarrels. With the exception below mentioned the normal grazing areas were used and there were no signs of unrest, discontent or dissaffection.

In February the Algana gave a little trouble by taking some 2,000 head of their cattle into a forbidden area north of Wano and Sog. They were fined and returned.

The Rendille carried out their circumcision ceremonies, but there were no incidents worthy of record."

68. Local tribesmen in Isiolo District experienced a peaceful and prosperous year and it is gratifying to record that no spear-blooding murders were reported from the Boran

their neighbours. Money was plentiful during the year on account of the boom conditions which still prevailed in the Lamu stock market and Arab traders were active at Muddo Gashe and Garba Tula purchasing meat stock for export via Garissa.

Apart from the increase of money in circulation the local tribesmen remained almost entirely unaffected by the depression in Ethiopia during the year. The Italian occupation has resulted in a decrease of would-be immigrants from the north and a curtailment of the itinerant trade in "Magadi" and "Diglo" from Ethiopia, which previously kept the Uaso tribes in touch with affairs in Borana. Good rains resulted in tribesmen keeping to their own areas.

69. The alien Somali community in the district enjoyed a prosperous year, partly as the result of the influx of Ethiopian refugees who disposed of the refugees' mules and donkeys sold to them with their usual acumen.

As in past years the alien Somalis occupied the area on a temporary and provisional basis. Each resident was issued with a permit under the Outlying Districts Ordinance for a period of six months.

The Isaak community presented a petition to Government asking to be regarded as Asiatics and to have Asiatic privileges and obligations. Those concerned refused to pay the non-native poll tax of Sh. 20 and it became necessary at the end of the year to take civil action against the defaulters.

70. A peaceful year is reported from Garissa District. The Tellemugger-Aulihan boundary dispute was the biggest trouble to contend with and lasted for the first half of the year. The trouble was the outcome of many years slow infiltration on the part of the Aulihan, who were only allowed in the district in the year 1929 and have been gradually making their position here—and especially on the Taña River—more secure. Chief Stambu Abdi for the Tellemugger and Chief Hilole of the Aulihan eventually came to an agreement and the trouble died down.

71. The Officer in Charge reports that on the whole the work of the headmen was satisfactory—more especially when it is remembered that the older men are rapidly disappearing while the duties of their younger successors are gradually becoming more extensive and difficult.

### Turkana District

72. Good rainfalls in both the Turkana and West Suk Districts—that at Kapenguria being the highest yet recorded—contributed to a successful year.

In the report for the preceding year it was noted of the West Suk people:—

"As in the past, the tribe has been apathetic and conservative, refusing to abandon any of their destructive methods of agriculture and suspicious of any suggestions for their betterment."

The District Officer records that the year under review has undoubtedly been progressive in various small ways and it would seem that the labours of the Principal of the Kapenguria School, carried out in the Reserve during school holidays, have borne fruit. The lack of a road through the Marich pass to the plains hampers considerable agricultural production. The construction of such a road would be very costly and the production does not yet justify such expenditure. Despite this very serious barrier to agricultural progress, there are undoubted signs that more and more various crops are being planted and there is a considerable track with Turkana in maize and tobacco.

The Officer in Charge records:—

"Firstly the abnormally heavy rains have ensured that there has been no food shortage, and the increase in prices and the continual demands for labour in the Trans Nzoia have brought added wealth to the Reserve. Tax has been paid without difficulty, together with the Local Native Council cess which has for the first time put the Local Native Council in a position to make contributions to the development of the district.

Another innovation is the beginning of medical work in the Reserve outside Kapenguria. The sub-assistant surgeon and an African dresser have made monthly *safaris* to the plains, and this has proved so popular that a sum of £50 has been set aside in the Local Native Council Estimates for 1938 for the building of a stone dispensary in Weiwai."

73. The Suk have maintained satisfactory relations with their Turkana, Baringo-Suk and Uganda-Suk neighbours.

their neighbours. Money was plentiful during the year on account of the boom conditions which still prevailed in the Lamu stock market and Arab traders were active at Muddo Gashe and Garba Tula purchasing meat stock for export via Garissa.

Apart from the increase of money in circulation, the local tribesmen remained almost entirely unaffected by events in Ethiopia during the year. The Italian occupation resulted in a decrease of would-be immigrants from the north and in a curtailment of the itinerant trade in "Magadi" and "Diglo" from Ethiopia, which previously kept the Usao tribes in touch with affairs in Borana. Good rains resulted in tribesmen keeping to their own areas.

69. The alien Somali community in the district enjoyed a prosperous year, partly as the result of the influx of Ethiopian refugees who disposed of the refugees' mules and donkeys sold to them with their usual acumen.

As in past years the alien Somalis occupied the area on a temporary and provisional basis. Each resident was issued with a permit under the Outlying Districts Ordinance for a period of six months.

The Isaak community presented a petition to Government asking to be regarded as Asiatics and to have Asiatic privileges and obligations. Those concerned refused to pay the non-native poll tax of Sh. 20 and it became necessary at the end of the year to take civil action against the defaulters.

70. A peaceful year is reported from Garissa District. The Tellemugger-Aulihan boundary dispute was the biggest trouble to contend with and lasted for the first half of the year. The trouble was the outcome of many years slow infiltration on the part of the Aulihan, who were only allowed in the district in the year 1929 and have been gradually making their position here—and especially on the Tana River—more secure. Chief Stambu Abdi for the Tellemugger and Chief Hilole of the Aulihan eventually came to an agreement and the trouble died down.

71. The Officer in Charge reports that on the whole the work of the headmen was satisfactory—more especially when it is remembered that the older men are rapidly disappearing while the duties of their younger successors are gradually becoming more extensive and difficult.

### Turkana District

72. Good rainfalls in both the Turkana and West Suk Districts—that at Kapenguria being the highest yet recorded—contributed to a successful year.

In the report for the preceding year it was noted of the West Suk people:—

"As in the past, the tribe has been apathetic and content with refusing to abandon any of their destructive methods of agriculture and suspicious of any suggestions for their betterment."

The District Officer records that the year under review has undoubtedly been progressive in various small ways and it would seem that the labours of the Principal of the Kapenguria School, carried out in the Reserve during school holidays, have borne fruit. The lack of a road through the Marich pass to the plains hampers considerable agricultural production. The construction of such a road would be very costly and the production does not yet justify such expenditure. Despite this very serious barrier to agricultural progress, there are undoubted signs that more and more various crops are being planted and there is a considerable trade with Turkana in maize and tobacco.

The Officer in Charge records:—

"Firstly the abnormally heavy rains have ensured that there has been no food shortage, and the increase in prices and the continual demands for labour in the Trans Nzoia have brought added wealth to the Reserve. Tax has been paid without difficulty, together with the Local Native Council cess which has for the first time put the Local Native Council in a position to make contributions to the development of the district.

Another innovation is the beginning of medical work in the Reserve outside Kapenguria. The sub-assistant surgeon and an African dresser have made monthly *safaris* to the plains; and this has proved so popular that a sum of £50 has been set aside in the Local Native Council Estimates for 1938 for the building of a stone dispensary in Wewei."

73. The Suk have maintained satisfactory relations with their Turkana, Baringo-Suk and Uganda-Suk neighbours.

The Suk-Turkana Tribunal sat at Lotogot during November and the Suk of Masol location were permitted to graze their herds in the Loya Valley on the Turkana side of the border.

Unfortunately the affairs on the Suk-Trans Nzoia border and the Suk-Elgeyo-Marakwet border have been far from satisfactory and it is recorded that the two locations of Riwa and Mnagei, which border on the Trans Nzoia, have required more supervision and caused more trouble than most of the other locations combined. There are various reasons for this. These people live on the border of the settled area; the inhabitants have easy communication with strangers and with the outside world and there are two groups of non-Suk natives living in the area, who consider themselves superior and therefore despise tribal authority. These strangers, who consist of Elgonyi-Masai and Cherangani, have been continually suspect in stock theft cases and in the illegal transfer of cattle to and from the Trans Nzoia.

A scheme for the closer control of these two groups by placing them under their own sub-headman, who is responsible to the local Suk Chief, was started and the police have continually patrolled the border. Towards the end of the year the reduction of "squatter" stock in the settled area caused continual attempts to off-load superfluous cattle into the already overstocked reserve. As a result all stock permits and permits for strangers to reside in Suk have been consistently refused.

The uneasy atmosphere which existed at the end of the preceding year between the Elgeyo-Marakwet and Suk persisted. Thefts of stock in Lelan and the never-ending quarrels over dry-weather grazing on the border brought matters to a head.

The Officer in Charge records:—

"The Suk took hostages from the Elgeyo and brought them in pride to Kapenguria. On March 11th a joint *baraqa* of Suk and Elgeyo, together with the District Commissioner from Tambach, was held on Mt. Kapsait. Despite the recommendations in the past on the subject of peaceful interpenetration between these two tribes, it was thought advisable to demarcate a fixed boundary on the ground. An agreement was reached reiterating the provisions of the 1927 agreement and a Suk-Elgeyo Tribunal

established on the border with tribal retainers on both sides as patrols. For the remainder of the year there has been no trouble whatsoever in this area and owing to the successful working of the Tribunal three long outstanding stock theft cases were cleared up."

On the northern side the Marakwet crossed the Chesegeon River into the Merille on the Suk side. Chief Litole and the Merille objected, but as a *quid pro quo* required the Merille to cede a tract called Chepelet between the Chesegeon and the Kerio Rivers. At a subsequent meeting between the Officers, Chiefs and Elders of the two districts, this arrangement was rectified and a new boundary cut.

74. The Officer in Charge reports that the advent of the Italians in Ethiopia has had no serious repercussions, their control of the Merille has helped considerably towards the maintenance of a peaceful frontier and on the two occasions when meetings between Italian officers took place relations were most cordial and help was afforded in the transaction of any necessary inter-territorial business.

Throughout the year the Italians forbade the entry of Turkana into Merille country, and enforced their prohibition effectively near Namaroputh, where its avowed object was to prevent the export of millet. More than once Turkana found in Merille country were warned but in no case was an arrest made.

Some of the Turkana fishermen at Todenyang made trouble for themselves by planting millet at the north end of Toppen Beach, against the advice and without the consent of the District Commissioner. The Italian officer merely informed them that the millet would be confiscated when ripe, but took no further action against them.

75. Relations between the Merille and the Donyiro were uneasy at the beginning of the year but improved towards the end, while the relations of both with the Turkana have been excellent.

76. The entry of refugees across the border from Ethiopia seeking protection in Turkana was a cause of anxiety to the administration.

In January a party of 46 Eritrean deserters from the Italian army who had joined the Ethiopians arrived at Todenyang. They had had all the warfare they wanted and

refused to return whence they came and had perforce to be received into Kenya. They were disarmed and removed to the Isiolo Internment Camp via Lokitaung.

At the end of March a further party of seven Eritrean deserters crossed the frontier and in the first half of May a total of 372 Ethiopian men, women and children were admitted into Kenya through Namaroputh. They were accompanied by Kurari Zaude Ayella, late Governor of Maj. [redacted] they were handed over to the King's African Rifles. An Internment Camp was built just outside the gate at the entrance to Lokitaung; an isolation camp was built for the sick; all were vaccinated and full particulars were taken of each individual. The whole of this work was organized and successfully carried out by the King's African Rifles.

A further 28 refugees were interned in the middle of July and on September 1st one more entered Turkana. There was no further influx as by this time the Italians had control of all the country west of the Omo River. The Merille gave the Ethiopians no assistance and prevented them from crossing the river in large numbers by hiding their canoes.

The camp was evacuated in August and all the refugees were transferred to Isiolo.

77. Of affairs on the Uganda border the Officer in Charge writes:—

"The Oripoi area has been peaceful throughout the year but in the neighbourhood of Munyen and Loya a number of incidents nearly led, on more than one occasion, to serious collision between the tribesmen. Trespass by the Suk was frequent and by the Karamajong occasional.

The agreement of 1936 provided for mutual use of certain waterholes and grazing areas by the Turkana and Karamajong and the total exclusion of the Suk except by permission. Early in the year the Suk, in defiance of this arrangement, entered the area.

In April reports were received that a concentration of Turkana at Munyen foreshadowed an attack on the Karamajong. A patrol was sent and found on arrival that the Turkana had been dispersed by Chief Emana. Armed Suk and Karamajong alone remained."

In May and June the trespass still continued and Turkana attacks reported at Lodwar that the Turkana were incensed

were sent out from Lodwar to keep the peace. A minor fight with sticks and wrist knives between Turkana and Suk was dispersed by the police. The Suk and Karamajong refused to move when told to by the police patrol saying they were sent there by their District Commissioner. Efforts to hold a joint *baraca* in August were unsuccessful. The Suk moved from Lokitiamu, though still remaining in Turkana.

In October a police patrol was sent out from Lodwar to move some Suk from the Loya Valley. They were surrounded by a large body of truculent Suk who took two of their rifles. They fired two shots over the heads of the Suk. A District Officer proceeded to Loya and found the Turkana preparing for battle. Later the Officer in Charge, Turkana, and the District Officer, Moroto, Uganda, arrived. The trespassing Suk *manvatta* was ordered to move up on to the hills; the offenders and ringleaders in the attack on the police were finally arrested, tried in Lodwar and punished.

A police post was established in the area and by November all Suk and Karamajong had moved back to their own areas. Great credit is due to the Turkana particularly Headmen Epussie and Emana for the way they behaved themselves under extreme provocation.

78. On the Sudan border slight but almost inevitable trespass by each tribe on the preserve of the other, has alone marred the relations of the Turkana with the Topotha and Didinga.

79. The Turkana have fished unmolested at Toipen on Lake Rudolf throughout the year. Catches have been up to the average both here and at Namaroputh and Todenyang. Fish was supplied to twenty-six paupers who remained at Ferguson's Gulf on the Lake.

80. Of the work of the various Chiefs in the inter-provincial district the Officer in Charge writes:—

"Abong remains the outstanding Chief in spite of his disability. His influence in South Turkana is still both powerful and beneficial and his friendship with Chief Lutukomoi of West Suk is largely responsible for the good relations on that border.

Erupe is still the most influential Chief in western Turkana. Once again great credit must be given to Epussie and Emana for the way they have held their people in



4. The Councils showed an increasing sense of responsibility and intelligence and administered their funds wisely. The more backward Councils showed greater interest in the proceedings and the prosperity of the year enabled the rate to be collected in full.

The following rate was imposed on adult male members of the tribe by each Local Native Council during the year under review:—

Rate: Sh. 2:—

North, Central and South Kavirondo, Kiambu, Machakos (Ulu), Narok and Kajiado.

Rate: Sh. 1/50:—

Teita.

Rate: Sh. 1:—

Fort Hall, S. Nyeri, Embu, Kitui, Machakos (Kikumbuliu), Kipsigis, Elgeyo, Baringo, Naandi, Samburu, Giriama, Digo and West Suk.

Rate: Cts. 50:—

Meru.

5. At the end of the preceding year the surplus balances of Local Native Councils amounted to £101,269. These balances had hitherto been placed on deposit at the Post Office Savings Bank, but it was felt that they should be invested more profitably. By an amendment to the Native Authority Ordinance it was made permissible to invest these funds in Trustee Stock in Great Britain in conformity with the procedure adopted for the Joint Colonial Fund. A Local Native Joint Investment Fund was instituted with the Treasurer and Chief Native Commissioner as Trustees. This new arrangement took effect in September and by the end of the year the sum of £21,300 had been so invested by various Local Native Councils.

6. The intense interest shown by nearly all native councillors not only in finance but in the social and economic implications of matters under discussion is most gratifying.

Questions of soil conservation, marketing, hygiene, land tenure and the like are thoroughly threshed out. The native is a born debater, puts his points well and even at times listens to the arguments of others. Every year there are more educated natives coming into positions of responsibility and the difficulty is not so much to introduce new ideas to the Councils but to prevent the "intelligentsia" thereon from advocating measures which are too far in advance of the tribe they represent. Native custom is not static but it takes

time to adjust itself to progress: the curb rather than the spur is often needed in controlling development.

#### Nyanza Province

7. Economies were effected in expenditure and the surplus balances of the North Kavirondo Local Native Council reached the sum of £20,000.

Under review there has been an increasing number of matters that are likely to prove difficult to a Council of the type of the Council consisting of the more intelligent members in the first instance and this together with the fact that the Council has been allowed to meet under the chairmanship of Chief Murunga for part of the first day, has added to the quickness of dispatch of business.

The District Commissioner reports:—

"There seems to be nowadays a genuine spirit of friendliness at Council meetings and a readier grasp of essentials than used to be the case."

The Council's estimates were passed at a meeting held in July with the minimum friction and difficulty. A sub-committee of Council had sat for five days when each item was investigated with the aid of a blackboard and every endeavour was made to explain the whole system of accounting to the members. Many sensible questions were asked and this method, which was an innovation, appeared to be much appreciated.

A party of members visited the Agricultural Show in Nairobi and subsequently toured the Kikuyu Reserve in order to examine the marketing system. Another party visited Bubulu, Mbale and Kampala in Uganda. These educational tours undoubtedly broaden the outlook of the Councillors.

8. The Central Kavirondo Council spent a quarter of the income derived from the rate imposed on education and a further quarter on roads and soil reconditioning.

Due to an increase in the rate it was possible to carry out a more comprehensive programme of work than in the previous year and the building programme was extensive and included a Tribunal Hall at Nyahera, dressers' houses at four centres, a maternity centre at Siaya and two health workers' houses. As far as possible all buildings were composed of burnt bricks and the work is done entirely by natives of the district.

9. The South Kavirondo Local Native Council met three times during the year. The year's working was most successful. The actual collection of revenue amounted to £15,837, to which the rate contributed the sum of £2,731.

(b) The Kipsigis Local Native Council, realizing that the tribe would lag behind other tribes unless there was more money available for various services—particularly agriculture—raised their rate from Sh. 1 to Sh. 7. The four meetings of Council were well attended and the Kipsigis continued to show interest in the proceedings.

#### Central Provinces

11. The Local Native Councils of the Province performed notable work during the year. The Provincial Commissioner who attended many meetings writes that he was struck by the intelligence and the moderation displayed. Many resolutions of outstanding value were passed and received the approval of the Governor-in-Council. Among the more important of those were the following—

(a) In the Embu District the resolution in regard to female circumcision formerly passed by the Council was extended to the Kikuyu divisions of the District, which marks an important change in the solving of this difficult problem. This is the first occasion in which the Kikuyu have with practical unanimity agreed to the modification of the circumcision operation and the decision is a big advance in native public opinion.

The resolution when given general effect will reduce the rite of circumcision from serious mutilation to a minor operation involving no deleterious effect.

(b) The registration of transactions affecting land was approved by the Fort Hall and South Nyeri Local Native Councils at the instance of the Provincial Commissioner, the object being to provide a reliable record of such transactions and serve the ends of justice.

The solutions, however, which open up the very difficult question of native land tenure, have not yet received the assent of the Governor-in-Council.

(c) Resolutions for the registration of marriages, births and deaths were passed by the Kiambu, South Nyeri and Fort Hall Local Native Councils.

(d) The majority of Local Native Councils passed resolutions for the prevention of soil erosion but these have been held up pending the circulation by Government of a draft Standard Resolution which will meet the needs of all districts.

12. The revenue of the Councils exceeded expenditure by over £5,000. Each Council ended the year with an increased balance to its credit.

An important addition to a resolution passed in the year 1935 was made by the Kiambu Council and, with a view to encouraging Local Native Council markets to become real centres of trade, and possibly later of social services, and saving them from competition in their immediate vicinity, it has been made illegal for a shop selling trade goods to be established within a radius of three miles from any such market.

13. The Meru Local Native Council possesses a number of keen, intelligent and progressive members, in whom the others place great confidence.

The District Commissioner records—

"It may fairly be said that the Local Native Council here is a real success in that its recommendations and resolutions are made not blindly on the advice of the President but after due thought and consideration. It is satisfactory to be able to record that there has been one substantial matter in which Council steadfastly refused to accept the President's advice—I refer to the question of produce buying stalls in the new Meru market. The President advised that the Indian produce merchants should be required to erect temporary buildings on their buying plots at their own expense (the merchants having previously agreed to do this), and Council insisted on the buildings being erected at the Council's expense. This decision will probably cost Council a lot of money in the end but their point that the erection of a building—even of a temporary nature—is apt to lead to a claim of right to the land in course of time (irrespective of the conditions laid down in the first instance) is certainly a strong one, and their desire to avoid any possibility of non-natives getting any further footing in the Reserve outside townships and trade centres, except for very strong reasons, is not one to be lightly overruled."

14. Of the Fort Hall Council the District Commissioner writes:—

"The most striking and perhaps refreshing difference between a European parliamentary institution and the Fort Hall Local Native Council is, without doubt, the entire absence of back-benchers in the latter body. Every member here feels that he would be failing in his duty if he did not seize every opportunity of expressing his views; and there is much keenness in the latter of whose names must be recorded in favour of a seconder of a motion when it is put to the Council."

*Hill Valley Province*

15. There are four Local Native Councils in the Province in the Nandi, Elgeyo, Baringo and Samburu areas.

The Provincial Commissioner writes:—

"In spite of the backwardness of all these tribes it is surprising how much interest the Local Native Council members take in their work. This, of course, is not to be compared with that undertaken by the Local Native Councils in the big Reserves of Nyanza or Central Province, but a start has undoubtedly been made.

With a view to fostering the spirit of progress members of the Elgeyo, Baringo and Samburu Local Native Councils were taken on educational tours to see the work carried out by the more progressive Local Native Councils in the Colony."

The Elgeyo and Baringo Councils visited Kiambu and Machakos Reserves during the year. The visit to Machakos was of real educational value to the Elgeyo Councilors and a vivid example of the possible future of their own Reserve if overstocking continues and soil erosion remains unchecked.

The Development Officers of both Councils have had a very busy year and it is satisfactory to report that the Baringo members appear at last to begin to appreciate the work that is being done.

16. The Samburu Council was inaugurated in November of the previous year and the District Commissioner reports that, despite the novelty, members took a keen and intelligent part in the proceedings. The Councilors visited the Agricultural Show at Nairobi where they were both instructed and amused—the various breeds of dogs appeared to fascinate them!

In Maralal itself the Local Native Council built a *baraza* hall, a school, a male and female ward attached to the dispensary, whilst the building of a dam 600 ft. long by 10 ft. high by 40 ft. thick was commenced at Lake Kisima.

*Coast Province*

17. The Councils of the Coast Province were increased to four by the institution in August of the Tana River Local Native Council!

The Giriama Council progressed. It is reported that the Councilors have shown an increasing interest in the work. For the first time for some years several non-financial resolutions were passed providing for reforestation, communal labour and preservation of timber, while in the Estimates for the following year grants for bursaries were made and, conditional upon the schools following the Council's educational and health programme, grants to missionary education were increased.

The Council's expenditure amounted to £2,631 and its revenue, which was materially increased by the Mariakani milk cess and timber royalties, to £3,715.

Mr. W. G. Lillywhite presented the Council with fifty acres for a seed farm at Kilifi, which is to be used for growing crops for issue in bulk to the Reserve.

18. Of the Digo Council the District Commissioner writes:—

"The Digo Local Native Council first came into being in the year 1925 and since then each year has witnessed an increasing appreciation, both by the members and by the general public, of its functions and uses.

As the previous members had held office for the full period of three years, elections took place in July and the new Council met for the first time in August. In all three meetings were held during the year and a satisfactory amount of constructive work accomplished."

The revenue of the Council amounted to £3,970, of which the cess raised contributed £705 and royalties on timber and fuel £783. The Kenya and Uganda Railway is at present a large consumer of fuel.

19. The Teita Council passed resolutions on such matters as village cleaning, road preservation and re-afforestation. Minutes were recorded on such subjects as experimental cotton trials in Teita, latrine building, anti-soil erosion

measures and ghee dairies. The District Commissioner records:—

"These resolutions and minutes formed the basis of comprehensive and valuable discussions and in a large measure reflect the interest shown by the Council members in a variety of matters affecting the welfare of their people.

Members are invariably willing to adopt any measures for the welfare of the district generally and are to be commended for their spirit of co-operation shown in most cases in which measures are applied."

20. Considerable enthusiasm was shown by the Tana River Councilors, though the District Commissioner reports a certain lack of knowledge of parliamentary procedure! The funds of the Council are small and its programme modest. The estimates of expenditure passed during the year only amounted to the sum of £148.

#### *Masai District*

21. The Officer in Charge records that the Narok and Kajiado Councils were undoubtedly more interested in their affairs than hitherto.

A meeting of the combined Councils was held at Ngong in October when among other subjects the question of providing cattle for Liebig's factory was discussed. Members of Councils were informed of the number of cattle required and the price to be paid on the basis of the world's market price.

The Council had no opposition to the scheme but considered the price incommensurate with the value of their stock.

Among the more important subjects discussed by the Kajiado Council were a scheme for the institution of bush schools and the Chyulu Triangle land exchange.

#### *Turkana District*

22. The West Suk Council consists of twelve nominated and twelve elected members. The Officer in Charge records:—

"Between December 20th and 23rd ten Elders of the Local Native Council paid a visit to Kakamega. An excellent programme of sightseeing had been arranged through the kindness of the District Commissioner, North Kavirondo, and agricultural, soil conservation, veterinary, medical and school activities were all inspected.

The Elders were plainly impressed by what they saw and it is hoped that the lessons of the visit may bear fruit among the Suk."

A cess was imposed for the first time by the Council and cheerfully paid and realized the sum of £290. This brought the total revenue of the Council to the sum of £457.

In May the foundation stone for a new brick Council Hall was laid and at the end of the year the building was nearly completed.

## CHAPTER IV NATIVE TRIBUNALS.

The Native Tribunal system has proved itself a valuable factor in the administration of justice in the Colony.

Native Tribunals were instituted under the provisions of the Native Tribunal Ordinance, 1930, for a period of three years. By an amending Ordinance their life was extended for a further three years and in 1936, by a motion moved in Legislative Council, for a further year. By an amending Ordinance passed during the year under review they were made a permanent factor in the administration of the Colony.

2. The Native Tribunals did excellent work in the year under review and year by year increase in the efficient administration of justice.

A most important reorganization scheme, started in the preceding year in the Central Kavirondo District, was extended throughout the Nyanza Province. The decrease in appeals to a higher court testifies to the quality of the justice administered.

3. The number of cases tried by the Tribunals of the Central Province and the civil cases tried in the Nyanza Province is remarkable and proves that the natives increasingly appreciate the value of these courts.

4. In an Order of Revision made by the Supreme Court it had been held that compensation paid in criminal cases tried by Native Tribunals should be in cash and not in kind as had been the custom in certain areas.

The Acting Attorney General advised that this alteration must take place. The question was discussed at the Provincial Commissioners' Meeting held in October and the principle was acceded to but two Provincial Commissioners wished it recorded that "the expressed their regret that yet another native custom in which they could see no wrong should lapse."

5. The locational Tribunals of the Central Kavirondo District had during the previous year been reorganized into five Divisional Tribunals, and during the year under review this system was introduced into the North and South Kavirondo and the Kericho Districts.

The main advantages of the scheme are as follows:

- (i) Proper courts are being established as free as possible from corruption, while formality in proceedings can be achieved in the excellent court houses that are built in many centres.
- (ii) The executive duties of the Chiefs are separated from judicial functions and a stricter supervision of the work of the Tribunals is possible.
- (iii) The personnel of the Appeal Tribunals is very carefully selected and the number of complaints against judgments are lessening: this enables District Commissioners to review the native court work more thoroughly.
- (iv) The Elders are well paid, generally on a fixed salary. Process servers are paid by the Tribunals and execution is independent of Chiefs' retainers.
- (v) Returns are submitted more promptly to the Attorney General.
- (vi) Closer supervision of the criminal work is achieved.
- (vii) A great increase in revenue for the Local Native Councils is obtained from the fees paid: £5,500 was collected in the year under review as against £2,500 and exceeded expenditure by £2,400.

6. In North Kavirondo the number of Tribunals was reduced from twenty-five to six and centres for these Tribunals were chosen at places ensuring comparative ease of access from any point in the locations which had been combined, and to which natives were accustomed to travel because of other facilities already available.

Thus at Mbale in South Maragoli, on the main Kisumu-Kakamega road, there already existed the most important market in the District. At Hwesero in Kisa a large market, a dispensary and a Mission Station in building in the neighbourhood; at Mumias a trading centre, cotton-buying store and a dispensary; at Nambare a ginnery, trading centre, a dispensary and the native Anglican Church. Butsoyo was chosen as it is only a mile from Kakamega township and

Kavujai at the request of the northern locations because it afforded a central position, a good water supply and easy access.

7. The selection of suitable clerks from the great numbers of applicants was accomplished with success as, though they required constant supervision, they have worked well.

The procedure adopted in North Kavirondo was as follows: On the first day in each month an officer visited each location and the Divisional checked the entries in the Registers and gave appropriate counterfoil receipts. He then checked the cash, paid the officials and brought the balance to Kakamega. After paying the Elders, he heard criminal appeals and, if necessary, any civil appeal from the Appeal Tribunal. He then heard complaints and advised the Elders on any points which had arisen during the preceding month. From time to time instructions to clerks were issued on points which arose and which had not been foreseen.

8. The Divisional unit contemplated will consist of the Court, President's house, clerk's house, elders' sleeping quarters, a dispensary and houses for an Agricultural Senior Instructor and a Veterinary Scout respectively.

9. Owing to the fact that there are four tribes in the district and that distances are greater than in the neighbouring districts, there are nine Divisional Tribunals in the South Kavirondo District, whereas there were previously thirty-three Locational Tribunals.

The District Commissioner writes:—

"Each Tribunal has been carefully sited at some distance from a Chief's headquarters so that the judiciary is definitely removed from the executive.

The Chiefs are enthusiastic in their appreciation of the wisdom of this step as they find themselves unfettered by any need to attend the sittings of the Court and, moreover, are never quoted as having influenced the cause of any party to a suit, and are consequently free of the eternal *fetina* from this source."

Revenue from the Divisional Tribunals in this district exceeded all expectation and in Central Kavirondo exceeded that of the previous year by some £250.

10. The following comparative table shows the number of Civil and Criminal cases heard by Native Tribunals and the appeals therefrom to the District Commissioners' and Provincial Commissioner's Courts for the last two years:—

Native Tribunals	Criminal Cases		Civil Cases		Appeal to Tribunal		Appeal to D.C.		Appeal to F.C.		Criminal Cases revised by D.C.		Criminal Cases revised by Attorney General	
	1936	1937	1936	1937	1936	1937	1936	1937	1936	1937	1936	1937	1936	1937
North Kavirondo	1,553	1,284	12,107	364	364	528	20	81	0	71	43	12		
Central Kavirondo	1,112	1,319	3,238	2,921	2,921	329	83	88	9	130	43	14		
South Kavirondo	2,725	2,922	3,252	4,755	4,755	519	149	157	7	224	292	14		
Kitulo	107	191	47	314	47	18	2	1	—	10	7	3		
Kisumu-Londiani	32	24	5	65	5	65	—	—	—	—	—	—		
TOTAL	5,619	5,744	48,650	20,162	11,113	1,804	240	276	7	23	43	33	15	

## Central Province

11. The following is a comparative table of Civil and Criminal cases heard by the Native Tribunals of the Province during the years 1935, 1936 and 1937.

	1935		1936		1937	
	Civil	Criminal	Civil	Criminal	Civil	Criminal
Kiambu	1,007	1,083	1,087	1,159	1,183	1,283
Fort Hall	1,353	1,320	1,516	1,528	1,786	2,003
Embu	1,849	1,099	1,207	981	917	4,677
Meru	670	1,673	943	1,203	2,572	2,145
South Nyeri	1,617	850	1,809	1,370	2,552	1,966
Machakos	896	3,335	941	1,430	1,401	1,918
Kitui	1,427	783	1,028	1,267	1,151	1,961
Nairobi	254	93	262	400	399	484
North Nyeri	—	—	—	—	22	—
TOTAL	8,568	18,239	8,793	8,931	13,168	15,257

The Provincial Commissioner records—

"Good reports have been received from all districts in regard to the work performed by these Tribunals during the year, and there can be no doubt that the efficiency of these bodies increases with the passage of time and with the constant attention which is being devoted to the improvement of their organization.

The allocation to Native Tribunals of the fees in but tax cases has been a boon to many Tribunals which formerly had difficulty in making both ends meet. This factor and the increase in civil cases have restored the finances of these Tribunals to a sound basis. A notable instance of this is the Meru District where the fees have increased from £222 in 1934 to £1,104 in 1937.

The number of appeals heard by the District Commissioners were as follows:—

Kitui	61
Meru	50
South Nyeri	54
Kiambu	61
Embu	47
Fort Hall	47
Machakos	—
<b>Total</b>	<b>288</b>

Thirty cases of appeals to the Provincial Commissioner were heard by him."

A very high percentage of the criminal cases heard by the Tribunals were in respect of non-payment of hut and poll tax but it is surprising that in the enlightened and progressive district of Kiambu 23 such cases came under witchcraft.

12. A Tribunal was established on January 1st in the Mokogodo area of the District. The District Commissioner reports that it is serving a useful purpose and gaining in experience and the President, Mungai ole Muruga, carried out his duties satisfactorily.

13. In the South Nyeri District the experiment was tried of arranging for the election of members of the Tribunals, the candidates obtaining the largest number of supporters being appointed in almost every case. The experiment is being watched with interest and appears to be working well.

14. Of the appointment of Tribunals of the Embu District the District Commissioner writes:—

"The term of office of the Tribunals expired this year and natives were asked to signify their wishes with regard to appointments. They nominated persons and votes were taken to ascertain the number of supporters. The persons with the largest number of supporters were appointed in almost every case. Mission representatives had to stand for election and are now on the same roster as other members. Christians are very well represented on the Tribunals, with the exception of Mbere, and their influence is definitely good."

#### *Rift Valley Province*

15. The seven Native Tribunals in the Nandi Reserve worked well during the year and tried 165 Criminal and 322 Civil cases as compared with 133 Criminal and 238 Civil cases during the preceding year.

Each Tribunal has a clerk paid by the Local Native Council. The task of hearing cases of non-payment of hut and poll tax was for the first time delegated to the Nandi Tribunals.

16. There are four Native Tribunals with jurisdiction in the Elgeyo District but the only one that meets regularly is that at Tambach. The tribe is not litigious and most cases

are settled by the Kokwot Elders in each location, who usually persuade the parties to come to an agreement.

17. A Tribunal was established in the Baringo District in June. Five Elders, drawn from a panel of the whole district, sit for a month in the Station, hear all cases brought before them and at the end of the month are relieved by a further five Elders.

The Tribunal appeared to be popular but is not as yet self-supporting and for the present the Local Native Council are content to bear the loss.

18. The North and South Samburu Native Tribunals functioned in a desultory manner. The tribes are neither civilly litigious nor do they indulge in petty crime. As a result the small revenue obtained from fees was insufficient to recompense the Elders for the long distances they had to travel.

#### *Coast Province*

19. The Mombasa Tribunal sits daily from 2 p.m. to 4 p.m. and during the year heard 646 Criminal and 344 Civil cases. The number of Elders was reduced in October from fifteen to ten and it was thus possible to increase their remuneration. The Tribunal became badly disorganized during the year owing to the dishonesty of the Clerk of the Council who had previously, in collusion with the President, been systematically falsifying the accounts and misappropriating moneys.

20. More educated natives are being gradually introduced into the Tribunals of the Kilifi District where the work has increased and Magistrates have been relieved from conducting all but the most serious cases. The ~~Kaloleni~~ Tribunal, on account of heavy work, sits in two panels and panels have also accompanied the District Officers and Arab officials on safari to try hut tax defaulters. Fees received by the Tribunals amounted to £844.

21. The four Tribunals in the Digo District have functioned satisfactorily since their reorganization two years ago. They sit permanently, making use of the panel system.

22. The Voi-Sagalla, Dabida and Laveta Tribunals of the Teita District continued to perform good work and only four appeals were registered during the year. Two of the Tribunals heard several tax defaulter cases and only four

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appeals were made against their judgments. The total cases tried were 371 Criminal and 343 Civil cases during the year and they collected £81 in fines and £192 in fees.

23. In the Tana River District it is reported that the Chara Tribunal functioned well. It has, in comparison with the other Pokomo Tribunals, jurisdiction over a small area only and is therefore easily accessible while the population is large and well enough to afford the costs of litigation. The other Pokomo Tribunals require constant encouragement for operation.

The Kipini Swahili Tribunal has been reorganized, is now functioning satisfactorily and tried 140 Civil and 98 Criminal cases during the year.

#### Masai District

24. The ability of the Masai to settle their own affairs and their natural good manners are a bulwark against the kind of litigiousness which is practised by certain other tribes and it is satisfactory to record that there has been no appreciable increase in litigation among them.

#### Northern Frontier District

25. There are two Native Tribunals in this area, namely in Waipi and Garissa Districts. Both functioned well. The Waipi Tribunal tried 49 Civil cases and 24 Criminal cases and there were eight appeals made to the District Commissioner.

All the work of the Tribunals in Garissa the District Commissioner writes:

These have proved their value, even though at times it is hard to correlate the offences tried under Native Law and Custom with the appropriate section of the Penal Code.

Litigation among the riverines appears to be a tribal sport. Difficulties occur in the enforcement of judgments. The cases tried during the year were as follows:—

TRIBUNAL	Central	Galla	Rivorino
Criminal	19	4	18
Civil	10	17	98

#### Turkana District

26. There is no legally constituted Native Tribunal among the Turkana.

Owing to the advent of the Italians the Lukiko Border Court will not function again and it has not been possible to establish any other Border Court. A few Civil cases between Turkana and Merile or Donyiro were settled out of court in a wholly satisfactory manner.

The Oripoi Border Court did not function but the Suk-Turkana Court met once during the year.

The West Suk Native Tribunal, which consists of a President and four permanent Elders sits at Kapenguria twice a month. The Court tried twelve Criminal and 72 Civil cases during the year.

#### CHAPTER V

##### TRADE

Except in certain areas of the Coast Province where adverse weather conditions prevailed, the year under review brought increased prosperity to the Native Reserves.

The value of stock remained high throughout the year and, due to marketing and inspection services, the quality of native produce showed further improvement and commanded higher prices.

2. Samples of native produce were sent all over the world with the object of exploring further markets: 57,898 cwt. of native-grown potatoes left the Colony—the majority on their way to India.

3. The beneficial effect of the introduction of marketing legislation, crop inspection services and the appointment of a marketing officer is demonstrated by the greatly increased value of native exports. The following table shows the increased wealth brought into the Native Reserves from the sale of their produce during the past seven years:

	1931	1932	1933	1934	1935	1936	1937
	£	£	£	£	£	£	£
Cotton	7,408	8,589	25,581	28,477	76,326	149,788	191,518
Maize						21,125	
Potatoes	13,032	15,384	10,650	9,170	19,500	20,500	16,503
Wattle Bark	72,621	78,810	46,000	51,658	44,570	48,748	45,483
Extract	4,008	3,754	13,366	19,401	39,328	42,001	50,500
Hides	58,027	85,000	130,090	166,800	141,530	121,483	196,070
Skins	37,269	16,166	20,494	20,090	35,847	67,238	106,389
Groundnuts							28,812
Oil: Sesame							16,198
Total	£ 193,526	208,703	240,821	301,296	357,101	471,540	651,573

4. No native-grown maize was exported during the year under review. It realized higher prices in internal markets than export parity owing to the fact that a possible shortage of this crop, which did not materialize, was anticipated.

#### Nyanza Province

4. The improvement in the year was maintained throughout the year. The high price of maize failed at the beginning of the year increasing the power of the growers and a good price ruled throughout the year.

The following is the list of agricultural and other implements sold by Messrs. J. L. Riddoch, Ltd., to natives during the year.

A remarkable increase took place in the number of ploughs sold.

Ploughs		
E. C. Ploughs	252	
Victory Ploughs	1,116	
		1,368
Grinding Mills		
Colonist Mills	12	
Central Mills, No. 3	8	
Atlas Mills	78	
Mill Stones, East	1	
Trek Chains	99	
Union Separators	634	
Yokes, Complete	219	
Harrow, Sections	458	
	3	
Caltravators	3	
Plough Shares	244	
Handbar Cycles	157	
Singer Sewing Machine	114	

5. Towards the end of the year there was a distinct drop in the price of raw products, particularly groundnuts, cotton and hides, and a fall in native trade was reported from Kisumu.

The number of trade licences at Sh. 10 each taken out by natives increased enormously and the application for shops at gazetted markets often exceeded the space available for building them. The District Commissioner, Central Kavirondo, writes that the "Luo seem to have taken to trade as a career open to all who read and write".

6. Revenue from the Lake Victoria fishing industry exceeded expenditure by some £1,200. The principal items of revenue were fishing net licences £1,545, fishermen's licences £612, and registration of boats £56.

Fishing on the lake is governed by regulations concerning the mesh used and registration of boats and fishermen and to enforce these regulations a fisheries patrol is maintained on the lake. Nine natives are employed by the patrol—two in the launch *Nguva* and seven as scouts on shore.

Catches were particularly poor in the early months of the year and the total catch was lower than that of the previous year. This would appear to be due to the excessive rainfall, and not to any lack of fish, and it is probable that the sudden high rise of the lake level upset the normal feeding grounds.

During the year there were 41 Indian boat owners, employing a crew of roughly three natives in each of their 164 boats, and approximately 3,600 native fishermen were registered. A number of fishing dhows were built by natives and sold for about £25.

The plentiful crops of the previous year had resulted in many more natives being able to afford to buy nets and some 5,000 more were sold to natives than during the previous year. It is estimated that the value of their catch to native fishermen during the year was £38,556 and to Indian fishermen £27,444, of which approximately 284 tons of fish to the value of £7,952 was exported by rail to Nairobi and other towns. The consumption of fish by natives locally is very large and much trade in fresh and dried fish is carried on in the Kisumu Fish Market, where it is supplied direct by native fishermen.

7. The commercial prosperity of Kakamega declined owing to a decrease in mining activities but, in the trading centres in the Reserve, the year was a bumper one both for the producer and the petty trader. It is difficult to induce the petty trader to improve the variety of his stock.

8. Due largely to its proximity to the tea estates the Kericho bazaar flourished but the District Commissioner reported that little sign of revival was shown in the trade centres. The native markets at Sondu and Kericho maintained their prosperity.

#### Central Province

9. The Provincial Commissioner records:

"Trade in the Native Reserves boomed throughout the year. An important influence on the general prosperity was the entry into the Native Reserves of the Kihya Farmers' Association and Messrs. Premchand and Co.,

whose competition with other non-native traders concerned caused a considerable increase in the price paid for native produce. It was this factor more than any other caused an *annus mirabilis* for the natives of the Meru Reserve who had never before, to any great extent, been able to sell their produce at a remunerative rate.

A feature of the year was the steady, and in some cases, intensive development of markets, and the successful application of the Marketing of Native Produce Ordinance."

In the Province the inspection of produce is carried out by the designation of crops at centres situated at the exits from the districts. Traders buy produce at markets in the district and bring it to the centres. Native agricultural staff visit the markets and demonstrate what is good and what is bad produce.

The Marketing Officer writes:

"The introduction of the Marketing of Native Produce (Weights and Measures) Rules, was a great step forward and one that has been more appreciated by the illiterate native producer, and the old women in particular, than any marketing legislation introduced by Government. Any suggestion of removing the *mitungi*, as the half bushel measure is called, and reverting to the old type of *debi*, would cause something in the nature of a riot."

10. To demonstrate the increased value of native produce the following statistics, given by the District Commissioner, Machakos, of the highest price obtainable in any month of the year as compared with the highest price which ranged during the previous year are given.

#### Highest Price

1930 1937

	Sh. 1930	Sh. 1937
Maize, per bag	7 00	11 00
Millet, per bag	4 00	8 00
Beans, per bag	10 00	12 00
Pigeon peas, per bag	9 00	13 00
Hot (Pravali) Shella Bella	20 52	30 60

The District Commissioner estimates that the native export trade was in the neighbourhood of £65,000 and, assuming that a quarter of this was carried outside the district return to it, the value of such labour to the reserve would amount to an additional £13,000.

From Machakos District some 614 tons of wattle bark were exported at a price round about Sh. 33 a ton and 98,979 lb. of first grade cotton and 105,944 lb. of second grade at 13 cents and 3 cents respectively; 491 tins of ghee manufactured at Local Native Council dairies were sold at Sh. 30 a tin; 17,965 bags of maize and 6,871 bags of vegetables passed through inspection centres; 32,482 hides and 48,530 skins were treated in shade drying bandas; and 7,832 head of cattle and 27,881 sheep and goats left the district on permit.

11. The value of exports from Kitui District amounted to £26,396 as compared with £23,755 during the previous year. The more important items which made up this figure were:

Ghee	5,412
Hides	2,878
Skins	7,575
Cotton	5,948
Beeswax	2,775
TOTAL	24,588

Consideration was given during the year to the marketing of the by-product of beeswax-honey. Beekeeping is popular in the semi-arid areas of the district where the lower rainfall renders the raising of crops more precarious and it is believed that if all the honey produced were at a price of 25 cents a lb., its total value would be about four times the value of the collateral beeswax, or about £12,000.

The production and sale of honey would therefore be a very valuable asset to this area. Honey is a valuable ingredient for *tumbo* for the natives of this district and it is hoped that increased marketing facilities would decrease the consumption of this liquor. Arrangements were made with the Kenya Farmers' Association for the purchase of honey at 25 cents a lb. through a local agent.

Imports into the district valued £20,132. To this sum blankets contributed £3,941, pieces of american £1,118, cutlery £2,415, sugar £1,083, and packets of beads £950.

#### Rift Valley Province

12. The pastoral tribes of the Province benefited by the increased value of stock which maintained throughout the year. At the beginning of the year goat skins obtained up to Sh. 1/50 each, but eventually the price dropped to about 20 cents.

In Baringo District 8,153 scores of these skins were sold amounting in value to £6,115 out of a total export figure of £15,861. Food was not too plentiful and the natives sold all they could. Half a ton of beeswax was also exported from this district.

A sign of progress in Baringo was the import of 78 hand posho mills which show that maize is taking the place of wimbi, which is traded by hand between stones, as the staple.

The District Commissioner writes—

"A market (Saturdays only) was established at Kabaret in January and has been kept alive. Some days it looks quite good, other days the population hear about a marriage feast somewhere and forget about the market. A progressive native has erected a tea-shop.

Efforts to establish weekly markets elsewhere in the Reserve proper have so far been abortive, but it is understood that Sunday markets at Timborea and Mogotio (Lower Molo) have come into being, while that at Ravine is an institution."

The same aversion to markets is shown by the natives of the Elgeyo District, although the Elders are in favour of their establishment.

13. The Samburu also reaped the benefit of the high prices obtainable for stock and, in spite of restrictions regarding export, obtained approximately £6,000 from the sale thereof. They also received a further £2,000 from the sale of stock, ghee, tallow and hides at the three markets of Mandai, Womba and El Baria.

During the year under review 40,260 bags of maize grown by native squatters on farms in the Nakuru District were inspected and towards the end of the year the inspection of native-grown potatoes before export was made compulsory.

#### Coast Province

14. Throughout the year the export of foodstuffs from the Kilifi District was prohibited on account of the failure of the long rains' crop. Better rain at the end of the year made it possible to issue permits to export on a large scale.

The Fondisha Salt Works in the district exported 1,573 tons during the 1936/37 season. The Kenya Fish Provision Supply Co. at Malindi exported 93,344 lb. of fish compared

with 52,664 lb. last year. During three months of the year a check was kept on fish auctions and it was found that the sum taken averaged £4,10/0 daily.

The District Commissioner writes—

"On the coast particularly, many native cultivators are heavily indebted at usurious rates of interest to traders. All the cattle in the native villages belong to the Indian traders, the natives being allowed the milk as payment. It is hoped that the Kodi stamp system and the new marketing system may gradually decrease this state of affairs. The system of usury works without recourse to the courts: an attempt was made by Arabs to use the Kilifi Native Tribunal for the purpose, whereupon the Tribunal was told that such cases must be transferred to the District Commissioner."

15. The figures of import and export for Lamu District show a steady rise in trade volume during the past four years.

	1934	1935	1936	1937
Exports	£ 24,732	£ 31,957	£ 39,692	£ 54,575
Imports	3,035	3,777	4,604	6,911

The chief rise in the value of exports occurred in cattle, raw cotton, sheep and goats and their skins, mangrove poles, cowrie shells and straw matbags.

The District Commissioner, Taita, records:—

"Trade generally has been excellent throughout the year. The Voi bazaar shops are always full of an infinite variety of goods and are never without native purchasers. The Mwatita Trading Centre has also done well though to a lesser extent than Voi.

There have been six applications for shops at Taveta Trading Centre and this increased interest shows is undoubtedly due to the developments taking place in that area, i.e. Ziwayi and Jipe—with their attendant increase of native labour. There are over 50 petty native traders in the Taita Reserve."

Owing to a shortage of potatoes at Moshi across the Tanganyika border a large quantity were exported there in the month of April from the Taita Hills.

16. All districts of the Coast Province were brought in August under the operation of the Marketing of Native Produce Ordinance and particular attention was paid to the quality of maize grown.

*Masai District*

17. During the year 1,425 frasilas of hides and 14,443 sheep and goats were exported from the Masai Kijabe. Cattle killed at recognized slaughterhouses were Reserve numbered approximately 1,200. 8,000 head were exported for slaughter.

The Magadi Soda Co. exported 42,195 tons of soda ash and 2,478 tons of salt during the year.

*Northern Frontier District*

18. The Officer in Charge reports:

"The export of sheep and goats, which is the most important trade in the Northern Frontier, was again good. The number that passed through Isiolo—namely 64,000, though 3,000 less than that for 1936 (which was a record year), was about 7,000 more than the figure reached in 1935.

At Lamu more than 12,000 sheep and goats from the Northern Frontier were bought, as against less than 10,000 the previous year."

The export of cattle, sheep and goats from Lamu to Zanzibar also showed a satisfactory increase. Whereas in the year 1934 only 407 head of cattle and 2,301 sheep and goats were exported, in 1937 the figures were respectively 1,550 and 8,755.

Barot tribesmen found that better prices were obtainable from Arab buyers for the Lamu market than from the Isiolo Somalis and good trade was done at Garba Tula and Muddo G. The slaughter cattle sometimes sold for as much as Sh. 100 in these places, but the average price in the Lamu market was Sh. 41/50, though occasionally really good beasts fetched Sh. 120.

At Isiolo prices of oxen ranged between Sh. 45 and Sh. 70. Great interest was shown at Isiolo by Nairobi butchers in the sheep and goat market and more than half of the total number exported were destined for Nairobi.

19. Trade was brisk during the early part of the year at Moyale, where the average price for stock obtained was: camel, Sh. 44, cattle, Sh. 29, and goats Sh. 5.

A great increase took place in the number of local tribesmen who engaged in trade and at Marsabit no fewer than 131 Gabbra and Boran were so doing.

On the Usao there were so many traders in sheep and goats amongst the local tribesmen that there was no scope at all for the alien Somali.

20. From Marsabit it was recorded that "no interest was being taken in gum arabic or frankincense in spite of all the efforts which had been made to encourage this trade."

The District Commissioner writes:

"At the beginning of the year permission had been given to itinerant stock traders to buy live stock for trade goods in addition to cash. This was greatly appreciated, especially by Somalis, and the change (which was introduced owing to the fact that tribesmen of the district have now ample money for the payment of tax as well as for their own needs), turned out to be satisfactory and fully justified."

Debts amounting to approximately 1,000,000 lira owed by the Italian authorities to a number of stock traders were the subject of correspondence between this Government and the Royal Italian Consul General at the end of the year.

*Turkana District*

21. The trade revival experienced during the previous year continued in the Turkana area. Most of the trade is carried on by barter.

The Officer in Charge reports:

"Somali stock traders have done good trade during the year—the amount of stock exported shows a large increase over last year. While the Somalis obtain better prices for their sheep and goats than in former years the amount of tobacco they pay the Turkana remains unchanged. This is the subject of frequent complaint by the Turkana, though the remedy is in their own hands as there is no compulsion on them to sell. There is little competition amongst the Somalis who work in together and it is very doubtful if an increase in their number would stimulate competition and raise the prices paid to the Turkana; the only way to achieve this is by the Turkana trading their stock themselves without the assistance of a middleman and this is what is actually beginning to happen, though at present only in a small way."

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Boran tribesmen found that better prices were obtainable from Arabs buying for the Lamu market than from the Isiolo Somalis and good trade was done at Garba Tula and Muddo Geshe. Slaughtered cattle sometimes sold for as much as Sh. 60 in these places, but the average price in the Lamu market was Sh. 41/50, though occasionally really good beasts fetched Sh. 120.

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Debts amounting to approximately 1,000,000 lira owed by the Italian authorities to a number of stock traders were the subject of correspondence between this Government and the Royal Italian Consul General at the end of the year.

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22. Passes were issued for the export of 31,151 sheep and goats which shows an increase over last year of 17,721 head. Government bought 9,448 sheep and goats from the Turkana as rations during the year.

On the arrival of the Italians near the frontier a brisk trade sprang up in trade goods for which the Italians paid in lira. It was considered desirable to limit the admission to open shops to one Somali, Mohamed H. [redacted] who owned a shop at Todenyang.

23. In the West Suk District in April a weekly market day was instituted on the day following the full moon at Sigorr in Weiwei location which, situated at the foot of the Marich Pass, is a convenient meeting place for natives of several locations.

The importance of the market was increased by the attendance of a dresser from Kapenguria Hospital.

## CHAPTER VI

### EDUCATION

The year can be recorded as one of great progress. Among the more advanced tribes the urge towards education is ever increasing, while among the more backward there is growing a desire for enlightenment which cannot be resisted.

2. Perhaps the outstanding feature in the year under review is the increase in the number of girls attending school. No real betterment can be achieved until the women advance *pari passu* with the men for in the early stages advance must be on the lines of the improvement of the "home life" and of the standard of living. Most of this falls within the province of the woman. The educated and advanced native with an uneducated wife has no helpmeet and little community of interest in the home life. The result is discontent.

3. It is difficult to keep pace with the demand for education. Lack of money is not so serious a drag as the shortage of trained teachers in all branches of education.

In dealing with natives zeal and enthusiasm cannot take the place of training; it is more dangerous to allow a layman to operate on his body than it is to permit the unqualified to be responsible for the moral and spiritual uplift of the native.

4. In certain reserves where Government schools have been established the dearth of elementary and sub-elementary education was evident. Full advantage of the school could not be taken by pupils who had to start with learning to read and write.

5. On the financial side £77,193 (as compared to £70,154 in the previous year), was spent by Government on African education. In addition to this the Local Native Councils contributed £16,387 (an increase of £2,500), £13,676 being found by the more progressive Councils of the Nyanza and Central Provinces.

Of the money thus contributed £9,211 was allocated to mission schools and £5,753 to Government schools, and £839 was provided for bursaries.

The willingness of the Councils to vote their own money for educational purposes is remarkable, and in Nyanza the Provincial Commissioner has had to advise limitation of the amount to be voted to a quarter of the cess levied in order that other services may not be starved.

The total amount paid in grants-in-aid to mission schools from central funds was £41,458, while approximately £29,000 was expended by the missions in native education from their own funds.

6. The total number of African pupils attending school at the end of the year was 110,502, of whom a little under 30 per cent were girls and women. This figure shows an increase during the year of some nine to ten thousand pupils. They were divided into the following educational grades:—

GRADE	Boys	Girls
Secondary	273	—
Primary	6,938	2,419
Elementary	64,380	29,169
Independent Schools	5,219	2,004
TOTAL	76,910	33,592

The policy whereby Government funds are devoted to the maintenance of primary and secondary schools, while Local Native Council contributions are devoted to elementary education was pursued and, to this end, certain primary schools

built from Local Native Council funds, were taken over by Government.

7. In January, a Commission, under the chairmanship of Lord De La Warr visited Uganda for the purpose of reporting on higher education among Africans, with particular reference to Makerere College in Uganda. Heads of Departments were asked to submit a forecast of the number of trained Africans they could employ and the type of employment they could give them. The Director of Education, the Chief Native Commissioner, Mr. Fazan, Provincial Commissioner, Nyanza Province, Dr. Arthur of the Church of Scotland Mission, and Mr. Eliud Mathu, a teacher of the Alliance High School, travelled to Uganda to meet the Commission, while several members visited Kenya with a view to examining existing conditions.

The Commission published a Report in September. This document will have a far reaching influence on Government's future policy for secondary and higher education. The recommendations of the Commission were at the end of the year still under the consideration of Government.

8. A Conference of Directors of Education in East Africa was held at Makerere while the Commission were in Uganda, which gave the Directors an opportunity of discussing formally many matters with the Commission.

Among subjects on the agenda of the Conference were:—

- (i) Revision of curricula;
- (ii) Entrance qualification for Makerere College;
- (iii) The cinematograph in education;
- (iv) *Mambo Leo* as an inter-territorial paper;
- (v) Education of East African natives outside East Africa.

9. The Bantu Educational Kinema Experiment, whose activities were referred to in last year's report, continued to make and produce films in the Colony during the early part of the year. Certain films and projector units were subsequently presented to the Colony.

An account of their work during a period of two years in East Africa is given in *The African and the Cinema*, published during the year for the International Missionary Council. This report is under the consideration of the Governments concerned.

10. The Advisory Council on African education met in March and September and among subjects under discussion were:—

(i) *Adult Education*—

Some dissatisfaction existed owing to the fixing of the age of admission of pupils to primary schools. Council expressed the opinion that:

- (a) any youth showing exceptional promise at the primary school entrance examination should be admitted irrespective of his age;
- (b) that additional provision be made for elementary education by the District Education Boards with a view to extending the facilities available for young adults.

(ii) *Land for Schools and Churches in Native Reserves.*

(iii) *Syllabus for Elementary Schools.*

(iv) *Education of Girls*—

The Council pressed for the appointment of a woman to the educational inspectorate staff to specialize in the development of education among African girls and, at the same time, emphasized the need for a substantial increase in the financial provision for this purpose.

(v) *Conditions of Service for African Teachers.*

(vi) *Independent Schools.*

At the beginning of the year Mr. Eliud Mathu of the staff of the Alliance High School, and Chief Paulo Mboya of South Kavirondo, were appointed to the Council.

11. Educational development necessitated the revision of certain subsidiary legislation. The Education (Issue of Teachers' Certificates in Schools for Arab and/or African) Rules were revised during the year to meet the needs of variation in teacher training, and the Education (Apprenticeship of Arabs and Africans) (Amendment) Rules were promulgated.

12. Nine District Education Boards functioned during the year—in the three Kavirondo districts, in the Teta District of the Coast Province, in the three Kiambu Districts, in the Embu District and the Kamba District of Machakos in the Central Province.

The Director of Education reports:—

"All these Boards met regularly during the year doing extremely useful work. The influence of the Boards in the organization of elementary schools and in the general development of educational services, has been greater than the most optimistic could have imagined. They have almost attained the status of a court of appeal where the good and bad can be discussed in a far more open manner than that which is sometimes engendered by the report. Although the Board's decisions are binding on everyone, they necessarily carry more weight than the opinion of an individual. The impartiality of the Boards is demonstrated by the fact that in very few cases has it been necessary for the Director to question their decisions and suggestions."

13. The Independent Schools movement split during the year into two factions—the Kikuyu Independent and the Karinga Schools. Archbishop Alexander, the coloured minister from South Africa, returned thither having established in the Province the African Orthodox Church. Later the Kikuyu Independent Schools Association seceded from this Church and started the Independent Pentecostal Church.

In an endeavour to secure the co-operation of the leaders of this movement with the policy of the Education Department an Inspector was detailed towards the end of the year to work exclusively among these schools.

The area controlled by the Kikuyu Independent Schools movement is very large and the Inspector writes:—

"Whereas the attitude of the Association itself is largely obstructive, that of the individual schools has varied considerably and in some there is evidence of a real wish to co-operate."

In an endeavour to improve the standard of work in the Karinga Schools an itinerant teacher has been attached to each Kikuyu District to work under the Inspector. These salaries are paid by the District Education Boards.

The following extract from the Inspector's Report is quoted:—

"Such an organization, run by the Kikuyu themselves for their own people, is potentially a most valuable educational agency; there should be in it that extra spur of keenness engendered by a spirit of what might almost be called

nationalism, which must be lacking in external educational organizations. Unfortunately the Association seems to regard their schools rather as a political lever than as a medium for sound education for the people; they value most the numbers in a school, for they consider strength of numbers gives them added political power.

There seem to me to be three main obstacles to the task of reorganization:—

- (a) Suspicion on the part of the Central Committee.
- (b) Ignorance on the part of the school committees.
- (c) The present system of offering a so-called education to all and sundry, adults and children, irrespective of the resources of the school."

14. Considerable expansion took place during the year in the all-important work of training of teachers and 119 qualified to teach in elementary schools and 44 obtained a pass to qualify as lower primary teachers, while seven teachers obtained the primary teachers' certificate.

The training of teachers is concentrated at approved centres throughout the Colony and the Director of Education reports:—

"Teachers in charge are working with great enthusiasm and from the experience gained in the past year, a further considerable advance in the standard of the work can be confidently expected in the coming year. One particularly pleasing fact is the improved quality of the candidates presented for examination."

15. It is satisfactory to record that there are signs that the educated youth is appreciating the value of craft training and a higher standard of education marked a good many entrants to the Native Industrial Training Depot. These boys are more responsive to training and learn quicker than those who have little or no general education.

The number of pupils on the roll at the end of the year was 350—128 training as carpenters, 123 as masons, 67 as smiths, 21 as painters and 11 as tailors. A new policy was adopted for the selection of boys and vacancies were allocated to all districts instead of to a few schools, as it was found that the labour market in such districts as Machakos and South Nyeri was flooded with trained boys while in a large district such as South Kavirondo there were none at all.

All workshops were fully occupied on production work during the year and among the work undertaken was a side altar for the Cathedral at Nairobi.

The smiths' shop was entrusted with the iron work for the new boarding block at the Nairobi Government Boys' School, while the painters' shop (signwriting) turned out over 600 notice boards during the year. A full inquiry showed that about 75 per cent of ex-apprentices were working at their trade and a large amount of work is being carried on in the Reserves, where the improved housing testifies to the progress of the training.

The Depot has been working for ten years on its present scale since when 1,286 boys have passed through, of which 654 were trained as carpenters, and 487 as bricklayers.

The Principal reports:—

"Although these numbers seem large, they are very small for a native population of over three million. With the increasing prosperity of the Reserves and the consequent improvement in the standard of living, there should be little difficulty in future in absorbing a considerably larger number of artisans in the Reserves alone.

During the ten years under review, buildings to the approximate value of £128,000 have been erected by the Depot building gangs in various parts of the Colony, while the value of the articles made in the Depot workshops during this period is estimated at nearly £25,000. All this work had been undertaken to give the apprentice practical training and the necessary experience required."

#### *Secondary Education*

16. The Alliance High School at Kikuyu had the highest number of pupils on the roll yet recorded, 125, and the average age of the pupils was 17. It is reported that with a two-year course only it is difficult to find suitable prefects for the house system which exists.

Several promising runners competed in the Olympic Sports at Nairobi and the scout troop flourishes. The majority of the pupils who left the school during the year went on for further vocational training but others were readily absorbed into employment.

From the Catholic High School at Kabaa in the Machakos District it is reported that the average number on the roll was 48 and that:—

"Some very valuable agricultural experiments were carried out with success on what is naturally poor soil. By an extensive use of compost, reasonably good yields were obtained. About 2,000 trees were planted on the slope to the river.

There were some further developments in handwork from sisal. Articles made included ropes of various kinds, mats, chairs seated with sisal which is dyed in different colours.

Of those who left the school at the end of the year, two went to Makerere College, two to the Railway Training School, two to medical training, two to commercial training, five started work as teachers and one obtained a post as a clerk."

17. Twenty-one bursaries were awarded to boys from secondary schools in the Colony to enable them to proceed to Makerere College for higher education, while one of the African masters at the Alliance High School entered for and succeeded in passing the final degree examination of the South African University. This is the first instance of an African student in Kenya obtaining an external degree.

Government approved the payment of a special allowance to enable Peter Koinange of Kiambu District, who had graduated at an American University, to take a course at the University of London.

18. There were 60 men and 25 wives receiving instruction at Jeanes School at the close of the year, while there were 70 trained Jeanes teachers employed in the supervision of out-schools in Kenya.

The Principal reports that:—

"Since the introduction of increasing numbers of better qualified lower primary certificated teachers in the sector schools, the work of the earlier Jeanes teachers has been to a great extent supplanted. The process of eliminating the less satisfactory Jeanes teachers, mentioned in the last report, has been carried on.

Recruitment of Jeanes teachers at the beginning was based on character and personality rather than academic attainments. It is not really surprising that within a space

of twelve years many of the older teachers should become out of date so far as school work is concerned. With the concentrated efforts made by the Medical, Administration and Agricultural Departments in the Reserves there tends to be the feeling that a Jeanes teacher with no one school as his own is like a ship without a rudder. Where the school is the centre of village community life, many teachers are themselves maintaining the connexion which is essential to the welfare of the people. In some schools staffed by a lower primary standard, homogenous relations are conspicuous."

An important event of the year was the institution of a chiefs' course at the Jeanes School which was attended from December 5th to 20th by a number of leading chiefs from the Central Province. All but two were more or less literate. The aim was to increase the chief's understanding of the processes involved in the development of his location and the means whereby he could co-operate with those working for the improvement of living conditions therein.

Some of these chiefs were accompanied by their wives who were thus brought into touch with the instruction given in the Jeanes School on domestic hygiene and general improvement in the home.

Lectures were given to the chiefs in regard to their duties under the Native Authority Ordinance, health and sanitation, agricultural work in the Reserves, animal husbandry, forestry, simple accounts and price fluctuation. Visits were paid to the Post Office, Pumwani Maternity Home, municipal housing, Kiambu Hospital, Railway Workshops, Royal Air Force Aerodrome, the Native Industrial Training Depot, the Approved School, Kabete, and the Ngong Veterinary Training Depot, and they were shown the agricultural development, improved housing and the sanitation work being carried on in the Kiambu Reserve.

The Principal of the Jeanes School reports:—

"There is no doubt that the chiefs themselves and their wives derived considerable benefit from the discussions. From being rather doubtful at first about the whole idea, they became most enthusiastic, and of their own idea asked Government to continue courses and increase their length since a fortnight was found to be far too short for talks and visits. On their side several most useful suggestions were made with reference to administrative questions."

The course which was in the nature of an experiment was in every way a great success.

19. The training of Africans carried on by the various departments was dealt with fully in the Annual Report for the year 1935.

Seventeen new learners were recruited to the student ranks of the medical training depot in Nairobi. Regular lectures are given in English, first aid, nursing, hygiene, anatomy and physiology, while the fourth year students have special instruction in laboratory methods, infectious diseases, anaesthetics and post mortem work. Lectures were given to senior students on mental diseases with particular reference to the nursing of mental cases. During the year eleven candidates qualified as hospital assistants and were posted to various hospitals.

At the Native Agricultural School attached to the Scott Laboratories near Nairobi, seventeen boys from the Central Province and two boys from the Coast Province were admitted of which seven had obtained the primary school certificate. There were 55 apprentices at the school during the year.

It was decided during the year to allow in future post primary boys to take a shortened course of two years and to continue the longer course for those boys who had only reached Standard VI, and that a more practical bias be cultivated among the prospective instructors with a greater concentration on animal husbandry.

A three-year course is still given at the Bukura Agricultural School in North Kavirondo. Apprentices spend half their time in school and the other half working on the farm. Instruction in mixed farming methods, horticulture, elementary plant trials, vegetable raising and anti-soil erosion methods is given. An enthusiastic scout troop exists, while in September hockey was introduced. The pupils made their own sticks and showed a real aptitude for the game.

At the five veterinary training centres at Baraton in Nandi, Maseno in Central Kavirondo, Sangalo in North Kavirondo, at Ngong and at Machakos, the curriculum remained unchanged for pupils taking a two-year course, but certain students attended the centre for a six months' course during which they were taught the preparation of butter and

glues of hides and skins, and simple methods of stock management, all of which could be adopted in their own Reserves.

The Posts and Telegraph Department had fourteen fourth-year apprentices and twenty-three of the existing line staff brought in for further training in Nairobi, while at Machakos School there were nineteen first-year apprentices and eighteen second-year apprentices. Instruction at Machakos in English is started earlier than hitherto with the result that a far higher standard is reached.

The Kenya Railways and Harbours continued their valuable training work. From the Transportation Department 17 Africans were passed out for practical training at stations; 17 were in training at the Kisumu Workshops, Marine Department, at the end of the year; 98 apprentices were in training in the Nairobi Workshops; 100 Africans received an elementary training in the Locomotive Department, while during the year considerable attention was given to the training of African staff to enable them to assume a greater responsibility in relation to railway store-keeping.

20. The Director of Education pays tribute to the co-operation of Missionary bodies with his Department and writes:—

"The Missionary Councils are deserving of full praise for their spirit of co-operation which had never been lacking and for the continued enthusiasm and energy which has marked the year's work. With such co-operation problems are easier solution and where opinions differ, compromise is not difficult."

#### Nyanza Province

21. Educational work in the Province was under the control of Mr. G. E. Webb, Inspector of Schools, and the Provincial Commissioner writes:—

"It is difficult fully to appraise his work in Nyanza where he has been in charge since 1926. Without his aid it would have been difficult to achieve the enormous progress which has been made. With eight Missions of different denominations his tact, allied with full knowledge of local conditions and firmness, has enabled this advance to be made, without friction and with District Education Boards accepting his advice as the best to promote the cause of education."

22. The District Education Boards established in the three Kavirondo Districts met twice during the year. Some account of their work is taken from the report of the Inspector of Schools:—

"The chairman of each Board is *ex officio* the District Commissioner. The duties of secretary are performed by the Inspector of Schools, who acts as technical adviser, assists in co-ordinating the work as between the three Districts, brings to the notice of the Boards recommendations made by the Advisory Council on African education and is primarily responsible for submitting detailed suggestions for the allocation of grants to schools based on the need for efficiency. The personnel of each Board also includes the Medical Officer, the Agricultural Officer, representatives of Missions and African members nominated by the Local Native Councils.

The main responsibilities of District Education Boards are concerned with sub-elementary and elementary education, as distinct from primary and secondary education, but subjects of wider application are frequently discussed.

The following items are among the more important which appeared on the Agenda. As the need for following a common policy was considered of vital consequence, every effort was made by the Boards to this end, which resulted in a marked agreement on the main issues.

#### (a) Allocation of Grants.

This is perhaps the most important of the functions of these Boards. Each Board has its own banking account and powers have been delegated to the chairman and one other member to sign cheques. All allocations, however, are subject to the approval of the Director of Education. The sources of revenue were grants from both Central and Local Native Council funds. The total sum amounted to—

	Central Funds	Local Native Councils
	£	£ s.
North Kavirondo .. .. .	630	1,486 00
Central Kavirondo .. .. .	862	2,500 00
South Kavirondo .. .. .	—	978 14
TOTAL .. .. .	£ 1,492	4,964 14

#### (b) Salary Scales of Teachers.

(c) *Schools Fees.*

Many schools collected sufficient in fees to pay the salary of an extra teacher on the staff.

(d) *Scholarships.*

Owing to generous Local Native Council grants for scholarships 74 scholarships were given to secondary schools.

(e) *Setting Apart and Leasing of Plots for Approved Sector Schools.*

(f) *New Register of Schools.*

(g) *Other items considered by the Boards included—*

- i. Agricultural training in schools.
- ii. Medical inspection of schools.
- iii. Adult education for Africans.
- iv. Applications for new schools.
- v. The work of Jeanes teachers.
- vi. The provision of libraries.
- vii. Exemption of tax for certain pupils.
- viii. Independent schools."

During the year the South Kavirondo Local Native Council was relieved of all financial liability for the recurrent costs of the Government Primary School at Kisii. In consequence no grant was paid from central funds for elementary education.

23. There are 47 sector schools and 264 approved bush schools in the North Kavirondo District.

At the beginning of the year Philip Inguta, who holds the Makerere College Schoolmasters' Certificate, joined the staff of the Government School at Kakamega and the great value of a teacher with such qualifications and ability has been apparent. Of the 27 boys who left the school at the end of the preceding year three obtained scholarships at the Alliance High School, two proceeded to teacher training, three to the Native Industrial Training Depot and one to the Medical Department for training and two became Tribunal clerks. The standard of work was much higher than during the preceding year and the new primary syllabus worked well. After completing Standard V boys divide into A (literary) and B (practical) groups, while after Standard IV is reached all boys

take carpentry and tailoring in their curriculum. Experimental work in agriculture was carried out—various methods of composting, broad base terracing, etc. A scheme, initiated during the previous year, of raising young lemon and orange trees was continued and the boys have taken about 400 such trees home to the reserve.

In the field of sport the year was most successful. The school team won the Denham Shield for drill and the school seven won the Webb Cup and the Bukama Cup. An event of the year was the first Old Boys' Day, which was held in July when about forty old boys were present. Matches were played against the school and a concert was held in the evening.

Competition to enter the school continued and about 150 boys were examined for 34 vacancies. A sum of £206 was paid during the year in school fees.

24. The demand for education is not so great in the South Kavirondo District and it has unfortunately not yet been possible to make the Government School at Kisii an institution for primary education only. Elementary classes are still necessary. The discipline of the school was good and harmony between the Kisii and Luo pupils was maintained.

Demonstration in terracing was carried out, vegetables planted and a garden society formed for the marketing of the produce and a half-acre plot of Arabica coffee was planted for demonstration and educational purposes.

25. Of the Government School in the Kericho District the District Commissioner reports:—

"An important feature of Kabianga school is its obvious influence on the Reserve at large, the families and friends of the teachers and schoolboys show great interest in the improved methods of agriculture taught in the school and in not a few cases imitate them."

There were 102 pupils on the roll at the end of the year, of which 71 were following the elementary syllabus and 31 the primary syllabus. The system works well in the school and the former problem which existed of the continual running away of the pupils has ceased.

Considerable emphasis is laid on agriculture and animal husbandry. The main school *shamba* is worked in a way which can be applied with success to *shambas* outside the school and is run rather as a farm than a school garden.

Oxen are used for the heavier and donkeys for the lighter cultivators, while every operation is done along contours. Carpentry proved very popular with the pupils and other activities of the school include dramatic entertainments, singing, scouting, wattle planting, a co-operative shop and a school magazine.

The Director of Education writes:

"In spite the school continued to maintain its high standards. It is fortunate to possess a native teacher who is respected on account of his all-round ability as an athlete and who also sees clearly the need for some substitute in the life of his people for the former cattle raids and border fights. He realizes that a civilized and law-abiding life, and in his own case a Christian one, need not necessarily be dull and he is doing excellent work in getting others to realize this too."

#### Missions

26. In the Central Kavirondo District all educational work is carried on by missionary enterprise. Relations between Government and Missions have been good and Missions have with one exception done much to encourage agricultural production on approved lines.

In order to supply the need for increased facilities for secondary education a class of 30 boys is to be started at the Church Missionary Society at Maseno. At the school of this Mission in Kisumu township there were 276 boys and 31 girls on the school roll.

In the North Kavirondo District the Church Missionary Society at Butere has greatly improved its housing and surroundings. Of one adherent of the Mission the District Commissioner writes:

"The Reverend Jeremiah Awuor set a fine example to his neighbours at the Native Anglican Church at Nambare; his house is a model and his composting and stall-feeding of calves were both praiseworthy. Agriculture helps to augment his stipend, and his large cotton fields in Samia ensure that his ten children do not lack education. He is a fine man and a progressive member of the Local Native Council."

The Fathers of the Mill Hill Mission started a new sector school at Kavula in South Kitosh. A firm hand is kept on their converts and they cause singularly little trouble.

The Director of Education records considerable progress at the Kibuye Girls' School run by this Mission, where a roll of 225 girls was maintained during the year. Three pupils passed the elementary teachers' examination. Gardening is encouraged; good work was done in all form of needlework; special attention was paid to small children and very satisfactory results have been obtained in free original drawings and illustrations.

Unfortunately the work of some other missionary bodies in the district was marred by internal dissension. Both the [redacted] and the [redacted] Nandi Catholic Missions in the South Kavirondo District have started the education of girls under the supervision of nuns and the Local Native Councils gave grants to the value of £600 for the erection of buildings for this purpose.

Similar grants were given to the Seventh Day Adventist Missions in this district and they are now offering educational facilities for girls.

The District Commissioner testifies to the value of missionary co-operation:—

"I have been lucky in this district in always receiving very loyal support from all my missionaries in matters affecting the administration and I wish to acknowledge my appreciation of their co-operation.

It is in some large measure due to their helpful attitude that the district has enjoyed a year of peace and prosperity."

In the Kericho District missionary education was somewhat hampered by a dearth of good teachers and by lack of funds. At the Africa Inland Mission Central School at Litein there were 103 boys and 73 girls on the school roll, while 38 girls live in the boarding school. The girls cultivate about 15 acres of land and help to supply their own food. Improved agricultural methods are taught and the girls are given instruction in home-making, hygiene, infant welfare, cooking, sewing, etc.

There was an average daily attendance of 190 boys and girls at the mission outschools at Belgut and Buret, while educational facilities are also provided by this Mission at their Bochak station.

Of the work of this Mission the District Commissioner writes:—

The Mission continued its efforts to prevent the murder of newly-born babies of uninitiated girls by taking such girls into the Mission for confinement. It received a small grant from the Local Native Council to help with this work.

A new church is being built at Litein of dressed stone, and the financial burden for this building is borne by the church members themselves. Also some other work is being done by them.

This Mission, like others, has from time to time been at loggerheads with local pagans as a result of marriage disputes concerning girls and women admitted to the Mission. The missionaries wisely asked the local Tribunal to act as mediators in such disputes and the missionary remarks that thanks to the authorities and the local *baraza* we have had very little trouble during the past year from the guardians of girls who have been admitted to the girls' boarding school."

Agriculture is increasingly taught at the National Holiness Missionary Society at Tenwik. There are 60 pupils at the central school where 30 girls live who are given practical courses in home-making, sewing and hygiene. This Mission has 226 pupils at their out-schools.

The Roman Catholic Mission with headquarters at Kericho has out-schools in the Reserve but confines its work principally to religious teaching in Luo and Kisii workers on the tea estates.

27. During the year the Inspector of Schools was invited to visit the tea estates of the African Magnands Produce Co. and advise with regard to an educational programme. A very useful start has been made on Chomogonday Estate, where an excellent school hall has been built; it is divisible by a partition into two class-rooms, each with a fireplace, and, with the partition removed, the hall will serve excellently for the showing of educational films.

#### Central Province

28. The Provincial Commissioner reports:—

"A tremendous urge amongst Africans for increased educational facilities was again strongly in evidence during the year. Amongst members of the Local Native Councils

no service evoked more enthusiasm for the provision of funds than education. For instance, the increase by the Machakos Local Native Council of the cess from Sh. 1 to Sh. 2 was undoubtedly welcomed for this reason.

The question of further education of over-age pupils at present in elementary schools as well as adults who have received no education at all, came to the forefront during the year and exercised the minds of District Education Boards. In the Fort Hall District it was decided to establish a special school to be erected on the Seed Farm and controlled by the Agricultural Officer which will function in 1938. It is proposed to admit 30 pupils during the first year and to lay special stress on the teaching of agriculture."

29. There are three Government Primary Schools in the Province—at Kagumo near Nyeri, at Machakos and at Pumwani the native location of Nairobi.

In the Annual Report for the year 1935 it was written:—

"The antagonism of the Kiambu Local Native Council to Kagumo School still persisted, but the feeling became less intense during the year."

This antagonism originated in the desire on the part of the Council for a secondary school in the Province, whereas Kagumo School is only primary. At the end of the previous year 115 candidates from the district (as compared with 19 at the end of the year 1936), took the entrance examination to the school.

The Director of Education reports that the holding of this entrance examination each year has done a great deal towards improving the elementary schools in the Central Province, for it has set a standard and is gradually raising that standard which the village teacher must achieve if his pupils are to compete for entrance to a primary school.

Kagumo School had a most successful year marked by a general increase in efficiency in all branches of the work. The Principal, Mr. Ottaway, combined general organization and supervision with a good deal of actual teaching and by holding teachers' classes twice a week and refresher courses in the vacation did much to improve the general standard.

The school continued to work in two groups (A and B) within the primary school syllabus—group A having a

literary bias, and group B a bias towards agriculture and arts and crafts. This proved a most satisfactory arrangement. Twenty-nine pupils from group A entered for the primary school examination and 11 proceeded to secondary education. A much smaller proportion passed the examination from group B. The majority of boys who left the school from this group proceeded to the Native Industrial Training Depot or the Scott Agricultural Laboratories.

The Boy Scout troop prospered and a third patrol was recruited towards the end of the year.

From the 18 acres of arable land available, were harvested 25 bags of beans, 254 bags of potatoes, 10½ bags of rice, 140 bags of maize, 2 bags of peas and 1½ bags of millet.

The Director of Education writes:—

"The school sent in an exhibit to the Nairobi Agricultural Show comprising a trek cart, a wheelbarrow, wooden cultivators, a pair of steps and a ladder, and obtained first and second prizes respectively for the trek cart and the wheelbarrow among the classes. Two models, a native hut of the old type and a modern type wooden house were completed during the year and were sent to England for exhibition purposes."

30. Of the Government School at Nairobi the Municipal and Native Affairs Officer reports:—

"This school, under the able principal, Mr. McMunn, goes from strength to strength. There were over 200 pupils on the roll and it would be difficult to exaggerate the excellent progress and influence this school has in the Native Location. One is impressed by the discipline, the brightness and cleanliness of the children, who only a short time ago were ragged little urchins, dirty and untamed, running wild in the streets.

The school has an enthusiastic troop of Boy Scouts.

Municipal Council has held in reserve a sum of £3,200 from the Native Trust Fund to be devoted during the year 1938 to extension to the existing class-rooms and the construction of a girls' school.

A School Area Committee was appointed and met for the first time during the year."

31. There were 209 pupils in the Machakos Primary School, of which 155 were Machakos Akamba and 54 Kitui.

134 of these were carpentry, mason, tailor, veterinary or telegraph apprentices, while 75 were working in Standards IV, V and VI.

No new pupils are now entered as apprentices and the school will conform with the primary school syllabus and agricultural instruction will be developed as an important subject in the curriculum.

There were twelve Government out-schools and three Local Native Council Schools functioning in the District, with an average rota of 1,372 pupils.

31. In the Fort Hall District the Education Board allotted £1,083 to the educational work of the various missionary bodies who have a total of 29 schools in the district.

Bursaries amounting to £56/5/0 were granted to nine boys at the Alliance High School and three boys attending the Catholic High School at Kabaa, while grants-in-aid totalling £41/5/0 were made to nineteen teachers from the district in training at Nyeri, Tumutumu and Kigare, a teacher training school recently opened by the Church Missionary Society in the Embu District. An amount of £139/12/0 was also spent on the salaries of seven Jeanes teachers.

The salaries of two school agricultural instructors and one school medical instructor who are employed by the Board amounted to £83/5/0, and Sh. 10 were spent on the production of the "Bulletin".

32. In the Kitui District preliminary arrangements for the erection of the "Campbell" School were made and 80,000 bricks were manufactured by the detainees at Kitui for this purpose. About 400 children were on the roll of out-schools during the year.

#### Missions

33. The relations between the Missions generally and Government officers have been of the friendliest nature.

The Provincial Commissioner reports that the work of the Church of Scotland Mission is perhaps the most important and effective in the Province, particularly in the sphere of female education. Both at Kikuyu, at Tumutumu and at Chogoria, efficiency, discipline and thoroughness are the key-notes and the value of the work performed cannot be over-estimated. The development of home gardens at Chogoria is

now an integral part of the local educational system and a large measure of success has been attained by giving education a rural bias.

No great advance can be recorded in the work of the Church Missionary Society in the Province. The appointment of additional European staff in the Kiambu, Fort Hall and Embu districts has enabled the Mission to take the first steps in the very necessary reorganization of their educational work but, on the other hand, very little has been done to solve the most important question—discipline, and there still remains very unruly elements among the African adherents of the Mission.

A very great improvement can be recorded in the primary school at Nyeri of the Consolata Catholic Mission. The European staff was strengthened by the return of one of the Fathers who took the Colonial Institute course in London. The Sisters have been given more responsibility in the training of teachers but, generally speaking, the elementary schools have not shown much progress.

Very considerable progress has been made in the elementary schools in the Fort Hall District attached to the Africa Inland Mission. The main difficulty still remains lack of sufficiently good teachers. The mission has brought in two teachers from Ukamba and the experiment proved a success.

The Fort Hall District Education Board was obliged, towards the end of the year, to threaten a reduction or withdrawal of grants to the Gospel Missionary Society if steps were not taken to afford the aided schools adequate supervision.

There has been a general increase in the numbers attending the schools of the Methodist Mission but, although the schools are well organized and adequately supervised, regular attendance, particularly during the last month of each term, is a great obstacle to development.

The Catholic Mission of the Holy Ghost Fathers has achieved a certain amount of development in their out-schools, while additions were made to the school buildings at Limuru where a new girls' school has been opened which will eventually be developed into a secondary school. There has been some difficulty with the African staff, a number of whom were attracted by the Independent Schools movement.

34. A Conference on the education of girls was held at the Church of Scotland Mission at Tumutumu in August,

when proposals regarding the training of female teachers formed the chief subject of discussion. Seven girls passed the primary schools examination towards the end of the year and three of these were admitted to the Alliance High School at Kikuyu, accommodation being provided by the Church of Scotland Mission. The demand for greater facilities for girls' education on the part of Africans of both sexes throughout the advanced districts of the Province becomes more and more insistent.

35. The Independent School movement has already been referred to. The number of the schools in the Province is about fifty, and the majority are under the control of the Independent Schools Association, who observed the letter, and to some extent the spirit of the agreement referred to in the report for the year 1933.

The Karinga Schools Association adopted a non-operative attitude and it was necessary to close the Mukui School, which was built and opened in direct defiance of the orders of the Local Native Council, and five other schools which had been opened without sanction in areas already served by Mission schools. The linking of the Independent Schools with the Independent Church has caused the movement to be permeated with a nationalist spirit and consequently imbued with considerable strength.

Towards the end of the year the Vice-President of the Kikuyu Independent Schools Association was appointed to the Fort Hall District Education Board.

#### *Rift Valley Province*

36. There are six out-schools in the Nandi Reserve. The principal of the Government African School at Kapsabet attended many of the District Commissioner's *barazas* as possible and spoke on the value of education which undoubtedly contributed to the increased attendance of pupils.

Two permanent out-school buildings were erected in the Reserve during the year from Local Native Council funds.

The Kapsabet school had a successful year and the tone of the school was excellent. Twelve pupils were transferred to the Veterinary Training Centre at Baraton and two to the hospital at Kakamega to be trained as dressers for the new Kapsabet hospital. One boy from the school was chosen to represent Kenya against Uganda in the inter-territorial sports.

The Mill-Hill Mission has only been established in Nandi for two years and towards the end of the year a church and class-rooms were built. The number of adherents increased considerably.

37. The Government African School at Tambach in the Elgeyo-Marakwet District had the maximum number of pupils on the roll, i.e. 116, and applicants for admission had perforce to be turned away. The year's work was most satisfactory in every way.

In addition to the carpentry, basket work and tailoring in the school the agricultural training has shown a decided improvement and the pupils themselves are displaying a greater interest in this work. The *shamba* has now been contour terraced and illustrates what can be done to prevent soil erosion. Reed baskets of about 6 ft. in diameter and 4 ft. in height have been made and an excellent compost is produced by leaving rubbish and weeds in them for about five or six months. This is an old Elgeyo custom which had been allowed to lapse. At present there is a lack of unqualified teachers for this school and unfortunately this will not be remedied for several years.

The District Commissioner, Tambach, reports that there is a large demand for ex-pupils who have been trained in carpentry and other manual work and they have no trouble in finding employment.

The Africa Inland Mission at Kapsowar made good progress during the year with its medical work and has started several out-schools in connexion with their plot at Kessup.

The Provincial Commissioner reports:—

"It is yet too early to say whether this will prove a success but the result will depend on the attitude adopted by the Mission towards the marriage and other rites of the Elgeyo."

38. Five Kamasia pupils were attending the Tambach school at the end of the year and one was at the Native Industrial Training Centre. The District Commissioner reports that there is a definite urge throughout at least the more intelligent members of the Kamasia for educational facilities which at present somewhat inadequately provided for.

The Africa Inland Mission has a school at Kabartonjo which besides doing a little medical work runs a co-educational boarding school. They have also two out-schools in the district. These schools are not very satisfactory.

39. The school built at Maralal in the Samburu area from Local Native Council funds is reported to be doing well but, owing to the nomadic habits of the natives, it is necessary to provide board and lodging at the school for the pupils.

40. In the native location at Eldoret there is an excellent institution called the African Union School which is supervised by the Chaplain of the District. It is undenominational and is attended by adherents of the Church Missionary Society, Roman Catholic and Mohammedan boys and is most fortunate in having two excellent African teachers. The school was fourth in the physical drill competition open to all African schools in the Colony and the results of examinations were most praiseworthy. There were 83 boys and 13 girls on the school roll during the year.

41. The demand for education among squatters on farms in the Province was demonstrated by the success evinced for a time by schools started under the aegis of the "African Orthodox Church" referred to elsewhere in this report. The secessionists from this body—the African Independent Pentecostal Church—followed fast in the field also bent on exploiting their brethren the Kikuyu and for a time large profits were made.

The majority of the farmers who had previously granted permission for these schools, soon withdrew their sanction and a large number of the schools were closed by the end of the year.

#### Coast Province

42. The average attendance at the Coast Secondary School at Shimo la Tewa was 79.2 pupils. Commercial education is provided in the higher classes. An Indian master was appointed to the staff as an experiment during the latter half of the year.

43. The Arab School at Mombasa had another successful year. The pupils increased steadily in numbers and boys and girls are seeking entrance at an earlier age, with the result that the average age of the classes is coming down to a more normal figure.

The Director of Education writes:—

"There is still difficulty in obtaining suitably qualified Arab teachers. One, however, was recruited at Zanzibar and he is likely to be an acquisition. It is difficult to instil anything modern in the way of method as far as the Koranic section is concerned. Any attempt at reformation needs courage and wisdom by Arab leaders who are beginning to realize that the community must adapt themselves to the age in which they live.

Considerable progress has been made in the weekly house competitions and inter-school pack of Cubs, too, has been started and is about thirty strong.

The incidence of sickness is still high. Lack of good food and the poor hygienic conditions under which so many live accounts for the low standard of health. Improvement is unlikely until some progress is made with girls' education and the rising generation is taught something of domestic crafts."

44. A new private Arab school was opened at Changamwe just outside Mombasa. Government is doing its best to assist the enterprise as the school, though suffering severely from lack of funds, does supply a much needed want in the district and the pupils are increasing in number monthly.

At Mombasa the Buxton School under the aegis of the Church Missionary Society and the Catholic Mission School at Macupa both report a most successful year. At the former school co-education continued to be successful. A very practical demonstration of handicrafts was held and the boys, under the Native Industrial Training Depot instructor, erected a block of teachers' houses.

45. A Government Arab School was opened at Takaungu in the Kilifi District, in response to urgent appeals from the Arabs and was from its inauguration overcrowded with an average of 90 pupils.

Takaungu was one of the few educational centres in the Province in early days but, owing to apathy, the original school had to be closed down and it is much to be hoped that the enthusiasm shown will be long lived.

Eight Giriama boys attended the Sir Ali bin Salim Arab School at Malindi, where the average number of pupils was

Local Native Council School at Mariakani, the Church Missionary Society schools in Kilifi township and at Kaloleni, where great progress was made in the work of the girls, and at various out-schools.

The Missions have agreed to increase the period for agricultural teaching in out-schools from half-an-hour to two-and-a-half hours a week and all have gardens which serve as experimental plots for the neighbourhood. Government has appointed a special Native Agricultural Instructor to tour and supervise these plots.

46. The District Commissioner, Digo, reports that attendance at the various village schools in the district was irregular and low and that too large a proportion of the pupils are adults.

St. George's School at Waa, under the auspices of the Holy Ghost Fathers, is now looked upon with favour by the majority of the inhabitants of the district. The present principal has succeeded in overcoming the hostility shown by his predecessor and the local natives have agreed to the granting of a yearly lease which had hitherto been refused to the Mission.

47. The United Methodist Mission has headquarters at Mazeras. The District Commissioner records:—

"Relations with the administration continue to be cordial and the Missionaries seem to have obtained the confidence of the Duruma by years of patient labour, but they complain that after over forty years among the tribe they seem to have made little or no progress towards a general improvement in the way of living of the tribe and that their schools are very badly attended."

48. The Arab night-school at Lamu functioned throughout the year and there were 59 pupils on the school roll.

49. In the Tana River District educational activities are, with the exception of a few Koran schools, in the hands of the Neukirchener Mission at Nga'o where there is an elementary boarding school which turns out useful members of society. At the end of the year there were 62 boys and 18 girls on the school roll.

The missionary in charge of the educational work writes:—

"Teacher training has been, and remained during the year, the main aim of this school."

Handwork has been done as it became necessary in school and boarding houses—roofing, whitewashing, painting, bench repairs . . . making of *jembe* handles, spear shafts, fish baskets, all have been done by pupils. A rat-proof grain store has been constructed after the Jeanes teacher's planning and under his supervision . . .

Agricultural activities have been severely handicapped by the absence of sufficient rain (April-October less than 6 in.). During the late rains, [redacted] has been made to raise local grain roots [redacted]

50. Two meetings of the Teita [redacted] Board were held during the year.

The Catholic Holy Ghost Mission at Bura increased their activities and opened a new elementary school at Ngerenyi and re-opened one out-school. At the Central school at Bura the pupils increased by nearly 100 per cent and at the end of the year there were 155 boys and 133 girls on the school roll. The new primary school syllabus was followed and special attention was given to the crafts course for boys and domestic science for girls. The boys have also been taught carpentry, brick-making and building, and the girls laundry, needlework and home nursing. There are six native girls on the staff who are all qualified elementary teachers.

A considerable amount of tree planting, in which the pupils took an active part, was carried out in the Reserve. A school band was started during the year and proved a great attraction throughout the district.

The pupils at the Mission's out-schools increased from 220 to 350 during the year.

There were 293 pupils on the roll of the Church Missionary Society School at Dabida at the end of the year, where great help has been afforded the administration by the efficient teaching and practising of anti-soil erosion and soil conservation methods in the school gardens and at out-schools. Native crops were grown and vegetables in substantial quantities were sold to the co-operative society established by the development officer.

Netball matches are arranged throughout the year between the schools in the district. Football matches are also held and a demonstration of drill with games and sports and an exhibition of work was held at Mbale at the close of the term. Many Africans attended and were shown what the school is trying to do.

The Mission has a magic lantern which has proved of great interest to the people of the district and several hundreds attend when a show is given.

The average roll on the Mission out-schools was nearly 900.

#### *Masai District*

51. The increasing interest of the Masai in education was maintained during the year and in the words of the Officer in Charge: "they welcome what before they distrusted."

The erection of permanent school buildings was started at Loitokitok under the aegis of the Native Industrial Training Depot. This school continued to progress under the wise guidance of Mr. L. E. Whitehouse, who has by his personality created an atmosphere or spirit in the school which inspires all who visit it.

Towards the end of the year, Mr. Whitehouse was appointed Education Officer, Masai, with supervisory powers over all the schools in the Masai Reserve. A new village school was opened at Chief Loldigir's camp for the Siria Masai and a site selected in the Loita hills for another village school. The provision of teachers presents great difficulties but a scheme has been prepared for training ten teachers during the next two years.

52. His Excellency the Governor kindly presented a cup to the Narok School for which an inter-house competition was held in football, athletics and drill. The average number of pupils on the roll was 80, of whom 30 were in the primary classes and 50 in the elementary. Early in the year an out-door theatre was built and two series of plays were well and energetically acted. A committee, the forerunner of a District Education Board, was formed, consisting of the members of the Local Native Council, and proved most useful in choosing new boys and dealing with sundry matters connected with the school.

53. Some trouble arose during the year when the Mission-trained girls at Lasit refused to submit to tribal customs in regard to circumcision. It is believed that the desired change of thought will be brought about by the influence of wider educational opportunity which the Masai are seeking.

#### *Northern Frontier Province*

54. The paucity of the inhabitants and their nomadic ways militate against any educational advance in this wide area.

The Moslem tribes have their bush schools where children are taught to write in Arabic and to recite passages from the Koran.

At Marsabit there was one school maintained by the Bible Churchmen's Missionary Society. The Society reported some progress. Two new qualified teachers were employed and at the end of the year 39 children were receiving instruction in writing and reading.

#### *Turkana District.*

55. The school at Kapulir in Turkana is now under the charge of a Suk teacher. There are twelve boys at the school who seem keen but show a certain amount of reluctance to return after the school holidays. Floods washed away the school *shamba* twice during the year.

The only other school in Turkana-land is the police school at Lodwar which is presided over by the police clerk.

56. The Government African School at Kapenguria in the West Suk District had accommodation for 60 pupils and again the applications for entry exceeded the number of vacancies. There are four African teachers, one native agricultural instructor and one technical instructor to assist the principal in his work. The boys became greatly interested during the year in basket making and pottery work and some good specimens of water pots, cooking pots and bowls in burnt clay were made which the boys took home at their holidays. The school was awarded first prize for an exhibit at the Agricultural Show held in Nairibi in June.

Many of the entrants to the school have received no previous education and do not even know the Swahili language, but the Bible Churchmen's Missionary Society at Masakol provides some pupils who have had a sub-elementary education.

The Officer in Charge writes:—

"It is gratifying to be able to record that with some official assistance another small partnership of ex-school boys are starting farming on their own in the highlands round Kapenguria, and thereby helping to remove the reproach so often made by visitors that the Suk make no use of that part of the district. The original 'settlers' who have established themselves near the station have had an excellent year. One of them is reputed to have made £10 from onions alone, and the maize grown by them finds a ready sale."

Much has already been done to provide medical and health services for the native but, owing to financial stringency it has been found impossible to keep pace with the ever-increasing demand voiced in nearly every district by the native for more, hospital accommodation and increased services.

Even had funds been available it would not have been possible to obtain the requisite staff; saturation point in the matter of increased services is very far distant.

2. The increase in the number of patients treated is not an index of increased sickness but of the growth of confidence in the personnel of the Medical Department and of appreciation of the services they render.

The general efficiency and reliability of the African dresser or medical assistant at the Medical Training Depot is remarkable and they have certainly played their part in establishing and maintaining the high repute of the Medical Department throughout the native areas of the Colony.

3. The Director of Medical Services writes in his Annual Report:

"The natives' faith in European medicine, which is now thoroughly established throughout the Colony, shows no signs of diminishing and the increasing number of Africans who seek admission to hospital is throwing a severe strain on the accommodation available. Most hospitals are overcrowded to a degree which causes considerable anxiety and the solution of the overcrowding problem, with the limited resources available, is not easy."

Public health activities in the Native Reserves have been maintained and extended to some extent. For the last five years, most Native Reserves have had at least the nucleus of the staff which was outlined in the Health Scheme of 1927, and the opportunity has been afforded of observing the working of the scheme in a limited form. The results have exceeded all expectations and in regard to domestic and general hygiene, the experimental stage is rapidly giving way to a settled and progressive policy. Though naturally dependent on economic conditions, the outlook of the native, particularly in these Reserves contiguous to the settled areas, has entirely changed. Insanitary conditions are gradually disappearing and a higher standard of living

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## CHAPTER VII

### MEDICAL AND PUBLIC HEALTH

Much has already been done to provide medical and health services for the native but, owing to financial stringency it has been found impossible to keep pace with the ever-increasing demand voiced in nearly every district by the native for more, hospital accommodation and increased services.

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Public health activities in the Native Reserves have been maintained and extended to some extent. For the last five years, most Native Reserves have had at least the nucleus of the staff which was outlined in the Health Scheme of 1927, and the opportunity has been afforded of observing the working of the scheme in a limited form. The results have exceeded all expectations and in regard to domestic and general hygiene, the experimental stage is rapidly giving way to a settled and progressive policy. Though naturally dependent on economic conditions, the outlook of the native, particularly in these Reserves contiguous to the settled areas, has entirely changed. Insanitary conditions are gradually disappearing and a higher standard of living

in general is being rapidly introduced. This has largely been achieved by the better economic conditions which now prevail and by the strenuous efforts in propaganda and practical teaching of the Sanitary Inspectorate staff, to whom the native is now accustomed to look for help in all matters concerned with housing, water supplies, general hygiene, etc.

Particularly good results have been obtained with regard to housing and the cleaner village campaign in many districts has done much to reduce the incidence of plague and other infectious diseases.

Maternity and child welfare work deserve special mention for in no other branch of the department's activities has there been greater comparative progress. It is of further deep significance as an indication of the social progress of the native, for whereas only a few years ago women could only with difficulty be persuaded to enter hospitals and centres for ante-natal and maternal care, the difficulty now is to find accommodation for them.

The actual work is the concern not only of Government and the local authorities, both European and African, but also of the Lady Grigg Welfare League which is, in addition, undertaking the training of African women as midwives with the object of providing some maternity facilities for these sections of the community.

Local Native Councils have done much to further public health activities in their districts by generous grants for public health work and medical relief and by the recommendation and enactment of legislation to promote the public health. In a decade their contribution to medical services has almost quadrupled.

4. It is the opinion of the Director of Medical Services that better health conditions were evident in the year under review. Though the consumption of animal protein was beneath the required level the nutritional state of the population showed improvement.

The campaign directed towards better housing and improved rural sanitation continued with enthusiasm and the interest displayed by the more advanced tribes gives promise for further development.

5. Smallpox, which was imported from across the frontier by Ethiopian refugees, was confined through comprehensive

precautions to the Northern Frontier District and only 158 cases of plague were reported as compared with 239 during the previous year.

A welcome decrease occurred in the incidence of cerebrospinal meningitis, of which 227 cases were recorded as compared with 319 in the previous year and 362 in the year 1935.

Certain diseases, however, took a high toll of the native people during the year under review.

Unfortunately the incidence of malaria, which and few native reserves escaped the epidemic, was high in the Colony during and after the long rains. The Mombasa experience the worst visitation recorded for many years. An increased number of cases of tuberculosis and pneumonia were treated in hospital and the high degree of virulence of the latter accounted for a hospital mortality rate of 19.93 per cent as compared with 17.03 per cent for the preceding year.

Dysentery infection would appear to be widespread throughout the Reserves. The number of cases of syphilis and yaws treated at hospitals and dispensaries (excluding out-dispensaries) for the last three years numbered:—

	1935	1936	1937
Syphilis .. .. .	7,633	8,383	6,887
Yaws .. .. .	11,378	12,258	13,131

The Director of Medical Services records:—

"Though a number of cases of yaws were treated, this was probably due to extension of medical activities, and appreciation of the dramatic effects of treatment in previous campaigns against this disease, rather than to an increased incidence.

The general impression is that yaws is definitely decreasing in most areas as the effects of previous campaigns against the disease are making themselves shown, as treatment facilities are extended, and also as a result of general improvement in public health.

In some of the more forward districts, the disease appears to be practically extinct, and it is stated that it is very rare now to see typical ulcerative yaws in Nairobi."

Again there is reason to believe that in certain areas the intensity of helminthic infestation is decreasing but the number of cases treated during the last four years is as follows:—

1934	1935	1936	1937
34,108	44,506	51,029	59,998

6. The increasing number of Africans in surgical treatment is demonstrated by the fact that 525 operations were performed as compared with 475 in the previous year.

In the field of ante-natal, maternity and child welfare work, the progress and increased interest can be seen in the comparative figures for maternity cases recorded during the year under review and the preceding year:—

	1936	1937
At Government Hospitals and at Connected Centres Established with Local Native Council Funds	1,278	1,672
At the Lady Grigg Maternity Centres, Nairobi and Mombasa	548	629
At Mission Hospitals	1,009	1,071
<b>TOTAL</b>	<b>2,835</b>	<b>3,372</b>

A great increase in ophthalmic work among natives was undertaken during the year and at Nairobi Native Hospital, where the services of an ophthalmic specialist were available, an average of 200 eye examinations were carried out daily.

7. A comprehensive health exhibit was displayed at the Royal Agricultural and Horticultural Society of Kenya's Show in Nairobi in the month of June, and it aroused much interest among the many Africans who visited the Show. A comprehensive exhibition of photographs was also shown illustrating African development and activity.

8. The total number of non-European patients treated at all Government hospitals and out-dispensaries, whether in townships or native reserves, during the year, is shown in the table below.

Of the figure given those for the town hospitals and dispensaries include a certain number of Asiatics and Arabs, those for the native reserves include a few Asiatics and Arabs while those for the out-dispensaries refer almost exclusively to Africans:—

PROVINCE OR DISTRICT	In-patients	Out-patients	Out-Dispensary Patients
<b>NAIROBI</b> —			
Native Hospital	6,851	2,964	—
General Dispensary	1,196	56,112	—
Infectious Diseases Hospital	1,305	—	—
Mathari Mental Hospital	343	—	—
Loco. Dispensary	87	25,111	—
Police Dispensary	—	1,966	—
Prison Hospital	1,644	7,403	—
<b>MOMBASA</b> —			
Native Hospital	3,288	36,889	—
Infectious Diseases Hospital	856	567	—
Child Welfare Centre	—	23,447	—
<b>NAKURU</b> —			
Native Hospital	3,518	14,380	—
<b>ELDORET</b> —			
Native Hospital	1,662	5,054	—
Railway Dispensary	1,052	3,988	—
<b>KITALE</b> —			
Native Hospital	1,094	5,983	—
<b>KISUMU</b> —			
Native Hospital	3,394	23,362	—
Prison Hospital	403	854	—
<b>NYANZA</b> —			
Kakamega	2,178	9,499	71,439
Kisumu	—	—	32,064
Kisii	1,704	15,713	60,830
Karicho	1,371	5,889	9,176
Central Kavirondo	—	—	82,147
<b>CENTRAL</b> —			
Kiambu	2,422	17,525	22,179
Fort Hall	1,818	13,463	31,235
Muramba	774	8,912	—
Nyeri	1,326	37,043	12,084
Karugaya	1,681	18,294	53,903
Merti	1,309	24,148	43,380
Machakos	1,981	18,610	70,044
Kitui	1,586	13,956	38,043
<b>RIFT VALLEY</b> —			
Kapsabet	382	6,609	14,279
Tambach	265	5,992	—
Kabarnet	292	5,242	13,473
Rumuruti	226	2,984	—
<b>COAST</b> —			
Kilifi	1,800	6,395	19,445
Malindi	267	9,854	12,153
Watu, Teita	936	5,901	25,442
Msamweni, Digo	704	2,991	8,936
Lamu	183	21,142	11,618

PROVINCE OR DISTRICT	In-patients	Out-patients	Out-Dispensary Patients
MASAI—			
Narok .. .. .	411	4,476	11,877
NORTHERN FRONTIER—			
Moyale .. .. .	140	6,042	—
Mandera .. .. .	63	1,445	—
Garsissa .. .. .	—	4,245	—
Wajir .. .. .	205	3,193	—
TURKANA—			
Lodwar .. .. .	101	2,926	—
Lokitaung .. .. .	251	2,871	—
Kapenguria .. .. .	370	6,532	1,941
TOTAL .. .. .	51,489	491,402	645,688

9. The number of hospital beds maintained by Missionary Societies receiving medical grants from Government, the number of patients treated in these institutions and the amounts of the grants given are shown in the following tables:—

Mission and Place	No. of beds	In-patients	Out-patients	Out-dispensary patients	Con-fine-ments	Amount of Grants
						£
Church of Scotland Mission:						
Kikuyu .. .. .	90	1,281	18,168	Nil	207	450
Chogoria .. .. .	67	840	7,668	not given	33	240
Tumu Tumu .. .. .	98	2,192	27,048	88,082	442	1,050
Church Missionary Society:						
Kaloneni .. .. .	74	710	33,714	..	8	940
Maseno .. .. .	67	2,054	11,591	24,305	245	420
Seventh Day Adventists: Kendu	42	1,008	32,711	7,800	113	400
Methodist Missionary Society: Meru .. .. .	40	885	18,475	..	11	100
Neukirchen Mission Society: Ngao .. .. .	18	74	1,859	1,424	12	100

At all these hospitals a qualified medical practitioner and one or more European sisters are employed.

## Nyanza Province

10. Of the North Kavirondo District the Medical Officer writes:—

"There has been a slow but steady progress throughout the Reserve as regards public health. The general populace are beginning to understand the rudiments of hygiene and to take an interest in their personal cleanliness and that of their *bomas*. Many factors have helped this forward trend, amongst which the increased prosperity is to a large extent predominating.

The desire for better housing is becoming more and more general, but the native is not taking readily to the use of windows. The main reason being the fear of this coming into their houses. This is natural and consequently very hard to eradicate, although a large number of even the poorest have windows of a sort. The custom of having cattle and sheep in the same house is becoming more disagreeable to the native in general."

The District Commissioner reports that great progress was made in the Reserve with the combined pit-latrines, protected fire-place and improved maize crib campaign. During the year 1,866 latrines were dug, 1,162 fire-places made and 212 cemented water supplies installed. The last-named are really appreciated by the natives and the superior variety, which is in evidence just outside the Kakamega township boundary, has become a "show place".

The Local Native Council voted £325 for health measures in the Native Reserve and £75 available from compensation money for a mining lease was used on improved water supplies in West Kakamega.

A model dispensary unit was opened near Kima in Nyonyore in February and improvements have been made at most of the dispensaries in the Reserve.

A tentative scheme for leprosy control was put up for consideration by the Local Native Council with the idea that, although it was possibly premature at the moment, members should consider it and discuss with their constituents the main points, which were:—

- (i) a census of lepers in the Reserve;
- (ii) repatriation of burnt-out lepers from the leper colony to settlements in their respective locations;

- (iii) restriction of admission to the leper colony to infected lepers in need of treatment; and
- (iv) the removal of children of leprotic parents immediately after birth.

The numbers of admissions and attendances at Kakamega hospital were again very large. The Local Native Council lorry makes four journeys around the district every month, two to the southern half and two to the northern, with a view to bringing the sick and taking out the cured. This enables patients to be dealt with and sent home as quickly as possible, but overcrowding of wards has often been unpreventable.

A large number of operations were performed throughout the year and the striking feature is the remarkably high percentage of major operations performed, chief among which is the radical cure of herniae. An ante-natal and child welfare clinic was started by one of the nursing sisters.

11. Progress was made during the year with the anti-malarial scheme at Kisumu which is financed by a Colonial Development Fund grant. Swamp reclamation and filling was carried out in the neighbourhood of the airport and the Nubian village by the lake shore was demolished and alternative accommodation provided for its occupants, and extensive tree planting has been undertaken.

12. The Medical Officer at Maseno, Central Kavirondo, reports that each year an increasing demand is shown for medicines, hospitals and dispensaries and for advice as to better housing and hygienic measures. There are now 17 dispensaries in the Maseno area and a new dispensary was built at Boro during the year near a former sleeping sickness area. Ufawi dispensary is now permanently open instead of once weekly and, as it is in the sleeping sickness area of Port Southby, it is an important centre.

Several zones in the district are defined as potential sleeping sickness areas where special restrictions and precautions are necessary. Clearing was extensively carried out at Port Victoria and elsewhere and the increased settlement now made possible on the lake shore in such areas has proved to the natives the benefit of the work which has since March been carried on entirely at the expense of the Local Native Council.

The dispensaries at Nyahera, Nyando and Nyakatch and the maternity ward at Nyahera remained under the control of

the Medical Officer of Health at Kisumu. The number of patients using the maternity ward showed a considerable increase—102 babies were born there during the year—and this branch of work has become a most popular one among the natives.

A small maternity hospital, equipped, built and staffed by the Local Native Council, was opened at Siaya in December. There are two native midwives employed, one experienced and the other a learner. It contains two rooms with six beds in one room and a labour bed in the other and all accessories, and was at once filled to overflowing.

The township of Kisii can now boast of healthy streams. A new water supply has been installed, the old one has been closed and the streams canalized.

The maternity ward at the Kisii hospital is becoming increasingly popular and 293 confinements took place during the year. Of the Child Welfare Clinic the sister in charge writes:—

"The Kisii Welfare Clinic shows an increase of 830 visits during the year.

The attendances have been regular and the Kisii women showed a marked improvement in the cleanliness of their persons and care of their babies.

The majority of the women seem to have lost the fear of having their babies admitted into hospital. When admission is advised they now bring them in without protest and a great many voluntarily bring their sick babies and ask for admission to hospital."

The District Commissioner, South Kavirondo, reports:

"Propaganda was carried out during the year to combat the performance of major operations to the skull by the 'Kisii surgeons', as these operations in the majority of instances result in death.

Practically any Kisii who previously received a major abrasion on the head presented himself to these 'surgeons' who professed the art of relieving the pressure on the brain by removing a portion of the skull bone.

This was done by the use of a hammer and chisels and the death rate percentage can be well imagined."

A minor epidemic of sleeping sickness occurred in Kadem in September but was successfully checked. The epidemic was attributed to the fact that by reason of the

- (iii) restriction of admission to the leper colony to infected lepers in need of treatment; and
- (iv) the removal of children of leprotic parents immediately after birth.

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A minor epidemic of sleeping sickness occurred in Kadem in September but was successfully checked. The epidemic was attributed to the fact that by reason of the

excessive rains the Gori and Kuja rivers remained in flood longer than usual and the river basket fishing was good. Consequently many fishers' camps came into being along the banks and the inhabitants were exposed to infection from the tsetse fly which are known to abound in the riverine thickets along both these watercourses.

14. Medical services in the Kericho district consist of:—

- (a) The Kericho Native Civil Hospital;
- (b) Local Native Council dispensaries in the Kipsigis Reserve;
- (c) Medical facilities provided by Missions;
- (d) Medical facilities provided by the tea estates and other employers of labour;
- (e) Dispensary work done by various settlers and their wives; and
- (f) The occasional services of medical men who are now planters or farmers.

About half the patients at the Kericho hospital were Kipsigis—the remainder being mostly Luo and Kisii. There has been a steady increase in the number requiring hospital treatment, and prejudice against the hospital is fast disappearing. The in-patients for the last four years numbered:—

1931	1935	1936	1937
828	919	1,068	1,301

Many more would have been admitted had accommodation been available, but the financial position of the Kipsigis Local Native Council has not warranted capital expenditure on additional wards.

The Medical Officer believes that the Kipsigis generally live on a deficient diet. He remarks:—

"It is very noticeable how a Kipsigis coming in with a fracture and therefore presumably in his normal physical condition apart from his injury improves on the hospital diet."

Now that an Agricultural Officer has been appointed in this district steps are being taken to improve the variety of crops grown and to persuade the Kipsigis to slaughter surplus stock for food and thereby obtain better nutrition.

15. The Provincial Commissioner writes:—

"All medical officers regret the fact that accommodation in hospitals is completely inadequate for their present requirements. This is specially the case in Kiambu, Machakos, Kerugoya, Fort Hall and South Nyeri."

16. The increased confidence of native women in the maternity treatment provided at the various centres was as evident as in Nyanza Province and it is certain that in the near future the available accommodation in the maternity wards will be completely used.

The sum of £1,000 bequeathed by the late Mr. W. F. G. Campbell, Provincial Commissioner, to the Machakos Local Native Council, was spent in the erection of a maternity ward at the Machakos hospital and was opened in November, since when it has been continuously full up.

The injurious effect of female circumcision is instanced by the following statements, which appear in the reports of Medical Officers:—

(a) *Medical Officer, Kerugoya*—

"Owing to the circumcision scar episiotomy has to be performed on 90 per cent of first-birth cases, but this is not considered an abnormality."

(b) *Medical Officer, Fort Hall*

"Circumcision still plays a great part in delaying the birth of the child and sometimes in killing it."

At Machakos hospital, however, normal deliveries numbered 67 out of a total of 78 cases. Amongst the Akamba the operation of circumcision is confined to the minor operation of clitoridectomy.

17. The results of medical work in the Kiambu district are the most spectacular in the Province and the success is due partly to the keen interest and confidence of the natives in medical treatment and partly to the greater financial resources both of the individual and of the Local Native Council which enable better facilities to be put at the disposal of the district.

At Kiambu hospital the number of in-patients increased from 1,224 in the year 1931 to 2,447 in the year under review and out-patients from 8,027 to 17,557, and this has placed a great strain on the capacity of the hospital and the energy of the available staff. The Local Native Council provided

£100 for the running of the ambulance, which covered 12,109 miles during the year. The fact that £88 was collected in ambulance fares from patients who could afford payment, indicates the prosperity of the people in that area.

The District Commissioner reports—

"In addition to the hospital there are three dispensaries in the district—Wangigi, Githunguri and Mukinyi—which between them attracted a total attendance of 30,012 out-patients.

Each is built of permanent materials with dresser's house, kitchen, incinerator, etc., while at the most developed, Githunguri, there is in addition a two-roomed maternity ward and a health worker's house."

The dispensaries are visited monthly by the Medical Officer and also by the nursing sister, who conducts ante-natal clinics at each.

They also serve as collecting stations for sick who are collected at regular intervals by the Local Native Council Ambulance."

The district has been free from any serious outbreak of disease but between April and August 53 cases of plague were reported from certain areas, which demanded intensive efforts by the sanitary staff, while 17 cases of cerebro-spinal meningitis occurred occasioning seven deaths. Gonorrhoea, yaws, tuberculosis, leprosy, anthrax and tape worm are among the diseases met with, but respiratory diseases, with pneumonia as the most common cause of death, are by far the most prevalent, accounting for 41 per cent of the total deaths in Kiambu hospital.

It is reported that 1,234 operations were carried out at this hospital and it is interesting to note that in all theatre work carried out by the Medical Officer he is assisted entirely by Africans. 520 anaesthetics were, for instance, administered by the trained African assistant.

On the health side the following staff was under the direction of the Sanitary Inspector: five sanitary assistants, three health workers, eight village supervisors, seven market attendants and a number of carpenters.

Extensive work has been carried on during the year and no opportunity for propaganda has been missed. Schools have been visited regularly where instruction was given in hygiene. Lardines have been installed, washing arrangements

introduced, and on other occasions. Markets were systematically taken in hand, building lines were laid down and assistance was given in moving shops to their new sites.

The District Commissioner writes:—

"The culminative effect of propaganda for cleaner villages is now apparent to even a casual observer. Frequently bush and scrub is cut near villages allowing short grass to get a hold and so also improving the available grazing.

Some villages are going a step further and there are many houses of permanent materials to be seen. It is pleasant to see the natives with ambitions in this direction and to approach the Health Office for standard plans and quantities or even to have their own ideas adopted. Bricks and dressed stone are equally favoured and 78,000 of the former were burnt during the year."

18. In the Fort Hall District there is a hospital at the Fort Hall Government Station, while in the Reserve there is Muriranjias hospital of 20 beds and three out-dispensaries. Village cleaning operations continued throughout the year and it appeared evident that the propaganda had been successful. Towards the end of the year 7,000 rat-stops were sold and it would appear that many of the people are now becoming definitely anxious, not only to have a better type of store in which to keep their grain out of harm's way, but to protect themselves against plague as well.

Fifteen cases of cerebro-spinal meningitis were treated in the hospital during the year, ten of which proved fatal. Other diseases treated were:—

	Cases
Relapsing fever	18
Anthrax	7
Leprosy	5
Helminthiasis	1,980
Dysentery	220
Malaria	3,193
Blackwater Fever	3
Yaws	1,176

The posting for the first time of a nursing sister to the district was much appreciated and maternity work has increased greatly owing to the confidence which she has

inspired. The Local Native Council voted £250 for the erection of a maternity ward. It is satisfactory to report that the two girls who were trained as maternity nurses at the Lady Grigg Maternity Home in Pumwani, Nairobi, a few years ago, are doing highly satisfactory work at the Fort Hall hospital.

19. The village cleaning campaign was pursued actively in the South Nyeri district. Headmen in all areas where plague is endemic issued orders to maintain a clean belt ten yards wide round every village or hamlet. There are five African health workers, in Mathari, and their duty it is to go round and see that the orders are being carried out. It is seeing that this order is properly carried out. Last year advice was made with the erection of rat-proof grain stores and 66,386 stops were sold. An experimental well was recently sunk in the agricultural *shamba* at Nyeri and the people have been much interested in it. At the inhabitants' request another one is being sunk in Chief Muhindi's location.

20. In Embu district many requests were received for protected water supplies and it is apparent that the question of the provision of clean water is exercising the minds of the people. The decrease of the incidence of human plague in this district is worthy of note. Whereas in the year under review there were 32 cases and 28 deaths, there were in the previous year 75 cases and 71 deaths, and in the year 1931 188 cases with a mortality of 144. A policy of village clearing and improved grain store construction was actively pursued.

A maternity ward of five beds was built from Local Native Council funds and put into use at the beginning of the previous year, during which 65 cases were delivered. During the year under review the number increased to 165 and the available accommodation was strained to the uttermost.

21. It is evident that the Meru people— one of the least advanced tribes in the Province—appreciated the medical benefits provided at the Meru hospital, the two hospitals under mission auspices and the many dispensaries in the district. Maternity cases have now to be admitted to the general wards of the hospital and Chief M'Ngaini expressed a wish for the provision of a maternity ward.

22. Among the Akamba people the increased number of patients demonstrated appreciation of medical work. The Machakos hospital remained at a capacity of 120 beds, while

there were 11 out-dispensaries in the Reserve. Ulcers accounted for 460 cases at the hospital and 12,657 at dispensaries.

Activities of the Health Department comprised supervision or conservancy and night soil disposal, anti-malarial measures, meat and food inspection, supervision of the improvement of native markets and the building of type buildings therein, improved housing and construction of latrines in the native reserve. These activities have occupied the attention and provided very full employment for the Sanitary Inspector, to whom the district is indebted for a very marked improvement in housing and general conditions.

23. Of the Kitui Akamba the Medical Officer writes that they have many beliefs and customs which tend to hinder medical work among them. "Witchcraft has an iron hold on their imagination and native beer on their appetites."

The District Commissioner writes:—

"In the opinion of the Medical Officer, the diseases that do exist would respond rapidly to improved living and housing conditions and progress of this type is the major public health move of the future. The Village Development Roll which is being prepared by the tax-clerks is therefore of considerable importance. This is a questionnaire which entails a personal visit by a clerk to every village, eliciting replies to the following points, as well as others affecting the problem of soil erosion

- (a) Type of house in use?
- (b) Is village clean of rubbish and grass for 20 ft. from huts?
- (c) Is there a pit latrine?
- (d) Is there a manure pit?
- (e) Is grain store of approved type?
- (f) Births and deaths.

The object is to bring home to each native, by a system of door to door visits, the propaganda so often expounded to Chiefs and Elders for dissemination with little or no result. The clerks have undergone a simple course and not only is it their function to answer the questionnaire and explain the policy, but also to assist and stimulate individual efforts by:—

- (a) measuring out latrines, manure pits and areas to be cleaned around the houses, and

(b) giving direct personal advice in the burning of bricks or the building of better houses."

24. At the Lady Grigg African Maternity Hospital at Pumwani, Nairobi, 545 patients were admitted during the year and there were 1,739 attendances at the weekly ante-natal clinics which are held there. Among the in-patients some 27 tribes were represented. Since the commencement of the probationer training centre some 39 qualified girls have passed out and at the end of the year 15 probationers were in training.

Of medical work performed in the various stations of Nairobi, the Municipal Native Area

"The municipality is indeed fortunate in having three highly-qualified Health Visitors in charge of the Child Welfare Clinics. Owing to their hard work and sympathy they have won the confidence of the native mothers, resulting in an enormous increase in attendance . . .

Visiting the homes is one of the most important features of the work of health visitors. They are thereby enabled to follow up their cases, give instruction in home cleanliness and win the confidence of their people. The improvement in house cleanliness is remarkable and a definite pride in their homes is being instilled into the African.

The health visitors are ably assisted by a competent staff of African *ayahs* and dressers, who have earned commendation by their good work. In fact, the excellent work of these clinics, so little known, so little recognized, cannot be too highly praised."

#### Rift Valley Province

25. The same tale of overcrowded hospitals is related from this Province.

At Nakuru Native Hospital, where the authorized number of beds is 72, there were at one time 169 patients and the average daily number in hospital was 732. At the Native Civil Hospital at Eldoret 202 operations were performed as compared with 91 in the previous year. It is recorded that natives appear to have attended this hospital earlier in the course of an illness than formerly, while employers have brought in at once any of their labour who were ill or injured.

26. In the Nandi district health conditions were not so good as in previous years. Starting in June and continuing for four months malaria assumed epidemic proportions and caused a considerable number of deaths. The Sub-Assistant Surgeon accompanied the District Commissioner on *safari* in the affected areas and supplies of quinine were issued. The Nandi showed increased willingness to come into hospital and a great increase in the number of patients was reported while more patients presented themselves for operations. Minor operations are performed at Kapsabet hospital, where 37 took place during the year. Cases requiring major operations are sent to Kakamega or Eldoret hospital. There are six dispensaries in the Reserve.

The Local Native Council had voted £3,000 for the building of a new hospital and at the end of the year the building was almost completed.

27. The general health of the natives in the Elgeyo Reserve was good, though a certain number of deaths occurred from pneumonia caused by the abnormal cold and wet weather which prevailed from June to August.

28. In the Baringo district there is a native hospital at Kabarnet and four dispensaries in the Reserve. During the year the Local Native Council erected shelters for patients coming from distances at Marigat and Emeng Dispensaries. At Nginyang in Suk all the dispensary buildings were blown down by a cyclone and had to be rebuilt during the year.

29. The dispensary at Rumuruti continued to do useful work and heavy demands were made on it. In Samburu the Maralal dispensary was in charge of a competent native dresser and was inspected by the Medical Officer at Rumuruti. Any native at this dispensary who was found to be seriously ill was evacuated to Rumuruti. The dispensary, in addition to the usual building, consists also of a two-bed ward for women and a three-bed ward for men.

Alarm was caused amongst the Samburu in the northern parts of the district by rumours of the desecrification of Habash infected with smallpox and requests were made for vaccination.

#### Coast Province

30. An epidemic of malaria occurred all along the East African coast and Mombasa did not escape, and the number of cases treated at the Native Civil Hospital showed an

increase. The outbreak is consequent upon prolonged rains which resulted in excessive breeding and infestation by anopheline mosquitoes.

In the previous year a Colonial Development Fund grant made possible the inauguration of a scheme of malarial survey. The work to be undertaken comprised:—

- (i) an entomological and clinical survey;
- (ii) a land survey;
- (iii) the execution of permanent drainage works.

By the close of the year the first part of the scheme had been completed and a large amount of valuable information had been collected in regard to the incidence of mosquito breeding in the district.

31. Admission to the Lady Grigg Maternity Home in Mombasa rose from 42 in the year 1929 to 255 in the year under review. Dispensaries for women and children are held in the Mombasa Health Office and at four dispensaries in the district. The work carried on roughly falls under five headings—dispensary work, ante-natal treatment, child welfare, home visiting and treatment of venereal diseases; in addition treatment is given for such conditions as worm infection and malaria and 10,446 women and 13,001 children attended these dispensaries. Special clinics were also held for the treatment of venereal disease and yaws.

Expectant mothers are examined by Medical Officers at the ante-natal clinics and advised on general care and special treatment. This work is more and more appreciated as the figures of attendance testify.

32. The general health of the inhabitants of Kilifi district is unsatisfactory, largely due to undernourishment and bad water.

There is a 30-bed Government hospital at Kilifi; a small Government hospital at Malindi, where a new ward has been built and a valuable hospital at the Church Missionary Society station at Kaloleni, which includes a small leper camp. There are Government dispensaries at Mariakani, Chonyi and Ganze, and this year the Local Native Council have built a further dispensary at Marafa, north of the Sabake River.

Two native health workers at Kaloleni endeavour to help the people to improve their way of living.

33. The number of patients who present themselves for treatment at Msambweni hospital in the Digo district increases slowly year by year. The main activity with regard to public health in this district is the continued prosecution of the anti-hookworm campaign. Besides the areas in which latrines are already built, the Medical Officer concentrated his attention on the Waa, Pungu, Matuga and Ngombeni locations. The Digo Local Native Council provided £130 for the construction of cement latrine tops and these were built with labour from a detention camp specially opened at Pungu.

Two dressers have been stationed at Kipini throughout the year, one of whom goes on *safari* with the District Medical Officer while the other remains in charge of the dispensary. It is estimated that one-third of the population of the district received treatment from the dressers or from the missionaries.

35. The hospital at Wesu in the Teita district is in charge of a Medical Officer and there is one nursing sister stationed there. There are five out-dispensaries in the Reserve. Amoebic dysentery has been prevalent throughout the district during the year. Relapsing fever is constant but there were no fatal cases and only seven cases of cerebro-spinal meningitis were recorded. Ten cases of plague were reported from one location, where steps have been taken since by the Medical Officer to improve conditions.

On the various estates conditions have been very satisfactory and permanent housing for native employees is being undertaken on most of them.

#### Masai District

36. The Officer in Charge writes:

"There have been many reports on the serious condition of the Masai due to the prevalence of venereal disease. Dr. Philip in the year 1931 drew attention to this widespread evil and recommended a campaign for its eradication. It is a matter for congratulation that the campaign has at last been started by Mr. and Mrs. Henfrey from the Infectious Diseases Hospital in Nairobi—over 5,000 cases were treated in five months. Doubts had been expressed as to whether the Masai would come forward for treatment. Mr. Henfrey has never experienced such a welcome and eager desire for treatment as he has found among the Masai.

Mr. Whitehouse at Loitokitok and Dr. Bhardwaj at Narok have done a great deal for the improvement of health by inculcating ideas of cleanliness and the treatment of diseases in their early stages."

A dispensary was opened in the month of March in a spare office in the Neong Government Station. In the month of September it was transferred to the Local Native Council rest house. The dispensary is popular and fills a long-felt need among the local Masai and they have displayed great gratitude to the ophthalmic specialist in Nairobi who visits the dispensary for the restoration and improvement of their eyesight which has been effected.

#### *Northern Frontier District*

37. During the year under review the Northern Frontier District was (with the exception of Isiolo) for the first time under one Medical Officer, whose headquarters were at Wajir.

At the beginning of July, Dr. Harris, the Medical Officer, was called to Marsabit to deal with the Ethiopian refugees who were entering Kenya in the vicinity of Northern Horr and Karsa. He did not return to Wajir until the beginning of October.

Owing no doubt to a large extent to the excellent work done by Dr. Harris in vaccinating the refugees while they were in the Marsabit district, smallpox did not spread among the local tribesmen, in spite of the fact that about 7,000 refugees were in that district for three months.

38. In all districts the health of the tribesmen was good and there were no serious epidemics. The most common diseases were malaria, gonorrhoea, dysentery, scabies, conjunctivitis, taeniasis and respiratory diseases.

There were several outbreaks of dysentery—notably at Wajir and at Moyale—and in the Mandera sub-district, where eleven deaths occurred from this disease in two villages.

39. Influenza caused a good deal of suffering in Marsabit especially in the township, and combined as it often was with malaria or pneumonia was the principal cause of mortality.

#### *Turkana District*

40. In the Turkana area there are small hospitals at Lodwar, Lokitaung and at Kaputir, which is more in the nature of a dispensary, and is in the charge of a dresser.

There were no epidemics of infectious disease and the general health of the Turkana has remained good. In view of the prevalence of smallpox across the frontier a vaccination campaign was undertaken in the Lokitaung area and 2,429 vaccinations were performed. One case of smallpox occurred amongst the Ethiopian refugees.

A mud and wattle building for housing infectious diseases was built at Lokitaung during the year.

41. Medical work at Kapeneuria in the West Suk district is handicapped as elsewhere by the need for expenditure on buildings which is delayed by the Government Agency.

The Officer in Charge,

The brick hospital, rest house, infirmary and comprises office and dispensary, drug store and male and female wards.

The old hospital is now too decayed to be used as an overflow and two round huts near it are used respectively for isolation and venereal cases.

The Sub-Assistant Surgeon has been on *safari* in the Reserve with the District Officer and a dresser has been attending each month the recently established market day at Sigorr in the Wei Wei location, where a dispensary is to be built out of Local Native Council funds during the year 1938."

## CHAPTER VII

### FORESTS

The Conservator of Forests writes in his Annual Report:—

"Pending the coming into law of the new Native Lands Trust Ordinance it was still impossible to gazette the various exchanges made under the Land Commission Report and the adjustments of areas which will be necessary when this occurs have not yet been made."

2. In the Coast area the Assistant Conservator of Forests did much useful exploration and investigation into the question of reserving new forest areas and the Mwachi exchange of land between the Forest Department and the Duruma was finally settled and the new forest to be called Mailuganji Forest was surveyed and demarcated. The area affected is 1,500 acres.

3. In the Marakwet Native Reserve a further area of 25,000 acres was surveyed on a 1/25,000 scale as a preliminary to reservation of the forest areas therein.

4. There was an increase in the number of registered squatters under the Resident Native Labourers Ordinance in forest reserves. They amounted at the end of the year to 2,279 as compared with 2,047 during the previous year.

Forest Department squatters have no cattle or goats, except in the Kikuyu division, where some 421 head of cattle are gradually being eliminated, and in the Meru District where are also a few goats. It is found impossible to recruit squatters in this division without their stock. There are also some 4,000 head of sheep.

There were 259 families of Wandorobo temporarily accommodated in forest areas with their stock. Most of the Wandorobo were removed from the forests of the Londiani division but, at the end of the year, the Tinet Dorobo were still in the Mau Forest and no decision as to their ultimate destination had been made.

#### Nyanza Province

5. Principally owing to the diminution of mining activities in the North Kavirondo District, revenue from the sale of timber, fuel and pit props fell considerably and the Local Native Council only benefited by the sum of £564 from this source as compared with £1,471 during the previous year.

6. In the Central Kavirondo district further areas have been planted with black wattle in Tiriki and in the Kisii highlands the total acreage now planted is 10,000 acres.

The District Commissioner, South Kavirondo, writes:—

"Though the planting campaign has had the primary object in view of developing a wattle bark industry in the future, should the world quota hamper this project, the plantations will be invaluable as anti-soil erosion measures, timber and fuel supplies, and rainfall controls."

In this district sale of trees from Local Native Council plantations and forest royalties for fuel used by the mining companies totalled £103. The royalty for fuel was reduced during the year from Sh. 1 per 100 cubic feet to 10 cents, owing to the possibility of some of the lower grade mines being forced out of production by too heavy a burden of overhead expenses.

In the lower Luo country planting has been concentrated on blocks of individually owned *chrodora* and *cassia florida* planted at stake.

7. Various indigenous and ornamental trees were planted in the South-Lumbwa Reserve and the wattle planting campaign continued though the scarcity of timber for fencing and the depredations of goat and buck militated against its success.

#### Central Province

8. In the [redacted] the acreage under wattle was increased by [redacted] 2,000 acres, and planting up of new wattle [redacted] continued in the Fort Hall, Embu and Machakos districts.

9. The District Commissioner, Meru, reports that no pains are being spared to educate the tribe to the relation of soil conservation and forests and re-afforestation. It is satisfactory to report that though it was necessary to prosecute one of the four outstanding men of the tribe, and the son of another, for forest offences in a part of the Reserve not controlled by the Forest Department, and at the time both offenders protested loudly at such an "indignity", they eventually recognized the wisdom and justice of such action and one of them became one of the strongest supporters of the forest control and re-afforestation policy of the Local Native Council of which he is a member.

10. Certain re-afforestation took place in the Machakos district and at the Kabonge tree nursery in the Kitui district station planting and the distribution of tree seedlings to natives was maintained. Some 6,450 seedlings were distributed to [redacted] natives. The main varieties raised were eucalyptus, grevillea, mango, orange and lemon.

In the Mokogodo area of the North Nyeri district a forest reserve of some 74,600 acres was proclaimed at the end of the year. It is considered that this step is one which should prove valuable in conserving and protecting the existing forest of scrub cedar and olive. This forest undoubtedly has a great influence on the prevailing climate.

This reservation brought the area of forest land under the control of the Assistant Conservator of Forests stationed at Nyeri, which excludes the Kiambu area, to a figure of 1,096,819 acres.

### Rift Valley Province

11. It is satisfactory to report that there were only two offences during the year against the Nandi Native Reserve Forest Rules, which were promulgated at the end of the year 1936 to protect the forest area.

The usual routine forest work was carried out in the Elgeyo forest reserves and the Local Native Council revenue benefited to the extent of £675.

This Local Native Council must be congratulated on the progressive and intelligent policy which it has taken in regard to its forests.

12. There are three small blocks of protected forest in the Baringo district. Considerable damage is caused in these by the habit of the natives of removing accessible bark for domestic purposes, such as to make grain store doors and to wrap round honey barrels. Steps are being taken to reduce this practice to a minimum.

13. There are magnificent forests comprising chiefly cedar, *Ekebergia* and *Podocarpus* on Mts. Nyiro and Ndoti in the Samburu area and an endeavour will be made to see that these areas are gazetted as native forest reserves as soon as possible.

It is of interest to note that the Il Masula Samburu carry out a system of strict grazing control in the Mt. Nyiro forest glades.

### Coast Province

14. The Kilifi Local Native Council passed a resolution requiring every head of a village to plant ten trees a year. A resolution was also passed preserving the timber on the numerous Kaya Hills and to prevent the burning of valuable timber by cultivators.

Experimental trials have been made of mesquite trees, which have done so well at Taveta, at Bura in Teita, Mariakani and in the Coast Reserves. This tree is drought-resistant and quick-growing and the seed pods are excellent cattle fodder.

15. There has been a keen demand from Mombasa for *mbamba kofi* timber, mainly at Vitengeni, and royalties of £424 have been accrued to the Kilifi Local Native Council.

To make up the considerable wastage the Council provided £100 in the Estimates for 1938 for the training of apprentices at Kibaranj experimental farm and the upkeep of new forest nurseries.

16. From Lamu district it is reported that owing to exceptional conditions in the Persian Gulf there was a record demand for boriti poles for export. The royalty collected amounted to £1,677 as compared to £929 for the previous year. Prices varied from Sh. 4 to Sh. 8 per *korja* and the cutters benefited accordingly. The grading of poles, has proved highly successful.

In the middle of the year owing to the increased price in Europe for Para rubber, there was a limited demand for wild rubber. At one period 50 cents per lb. was paid for it, but the price dropped later to 25 cents per lb. The amount exported was 25,475 lb.

17. In the Tana area 40,000 tree seedlings from the Local Native Council nurseries have been planted and steps are being taken to gazette small native forest reserves. The 500-acre forest at the summit of Kasigau Mountain has been surveyed and will be gazetted.

Proposals were made and work actually started to reserve three areas of magnificent forest, amounting to 1,000 acres in the Taveta Native Reserve. Unexpected opposition from the Taveta people resulted in the postponement of the demarcation. It is anticipated that this opposition will be overcome next year.

### Northern Frontier District

18. The only forest areas are on Marsabit Mt. and in the vicinity of the Tana River in the Garissa district and certain planting in Wajir.

The District Commissioner, Marsabit, reports:—

"Two scouts were employed throughout the year and the forest area was constantly controlled. The Boran and Gabbra gave a good deal of trouble by grazing stock amongst the trees on the north side of the mountain, and also by setting fire to grass near the forest on the southern side. In consequence it was found necessary to impose severe punishments for these offences.

Several serious grass fires on the edge of the forest were caused by people grazing goats in the area between Gombo and Karsa Gudas, and one especially extensive fire in October caused considerable anxiety. These fires were always said to have begun accidentally but it is likely that the grass was often intentionally set on fire for the purpose of ridding the area of tsetse fly.

A certain amount of trees were cut in the vicinity of the township for building purposes, but no timber concessions were granted.

No work was done on afforestation but a number of ornamental and shade trees were planted in the township."

#### *Turkana District*

19. Some damage was done to the forest on the Lorienatom Mountains in the Turkana area by accidental grass fires. The forest area on Muruanissigar Mountain was not used by the Turkana until the very end of the year owing to a sufficiency of grazing and water lower down.

Unfortunately the Suk people appear to be the most belated of all the more backward tribes to appreciate the value of their forest land and the District Officer, West Suk, writes that:—

"Grass burning and general forest destruction is a Suk pastime which no condemnation by administrative officers appears to affect. Only rigorous propaganda and control can in the long run improve the situation."

The Conservator of Forests visited the area in September and suggested that some attempt be made to demarcate the boundaries of the blocks wherein the forests should be protected.

### CHAPTER IX

#### AGRICULTURE

As has already been reported the prices obtained for native produce were high and this fact, combined with the improved quality of produce now grown, resulted in a successful year for native agriculture.

2. Weather conditions, however, were far from perfect and from Nyanza Province an uneven, and in some places excessive, rainfall was recorded, which had an adverse effect on the harvest of certain crops—notably cotton, maize and tobacco. Weather conditions in the Coast area were not propitious and the peculiarly cold weather experienced in June and July in the cotton-growing areas of the Central Province caused a definite restriction of output.

3. The 1936/37 cotton crop closed with a yield of 22,925 bales as compared with 16,165 bales in the previous year. The majority of the crop is grown in Nyanza Province.

During the first half of the year under review prices ranged high and growers received up to 15 cents a lb. for first quality seed-cotton. Owing to world conditions prices fell considerably in August and remained low for the remainder of the year. This was a severe disappointment to the growers and it is feared has had the effect of abating the enthusiasm displayed by natives for cotton growing. Weather conditions also were less favourable than in the preceding year and, as a result of these circumstances, the 1937-38 crop is expected to yield only some 18,000 bales.

In the month of March legislation relating to cotton growing and ginning was consolidated by the enactment of Cotton Rules which provide for control of the seasons of planting and uprooting, siting of buying centres, prices paid to growers and the erection and operation of ginneries.

4. The native has greatly benefited by the appointment early in the preceding year, of a marketing officer, made possible by a grant from the Carnegie Corporation.

During the year the time of this officer was mainly occupied:—

- (a) in consolidating and increasing the efficiency of inspection services and revising relevant legislation;
- (b) supervising the enforcement of marketing legislation, assisting and advising in the organization and institution of markets;
- (c) investigating the local markets and exploring overseas markets.

5. During the previous year action had been taken under the provisions of the Marketing of Native Produce Ordinance, 1935, to control the purchase and sale of wattle bark, maize, legumes, simsim and potatoes in most of the districts of the Central Province.

During the year under review the application of the Ordinance was widened. All the districts of the Central Province were brought within the operation of the Ordinance in respect of hides, skins, honey and beeswax, in addition to the native produce already specified.

An exclusive Trading Licence was granted to the British American Tobacco Co. Ltd., in respect of tobacco leaf grown

in the areas within 25 miles of Sagana Station in the Embu and Fort-Hall District and Kitui Township in the Central Province.

The purchase and sale of maize and potatoes in the Nakuru District, excluding the township of Thomson's Falls, were controlled.

All the districts of the Coast Province were declared areas for the purposes of the Ordinance, the native produce specified being maize, rice, legumes, simsim, honey, beeswax and copra.

The Native Produce Marketing (Weights and Measures) Rules, 1937, were promulgated. These Rules applied to all districts in the Central and Coast Provinces. These Rules standardize the measure to be used for various types of produce and ensure that the ignorant native is given a fair deal.

The Marketing Officer reports:—

"Considerable progress was made with inspection services during the year and all areas in Kenya, where native produce is grown in bulk, are now served by inspection centres. A most noticeable improvement in native produce occurred during the year in the areas served in 1936 and this may be attributed largely to the fact that cultivators are now taking great pains to plant good seed, having learnt their lesson by the rejection of bad produce at the inspection centres. In most areas the produce now arrives at the centres clean and very little picking over is done."

6. Much betterment has been achieved in native areas by the improvement of the land and of the type of crops grown and by the inspection and marketing facilities offered for the sale of produce.

Better nutrition is obtained, not only from the crops grown for consumption, but also from the wealth accruing from the sale of cash crops. Administrative, agricultural and development officers have everywhere concentrated, not so much on putting more land under the plough, but on seeing that the most suitable crop is grown on the land and that the land itself has been kept in good heart.

7. The reclamation and reconditioning of eroded land has been of first importance and the native may be said gradually to be becoming soil conscious. The old prejudice against manuring land is being broken down but this is uphill work,

as a native's prestige is apt to be estimated by the size of his dunghill—which in some tribes may also be the grave of his grandfather.

8. The cult of the small holding is growing, especially among the Kikuyu tribes, and miniature mixed farms, with proper rotation and animal husbandry, may be seen in the more advanced areas.

Farms on a larger scale may also be found and there are instances of 100 acres or more being intensively cultivated by native farmers who produce first rate crops for export. There is a tendency for these farmers to import labour on the ground that the local native is so unpunctual in coming to his daily task. It is often found that the best native farmers gained their experience on European farms and it is pleasing to note how many retain their connexion with their old employers and go to them for advice as to development.

The present methods of land tenure with its accompanying evils of fragmentation and scattered cultivations militate against widespread introduction of mixed farming. There are signs that public opinion in this matter is changing and certain Local Native Councils passed resolutions on the subject of the registration of land transactions but the question of native land tenure is bound up with the whole structure of society and a very cautious approach to this wide subject is essential.

#### Nyanza Province

9. The natives of this Province lead in the quantity of produce grown and the Provincial Commissioner provides the following statistics:—

CROP	Quantity	Value
		£
Cotton .. .. .	20,251,185 lb.	131,632
Maize .. .. .	246,767 bags	91,026
Groundnuts .. .. .	3,755 tons	38,478
Sesame .. .. .	2,930 tons	32,318
Beans .. .. .	822 tons	4,849
Green Gram .. .. .	313 tons	3,231
Rice .. .. .	511 tons	2,500
		304,094

The inspection system is confined to the individual load examination of produce at markets and requires a considerably larger number of centres than the system operating in the Central Province.

10. In the North Kavirondo district there are now three Local Native Council godowns at Luanda; Butere and Broderick Falls. All are now leased to the Kenya Farmers Association for £35 per annum each. The last named was handed over to a native company of some 80 members for use rent free for one year from July 1936. Unfortunately the accounting necessary for the Kenya Farmers Association proved beyond them and the measure could not be continued.

Of weather difficulties in this district the District Commissioner writes:—

The harvests of the 1936 short rains crops, which were marketed in the early months of the year under review, scarcely came up to expectations owing to a spell of dry weather during the latter months of 1936. The long rains crops of 1937, however, grew well and excellent harvests were obtained. The short rains season was erratic; only light rains fell at the beginning of the season and towards the end of the year rains were unduly heavy, the November rainfall was the highest recorded during that month for many years. On the whole, however, the majority of the 1937 short rains crops should yield a good harvest early in 1938."

11. A very high quality of groundnuts are grown in the Province and in South Kavirondo the crop has taken first place in the list of exports and during the year produced the sum of £25,519, usurping the place of cotton which was valued at £20,000.

12. Rice growing was fostered in hitherto uncultivated land in the Nzoia Valley of the North Kavirondo district and an excellent harvest—estimated at some 2,000 bags—was reaped. In the Central Kavirondo district, where in certain areas a first class quality of rice is grown, there are 690 acres under cultivation and the natives seem to take a keen interest in the crop.

13. Approximately 90 acres of tobacco were planted in the Butotso-Marama area of the North Kavirondo district. The yield was greatly reduced by the incidence of hailstorms and the total cash return was only £211.

Of tobacco growing in the Central Kavirondo district the District Commissioner records:—

Western Dark Nyasa tobacco was grown for the first time outside trial plots in the Sagam and higher Seme locations. The acreage objective in the first season was not achieved, but the acreage and quality of the crop actually grown were satisfactory, in view of the fact that this, the most difficult crop to produce yet introduced in this Province, was new to the growers. It was at first decided that the leaf should be bought green. Actually all the leaf was fire-cured leaf (with a little help from sun-curing) before

planting from nurseries started in May, continued to June and ended in July. The total field area was 40 acres. Later plantings were retarded by lack of rain. Three fire-curing barns were used. Trouble was experienced in curing because the leaf ripened over a long period. Much damage was caused by hail, the small crop in Seme being nearly all badly tattered.

The grades were: first, 29 cents per lb.; mixed, 25 cents per lb.; and second, 20 cents per lb.

The amount bought was:—

First grade	588 lb.
Mixed grade	201 lb.
Second grade	2,607 lb.
Total	3,396 lb.

14. The Marketing Officer reports that the maize grown in North Kavirondo district is of first class quality and is much superior to that grown by the natives elsewhere in the Colony. Over 80,000 bags of this grain passed through the inspection centres of the district during the year. At a very conservative estimate this represents a revenue of some £25,500 to the native producers.

15. A greatly increased quantity of maize was planted in Central Kavirondo district and the short rain crop was estimated at 14,000 acres.

16. In the South Kavirondo district the rise in price early in the year proved a great incentive to plant increased areas in the Kisii Highlands and, as a result, the crop was approxi-

mately four times as much as in the previous year, with a value to the producer of over five times that of the season before.

17. Simsim is a valuable cash crop to the natives of the Province. Unfavourable weather conditions at the end of the previous year reduced the quantity offered for sale at the beginning of the year in the North Kavirondo district but the quality of the crop was high. The 1937 crop grew well and there is every prospect of an excellent harvest.

Every effort was made to maintain the growing of this crop in the Central Kavirondo district where natives took a greater interest in the planting of cotton.

18. Of the harvest of food crops the District Commissioner, North Kavirondo, reports that good crops of millet were obtained throughout the district and an average crop of pulses were secured. Propaganda continued for the segregation of the better types of marketable and heavier yielding beans and of the discarding of the low yielding native types. The campaign for the planting of increased areas of root crops, as a safeguard against drought and locust attacks, met with good response and people took advantage of the abnormal November rains to continue planting.

19. From South Kavirondo it is reported that the Kisii seem to produce a type of wimbi which is singularly popular as an ingredient in native beer and, as a result, there is a considerable demand for it. Though the crop was approximately 100 tons less than in the year 1936 the value of the 1937 crop was approximately £250 more. The majority of the crop is exported to Moshi in Tanganyika.

20. Of coffee growing the District Commissioner, North Kavirondo, writes:—

“A total of 55 *shambas*, each containing 36 trees, were planted with Robusta coffee in the Mukulu and Buhayo locations. The growth of the plants—especially those in Mukulu—has to date been somewhat disappointing. It is interesting to note that the enthusiasm once shown for coffee growing has waned considerably since the crop has been introduced into these locations.”

Robusta coffee was grown also in the Alego area of the Central Kavirondo district, and at the end of the year there were twelve planters with a total of two acres.

Of the growing of Arabica coffee in the South Kavirondo district the Agricultural Officer records:—

“It is now no longer a question of persuading people to plant, but of selecting the most suitable applicants and allowing them to plant a small area only.”

The total area under the crop in this district is now 78 acres. In December the first ton of parchment coffee was despatched to Nairobi for grading and sale, from Chief Musa's plantation in Nyaribari. The reports on this parcel were most encouraging and it was classed as border-line for the London market.

Some years' propaganda on the all-important question of soil erosion, considerable progress is being made, but erosion due to over-grazing, influenced by the spread of cattle fly and the cultivation in the densely populated areas of Buhayo and Maragoli, cause some concern. Of the satisfactory result of hard work of some twenty months ago in South Maragoli, the District Commissioner writes:—

“The ‘Red’ ridge is now green and a marvellous demonstration of the effectiveness of anti-soil erosion measures. Further progress has been made in 1937 in the vicinity of Tiriki, Buholo and Marach, in which latter two locations the Chiefs are enthusiasts.”

Of work achieved in Central Kavirondo the District Commissioner reports:—

“In accordance with the reclamation programme for all badly eroded areas, communal reclamation work, with unpaid labour, was started this year by many Murukas. This work was done in badly eroded places where the soil was ruined. The work consisted of the digging of contour trenches and the planting of contour lines of grasses, *Ojuok*, sisal and *Ogaka*, with a view to arresting the flow of collected water silting up eroded patches and promoting the return of plant cover on the ground. Gullies were stopped up with banked holes, stones, wood stakes, *Ojuok* and sisal. Seed of the iron bark tree was sown in many places. In places where this work was done, it was ordered that no cultivation and grazing was to occur until the measures taken had effect.

This communal reclamation work was started in Alego, Samia, North and South Ugenya, Sakwa and Asembo locations, most Murukas being allocated an area for work.

When one place was finished another was allotted. A few Murakas, notably Daniel of Asembo and Opiyo of Samia, have put their backs into the work.

Thursday is the day throughout the district for this work. In time it will become as well known as *baraza* day or market day.

The quality of the work done has varied. At Ng'iya in Alego, where is the original demonstration it is good, but the main fault so far is the digging of short shallow trenches instead of long deep ones.

An estimate of the number of fields controlled was not made right through the year, but in the four months July to October inclusive, it is estimated that 8,600 fields were controlled in this part of the district (this figure does not include the closing of boundary furrows)."

22. The extent of development among the more backward Kipsigis peoples justifies a separate account of agricultural work done among them.

The District Commissioner reports:—

"Maize and wimbi remain the two main crops of the Kipsigis and considerable quantities of both were grown during the year. Beans and European potatoes continue to be grown to a small extent but the climate is generally too wet for them.

With regard to maize, which remains the only economic crop grown by the Kipsigis, an event of major importance was the inauguration of an inspection service by the newly posted Assistant Agricultural Officer. The Local Native Council had anticipated this posting, increased the rate to Sh. 2 and made financial provision for agricultural activities expected in 1938.

Inspection was started in Kericho, Litein and Kapsamonget and only good clean dry maize is passed. Rejection of coloured maize has also commenced and many native producers are taking the trouble to sort their own maize before sale."

During the year a sound system of maize marketing was inaugurated and, under the auspices of the Kenya Farmers' Association, maize grown in the district is supplied direct to the tea estates instead of being exported to Nakuru and Nairobi.

Unfortunately the Kipsigis still remain to a large extent in ignorance of the simplest rules of efficient soil management. Shifting cultivation is the vogue and burning of bush and trash the usual preliminary. Manuring is practically unknown though large quantities of boma manure are sold to European planters, farmers and gardeners.

The District Commissioner writes:—

"The lack of enlightened methods, the texture of the soil, the peculiar climatic conditions and, in some areas, overstocking, all tend to produce soil erosion which is likely to become a difficult problem in the fairly near future unless the Kipsigis respond with alacrity to the agricultural education which has now been made available to them. In some places regard to uncultivated strips in wimbi fields and the planting of wash-stops has already started and some defensible measures will be inculcated as time goes on. The Kipsigis are by no means unintelligent and it is hoped that useful results will follow quickly."

It is hoped that a rapid advance will be made as the Agricultural Officer states that the people are very interested and are picking up new ideas very quickly.

#### Central Province

23. The Provincial Commissioner reports that the year was a prosperous one for all native reserves, though for a part of the year a shortage of cereal food occurred in Kiambu and in parts of Fort Hall and Embu districts.

24. An important event of the year was the grant to the British American Tobacco Co. of an exclusive licence in respect of tobacco in the Fort Hall, Embu and Kitui districts. This promises to be an industry of major benefit to these areas which appear to be well suited for the growing of tobacco.

The natives are most enthusiastic about this new venture. At the end of the preceding year some 8½ acres were planted up with tobacco and some 2,288 lb. of cured leaf was produced on which favourable reports were received from London. As much as Sh. 65 was realized from a ¾-acre shamba. In November 32½ acres were put under tobacco and three additional barns and a grading shed were erected at Sagan.

25. Maize and wattle were again most productive of wealth to the natives: the value of the total quantities which passed through the inspection centres being £56,658 and £65,083 respectively.

European potatoes are becoming an important item of export, the higher areas of the Kikuyu Reserves being ideally suited for this crop—some 42,731 bags passed through inspection centres for export or disposal locally.

26. Soil erosion measures were everywhere carried out with the resources available—on a big scale in the Machakos Reserve and on a small scale elsewhere—while instruction and propaganda at *barazas* and schools were everywhere the order of the day. In the Machakos, South Nyeri and Fort Hall Reserves vast areas have been protected with live wash-stop of Napier grass, Magutu and other grasses. Adjoining the main Fort Hall-Nairobi road 1,000 acres of bare eroded land was reconditioned from the sum voted by the Local Native Council. The work was carried out by the District Commissioner's labour under the direction of the Agricultural Officer and his staff. A portion of this area was destocked and all *shambas* totalling 200 acres were strip-planted with Napier and other grasses.

Of reconditioning in the Meru Reserve the District Commissioner writes:—

"Work was continued at Muthara on the eroded hillsides at Rukunono and Nkweni, and extended to Mukuli and Kithiremwa Hills in the same area, whilst Thamani Hill in the Kithima location was planted to wattle and napier grass to prevent further erosion and to maintain the spring water supply—which is a great asset to this area of very limited water resources.

The restrictions ament grazing and burning were maintained and have resulted in remarkable regeneration of natural grass and bush which are even attempting to establish themselves on the steep slopes of 30 ft. gullies."

Similar grazing restrictions were imposed over large areas in the Machakos, Embu and Kitui districts and have resulted in remarkable regeneration of natural grass and bush.

Cultivation along the banks of rivers, streams and gullies was prevented and gully blocking with stone, wire netting and live plants carried out. On each seed farm demonstrations of anti-soil erosion measures are provided. The afforestation of steeply sloping land has been encouraged for many years and hundreds of thousands of tree seedlings have been grown and issued by Local Native Councils.

27. The natives of Kiambu Reserve benefit by their proximity to Nairobi and the sale of vegetables from this area to the Municipal Market realized some £2,000. In addition Indian traders export as far afield as Uganda and Tanganyika and the total value of this trade was estimated to reach £6,000.

The District Commissioner writes:—

"The names are known of 541 people who are taking some measures to save their soil. This number would be negligible if it were not that they form just the beginning of what it is hoped will be universal in a few years' time. Several thousands are believed to use manure or rotted waste in some form on their land. Every opportunity is taken by the administration to underline the vast importance of such measures."

Great importance is attached in this district to imparting instruction on better agricultural methods to the young and with this object in view 86 schools are regularly visited and notes kept of what is being done.

28. Maize suffered considerable damage through the depredations of the army worm throughout the lower zones of the Fort Hall and Embu districts and it is estimated that an area of 10,000 acres—approximately 75 per cent of the crop was lost. Nevertheless a total of 195,000 bags (15,000 bags more than the previous year) passed through the inspection centres of the Province and large quantities, of which there is no record, were sold direct to European estates.

29. Wattle bark inspection received much attention during the year. A big increase in the price of bark and extract took place with a subsequent increase in the amount submitted at inspection centres which in many cases were swamped with bark which was immature and had to be destroyed.

The wattle inspection fee was raised from 30 cents to Sh. 1/25 a ton and, with this extra provision, the staff of inspectors was increased to enable any native desiring to cut a plantation to obtain advice on short notice as to whether it was ready for stripping. The rejection of immature bark was thus prevented and the grade generally maintained.

Approximately 100,000 acres are now under wattle in the Province and the acreage is still being increased in Embu, Machakos and Meru districts. The quantity of bark produced

during the year was 16,025 tons of dry bark and 5,202 tons of green bark. The price of dry bark rose from Sh. 45/92 to Sh. 72/80 per ton at the factories and, owing to the wet weather in the middle of the year, the price of charcoal went up to Sh. 5 a bag in Nairobi.

30. The total cotton production from the Province was approximately 1,580 bales—an increase of 106 bales over the previous year.

Cotton growing is confined to the lower areas of the Fort Hall, Embu, Meru, Kitui and Machakos districts.

The cold dry weather usually experienced in June and July militates against the success of the crop and the low price which prevailed during the year under review assuaged the interest of the growers who in many instances were reluctant to give the sowings the attention required in the early stages of growth. Two ginneries are in operation at Kitui and at Sagana in the Embu district and, at the end of the year, ginneries at Meru and Nzui in Machakos district were being built.

31. The coffee planted in the year 1935 came into bearing during the year and the fact that there is a visible crop has increased the interest of the native in coffee growing. The planting of Robusta coffee was started in two areas of the Meru district where 78 natives planted one-third acre each, totalling 23.4 acres. A ready sale for *buni* is obtained in the north.

32. Great success has followed the application of the provisions of the Marketing of Native Produce Ordinance and the organized marketing of maize, legumes, potatoes and wattle bark has proved so effective that it was decided to apply the provisions of the Ordinance to hides and skins, honey and beeswax.

Inspection services continued in operation for maize, legumes, potatoes and wattle bark, and on the success of these services the Senior Agricultural Officer records:—

“By means of these services the quality of maize, legumes and potatoes has been improved beyond recognition enabling surplus production to be marketed overseas.

The following schedule shows the quantities of produce known to have been sold from the reserves and the relative

value to natives. The figures are based on quantities of produce actually passing through inspection centres and by no means show the total amounts sold:

CROP OR PRODUCE	Amount	Value
Wattle—Dry Bark	16,025 tons	56,068
Wattle—Green	5,202 tons	22,492
Maize	193,250 bags	67,083
Legumes	30,896 bags	22,492
Potatoes	42,731 bags	10,838
Cotton	1,540 bales	15,400
Vegetables	—	6,000
—	—	50
—	—	4,923
—	—	560
—	—	5,439
—	—	2,508
—	—	36,580
<b>Total</b>		<b>195,136</b>

(a) Figures only available for Kitui, Fort Hall, Meru and S. Nyeri.

(b) Figures only available for Kitui.

(c) Figures only available for Kitui, Fort Hall and S. Nyeri.

The following are the districts of origin of the quantities of produce which passed inspection.

District	Wattle		Maize	Legumes	Potatoes
	Dry	Green	Mt s	Bags	Bags
South Nyeri	Tons 3,006	Tons	Bags 30,991	Bags 2,246	Bags 14,158
Fort Hall	8,705	3,248	54,975	2,753	—
Kiambu	3,595	1,954	13,935	1,596	28,357
Embu	105	—	51,711	13,535	216
Meru	—	—	17,457	13,070	—
Machakos	614	—	17,963	6,871	—
Kitui	—	—	2,200	825	—
<b>TOTAL</b>	<b>16,025</b>	<b>5,202</b>	<b>195,250</b>	<b>40,896</b>	<b>42,731</b>

33. Great importance is laid on fostering among the natives of the Province, especially in the more thickly populated areas, the realization of the importance of mixed farming and the premise that the future of agriculture depends almost entirely upon manuring the land. The Senior Agricultural Officer writes:—

“The progress which has been made in this direction is most satisfactory and 242 native small holders have gone so

far as to include a grass ley in the rotation. The fencing in of fields with wattle pole is general in certain parts of the Kiambu, Fort Hall and South Nyeri districts. These fences are of a temporary nature only and the hedging of fields with plants such as kei apple Giant Sodom apple, sisal and Mauritius thorn is being introduced. The number of natives who are practising mixed farming methods is 2,018.

Mixed farming methods are demonstrated on all seed farms and milk recorded herds; immune to East Coast fever, are kept at South Nyeri and Fort Hall. The introduction of woolled sheep to the higher zones is being investigated and to this end four Romney Marsh rams were purchased in December."

34. During the year the Local Native Councils of the Province contributed the following sums towards the needs of agriculture:—

	£
Kiambu .....	393
Fort Hall .....	794
South Nyeri .....	287
Embu .....	711
Meru .....	550
Kitui .....	415
Machakos .....	2,737
Total ...	£5,887

*Rift Valley Province*

35. The year proved excellent from an agricultural point of view in the Nandi district and good crops of maize, mtama and wimbi were obtained throughout the Reserve. Good crops of beans, peas and potatoes were harvested.

The Local Native Council seed farm at Kapsabet supplied a large quantity of seed, i.e. 159 bags of maize, 45 bags of beans and 69 bags of potatoes, from its 1936 crop for distribution in the Reserve during the year.

In January section 14 (3) of the Native Authority Ordinance was applied to the Elgeyo-Marakwet district. This provides that for the prevention of food shortage headmen may, under instructions from the administration, order a

sufficient acreage of crops to be planted. The crops harvested are the property of the natives themselves and the District Commissioner writes:—

"Efforts were at first directed towards preparing *shambas* in time for the rains and seeing that adequate areas were cultivated. Attention was also directed to the construction of terraces and contour ridges in the escarpment *shambas*. A large issue of seeds was made, which included groundnuts, European and sweet potatoes, pigeon pea, cassava and beans.

As a result of these efforts, planting of food crops commenced at the beginning of the rains. A great number of *shambas* were adequately terraced and many natives were of the opinion that where the terracing had been carried out the *shambas* had withstood the wash from the torrential rains experienced during the year."

It was discovered that the tribe have an old method of making compost. A wicker-work basket of about 4 ft. in diameter is placed in the centre of the *shamba* about 3 ft. high and all weeds are thrown into this to rot down. During the next year of cultivation this compost is distributed over the *shamba*. This custom is at present only kept up by a few old men but these compost baskets were set up at all the experimental plots.

Good mtama crops were reaped throughout the district but some of the maize and wimbi planted deteriorated through wet and cold weather. In Marakwet the groundnuts provided an excellent yield and are undoubtedly appreciated as food and it is hoped that they may become firmly established in the district. This is the first year for many years that there has been no occurrence of famine in any part of the district.

The experimental plot at Tambach was most successful. Wimbi imported from Kisii, rye and Persian millet did well; kweme nuts and yams were planted; Rhodes and Olenge grass experimented with, while coffee plants of series A, Harrar and Blue Mountain were planted, but only the last-named showed any promise.

The water supply of certain natives in the area of lower Sambiriri was greatly improved by the cutting of a furrow nearly three miles long from Arror. The work was done by the natives of the location themselves under supervision and the result caused great pleasure to the natives who benefited, of which four sections will now obtain water for the first time.

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It is recorded that some beeswax has been bought from the district and there are indications that the reluctance to sell is being overcome, but the old men still cling to the idea that the bees do not like the wax to be sold.

Soil erosion in the Kamasia Hills of the Baringo district is a very serious problem and is caused by careless cultivation rather than by overstocking.

During the year's effort in the district has been concentrated on:—

- (a) wattle planting in fache;
- (b) construction of stone traps in cultivated land;
- (c) encouragement of planting of drought resisting crops;
- (d) persuasion of natives with good supplies of food that it was necessary to cultivate for the following year and
- (e) trying to see that new land was not cleared on steep slopes.

Agricultural development is very uphill work among these backward people and the agricultural staff consists of but three native instructors—one a Kikuyu in the employ of Government, and two Kamasia—ex-pupils of Bukura School in North Kavirondo.

The District Commissioner reports:—

"The rains opened well in March and all crops were looking well when in May there was an invasion of caterpillars at all altitudes under 7,000 ft. Maize was well ahead and they did little damage to it, but they cut back the wimbi crop very badly. Had June, as normally, been a dry month, this might have been very serious, but actually it was beneficial, as—

- (a) 70 per cent of the crop recovered and ripened in the dry month of September instead of the wet month of August;
- (b) the people at any rate round the station summoned up energy to plant a considerably greater quantity of sweet potatoes than they otherwise would have."

37. In the Laikipia-Samburu district the *shambas* of the few progressive Samburu planted near Maralal waged a generally unsuccessful campaign against the depredation of elephants.

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A number of stockless Turkana were settled at Wamba and at once demonstrated by their energy and ability that the Turkana is as true an agriculturist as the Luo, though compelled through being hemmed in his arid country during an abortive migration to turn desert pastoralist.

The Samburu Wandorobo reaped good crops at Wamba and agreed to adopt a system of communal pooling of surplus against a possible bad harvest.

#### Coast Province

38. In the coastal area the long rains started betimes but stopped abruptly early in May. The advent of excellent short rains which continued to the end of the year prevented a serious situation. Nevertheless the crops suffered. Maize failed, except in limited areas where the damage necessitated the prohibition of the export of maize to all districts. The dry areas of the hinterland suffered most severely and the monsoon winds dried out the light coastal soils.

39. The adverse weather conditions curtailed the cotton planting season and a considerable decrease in acreage is reported from Digo and the dry areas of Kilifi and Malindi areas, while on the Tana River planting was delayed by abnormal floods. A greatly reduced harvest resulted.

Prices collapsed before buying opened and it is feared that the combination of circumstances will cause a setback to the native keenness to plant in many areas. The quality of the main crop was excellent and gave a very high proportion of "A" grade and up to the end of the year the Taveta area of the Teita district had produced 99 tons of "A" grade seed cotton which was considered by the buyers as being the finest quality so far grown in the Province.

The following figures indicate the progress made in acreage planted and in yield during recent years and the fall this season due to adverse conditions:—

Year	Acreage	Yield
		lb.
1931-32	1,570	627,886
1932-33	3,760	1,429,320
1933-34	6,000	1,449,219
1934-35	8,600	2,184,312
1935-36	18,008	4,824,435
1936-37	23,500	4,000,000
1937-38	18,000	2,000,000

40. Owing to the inclemency of the weather the output of cashew nuts was only 120 tons as compared with 250 tons in the previous year, but owing to the fact that large plantings have been made during the past years, many more trees are reaching maturity and the future prospects of this crop give rise to optimism.

41. Rice is the most valuable crop on the Tana River and the District Commissioner reports:—

"The year has on the whole been a good rice year owing to the extensive floods. The chief rice area is that lying between Kati and Ozi as, owing to the river water being banked up by the tides, regular flooding takes place twice a month. An excellent crop was reaped in this area in January and February and a fair one in July and August. This area lies for the most part within the Tana River Mangrove Forest Reserve and cultivation licences have now been issued to the cultivators so as to legalize the position.

Up-river too there was a good rice crop and it is estimated that about 1,500 bags of paddy were available for export. Altogether during the year about 369 tons of hulled rice and 161 tons of paddy were exported, of a total value of about £6,800."

At Vanga in the Digo district the failure of the Umba River to rise led to a reduction of about 50 per cent in the acreage of rice planted.

Much good work has been done by the Agricultural Department towards the improvement in quality of rice and extensive trials have been made with a variety named "Peshauri" which has proved early maturing and of good quality, and with this variety it will be possible to stimulate production in the rain-filled swamps which occur all along the Coast.

42. There is a market in Mombasa for honey and bee-keeping has been fostered and numbers of hives have been erected in the Duruma area and in Mariakani.

Coconuts continued to do well but unfortunately they are regarded mainly as a source of *tamba*. The average price of copra in the Lamu district was about Sh. 3/20—Sh. 3/50 for 36 lb., and 276 tons were exported.

43. Rather different climatic conditions prevailed inland in the Teita district and the abundant rainfall resulted in a most successful year.

The District Commissioner records that for the purpose of marketing vegetables a native association was formed with its own president, committee and secretary—the latter an agricultural instructor trained by the Agricultural Department. Two Teita salesmen were trained on Wundanyi Estate and sent to Mombasa market, where a stall is rented. These two men are paid by the association and collect the vegetables twice a week from Mombasa station and as much as 10,700 lb. of vegetables have been sent during a month. They deduct the expenses from the sales and the balance of the money is sent to be distributed amongst the growers. The association has a credit balance of Sh. 169 on deposit at the Post Office Savings Bank.

In addition three sisal estates and certain Indians in Voi and Mwatati are supplied daily with native-grown vegetables and they are bought by the Wundanyi Estate staff. The sale and barter of vegetables in the area has considerably increased and they are being consumed to a far greater degree by the natives themselves.

To the Development Officer must be given the credit for the success of this work and he has also stimulated by demonstration on Wundanyi Estate interest in anti-soil erosion methods and various other matters connected with agricultural development.

Thirty-two tons of coffee were produced on Wundanyi Coffee Estate by the end of the year but grave doubts were entertained as to the advisability of continuing with the cultivation of coffee which requires more expenditure and staff than the Local Native Council can afford to give it.

44. Work was carried on with the bulking of drought-resisting food crops. Arrangements were made to establish Durum maize by bulk issues in Digo and Kilifi districts with financial help from the Local Native Councils. Experimental work on this variety and on dwarf *Hegari* sorghum have proved that they are quick-maturing, drought-resistant and popular with the natives as food.

Mr. Lillywhite presented the Local Native Council with thirty acres at Kilifi for a seed farm. This generous gift was much appreciated and was badly needed to supplement the acreage of the Government Experimental Farm at Kibarani which has no room for bulk planting. Most of this area has been cleaned during the year with detainee labour and a large crop of drought-resisting millet, selected at Kibarani, was

planted for bulk issue to the Reserve. A selected maize seed was issued from Kijarani to Mr. Lillywhite who is planting about 100 acres with it with a view to the sale of the crop as seed to the Local Native Council for the same purpose.

45. On soil erosion work in the province the Provincial Commissioner reports:—

"Good progress has been made in the Kau-Ozi rice areas with measures aimed at preventing destruction of this valuable land. Growers now hold their *shambas* on annual licences, which can be revoked if the steps advised against erosion are not carried out satisfactorily.

In other districts resolutions covering cultivation near roads and rivers and on hillsides have been passed by Local Native Councils. A controlled grazing area has been under experiment at Mariakani in Digo district.

The worst eroded area is to be found in the Tēna hills, where anti-erosion measures are a matter of the greatest urgency. The District Commissioner has done much to foster tree planting, contour ridging and other measures."

46. The Coast Advisory Committee of the Board of Agriculture held three meetings during the year and among subjects discussed were cotton rules, grading of cupra, and the relationship of the committee with the main body.

#### Masai District

47. The Masai are not an agricultural people but, probably due to the influence of Kikuyu wives, some development was noticeable in the Rotian and Nairag Ngare areas.

#### Northern Frontier District

48. Except in the neighbourhood of Marsabit Mountain and on the banks of the Tana River in Garissa this vast and arid tract of country does not lend itself to agricultural development.

Despite the insufficiency of the long rains and the damage done by black caterpillars and elephant the crops on Marsabit Mountain are reported to have done well and the short rains crops show exceptional promise. The year was remarkable for the comparative absence of mists on the mountain which, though unpleasant, are of value to agriculturists.

The main crops grown were maize, barley and wheat.

49. Considerable damage to native cultivation was caused by the flooding of the Tana River in Garissa district which exceeded any known levels and there was a slight food shortage, especially in the Saka-Balambala area. A very satisfactory later harvest resulted in an extensive cash crop over and above the food crop. In the Government *shamba* experiments were made with quick-growing rice and as a result there is a large supply of rice seed ready for issue at the end of the year.

The crops grown include maize, rice and bananas as staple food, and native tobacco, mangoes and sugar cane were grown also.

Sheikh Ali Abdi Nur, who is endeavouring to grow rice in close proximity to the Uaso River by means of a raised bank, quite a good harvest this year. A small quantity of soil was brought from the Uaso for a trial vegetable garden—certain hardy varieties produced a crop but at a later sowing all the seeds were eaten by insects.

#### Turkana District

51. The District Commissioner writes:—

"Exceptionally good crops were reaped in the Tarash Valley, parts of the Turkwell Valley and the Kerio. At the Lake the crop was not so good owing to failure of the rains in that area.

It is a great pity that there is such a small area in the district suitable for cultivation and having sufficient rainfall, as the Turkana are keen agriculturists when possible and plant up *maama* when there is the slightest chance of getting a crop.

The following rainfall was recorded during the vast four years at Kapenguria in the West Suk district, at Lodwar and at Lokitaung in Turkana:—

	1934	1935	1936	1937
	<i>Inches</i>	<i>Inches</i>	<i>Inches</i>	<i>Inches</i>
Kapenguria . . . . .	52.26	45.94	51.11	60.58
Lodwar . . . . .	3.23	7.71	14.67	7.50
Lokitaung . . . . .	15.05	14.49	21.93	13.99

52. It is difficult to instil into the backward West Suk people the great value to them of their land and the Officer in Charge reports that at every opportunity efforts are made to

instill the need for soil conservation into the minds of the Elders, but it is extremely slow work and hillside cultivation and forest destruction continue more or less unchecked by the native authorities.

In the beginning of the year a former pupil of the Kapenguria School was posted as an agricultural instructor to the Reserve where there are now eight demonstration plots, of which four are at an altitude above 5,000 ft. and four are in the plains.

It is recorded that though the local people are still suspicious of trying new crops it is largely through the influence of these plots that they have now become accustomed to maize, potatoes, bananas and cassava. Stores of a type easily erected by the natives of the district are on view at these plots as are the best methods of crop rotation and soil conservation.

## CHAPTER X LIVE STOCK

The year under review brought a measure of prosperity to stockowners. An adequate rainfall ensured favourable grazing conditions and stock prices ranged high.

2. The report of the Meat and Live Stock Inquiry Committee was published early in the year and among the most important conclusions reached by the Committee was that an export trade in meat was essential to the future development of agriculture and animal husbandry.

3. The building of Messrs. Liebig's meat factory at Athi River has already been referred to. The factory is designed to treat from 30,000 to 45,000 head of cattle per annum but can be easily enlarged to a capacity of 100,000 to 120,000 head per annum. When the institution of this factory was under consideration during the previous year the price that Messrs. Liebig's were prepared to pay approximated that at which slaughter cattle were being sold in the Reserves in the neighbourhood of Nairobi, and was considerably higher than the price obtained by owners in remote pastoral Reserves.

In this connexion the Director of Veterinary Services writes:

"Unfortunately during 1937 there has been a sharp rise in the internal prices of cattle which have been forced up to something like twice the world price. This rise is due

to the combined effect of several factors, of which perhaps the most important has been the wish of the pastoral native to build up his herds during the last two good grazing years and to recoup himself, i.e. in numbers, for the severe losses he sustained in the drought of 1932-35; the good rains and excellent grazing conditions of 1937 have encouraged and strengthened his resolution and have made him extremely reluctant to sell from his herds which at the moment contain few steers and a large preponderance of female stock.

Rinderpest in Tanganyika resulting in the exclusion of a large amount of slaughter stock from markets near the Kenya border has retarded prosperity in the Nyanza area into which large quantities of slaughter stock are annually imported and the removal of surplus steers to Italian Somaliland have all been contributory factors in raising local cattle values.

The result has been that while Government has been most anxious that natives should take the fullest advantage of the opportunity to sell to Liebig's, extreme difficulty has been experienced in obtaining any supplies at all either from the purely pastoral reserves in which the only hope for progress is the commercialization of their stock, or from badly eroded agricultural reserves such as Machakos, which now is quite incapable of carrying the number of stock owned by the inhabitants. The natives in the Machakos Reserve may be called upon to face extreme privation in the very near future unless they are prepared greatly to reduce their flocks and herds below their present level, which it is to be remembered is not a peak level but a post-drought level."

4. At the end of the year rules under the Crop Production and Live Stock Ordinance were promulgated for application to certain controlled areas wherein

- (a) the cattle to be depastured may be limited, controlled and branded;
- (b) the excess cattle may be evacuated;
- (c) the depasturing of stock may be regulated within the area;
- (d) the retention of scrub stock is prohibited;
- (e) immunization against rinderpest may be enforced.

The net proceeds of any stock confiscated and sold for infringements of these rules is returned to the owner. These rules were applied to locations in the Machakos district.

5. The development of a chilled and frozen meat industry was a subject to which the Meat and Live Stock Committee gave weighty consideration and reported that:—

"In the pastoral native reserves it has been impossible in the absence of adequate markets for slaughter stock, to formulate any policy of economic development which would utilize to their full extent the available natural resources in live stock and grazing lands. It is conservatively estimated that these pastoral reserves produce a surplus of at least 120,000 head of cattle per annum, over and above present slaughtering for the internal markets of the Colony. The size of this annual surplus is a matter of great importance in any consideration of the possibility of exporting beef in the chilled or frozen state; since if only a reasonable proportion of these carcasses reaches or can be made to reach an exportable standard, the operation of a packing house can be conducted on a scale commensurate with economic efficiency. Many of the animals available from the overstocked or badly managed native reserves are of course only fit for canning or extract purposes; but the removal to a canning factory of such animals, which might conveniently be termed the accumulated 'culls', would permit a general overhaul of grazing areas, the laying down of quotas of stock for the different sections of the reserves, and the initiation of plans for the economic development of the pastoral tribes."

At the end of the year under review the question of meat export was the subject of correspondence with this Government and the authorities concerned in the United Kingdom.

6. At the close of the year there were 854 field dairies operating in the various native reserves as compared with 772 during the previous year and the industry is progressing steadily. Ghee production valued £40,700.

During the year a ghee refinery was opened by a firm of Indian merchants at Kisumu and has been dealing with 30,000 lb. of ghee per month, some of which comes from Tanganyika Territory.

7. The value of hides and skins exported during the last five years was:—

	£		£
1934	195,324	1936	191,421
1935	179,387	1937	300,352

The increased value of hides exported during the year under review is due, not to an increased quantity, but to a rise in value and to the greater number of shade-dried hides. The quantity of hides exported amounted to 56,341 cwt. and the quantity of skins to 1,806,565 cwt. To demonstrate the increased value of shade-dried hides it is worthy of record that 27,028 cwt. of hides so treated were valued at £109,357 while a larger quantity which were sun-dried—29,313 cwt.—valued £86,714. There were 377 hide drying sheds in Native Reserves.

The Hides and Skins Rules were re-enacted with slightly modified provisions and applied to various districts of the

Province. The incidence of rinderpest was fairly widespread throughout the Native Reserves and 140,039 head of cattle received immunization. Pleuro-pneumonia and trypanosomiasis occurred but there was reason to believe that foot and mouth disease, blackquarter and East Coast fever were less prevalent.

9. Veterinary training continued at the five centres—Baraton in Nandi, Machakos, Ngong, Maseno and Sangalo in the Kavirondo country. During the year a short instructional course of six months' duration was inaugurated at these centres and proved most popular.

*Nyanza Province*

10. The estimated value of animal products exported during the year from the Province was £120,000.

The District Commissioner, North Kavirondo, writes:—

"Economically the year has been most successful from the view point of animal products and higher prices than those of the previous year have been maintained for dairy produce and hides and skins."

Live stock prices on the whole approximated last year's level but heifers decreased slightly in value. No serious outbreaks of disease occurred.

Sporadic outbreaks of rinderpest occurred in the reserve from April onwards, happily without serious mortality. Barazas were held in several locations and the potential danger of accumulating large numbers of susceptible stock was pointed out to local inhabitants. That such a danger was appreciated has been shown by requests received subsequently for double inoculation."

The dairy industry was transferred from Local Native Council ownership to that of private individuals and there were 39 licensed dairies in the district. The production of ghee fell short of the level of the previous year but, owing to the increased value of dairy produce, the total amount realized was greater.

11. Fifteen hide sheds of cedar with wire sides and iron roofs were erected during the year from Local Native Council funds and two sheds were extended to cope with the increased influx of hides. At the end of the year 24 permanent sheds and 66 *bandas* were in use. High prices were maintained for hides and skins until the month of October, when prices suddenly dropped by roughly 15 per cent. At the end of the year prices showed some small signs of recovery. Further progress in hide improvement has been made and, at the end of the year, a 100 per cent output of shade-dried hides is claimed. Successful results were obtained in the preparation of goat and sheep skins and the output is now almost 100 per cent shade-dried.

11. Rinderpest was prevalent, particularly during May, June and July in Central Kavirondo, but record numbers of cattle were brought for inoculation and only in North Ugenya did the disease ever reach serious proportions. Total rinderpest inoculations in this district account for 12,824 adult head and 12,622 calves, with a resulting revenue of £2,237. The natives showed greater willingness to pay inoculation fees than in previous years and nearly half of the sum was collected in cash at the time of the inoculation.

Trypanosomiasis caused considerable mortality in certain areas of the district and treatment of infected animals was continued wherever possible. In Samia and North Ugenya considerable areas of fly-infected bush were cleared by voluntary effort on the part of the natives themselves.

12. Despite an increase in the number of working separators the total ghee production of the district showed a decrease of nearly 8 per cent, though the value rose by 26 per cent to a record figure of £9,150. Seventy-four new dairies of the South Kavirondo pattern were erected in the reserve to replace out-of-date buildings. Trouble due to unauthorized overcrowding of separators occurred in Seme, Asembo and Sakwa, and from time to time it has been necessary to prosecute the owners of unlicensed separators.

13. Excessive rain during the months of April, May and June and again during the latter part of the year caused unfavourable drying conditions and adversely affected the quality of hides produced. There are now 61 permanent hide sheds in use in Central Kavirondo supplemented by 16 grass *bandas* which will ultimately be replaced by permanent buildings.

In January shade-drying of sheep and goat skins was enforced throughout the district and it is believed that at least 90 per cent of skins now brought in for sale were shade-dried. A substantial rise in the price of skins coincided with general adoption of shade-drying and although this rise in price is not directly attributable to the new method it served to bring to the natives the benefits of shade-drying.

It is very satisfactory to record that sheep skins, hitherto thrown away as unsaleable, have for the first time served as a source of revenue. One firm in Kisumu reports having purchased over 18,000 shade-dried sheep skins for a total of £360, which represents money made from a previously untapped source.

It is estimated that the hides and skins exported from the district valued £35,920 as compared with £26,210 during the previous year.

In the direction of live stock improvement a very increased number of bulls were castrated in the Kavirondo districts.

14. A very serious outbreak of bovine pleuro-pneumonia occurred on the Tanganyika boundary of the South Kavirondo district and some 24,000 head of cattle were vaccinated but by the end of the year the disease had not been checked.

The dairy industry in this district was transferred from Indian to native hands with a resulting decrease in output due to reorganization.

Advance was made in the district with the shade-drying of hides and skins.

15. There was a keen demand for inoculation against rinderpest amongst the Kipsigis people and revenue collected amounted to £1,460.

#### Central Province

16. From the Kiambu district it is reported that, owing to good rains, grazing was plentiful and in the Uplands area of the district more grade stock was introduced and to some extent ousted the goat.

The District Commissioner writes:—

"Hopes were entertained that there would be a considerable extension of the system of paying bride price in cash and that the object of keeping otherwise valueless stock would disappear. Such a fundamental change must, however, take time and is unlikely to exert any immediate influence on the number of animals."

17. Several natives in the upper areas of the Fort Hall district own high-grade cattle and sheep and others are being encouraged, with good results, to improve their herds and flocks by procuring better bulls and rams.

Two more Romney Marsh rams were purchased from Local Native Council funds and are serving 20 selected native ewes owned by Chief Michuki, who has paddocked a large area for them near his village. The dipping and dosing of these animals will be supervised by the agricultural staff.

Propaganda for fencing and planting grasses in paddocks met with gratifying results, an increase of 232 paddocks during the year were recorded.

A considerable number of hides and skins were exported from this district.

18. Machakos Reserve is subject to rinderpest and several outbreaks occurred during the year. In one location large numbers of cattle were brought up for inoculation in order to prevent the disease spreading and the benefits derived from these inoculations have served as useful propaganda.

Rinderpest is also endemic in the Kikuyu Reserves and one outbreak was reported in the South Nyeri district.

19. Issues of pure bred fowls and eggs were made throughout the year to Akamba natives including the more remote parts of the Machakos Reserve.

A greatly increased quantity of milk was brought by the Akamba to the three dairies operating in this district and totalled 54,426 gallons as compared with 12,013 gallons during the previous year.

Two dairies were built during the year in the Kitui Reserve and nearly 10,000 gallons of milk was bought at a price of 16 cents (the skimmed milk being returned to the owners) and some 4,000 lb. of ghee was made.

20. The following are the comparative figures of stock exported from the Machakos district for the last four years:—

	1934	1935	1936	1937
Cattle	3,525	9,512	10,520	7,832
Sheep and Goats	17,235	76,062	49,243	27,881

Some 1,035 cattle and 360 sheep and goats were sold to the Masai.

District Commissioner writes:—

The decrease in the numbers exported in 1937 is well accounted for by the fact that it has been a season of good rains when it has been easier to find grazing for the numbers in the reserve.

It does not at any rate appear from the figures that any great effort has been made towards the reduction in flocks and herds that is urged upon natives by Government as part of the campaign for the conservation of their soil."

21. Owing to the adequacy of the food supply and general prosperity a greatly reduced number of stock was exported from Kitui district.

The following comparative figures of hides and skins, dealt with at the various hide *bandas* in the Machakos Reserve during the past twelve months, indicates a considerable increase in the trade in hides and skins:—

	1934	1935	1936	1937
Hides .. .. .	9,273	13,613	27,160	32,482
Skins .. .. .	4,280	8,914	24,690	48,530

In the Kitui district 6,565 hides and 810 skins were passed through the fifteen hide sheds.

Some 8,400 bulls and 13,000 rams and goats were castrated during the year in the Akamba areas.

#### Rift Valley Province

22. In the Nandi Reserve the Training Centre at Baroton remained the centre of all veterinary activities.

Rinderpest was the most serious stock disease occurring and over 16,000 head of cattle were inoculated against this disease. There was an increasing demand in the Reserve for these inoculations. Foot and mouth disease in a mild form spread throughout the whole district towards the end of the year.

The Local Native Council field dairies have on the whole been fairly successful and 4,393 lb. of ghee were sold as against 1,545 lb. in the previous year. The export of a considerably greater number of shade-dried hides were recorded but, as the Nandi value hides and skins for domestic uses, few were sold in the open market.

23. In the Elgeyo Marakwet Reserve there have been no severe outbreaks of disease amongst cattle during the year.

Owing to the excellent price obtainable for stock at Eldoret large numbers of bullocks and bulls were sold but overstocking still exists in parts of the district. The natives of Makupa location agreed at the end of the year to cull their stock and their consent denotes a very welcome advance in public opinion.

A very few cattle were slaughtered as meat the number of hides passing through the seven hide *bandas* was not great. As with the Nandi, the Elgeyo Marakwet use the majority of their hides for domestic purposes.

24. At the beginning of the year the Baringo district was in quarantine for foot and mouth disease, as well as for rinderpest, and from October to November the export of sheep and goats was again stopped owing to outbreaks of rinderpest in the neighbouring settled area. Apart from these periods, the export of oxen immune to rinderpest was allowed after a blood test had been made. Inoculations were carried out on some 6,500 head of cattle.

There was an increase in the number of cattle exported from this district. This was probably due to the higher price prevailing, which was a greater inducement to part with stock, and the fact that exporters have been more law abiding and applied for the necessary permits to export stock. Considerable numbers of sheep, goats and donkeys were exported, but about 50 per cent of the sheep and 75 per cent of the donkeys were passing through the district on transit from Turkana.

25. Three field dairies functioned satisfactorily and 90 tons of ghee were made and realized £140.

It is regretted that in this Province propaganda on the increased value of shade-dried hides has as yet been unsuccessful and only 70 frasilas were exported.

26. Stock control is practised on the Leroghi Plateau of the Samburu area and only 40,000 head are allowed to graze there. In other areas the degree of overstocking which exists presents a serious problem.

#### Coast Province

27. Mr. S. G. Hassan, M.B.E., was in charge of the veterinary work of the Province throughout the year. During July the inspection of milk was started at Likoni and Mtwenge in the Digo district, and 21,964 gallons were passed for human consumption before the end of the year. 6 cents per gallon is charged for inspection and 10 cents received—£65—made a welcome addition to the revenue of the Digo Local Native Council.

28. At the Mariakani milk inspection station £574 was collected in fees and 117,553 gallons passed through during the year. The Giriama Local Native Council received 60 per cent of the amount and the Digo Council the remainder. The District Commissioner reports—

"It is a pleasure to attend the early morning activities of the Veterinary Department at Mariakani, where all is activity, cleanliness and efficiency."

The quantity of native milk passed into Mombasa under seal of inspection has increased to an average of 580 gallons a day compared with 500 gallons in the previous year. Local Native Council dairies produced a rather less amount of ghee in consequence of the increased milk production but the price obtained was above the average and ranged from Sh. 23 to Sh. 36 per frasila. Mariakani ghee fetched as much as Sh. 44 a frasila.

A new quarantine station has been established on the mainland side of Makupa Causeway which has given the staff complete control over the movement of stock to the Island.

29. It is satisfactory to record that there is a great increase in shade-dried hides and it is anticipated that in 1938 all hides from Kilifi and Digo districts will be shade-dried.

The total value of hides exported from Lamu district was £7,280 as compared with £4,210 during the preceding

year. Hides which in the early part of the year fetched as much as Sh. 7 fell during the latter six months as low as 50 cents.

The export of stock from Lamu to Zanzibar increases steadily each year due to continued efforts on the part of the Veterinary Department and the Administration and for the last four years numbered:—

	1934	1935	1936	1937
Cattle	407	875	1,393	1,550
Sheep and Goats	2,304	3,986	7,058	8,725

30. In Tana River district the average price paid for good bullocks was about Sh. 35 and the steady demand from Zanzibar for slaughter stock kept the price high. The difficulties of administration of a backward tribe are exemplified by the following record from the District Commissioner.

"The price of hides and skins has fluctuated considerably during the year but the Galla refuse to shade-dry in spite of propaganda and attempts at instruction by the veterinary scouts, so cannot expect to get a good price for their product. In fact the greater the divergence in price between shade-dried and sun-dried hides the better, as only thus will the Galla realize the advantage of proper methods of hide preparation. The same thing applies to ghee. At present the Galla can get quite a good price—about Sh. 25 a tin—for their home-made product, so they really cannot be bothered to improve their methods for a few extra shillings."

#### *Masai District*

31. A favourable distribution of rain resulted in good grazing for the Masai herds and, owing to the fact that these people now welcome the services of the Veterinary Officers there was a low incidence of disease among the stock.

Nearly £500 was collected in fees for sale of vaccine, while no difficulties were experienced in obtaining beasts for the preparation of the pleuro-pneumonia injections.

The welcome institution of a meat factory by Messrs. Liebig's, Ltd., has already been referred to. In this connexion the Officer in Charge writes:—

"The necessity for culling stock so as to prevent the disastrous cycle of loss has been impressed on the Masai,

and they are prepared to agree in principle, but it is not so easy to persuade a man who can get Sh. 50 to Sh. 70 for a beast at the local markets on the east or west boundaries that for the sake of the permanent market he ought to take the same beast some hundred of miles and get half the price. There is much to be said for a steady, instead of an erratic market, and particularly for one which will take all classes of stock, but the disparity between the present local prices based on the world market is a serious obstacle to progress in a policy of regular culling of inferior stock."

The isolation of bulls from the Veterinary Training Depot in the preceding year and was extended to the Masai and this measure is greatly appreciated by the Masai.

Some investigation was made into the spread of tsetse fly in the Kajiado Valley and it was proposed that a belt, 40 miles long and 1,200 yards wide, should be cleared to prevent further spreading of fly.

32. During the year a dairy centre was built at Merushi in the Kajiado district for the use of Chief Lengemojik consisting of a milking shed for 32 cows, calf shed, separator house, ghee kitchen and butter shed.

Six dairies were working in the Masai district, each for a period of about three months throughout the year. The maximum price paid to the Masai for milk was 45 cents per gallon. Some 120 mfrasas of ghee were produced and sold locally for £140.

#### *Northern Frontier District*

33. There was no serious epidemic of stock disease during the year in this area. An outbreak of "Seif Labod" or "Digh" occurred amongst the camels at Beila Mafeso in the Moyale district which was contracted from Marehan stock at Damassa.

Some 250 deaths occurred among sheep at Habaswein in the Wajir district during August and September. Material was submitted to the laboratory but no specific condition could be detected.

Isolation of all the infected *manyattas* was at once carried out and no stock was allowed to pass out of the Wajir district. After some two-and-a-half months the disease abated.

Stock from Garissa has always found a good market at Lamu. The price rose from an average of Sh. 36 for the first three months to Sh. 46 for the next three months. It fell to Sh. 39 for the third quarter of the year and advanced to Sh. 47 for the last quarter. Owing to rain holding up cattle in October, the average price rose to Sh. 58/50 for that month.

#### Turkana District

34. For a time Turkana trade sheep and goats were not allowed through Baringo district to Lower Molo as they were suspected of bringing foot and mouth disease, but there was no serious outbreak of cattle disease during the year and, owing to plenty of grazing and water in nearly all parts of the area, stock has flourished and increased in numbers.

35. The Veterinary Department allocated the sum of £50 for the purchase of blankets and skins in West Suk and it is hoped to build drying *bandas* at Kapenguria.

The Officer in Charge writes:—

"The reserve is still heavily stocked and restrictions on export hinder destocking. Even if facilities were increased it is doubtful if the Suk would take any advantage of them and compulsory culling, if it could be achieved without upheaval, seems the only remedy."

In the month of October a representative of Liebig's, Ltd., visited the district in the hope of getting a trial consignment for export to the factory, but as the Suk demanded fantastic prices for their stock it was not possible to contract any business.

## CHAPTER XI

### TRIBAL POLICE

The Tribal Police Force has been in existence for a period of eight years and year by year improve in usefulness and efficiency.

It was considered that material appreciation should be shown of the value of their services and, by an amendment to the Tribal Police Ordinance and by regulations passed during the year, gratuities varying from £3 to £15 may be paid them after twelve years' service with the force.

### Nyanza Province

2. In North Kavirondo chiefs' *askaris*, who did not wear uniform, have been abolished, and while the headquarter strength remained at 35, an additional force of 66 constables, duly enrolled and uniformed, are stationed with their respective chiefs in the reserve.

The District Commissioner writes:—

"As this additional force perform their duties near their homes they are paid only Sh. 8 a month, but their uniform is similar to that of the headquarters tribal police, except that they have not been issued with belts. They have had the effect of lessening the rag-tag-and-bobtail appearance of the reserve surroundings, and should increase their prestige. They have now effect arrests in the reserve readily, whereas the chiefs' *askaris* could not."

3. The District Commissioner, Central Kavirondo, reported that the work of the tribal police was consistently good and one or two of the men showed good detective qualities, one of which was sent to continue his training as a detective under the Officer in Charge, Police, at Bondo, in the mining area.

4. The South Kavirondo unit consists of 30 men. Discipline was good and with one exception their behaviour was exemplary. They have done useful work in the investigation of stock theft and were efficient on escort and guard duty.

5. The strength of the tribal police in the Kericho district was 25 and there were nine extra tribal police paid for by the Local Native Council for border control.

### Central Province

6. During the year officers in charge of regular police units in the Province gave valuable assistance to District Commissioners in the training and drilling of tribal police units, which was much appreciated. Owing to this help, and to the general keenness of the tribal police as a body, discipline and smartness were maintained during the year.

7. The tribal police in Kiambu and Embu district abandoned yet another link with the past and discarded their blue *kaniki* with red edges for the plum-coloured jerseys, khaki shorts and khaki pill box caps worn by the force throughout the Province.

The District Commissioner, Embu, writes:—

"The new uniform certainly looks smart and is more serviceable, though it is difficult not to regret a uniform which recalls the old more unsophisticated force which did such excellent work in the past."

#### *Rift Valley Province*

8. The Provincial Commissioner reports:—

"The tribal police have, in my opinion, shown considerable improvement in drill and deportment in spite of the fact that they spend so much time on *safari*.

Individually they have at times performed more work, especially in connexion with the clearing up of thefts, and rewards paid to them out of the Provincial Police Rewards and Fines Fund has undoubtedly encouraged them."

9. One member of the Nandi unit was trained as a bugler at the beginning of the year and the District Commissioner records that this has certainly helped to make ceremonial parade at Kapsabet more impressive.

10. Owing to the representations of the District Commissioner, Elgeyo, that the inhabitants of the Kapchemutwa and Kibuswa locations on the border of the settled area looked upon their thieving prowess with pride, while no public opinion existed against this practice as was the case in other locations and the Elders did little to apprehend the increasing number of culprits, a tribal police unit of fifteen men was appointed in the month of August and delegated to supervise known thieves and patrol the border. The cost of this unit—a sum of £10 per month—was levied from the inhabitants of the locations.

11. From Samburu it is reported that the tribal police continued to give satisfaction, though from time to time, constables complained of being bewitched. It was considered advisable to allow some members of the Keliko age-grade, who comprised the Samburu portion of the force, to retire and to replace them with young warriors of the new Lemukuria rika.

#### *Coast Province*

12. There were 120 tribal policemen in the Province and they became increasingly useful. In Kilifi the tribal police attend school daily and have also reached a high enough

standard of efficiency to drill regularly in the same squad as the Kenya Police. The unit now commands respect throughout the district.

The tribal police in Lamu have, owing to a shortage of regular police, often been called to undertake night patrols in the town in addition to their normal duties.

Owing to the difficulty of obtaining recruits for the force from the Galla people, the unit in the Tana River district consists of 13 Pokomo and 2 Galla.

The Teita unit is controlled by a Swahili n.c.o. who is retired from the King's African Rifles.

#### *Northern Frontier District*

13. The work of the tribal police was well reported on from all areas of the Northern Frontier.

The District Commissioner writes:—

"They proved invaluable in the administration of the district. Their relations with the Kenya Police and the King's African Rifles, in conjunction with whom they were frequently called upon to work, were excellent and their patrol work most useful."

There are 18 tribal police in Wajir and they are a most useful body of men. The fact that they are armed gives them a certain amount of status amongst the tribesmen.

The head tribal policeman is Sergeant Nuh, who not only has a very good knowledge of all the various sections of Somalis, but knows the district well and is an efficient instructor.

#### *Turkana District*

14. The District Commissioner, Lodwar, reports:—

"The tribal police have carried out their duties well during the year. Owing to most of their time being spent on *safari* the standard of drill amongst the more recently joined is not very high. The best of the tribal police attain a very high degree of efficiency. They possess keenness, endurance and initiative to a marked degree."

The Frontier Scouts were reduced from a unit of 24 to one of 18 during the year as it was felt that the likelihood of trouble with the Merille had decreased considerably.

## CHAPTER XII

## CRIME

The Commissioner of Prisons reports that 7,059 Africans were sentenced to imprisonment, a number which did not vary from that of the previous year.

2. The total number of Africans sentenced to detention was 18,714 as compared to 23,759, the number so committed during the previous year, and represents a decrease of 27 per cent.

The number of committals for offences against the Native Hut and Poll Tax Ordinance decreased by 4,229 and is probably accounted for by increased prosperity and the introduction of the stamp system of tax payment.

3. The following table sets out, in comparison with the previous year, the number of natives sentenced to imprisonment or detention and shows at the same time the number of committals for offences under the various local Ordinances.

Ordinances	1937		1936	
	Sentences Awarded		Sentences Awarded	
	Imprisonment	Detention	Imprisonment	Detention
Municipalities		1,336		1,513
Towns		682		886
Townships		607		629
Hut and Poll Tax	1,269	7,671	1,582	11,728
Native Registration	136	1,350	132	1,555
Native Authority	108	1,432	466	1,509
Employment of Native				
Laws	318	534	148	431
Liquor	147	682	221	671
Abuse of Opiates	366	281	126	315
Native Passes		703		620
Resident Native Labourers		200		273
Outlying Districts		187		191
Various	710	940	738	1,366
Total Local Ordinances	3,054	16,705	3,413	21,697
Total Penal Code	4,005	2,009	3,646	2,062
GRAND TOTAL	7,059	18,714	7,059	23,759

4. The nationalities and tribes of the 7,059 Africans committed to undergo sentences of imprisonment in the year under review compared with those of the previous year were as follows:—

Nationalities and Tribes	1937	1936
(1) UP-COUNTRY TRIBES—		
Kikuyu	2,026	1,588
Kavirondo Luo	624	861
Kavirondo Bantu	653	739
Akamba	723	699
Nandi	356	419
Lamelara	314	287
Mau	111	141
	305	431
	322	425
	74	44
	117	73
	109	14
Susi	15	12
Karimojong	21	15
Nilotes	9	12
Various	243	197
	6,022	5,681
(2) COAST TRIBES—		
Giridia	265	696
Swahili	61	87
Totta	42	45
Digo	105	143
Pekomo	13	4
Various	146	103
	632	1,078
(3) NATIVES OF NEIGHBOURING TERRITORIES—		
Natives of Uganda	121	95
Natives of Tanganyika	186	140
Native of Ethiopia	20	
Natives of Nyasaland	14	19
Native of Zanzibar	1	
Nubians	40	28
Various	23	18
	405	300

5. Both female and juvenile convicts increased in number and of the women convicted 26 were recidivists.

The convictions during the last four years have been:—

	1937	1936	1935	1934
Female convicts	587	314	203	317
Juvenile convicts	280	230	229	316

6. The number of recidivists was larger than during the previous year and, out of a total of 1,946, 837 were convicted in the towns of Nairobi, Mombasa and Kisumu. The following are the figures for the last few years:—

## PREVIOUSLY CONVICTED

Year	Once	Twice	Thrice or More	Total	Percentage of Total Committals
1937	820	392	734	1,946	27.5
1936	770	353	636	1,759	24.5
1935	870	372	643	1,885	29.8
1934	1,084	407	647	2,138	24.4
1933	808	346	463	1,617	22.1
1932	712	305	411	1,428	20.2
1931	663	227	366	1,186	17.5
1930	617	182	287	1,086	16.0

7. There was an increase recorded of cases of house-breaking and burglary. This crime is prevalent throughout the Colony and may be the consequence of the growth of the urban population and the presence, unfortunately, of a rapidly growing class of habitual criminal. Theft of stock and produce also increased and the stolen property valued £2,310, of which 53 per cent was ultimately recovered.

8. The Commissioner of Police writes:—

"There was an increase of crime generally throughout the Colony during the year under review as compared with the preceding year, the largest increase being recorded at Nairobi, Nakuru, Kisumu, and Kitale. Noticeable reductions are shown at Naivasha and Kiambu.

Although the total is in excess of those for the two previous years, it is lower than the figures for 1934.

In the case of Nairobi the rise may be ascribed to the presence of an increasing large number of recidivists residing in Nairobi and surrounding native reserves, to the growth of the population and to the existence of a large number of unemployed.

The increase at Nakuru may be attributed to extended agricultural development necessitating the employment of additional labour, while the expansion of Kisumu Township is responsible for the higher figures in that district."

## CHAPTER XIII

## PRISONS

The established I and II Class prisons in the Colony were unchanged from the previous year and were as follows:—

Three First Class Prisons at Nairobi, Mombasa and Kisumu.

Five Second Class Prisons at Nakuru, Kitale, Nyeri, Kakamega and Marsabit.

2. A reorganization of the III Class Prisons was started during the second half of the year, but by the close had not been completed. The prisons at Eldoret, Meru and Lamu were III Class prisons staffed by regular prison staff. The new III Class prisons—Loboi, Fort Hall, Kiambu, Thika, Nakuru, Kituru, Kapsober, Kericho, Naivasha, Rumuruti, Kishi, Kwale, Malindi, Voi, Narok, Kapenguria—became district prisons, with a warden staff recruited locally by the District Commissioner. Each recruit will be sent for a short course of training at the Prisons Department at Nairobi. These recruits will be paid at a lower rate than the wardens of the Prisons service and a considerable economy will be effected in salaries, transport and leave movements. District Commissioners generally report favourably on the reorganization.

Certain regular prison wardens elected to resign and join the staff of the prison situated at the headquarters of their home district. A number of the new recruits enlisted as wardens at district prisons had previously served with the King's African Rifles or the Police Force.

3. At the end of the previous year the daily average prison population was 3,300. In January it rose to 3,400 but fell rapidly to a figure of 2,690 in June and then rose steadily again, month by month to 3,050 in December.

4. The number of prisoners confined in the Ngong River Prison Camp outside Nairobi was maintained at 350 throughout the year and 1,653 convicts passed through the camp, of which 715 were Kikuyu. Convicts are employed at the quarry and concrete works of the Kenya and Uganda Railways and Harbours where it is hoped that the hard labour entailed will prove a deterrent to further crime.

5. Prison industries expanded further and produced the sum of £12,805 in direct revenue as compared with £10,790

in the previous year. In the tailoring shop attached to Nairobi Prison 115,000 garments of over 400 different styles were made. One hundred and ninety prisoners were employed on this work. Seventy prisoners were employed in carpentry and blacksmithing and seventy-five on sisal, string, rope and mat making. A large quantity of sisal string is now supplied annually to the Postal Department of East Africa and the demand for sisal rope is increasing.

Murrum bricks, Kavirondo mats, baskets and sisal string are made in Kisumu Prison, and articles manufactured from coir and sisal in Mombasa.

The brickmaking industry at Kitale was extended and bricks were supplied for the new hospital building.

In many districts throughout the Colony bricks are now made by prisoners and detainees and are supplied free of charge for Government and Local Native Council use. At Kisii over 600,000 bricks have been supplied in the past two years to the District Commissioner and have been used in the construction of various buildings such as new lines for station hands, a Local Native Council rest house, etc. The employment of prisoners and detainees upon brickmaking not only enables the housing conditions of natives at the district headquarters to be improved with little expense, but teaches those employed how to improve their own homes.

Convict masons, under a technical instructor, carried out extensive building work at various prisons.

6. Foodstuffs to the value of £1,639 were grown in eight prison farms during the year—Kitale being the most successful in this direction—while some prisons are growing trees for fuel, notably Kisumu, where the supply is now more than sufficient for the prison and detention camp.

7. The general health of prisoners was good. The percentage of prisoners on the sick list being 3.9—the lowest figure since the year 1933—though the number of deaths increased to 83 from the 58 recorded in the previous year. Pneumonia accounted for forty-six deaths—twenty occurring in Nairobi Prison from this disease following a serious epidemic of influenza.

8. The scheme of convict "trusties" introduced during the previous year worked successfully. These "trusties" wear special clothes, live apart in a mess of their own, are given sundry small privileges and are paid 10 cents a day. They

are used in a supervisory capacity either with, or (inside the prison only) without warder staff and through their introduction it has been possible to divert warder staff to other important duties and, when the ranks of warder staff in Kisumu were depleted by illness, they proved of great assistance.

9. Prisoners are classified separating juveniles from adults and first offenders from recidivists and further divisions separate them into short term, medium term and long term convicts.

10. The formation of the Discharged Prisoners Aid Committee at Nairobi was recorded in the report of the previous year. The Salvation Army again co-operated actively.

The Acting Commissioner of Prisons reports:—

"The patience and the experience the Salvation Army have brought to bear in this work have been one of the main factors in its success; their whole-hearted service and co-operation is greatly appreciated."

In Nairobi an African officer is wholly employed on this work. It is believed that the success of this scheme will depend on African influence and African officers have been given increased access to prisoners. A European officer is engaged in each centre in finding employment for discharged prisoners.

Committees were established in Mombasa and Kisumu during the year and it is reported that members of the Mohammedan community have so far been ready to avail themselves of the help which the recently established hostel provides at Mombasa.

As regards the work of the Nairobi Committee the Acting Commissioner of Prisons records:—

"Those concerned with penal administration are aware of the pitfalls and temptations that face the discharged prisoner on his return to normal life, and one of the main functions of this committee is to see that he has a breathing space within which he is able to adjust himself to the new conditions he has to face. The committee's hostel in charge of an officer of the Salvation Army wherein a discharged prisoner is housed and fed, provides this breathing space up to a period of fourteen days, and he is able to rest

assured that for that period he has time to regain his level, and at the same time look for employment, without the fear that he may lack shelter and food."

During the year 518 prisoners were interviewed prior to discharge by the three committees.

#### DETENTION CAMPS

11. During the year under review there were 53 Detention Camps in operation. The following camps were gazetted during the year: Taveta, Lurie, Keregyua and Tiwi; while the camps at Purigu, Kiteta, North Mugirango, Bāomo, Maragoh, and Port Victoria, were closed as were the camps at Tiwi and Lurie gazetted earlier in the year.

12. There was a decrease in sentences of 27 per cent over the previous year, the number being 18,714 as compared with 23,759 in the year 1936. The daily average number of persons in detention was 1,826 as compared with 2,426 in the previous year. The number of committals to detention for offences against the Hut and Poll Tax Ordinance fell from 11,728 to 7,499. This is largely accounted for by increased prosperity and the introduction of the "Kodi" card and stamp system of payment.

13. The general health of inmates of detention camps appears to have been good and the daily average of 2.35 per cent on the sick list is an improvement on the figure of 2.78 per cent of the previous year. There were 59 deaths among inmates of detention camps.

14. During the year with a daily average population of 1,826 less an average of 57 sick, and reckoning 300 working days at 30 cents a day, the value of detainees labour amounted to £7,964. No payment was made by Government or local authority for the use of the labour.

15. The scheme for seconding prison n.c.o.'s and warders to detention camps in order to improve the discipline, increase the deterrent effect of detention and make detainee labour more efficient and productive by better and closer supervision, was introduced into a further four detention camps during the year and the Acting Commissioner of Prisons reports:—

"There is no doubt that great improvements have been effected in the camps to which it has been possible to post prison warder staff, and it is hoped in the future to extend the number of camps affected by this scheme, and also

gradually to increase the number of overseer staff in many of the camps, as real efficiency cannot be attained with the meagre staffs available at the present time."

#### APPROVED SCHOOLS

16. Two further Approved Schools were established during the year.

The Salvation Army Welfare Centre in Quarry Road, Nairobi, was declared a Class I Approved School, that is to say a school where juvenile vagrants or any child or young person who is deemed to be neglected, ill-treated or living in undesirable environments can be detained until the age of eighteen. Two juveniles were admitted to this school during the year. They are housed, fed, clothed and taught in the same manner as the children normally admitted to the centre.

17. In the preceding year Government acquired some fifty acres of land with some excellent buildings from the Council of the Alliance of Missions and in the month of May this property was gazetted a Class II Approved School. Juveniles committed to detention in an Approved School for criminal acts will be detained here until the age of sixteen and then transferred to the Class III Approved School at Kabete a few miles away, where juveniles may be detained until the age of twenty-one.

The separation of the schools took place in September and 31 boys from the Kabete school were transferred to Dagoretti.

18. At Dagoretti all boys are employed in agricultural work while at Kabete agricultural work preponderates but some boys receive instruction in vegetable and flower gardening, quarrying, stone dressing and building, while a small party of boys carry out any carpentry repairs and blacksmithing. The school clothing is repaired by one inmate.

The Superintendent reports that 13 tons of maize, four tons of beans and 39 tons of sweet potatoes were reaped. English potatoes were grown and various green crops were ploughed in to improve the soil; several *shambas* were contoured, drained, and no wash occurred on these *shambas* during the year.

19. Fifty boys were committed to Kabete and Dagoretti schools during the year. The average age of the boys committed was 13.33 years which is rather younger than during

the previous year and is welcomed by the authorities who consider that youth gives a better chance of complete reformation.

The total average number of inmates of the schools was 126.14—an increase of 30.90 over the previous year. Of the 21 boys discharged during the year three were re-convicted.

The Superintendent reports that discipline on the whole was good but there are still a few boys who cause a certain amount of trouble, and difficulty is experienced in finding suitable African instructors with the requisite ability, strength of character and sense of discipline.

20. The Chief Native Commissioner, the Director of Education, the District Commissioner, Native Commissioner, Archdeacon Burns were members of the African Education Board and visitors to the schools.

## CHAPTER XIV

### Public Works

Financial stringency again necessitated the curtailment of expenditure on road construction and improvement and on the construction and maintenance of buildings.

The Local Native Councils of Nyanza and the Central Province are to be congratulated on their generous contribution to road work.

2. Considerable progress was made with the work of road construction in the mining and tea growing areas of Nyanza Province with funds allocated in the year 1935 from the Colonial Development Fund, but the excessive rainfall hampered the work considerably and the rise in the cost of labour and rations increased the constructional cost.

3. The Department of Public Works has given much attention during the year to the investigation and installation of water supplies to enable stock routes to be driven through the Colony.

#### Nyanza Province

4. The Local Native Councils of Nyanza Province voted £5,290 for the important work of road construction and improvement and the sum was handed over to be expended

Exceptional rains caused much damage to the roads throughout the Province and for some time road exit from the South Kavirondo District was cut off and the twenty miles of main road from Kibigori to Kisumu was impassable.

In North Kavirondo during the cotton season the ginneries who cover them frequently found the roads and bridges in better condition than during the previous year.

In the early part of the year the building of the Local Native Council rest house was completed at Kisii, in South Kavirondo. This comprised a common room, eight two-roomed bedrooms, two kitchens, two bathrooms and showers and water laid on. Bricks were supplied free of cost and unskilled labour was available. The skilled work was done by the apprentices of the Native Industrial Training Centre and the total cost of the building was only £130.

Brickmaking was started at three divisional tribunal centres of the district and bricks were purchased for the erection of the Karachupyo divisional tribunal building which was under construction at the close of the year.

#### Central Province

5. The Local Native Councils of the Central Province contributed the sum of £4,265 towards public works and communications and some important work was undertaken during the year.

Direct communication between the adjoining Embu and Kitui Districts was brought about by the construction of a suspension bridge over the Tana River. This road when completed will be of great value to the native for the purposes of marketing stock and produce.

In the Fort Hall District the construction of a road, running from the forest reserve boundary between the Chania and Thika rivers to Njabini on the Kinangop plateau, was started, of which over-half, running through thick forest and patches of bamboo, was completed at the end of the year. The natives await the finish of this road with impatience and gave their services in forest clearing unpaid for several months.

In Kitui District two important works were begun and one completed. The construction of a bridge with detainee labour over the Thua River to Zombe opened access to the main artery of traffic and communications through the Kitui

construction of six miles of road along a steep escarpment from the river and entailed a great amount of work on the part of the District Commissioner. At a later stage Mr. Champion, a retired Provincial Commissioner with long experience of the district, assisted in the work of alignment.

6. An Assistant Game Warden, stationed in the Coast area, was enabled, with the co-operation of the Public Works Department, to pioneer and align much of the proposed road to Malindi which will cross the Sabaki River at the Sabaki Bridge.

This road, which will be served with water holes, will be a convenient route for cattle from the Kitui District to the Mariakani quarantine centre and the stock market at the Coast.

It will go through a very large area of "no man's land", mostly in the Kitui District between the Kitui Native Reserve and the Coast Province and, though the total distance by this route from Nairobi to Malindi will be shortened to 375 miles, it is not envisaged that it will be suitable for popular traffic for many years to come.

#### *Rift Valley Province*

7. The exceptionally heavy rainfall made communication in certain areas of the native reserves of the Rift Valley Province a matter of some difficulty. Land slides and the flooding of the Perkerra and Kerio Rivers—the latter at one time some 2 ft. over the Chaboch Bridge, which is normally 70 ft. above water level—interrupted road traffic.

Boreholes and pumps operated by oxen have given trouble and the natives of the Pokorr location in the Baringo District contributed £150 to the Local Native Council for the purchase of an oil engine.

#### *Coast Province*

8. The Malindi-Garsen-Witu-Lamu road was open to traffic for the first three months of the year only. Thereafter the exceptional rainfall experienced caused the Garsen-Witu portion to be impassable, except for some three weeks, for the remainder of the year.

A new stone pier was completed at the north end of the town of Lamu. The structure, which is over 100 yds. long, is made of coral walls and facilitates the easy loading of cattle on to the pontoon for the mail steamer.

#### *Masai District*

9. Of communications in this area the Officer in Charge writes:—

"The rains in March and April played havoc with the earth communications of the Masai Reserve. The roads in the Trans Mara were swept away and bridges crossing several thousand pounds were detached from both banks by gaps up to 150 ft. wide. The Mara basin was impassable for six months. His Excellency the Governor was almost the first to pass that way and the journey from Narok to Kilgoris took ten hours while a month earlier it had taken three days to get a lorry over the same road."

Certain road constructional work was carried out during the year and large gangs of Masai have worked on the roads in the Mara valley and in the Loita Hills.

#### *Northern Frontier District*

10. Some 193 miles of new roads were constructed in the vast area of the Northern Frontier and extensive repairs were carried out on existing roads.

A new brick house was built for the District Commissioner, Garissa, and special efforts were made to produce a type of building that would be suitable for the climate and the conditions prevailing there.

The house is built with a flat roof which contains a mosquito-proofed sleeping shelter wherefrom there is an excellent view.

## CHAPTER XV

### LEGISLATION AFFECTING NATIVES

The following Ordinances affecting natives were passed during the year under review.

#### *1—Native Authority Ordinance*

This Ordinance re-enacts most of the provisions of the Native Authority Ordinance, Chapter 129, which it repeals but, when a further amendment to Chapter 129 became imperative, opportunity was taken in the interest of clarity to frame a consolidating Ordinance.

The Ordinance is divided into six parts.

#### *Part I—General.*

The definition of "native" and "native tribunal" have been amended to conform with the Interpretation (Definition of Native) Ordinance, 1934, and the Native Tribunals Ordinance, 1930.

The reference to "Council of Elders" and "Collective Headmen" are omitted as no such bodies now exist.

Certain provisions relating to the use of labour have been altered to reconcile with the Compulsory Labour (Regulation) Ordinance, 1932.

Experience has shown that it was desirable in the interest of law and order to extend the powers of headmen, in certain circumstances, to issue orders to all natives within their location whether residing there permanently or otherwise. In section 8 the powers of a headman are defined in respect of natives residing or being within his jurisdiction and in section 9 in respect of residents in his location only.

Under section 8 headmen are given wider powers with the control of native intoxicating liquor and powers have been added under section 9 to control the spread of noxious weeds.

The enactment of the Native Tribunals Ordinance caused section 12 of Chapter 129 to become redundant and it is therefore omitted.

The section empowering the Governor to make rules whereby a rate may be levied on natives for the purpose of remunerating headmen has been deleted and the section dealing with offences by headmen has been amended.

#### *Part II—Famine Relief.*

Under section 14 headmen have been given additional power to prevent the export of grain or vegetable foodstuffs during any period of food scarcity.

#### *Part III—Local Native Councils.*

The powers of Local Native Councils to make resolutions under section 23 have been widened.

In certain areas natives, while desirous of controlling the forests, are not yet prepared to agree to their declaration as forest areas under the Forests Ordinance in accordance with which it would be possible to charge royalties. It is considered equitable, however, that Local Native Councils should be empowered to charge such fees, not only as a means of producing Local Native Council revenue, but in order to meet the expenses incurred in the management of forests and provision has been included for this purpose.

Provision was added to enable Local Native Councils to pass resolutions concerning—

- (a) the establishment and regulation of markets;
- (b) the regulation of drying and cleaning of hides and skins;
- (c) the registration of births, deaths and marriages;
- (d) the regulation of payment of marriage dowries.

Provision under (c) and (d) have been included to meet the needs of the more advanced districts.

The Provincial Commissioners had unanimously recommended at a meeting held in the previous year that provision should be made for the purpose of enabling Local Native Councils to pass resolutions making compulsory the registration of births, deaths and marriages in districts where native opinion was prepared to accept the principle.

The Kiambu and North Kavirondo Councils had already passed resolutions relating to marriage to which it had been impossible to give effect. The registration of Christian and Mohammedan marriages is compulsory under existing legislation and the authority is conferred, therefore, only in respect of pagan marriages.

This step has been urged by certain missionary bodies as a preventative of alleged forced marriages. The registration of births, and deaths will facilitate the collection of vital statistics.

The Kiambu Local Native Council had passed a resolution in the year 1935, which could not then be approved, requiring bride price or dowry to be registered at the time of marriage and expressed in terms of cash whether payment be made in cash or kind.

#### *Part IV—Local Native Funds.*

An additional provision is made by section 27 (2) enabling the President of a Council to place the funds of the Council on fixed deposit in the Post Office Savings Bank or with an approved banker.

#### *Part V—Local Native Joint Investment Fund.*

Hitherto the surplus balances of Councils, which in some cases amounted to considerable sums, had been placed on fixed deposit and in the Post Office Savings Bank where the rate of interest is necessarily small.

For some time alternative methods had been under consideration with a view to obtaining a more favourable yield.

It was decided that suitable procedure would be the handing over surplus Local Native Council funds to duly appointed trustees for investment in trustee stock. The trustees would manage the fund and distribute the accrued interest annually to the investing Local Native Councils and also undertake such transaction as the realization or investment of funds. This procedure conforms with that adopted for the Joint Colonial Fund.

Sections 31 to 36 of the Ordinance provide for this purpose and it is made mandatory that the Chief Native Commissioner and Treasurer shall be among the trustees.

#### *Part VI—Miscellaneous*

##### *II—Tribal Police (Amendment) Ordinance*

The Tribal Police instituted in the year 1929 had proved increasingly efficient and it was considered that a system of payment of gratuities, after a specified period of continuous good service, should be introduced to conform with the practice existing in the King's African Rifles, the Kenya Police, the Prisons and the Forestry Service.

By this amending legislation a section is added to the principal Ordinance empowering the Governor in Council to make regulations for this purpose.

Regulations were enacted later in the year by which Tribal Police may be granted gratuities after twelve years' continuous service of sums varying from £10 to £3 according to the salary drawn and of sums varying from £15 to £5 should the service have amounted to twenty-one years.

##### *III—Prisons (Amendment) Ordinance*

The amending legislation was enacted primarily to simplify the Ordinance and thus make it more readily understood by African staff and prisoners and also to extend to recidivists the grant of a licence to be at large.

Sections 2 and 3 restrict the remission of sentences to prisoners serving sentences of more than six months and less than three years and enable recidivists to be released on licence.

Section 4 enables, by reciprocal arrangements with neighbouring territories, a person released on licence to proceed

to his home in another territory and returned to the former territory on a warrant issued by a magistrate of that territory.

Similar legislation has now been enacted both in Uganda and Tanganyika Territory.

By sections 5 and 6 the Commissioner of Prisons, Superintendent of Prisons and Visiting Justices are empowered to punish offenders by delaying the granting of licences to be at large.

##### *IV—Native Hut and Poll Tax (Amendment) Ordinance*

This amending legislation was enacted to give effect to certain recommendations made in the "Report on Native Taxation" published in the previous year.

The "Kodi" Stamp system of tax payment had proved most successful and section 6A of the Ordinance makes permissive this method of tax payment.

Section 6B enables the employer, with the employee's consent, to pay a proportion of the agreed rate of wages in "kodi" stamps.

In section 6C it is laid down that for the purpose of assessing the amount of tax due or in any court proceedings for the recovery of tax the amount already paid in stamps shall be taken into account.

##### *V—Marketing of Native Produce (Amendment) Ordinance*

An additional section is added to the principal Ordinance enacted in the year 1935 affirming that the law does not apply to the purchase of native produce for consumption by the purchaser but only to produce purchased for re-sale or for manufacture.

##### *VI—Resident Labourers Ordinance*

Following upon the Report of the Committee appointed to review the working of the Resident Native Labourers' Ordinance, 1925, a "Bill to Regulate the Residence of Native Labourers on Farms" was introduced into the Legislative Council in July, and passed its third reading in September.

The Bill was largely a consolidated re-enactment of the Resident Native Labourers' Ordinance, 1925, with certain provisions, to the more important of which reference is made below, designed to secure more effective means of control of the occupier, the resident labourer and his cattle than was

inherent in that Ordinance and the introduction of an entirely new principle, that of local option. It was also made clear that resident labourers are not tenants but employees.

By section 2 the Governor in Council is empowered to direct that the Ordinance shall be applied to any district or area and for an appointed time.

By section 3 the definition of forest area, local authority, attesting officer, railway land are added; the definition of occupier is extended in consequence of the inclusion of Crown land, railway land and forest areas and the definition of farm is amended so as to exclude all land in a municipality, township or trading centre which is not held under a title for agricultural use.

The resident labourer and his family are dealt with separately. The definition of family excludes the husband and the definition of resident labourer is substituted for that of native.

A sub-section is added to the section dealing with residence on farms—section 4—whereby a fine not exceeding £10 or imprisonment for a period not exceeding two months can be imposed for illegal residence.

Section 5 deals with the contract of service. Provision has been included making the terms of the agreement, i.e. Schedule I, more elastic, and the resident labourer himself has been made the principal contracting party instead of the head of the family.

The maximum period for which a contract may be made has been lengthened from three to five years. It was considered that if such contract was mutually satisfactory it should be permissible to extend it for that period. The period of termination has been reduced from six to three months as, in the event of a disagreement, a shorter period would naturally be advantageous to both parties. It has been made mandatory to include in the contract power to control the crops grown, the number of stock grazed and to prevent the planting of crops after the termination of the contract.

Under sub-section 5 (6) a magistrate can only refuse to attest a contract for good and sufficient reason and under sub-section 7 the magistrate must furnish his reason for doing so at the request of the occupier.

Sub-section 5.47) has been inserted empowering a magistrate to order the removal of a resident labourer and his

stock. This provision was deemed necessary in order to enable Government to deal effectively with cases which arise from time to time of natives unlawfully residing on unoccupied farms or on occupied farms without permission. By section 18 a magistrate is empowered to order the removal of any native and his stock from residence on undeveloped or unoccupied alienated farms.

Section 6 has been inserted to ensure that natives and their families are not recruited from the reserves without the knowledge of the District Commissioner concerned.

Sections 8, 9 and 10 apply certain provisions of the Registration Ordinance to both occupiers and resident labourers. In respect of the endorsement of registration records by the occupier, the consequential maintenance of records and the submission of monthly labour returns. It was considered imperative that a greater measure of control should be exercised over both occupiers and resident labourers and that there should be available for inspection by properly appointed officers reliable records such as will unequivocally fix the identity of all natives on farms and of their cattle. The provisions of section 9 are amplified in section 17.

Section 11 provides for the release of, and the grant of a certificate to, a native who has completed the agreed number of days' work and who wishes to work elsewhere than on the farm on which he resides.

By section 12 it is made compulsory for the employer, who is liable to a maximum fine of £50, or in default imprisonment for two months should he fail to do so, to provide work for the resident labourer during the period of his contract. By a proviso the Provincial Commissioner is empowered to reduce the minimum number of days' work should he deem it advisable.

Section 14 makes it compulsory for the employer to keep records showing the date of contract, the number of days worked, the wages paid to each resident labourer and to provide him with a labour ticket should he so desire.

Section 16 requires that the occupier and attesting officer shall specify in writing the quantity of cattle the resident labourer may keep on a farm having regard to his and his family's reasonable needs, raises the age at which branding of cattle is compulsory from six months to one year and makes regulations for the control of the movement of stock.

Section 19 introduces the provisions of section 11 of Ordinance No. 5/25, and provides for the disposal of the resident labourer's fertilizers and manure and by sub-section (4) the sale of his crops. The sub-section is designed to put a check on the numerous thefts which occur of the occupier's crops.

Sections 21 and 22 introduce an entirely new principle—that of local option—and vest in local authorities the power to limit by order the number of resident labourers on farms and prohibit or limit their stock, and prescribe the number of days between 180 and 270 in any one year in which a resident labourer may be required to work, taking into consideration the occupier's wishes, the labour requirements of the farms and the needs of the resident labourer. The approval of the Standing Departmental Committees for Local Government and Rural Areas is required to any order. For the purposes of this section jurisdiction over railway and forest land abutting on farms is vested in the local authority.

In section 27 the principle of the responsibility of the occupier to provide medical treatment for the resident labourer is introduced and it is made an offence to fail to provide medicines and medical attendance or, with the resident labourer's consent, to transport him to hospital. The responsibility extends for a period of thirty days only.

By section 28 the general penalty has been reduced.

#### *VII—Native Tribunals (Amendment) Ordinance*

The Native Tribunals Ordinance was enacted in 1930 for a period of three years which had been extended until the year under review. The tribunal system had proved itself to be an indispensable part of the administration of justice in the Colony and to be both efficient and popular with the natives and by this amending legislation it takes a permanent place in the Statute Book of the Colony.

#### *VIII Native Passes (Amendment) Ordinance*

Under the Native Passes Ordinance—Chapter 138—there was no power to make rules providing for the arrest by the police without a warrant of persons who commit offences against those rules.

By the amending legislation a new section making all offences against any rules cognisable to the police is added to the principal Ordinance.

These rules are only applied to such native tribes as are apt to commit crimes outside their reserves and it was considered that the provision was a necessary one at the present time in the administration and control of the Kipsigis tribe (commonly known as the Lumbwa).

#### *IX—Special Districts Administration (Amendment) Ordinance*

The principal Ordinance was enacted in the year 1934 as an experimental measure for two years and had since been renewed for a period of one year.

The Ordinance was particularly adapted to the control of nomadic people and had only been applied to the Northern Frontier District.

By the amending legislation the Ordinance is placed on a permanent basis.

### CHAPTER XVI

#### MINING AND LAND ADMINISTRATION

The history of mining for the year is uneventful but satisfactory.

Mining and prospecting in native reserves were confined practically to the known goldfields in the North, Central and South Kavirondo Districts and the Logorien corner of the Masai Reserve and to an area centring round Mito Andei in Ukamba. An exclusive prospecting licence issued in the coastal area north of Mombasa achieved but little.

2. In spite of the difficulty experienced all over the world of obtaining finance for prospecting and development, steady progress was made in the Kenya goldfields.

3. Relations between the miners and natives were uniformly good and the improvement in the physique of the natives enjoying good food in regular employment was remarkable.

The close inspection of the labour compounds and camps by the Labour and Health authorities and the willing co-operation of the mining companies has resulted in the maintenance of a high standard of labour conditions.

Only strong adult natives are employed underground, juveniles being permitted to work only on light tasks such as sorting broken ore on lode mines and in task work on alluvial diggings.

Mining engineers report favourably on the way that natives are becoming proficient in skilled work underground and a greater sense of responsibility is evident among all natives employed in the workshops, offices and engine rooms.

4. Over 50 mills were operating by the end of the year and the production of gold increased by 43 per cent over the previous year and was valued at approximately £380,000. This places mining among the first four exporting industries of the Colony.

5. An oil exploration licence was granted to the D'Arcy Exploration Co. over all areas in the Colony, (which from their geological formation appeared to be of interest, but it was terminated by mutual consent in September without any discovery of suitable formations being recorded.

#### LAND ADMINISTRATION

6. The recommendations of the Kenya Land Commission were, by the end of the year, nearly all put into effect.

The transfer of 21,000 acres to the Kikuyu Reserve was completed and progress was made with the evacuation of the Tigon area. The majority of the native residents received their compensation and were assisted in their move to the areas allotted to them.

7. The demolition of Pangani proceeded slowly *pari passu* with the erection of a new village at Purhwani by the Nairobi Municipality.

8. The extension of the area reserved for the Mukogodo to provide them access to permanent water in the Uaso Nyiro was approved and the survey of the Chelelangu area of the Lumbwa Reserve was completed.

10. The removal of the Kasigau back to their ancestral home on Mt. Kasigau was completed to their great satisfaction.

11. The work of completing the definitions and maps of the native areas to be gazetted was completed and progress was made with the final drafting of the Native Lands Trust Bill and the amendments to the Crown Lands Ordinance.

12. The Central Lands Trust Board held one meeting during the month of August and dealt mainly with routine business; no change of policy was made.

## CHAPTER XVII

### NATIVES IN NON-NATIVE AREAS

Generally speaking the most backward natives of their tribe are those residing in non-native areas; they lack the stimulus and discipline of the tribal life, the educational facilities afforded in the reserves and a sense of permanence and security.

2. There are notable exceptions; the big companies and many private employers take a great personal interest in the natives residing on their estates and provide educational and medical facilities and organize sports and other amenities for them. Such employers nevertheless lack labour, for it is the personal interest of the native, not the pay offered that attracts and keeps him on the estate. He is quick to appreciate real farming, not that of a good husbandry and soil enrichment and often eventually returns to his reserve to put into practice on his own account the lessons he has learned.

3. But it is not the urge for education in advanced farming that drives most natives to seek a temporary home outside their reserve, it is rather the desire for a life wherein for a minimum of work and a scanty wage they may obtain almost unlimited areas for grazing and haphazard cultivation. Unless closely watched they will bring in the stock of their friends and relations, cut down forest, cultivate areas along the streams and proceed to eat the heart out of the land without putting anything back into it. It is to be regretted that the necessary supervision is all too frequently missing. The resident native labourer may be the mainstay of the farm, but he does not always prove an asset, except as providing a source of cheap labour at the expense of the fertility of the land.

There are farms whereon a new generation of natives has grown up who have never known the tribal life of a reserve and whose ultimate settlement is a matter of grave concern.

4. The labour situation is fully dealt with in the report of the Principal Labour Officer. There are and always will be seasonal labour shortages when one agricultural community depends on another living under the same climatic conditions for its supply of labour. Good employers, however, never seem to suffer and with economic use of the supply available, especially in the resident native labour, there would appear to be an ample sufficiency for all purposes.

The Resident Labourers Ordinance passed in September was not brought into operation before the end of the year and redistribution of resident labour, which it was expected to effect, did not therefore take place.

5. The tendency of all natives to encroach into unoccupied land was especially noticeable among the Kipsigis in the Sofik area and on the part of the Giriama in the Coast. The latter have more excuse as the coastal rain belt does not extend far inland into their reserve. A scheme for concentrating such squatters in a settlement near the ruins of the ancient city of Gedi was submitted and eventually approved.

6. The problem of the Kikuyu rightholders on alienated land, though decided in principle, was not by the end of the year finally settled by the issue of an Order in Council. Arrangements were completed as to the settlement in allotted areas of all rightholders still resident on farms whose rights will be annulled.

Seven-and-a-half out of ten *mbarii*, or clans, were assisted to move from Tigoni by the provision of motor transport and they were settled in the Nyanweru area with the help, in assessing compensation, of a sub-committee of the Local Native Council.

The remaining two-and-a-half *mbari* resisted all efforts at persuasion and remained in occupation. Compensation for them too was assessed and they were warned that having been given ample warning no further improvements would be paid for.

The total compensation amounts to £1,289, exclusive of the cost of transport borne by Government, which may be compared with the estimate of £400 given in the Land Commission Report.

## CHAPTER XVIII

### NATIVES' TRUST FUND

The fund was originally established at the end of the year 1921 under the Natives' Trust Fund Ordinance which was passed in December of that year.

2. After the establishment of Local Native Councils, the Natives' Trust Fund Ordinance was amended in the year 1925 to enable money in the fund which was standing to the credit of particular districts to be paid over to the Local Native Council funds of the areas concerned. Accordingly, there

CENTRAL PROVINCE



Chiefs of the Central Province attending the First Course held for Chiefs at Jeppia School, Kitebe, in December, 1923, with Mr. T. G. Benson (Principal of Jeppia School) and Mrs. Benson.

NYANZA PROVINCE  
NORTH KAVIRONDO DISTRICT



Paul Agoi  
President of the Appeal Tribunal



Water Supply

TURKANA DISTRICT



Turkana in Baraza

NYANZA PROVINCE  
NORTH KAVIROONDO DISTRICT



Chief Murunga



On sijaan

remains now in the fund only a small capital account and such moneys as cannot be conveniently allotted to any Local Native Council.

3. The following is a statement of the assets and liabilities of the fund at the 31st December, 1937:—

LIABILITIES		Sh.	cts.
General Capital Account		36,651	75
Pokomo Account		113	23
Famine Relief		6,353	00
North Pokomo Saka Account		758	50
Uasin Gishu Masai Account		15,407	98
Trans Nzoia Native Tribunal Deposit		1,558	93
Uasin Gishu Native Tribunal Deposit		500	00
Abyssinian Government Deposit		100,819	16
Collective Fund		35,836	74
		Sh.	147,799 29
ASSETS		Sh.	cts.
Cash:			
On Deposit with Government of Kenya		74,580	28
On Deposit with Banks		109,781	00
On Deposit with Post Office Savings Bank		15,000	00
Advance Account Badges			197,361 28
			438 01
		Sh.	197,799 29

4. The total amount received from the Abyssinian Government in 1929 as compensation in respect of raids carried out by Abyssinian subjects upon tribes in the Northern Frontier Province was £20,835/2/74, and of this sum £5,030/19/16 remains unspent at the end of the year.

#### CONCLUSION

It is satisfactory to be able to report on a year of general progress and prosperity wherein Administrative and all other Native Betterment Officers may see some recompense for their unremitting labours.

The report is of necessity a patchwork of provincial, district and departmental reports as I, myself, had but little share in this side of the year's work until the latter months thereof.

E. B. HOSKING,  
Chief Native Commissioner

Nairobi,

2nd August, 1938

## APPENDIX A

CREDIT BALANCES AS AT 31st DECEMBER, 1936, IN THE  
LOCAL NATIVE COUNCIL FUNDS

PROVINCE	DISTRICT	AMOUNT		
		£	Sh.	cts.
CENTRAL	Kiambu	6,201	19	71
	Fort Hall	7,226	2	93
	South Nyeri	3,601	6	06
	Embu	3,606	8	77
	Meru	7,555	13	31
NYANZA	Machakos	9,629	14	20
	Kitui	4,614	9	14
	North Kavirondo	20,948	3	46
	Central Kavirondo	11,051	16	06
	South Kavirondo	8,110	7	58
RIPT VALLEY	Kipsigis	2,366	7	15
	Nandi	4,842	10	44
	Elgeyo	3,542	13	52
	Baringo	2,249	10	66
	Samburu	895	2	01
COAST	Giriama	3,950	0	86
	Digo	2,824	2	83
	Teita	1,295	0	77
MASAI	Narok	2,036	16	90
	Kajiado	1,388	8	20
TURKANA	West Suk	783	3	53
	TOTAL	£ 108,719	18	09

Examined:

A. BRAGG,

Colonial Auditor

16th August, 1938

E. B. HOSKING,  
Chief Native Commissioner

## APPENDIX B

NATIVE DEPOSITORS IN THE POST OFFICE SAVINGS  
BANK, 1937

OFFICE	Number of Accounts of African Depositors at 31st December, 1937
Nairobi	3,571
Mombasa	737
Kisumu	648
Nakuru	574
All other Savings Bank Offices in Kenya	5,093
TOTAL	10,623

This represents an increase of 34.70% on the figures furnished for 1936

## APPENDIX C

COMPARISON OF NATIVE POPULATION AND TAXATION  
1936 AND 1937

PROVINCE AND DISTRICT	Estimated Population		Taxation	
	1936	1937	1936	1937
NYANZA—				
North Kavirondo	344,840	354,505	£	£
Central Kavirondo	384,997	389,828	60,185	59,727
South Kavirondo	325,867	328,049	60,180	59,009
Kericho	72,338	82,635	57,903	62,627
Kisumu—Londina	38,587	27,979	16,747	16,099
Total	1,166,629	1,182,996	204,122	204,875
CENTRAL—				
Nairobi		48,500	9,996	10,523
Thika		20,768	10,343	10,116
Kiambu			19,345	18,725
Fort Hall			35,310	25,099
South Nyeri		11,300		20,594
North Nyeri		14,535	26,886	2,865
Meru	201,771	212,391	22,381	25,775
Embu	167,525	172,291	28,642	27,180
Machakos	258,182	259,106	41,759	39,434
Kitui	129,385	164,055	24,035	23,974
Total	1,301,168	1,360,946	218,697	214,285
RIPT VALLEY—				
Nakuru	45,354	43,232	10,516	11,363
Casin Gishu	21,077	21,004	5,007	5,733
Trans Nzoia	31,701	31,074	6,397	6,391
Lakipia—Samburu	25,955	30,496	5,360	4,386
Elgeyo—Marakwet	33,993	36,068	4,581	4,393
Nandi	29,753	38,036	8,602	7,793
Baringo	35,007	36,728	4,057	4,583
Total	236,840	236,638	44,520	44,642
COAST—				
Mombasa	37,401	38,541	7,396	6,745
Kilifi	67,650	79,885	11,477	15,369
Malindi	36,082	35,697	6,166	5,336
Lamu	16,475	16,480	2,209	2,246
Tana River	16,427	15,087	2,213	2,052
Digo	53,309	54,211	8,601	7,169
Teita	46,064	37,750	8,861	7,905
Total	273,408	275,651	46,923	46,822
MASAI—				
Kajiado	22,805	18,989	5,816	4,058
Narok	29,528	20,518	2,999	4,532
Total	52,333	39,507	8,815	8,590
NORTHERN FRONTIER—				
All Districts	78,901	79,268	10,068	9,525
TURKANA—				
Turkana	57,801	58,550	1,489	1,660
West Suk	19,896	20,133	2,585	2,495
Total	77,697	78,683	4,074	4,155
GRAND TOTAL	3,186,976	3,253,689	*544,897	†534,502

\*Includes the sum of £7,678 for Kodi stamps sold but not yet redeemed.

†Includes the sum of £1,608 for Kodi stamps sold but not yet redeemed.



## LABOUR SECTION ANNUAL REPORT, 1937

## I—STAFF

Mr. P. de V. Allen, Principal Labour Officer, returned from leave on the 19th May and was in charge of the Labour Section for the remainder of the year.

Mr. H. A. Nisbet acted as Principal Labour Officer from the 1st January to the 18th May, and was then transferred to Nakuru on the 28th May.

Mr. A. H. Kneller was stationed at Nakuru until the 15th March when he went to Kisumu. He remained there until the 9th September when he was transferred to Nairobi.

Mr. T. C. Colchester, who was seconded from the Administration, was posted at Kisumu from January to the 28th March when he returned to the Administration.

Mr. E. B. Beetham who was also seconded from the Administration performed the duties of Labour Officer, Eldoret, from January until July. There was then no Labour Officer there until the 17th of December when Mr. A. A. M. Lawrence was seconded from the Administration for duty as a Labour Officer.

Mr. M. P. Byers was appointed a Labour Officer (Local Civil Service) on the 22nd March and remained in Nairobi till the 9th September, when he was transferred to Kisumu to relieve Mr. A. H. Kneller.

The following is a summary of the field activities of the Labour Section during the year:—

Number of inspections	1,195
Number of days on tour	262
Number of miles travelled by train, railway trolley, on foot and by other means	2,109
Number of miles travelled by car	22,623
Total cost	£580

The cost per inspection was Sh. 9/70 as compared with Sh. 10/65 in 1936.

## II—GENERAL CONDITIONS OF EMPLOYMENT

General conditions again improved during the year though not to such an appreciable extent as in 1936. The position from the point of view of native employees can however be regarded as satisfactory as they could obtain employment with the greatest of ease throughout the year. Wages

maintained their upward tendency and living conditions such as housing and feeding were improved by a number of employers.

### III—SUPPLY AND DEMAND

*Nyanza Province.*—Up to the end of September the supply of labour was not equal to the demand, especially in the North and Central Kavirondo mining districts and in the settled areas of Songhor-Koru-Fort Ternan, where coffee and maize are the main crops. In October the position improved and by the end of the year was satisfactory except in the case of a number of farms in the latter areas. It is interesting to note that even when labour was most difficult to obtain, the larger mines, on which it was housed in compounds and well cared for in every respect, were not seriously affected, nor were the big estates and the few small farms where conditions of employment were good. The shortage on the smaller mines was largely attributable to the fact that they relied mainly on casual local labourers who returned to their own homes at night, a system which resulted in a very irregular attendance at work and a "freezing up" of the labour supply as in such cases many more natives were engaged than were actually required had they worked regularly.

*Rift Valley Province.*—There was a slight shortage of labour during January and February owing to a big demand to complete harvesting operations. The position then became easier and remained satisfactory until June, when sisal estates, which still relied chiefly on Kavirondo labour, experienced difficulty in fulfilling their requirements. In August considerable apprehension was expressed by maize farmers as to the prospects of obtaining labour for harvesting, which was due to commence in October. They were advised to get into touch with the Kamasia, Meru and Akamba as a possible means of averting a labour shortage. Sisal estates continued to be short of labour until the end of September, but in October the position started to improve, as the flow of Kavirondo labour increased and this improvement was maintained until the end of the year. Maize farmers also obtained the labour necessary for harvesting, and in the Nakuru district they were helped considerably by the fact that the Kamasia, Meru and Akamba, came out to work in considerable numbers. The only area where there was a persistent labour shortage was Nandi, this was due to the fact that the conditions and terms of employment there were not so good as those existing elsewhere. The farmers whose main crop is

coffee and who had not fully recovered from the depression years and were again badly hit, this time by the ravages of coffee berry disease in their plantations.

*Central Province.*—Early in November coffee farmers in the Thika-Ruiru-Kiambu districts were first apprehensive as to obtaining labour to pick their coffee, and many of them feared that they would lose a considerable proportion of their crop. Towards the end of the month however the supply of pickers improved and eventually, whilst no estate can be said to have had its full complement, there was very little loss of coffee.

As regards sisal estates the position was similar to that in Rift Valley Province in that whilst there was no definite shortage of labour it was at times difficult to obtain. The position was greatly helped by the fact that Wakamba and Kikuyu, who until a year or two ago, had never been considered capable of cutting sisal undertook this work in ever increasing numbers and proved very satisfactory. No complaints of labour shortage were made by employers in other industries in this Province.

*Coast Province.*—Outside of Mombasa Island the only industries that make any large call on the labour supply of the Colony are those of sisal and to a lesser extent sugar. Sufficient labour was available for these estates to maintain their production but they were at times hampered in their development work by difficulty in obtaining labour, and one estate even investigated the possibility of importing natives from the Belgian Congo. However towards the end of the year the position improved, as it had done in the other Provinces of the Colony and by the end of December was satisfactory. On Mombasa Island the labour position gave no cause for concern during the whole year, doubtless because it is a very popular place with many of the tribes of Kenya and it is possible to earn good wages there in classes of employment which are liked by the native.

To sum up the labour position throughout the whole Colony was somewhat difficult during the first nine months of the year, an improvement then set in and was maintained until the end of the year, when with a few exceptions the position could be termed satisfactory. Even during the time of difficulty it cannot be said that there was an acute shortage of labour anywhere in the Colony except in the Songhor-Koru-Fort Ternan and the Nandi areas, which are situated in the Nyanza and Rift Valley Provinces respectively. As explained

above, the main reason for this was that employers in these two areas were not able to offer such attractive terms of employment as were obtainable elsewhere. Another factor which influenced the labour position there to a considerable degree was that both areas have in the past relied very largely on getting labour from the three Kavirondo districts, and as was mentioned in the Labour Section, Annual Report for 1936 (Section III, page 174 of the Annual Report on Native Affairs). It was then evident that they could not go on indefinitely meeting the calls made upon them to supply labour, and although there was no falling off in the number of natives from these districts out at work during 1937, the increased demand for their services throughout the Colony undoubtedly resulted in employers who relied on them to supply the bulk of their labourers being short of labour. Far-seeing employers had already in 1936 begun to look for other sources of supply and the wisdom of this step was conclusively proved in 1937, as those that had done so with success were certainly better off for labour than those who had not adopted this policy. This was particularly noticeable in the sisal industry in the Central and Coast Provinces where the Wakamba and Wakikuyu successfully augmented the supply of Kavirondo cutters. The chronic rather than acute shortage of labour that persisted in No. 2 Mining Area in Central Kavirondo during most of the year can only be explained by the fact that the mines there relied almost entirely on casual local labourers most of whom lived in their homes and were consequently very irregular in their attendance at work.

The shortage of coffee pickers in the Thika Ruiru-Kiambu districts was really only seasonal, and would probably not have caused the concern that it did had the crop not been a much better one than for a number of years past. As time goes on the native worker is definitely becoming more and more selective in his choice of employers. High wages do not necessarily attract labour, naturally everything being equal the native will go to work for the employer who pays best, but a much more important factor in obtaining and keeping labour is a personal interest on the part of the employer in his employees and their affairs, especially family ones. The employer who takes such an interest, who is just, and pays, feeds and houses his employees as well as is possible will never be really short of labour, even when it is difficult to obtain elsewhere. This was proved time after time during the year under review.

The average number of adult natives including resident labourers, in employment each month in 1937 was 183,000. Without actually taking a census of the native population it is difficult to estimate with any degree of exactitude the available adult labour supply of the Colony. In October, 1937, the Native Registration Department compiled a memorandum on this subject, and arrived at a number of interesting conclusions; the chief of which are summarized below:—

- (a) That after a careful survey of the average length of time a native remains with one employer 2½ worker units are required per annum to provide for the continuous employment of one unit, i.e. to maintain an average labour strength of 200,000 there must be 500,000 units available.
- (b) The Special Labour Survey for 1936, revealed that the number of natives available in Kenya, i.e. natives of the Colony, was 498,000 giving a potential labour supply as calculated under (a) above of 199,000, of which 172,000 were in employment at the end of October, 1936, and 176,000 at the end of December, 1937, with a monthly average for the year of 173,000. This means that assuming each tribe provides no more nor less than its full quota in the labour market there is still approximately an additional supply of 25,000-26,000 units available, almost all of which will be found amongst the more backward tribes of the Colony, sources which up till recently have remained largely untapped. An encouraging feature is however that these are gradually appearing in the labour market.

It would therefore appear that the maximum number of Kenya adult native workers available monthly under the most favourable conditions cannot at present exceed 200,000; another 40,000, the monthly average of non-Kenya natives employed throughout the Colony can be added to this figure giving a grand total of 240,000. It is unlikely that this figure will be attained, in fact if the labour supply position in 1937 can be taken as a fair criterion it would seem that 190,000 is the highest number that can reasonably be expected to be out at work at any one time, and in view of the fact that the monthly average of adult natives in employment in 1937 was 183,000 it would appear that the labour supply in the Colony is nearly all absorbed. Numerous employers take this view and are going in for labour saving machinery and devices so as to be able to cope with the position.

## IV—PRIVATE EMPLOYERS

*Coffee Farms.*—Coffee prices were low throughout the year, consequently many estates found difficulty in competing in the labour market and were at times short of labour, this was particularly noticeable in the Songhor and Nandi areas. Wages ranged from Sh. 6 to Sh. 10 per 30-day ticket with a ration of maize flour, which in a few instances was augmented with meat or vegetables. Housing on the majority of estates was poor and primitive. The need for improved rations, housing, general amenities and an interest in the welfare of native employees with a view to attracting labour has been repeatedly brought to the notice of employers by Labour Officers, but many of them are in the unfortunate position of being unable to do anything at all in the matter, even if they are willing to do so.

*Cotton Ginning.*—All ginneries were inspected at least once and conditions in them found to be satisfactory, except in the case of one in the Nyanza Province. In reporting on this the Labour Officer, Kisumu, stated that the only good thing about it was that wages were paid up to date. The housing was bad and overcrowded, sanitation was non-existent, some of the maize flour in the ration store was condemned as unfit for human consumption while juveniles were being worked 11 hours per day in the ginnery. An immediate stop was put to this practice and as a result of constant pressure by inspecting officers housing and sanitation had improved by the end of the year.

*Cattle and Dairying.*—This industry continued to expand but the supply of labour for it was more than equal to the demand as the work is very popular amongst certain tribes, especially the Lumbwa and Nandi. An added attraction is that on most farms a generous ration of skimmed milk is issued daily. Complaints regarding neglect of duty by native herdsmen were not so numerous as usual, but milkers caused a certain amount of trouble, mainly through stealing milk.

*Mines.*—The number of workers employed in the mines at the end of the year was 7,500 as against 11,000 in 1936. This decrease is mainly accounted for by the fact that a number of properties closed down during the year. Housing was on the whole good, particularly on the large mines, which had properly laid out compounds, in most cases under the care of a Compound Manager, rations on these mines were substantial and generally well varied whereas the small mines usually issued maize flour and salt only. The health of labour

employed in this industry was good and satisfactory, medical attention was always available for the native employees, whose relations with their employers were excellent.

*Maize.*—This is the most important crop in the Rift Valley Province and it is satisfactory to be able to recall that in spite of a bumper harvest, resulting in a big demand for labour, no serious shortage occurred. In the Nakuru District women proved a useful adjunct to the labour required for harvesting and they worked either on a daily or weekly basis.

*Pyrethrum.*—The acreage under this crop was again increased, but no labour difficulties arose. Male juveniles are now preferred to women as pickers, as they have proved to be more efficient. The training programme for 1938 is considerable and will increase the demand for pickers, employers have been advised to meet this by tapping fresh sources of labour, such as the Elgeyo-Marakwet, the Kamasia and the Meru, and by making conditions as attractive as possible, especially for juveniles, by improving rations and housing and by the installation of schools on farms. From reports received it appears that a number of employers are now adopting these suggestions.

*Sisal.*—The market for this commodity was very unsteady with a marked downward tendency throughout the year. In spite of this the demand for labour was considerable, this is accounted for by the fact that many of the estates were busily occupied with development work, i.e. reclaiming and replanting old areas and also planting up new areas. Wages remained steady and rations on many estates were good, consisting of maize flour, meat, beans, sugar, salt, fish and fresh vegetables. Housing however, apart from the estates in the Coast Province and a few of the large up-country ones, left much to be desired, that in the Thika district being very poor.

*Sugar.*—The Victoria Nyanza Sugar Co., Ramisi Sugar Co., and Sukari, Ltd., the three largest growers of sugar all experienced difficulty in getting their full labour complement as they relied very largely on labour from the three Kavirondo districts, however as far as is known their production was not seriously affected. Housing was satisfactory on all three estates, especially at Ramisi.

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that the management of these estates did not take the same personal interest in their native staff as was done on other estates in the district. Generally speaking conditions of employment in this industry were good and the larger estates are model employers of labour.

*Other Industries.*—Conditions in these were satisfactory and call for no particular comment.

#### V—GOVERNMENT DEPARTMENTS

*Kenya and Uganda Railways and Harbours.*—The high reputation enjoyed by the Kenya and Uganda Railways and Harbours was fully maintained. In Kenya a monthly average of 16,342 natives were employed and wages, including the value of rations, ranged from Sh. 45 to Sh. 80 per month for skilled labour and Sh. 15 to Sh. 25 per month for unskilled labour. The usual inspections of Railway labour were carried out, conditions of employment were excellent, but in spite of this the supply of labour was at times insufficient. Little or no difficulty was experienced in keeping maintenance gangs up to strength but itinerant gangs were often very much below the numbers required. There is no doubt that when the native comes out to work he likes to remain in one place and be housed under permanent conditions rather than be constantly on the move and have to live in temporary shelters. A point of view that is easily understandable as under the latter circumstances he can get practically no home comforts at all.

The attention of the Administration of the Kenya and Uganda Railways and Harbours has been drawn to the ever increasing demand of native travellers for better and more accommodation on the system under its control. Considerable improvements have been effected, particularly in the way of affording separate accommodation for women.

*Railway Contractors.*—A number of fuel and ballast contractors were employed during the year, all these were satisfactory except one Indian firm, which required constant inspection as it failed to maintain its labour camps in good condition and employed somewhat dubious methods in recruiting labour.

*Public Works Department.*—Apart from the usual maintenance the most important road work carried out by the Public Works Department in 1937 was the completion of the new Kisumu-Kakamega road and the continuation of the macadamizing of the Lumbwa-Kericho road. A monthly average of 1,200 natives was employed on the former, which

was completed during the first half of the year, and on the latter, on which work was still being continued at the end of the year, the number of natives at work varied from 600–1,000 per month. In 1936 and early in 1937 it was found necessary to engage labour on written contracts of service for work on the Lumbwa-Kericho road but by the end of the year not a single contracted labourer remained nor was it necessary to engage any more in this way. Housing, sanitation and the issue of rations on this construction caused dissatisfaction amongst the native employees and were on several occasions in the first half of the year, adversely reported on by Labour Officers and it was not until December that conditions became satisfactory and the labour force contented. The small roadside camps of the Public Works Department were also often unsatisfactory, many times ill-kept and in a bad state of repair. In Kisumu, Kisumu and Nakuru, both commented on in their reports, conditions were however more satisfactory in the Central and Coast Provinces where camps were generally well erected and maintained in a clean and sanitary condition.

Very little contract work of any importance was given out by the Public Works Department in 1937 and the few contractors engaged gave no cause for complaint.

*District Councils.*—The Nyanza District Council had no labour troubles in 1937, this in spite of the fact that they only paid Sh. 9 to Sh. 10 per month as against Sh. 10 to Sh. 14 paid by other District Councils. The Trans Zoia, Uasin Gishu and Nakuru District Councils found it difficult to get all the labour that they required although they raised wages, the Nakuru District Council suffered most as it was not popular with native employees. Further reference is made to this later in this report under the heading of Desertions.

#### VI—SKILLED AND SEMI-SKILLED LABOUR

The demand for engine boys, carpenters, blacksmiths and other artisans on the mines was maintained, wages naturally varied but a good engine boy would get Sh. 40 per month and a native in charge of a shaft hoist Sh. 45 to Sh. 50 per month.

The building trade which was very active during the year offered plenty of employment for carpenters, painters and stone masons at good wages, the first named are not however always a success but this is probably due to the fact that too

much is expected of them as they are often engaged instead of Indian carpenters, whose standard of work is much higher. A good native carpenter can earn from Sh. 80 to Sh. 100 per month, painters Sh. 1 to Sh. 3 per day and stone masons up to Sh. 3 per day. Most of the stone produced at the big Nairobi quarries is quarried and dressed by native masons, of whom from 1,000-1,500 are in constant employment there.

Employment as motor drivers and garage hands is also most popular, and nowadays a great part of the less skilled work in garages is done by natives.

The Kenya and Uganda Railways and Harbours continue to train and employ a variety of skilled and semi-skilled artisans and there is keen competition to enter into this service.

A further valuable source of specialist training has become available by the opening of the Nakuru Tannery, which in addition to making leather, has a shoemaking department and is also experimenting with blanket making. A number of natives have entered into apprenticeship agreements with this concern for a period of four years and at the end of that time they should have acquired valuable knowledge and be able to earn good wages.

Another occupation in which natives have acquired considerable skill is that of sheep shearing. The usual daily task for those employed on this work is to shear 30 sheep per day, good shearers can deal with 60-80 per day and expert ones 100 per day. This work is paid mainly at piece rates and native shearers can, if they are competent, make good money during the shearing season. The shearers, who were mostly from North Nyeri, have regular rounds and ply their trade from Timau to Mau Summit.

Consequent upon an increased number of employers paying more attention to the health of their native employees the demand for native hospital dressers has risen considerably, many of these are very good indeed and are a credit to the hospitals in which they were trained.

Clerical work is still the most popular form of skilled employment but although the demand for clerks is not really great the supply of efficient ones is not equal to the demand. The unfortunate thing is that these inefficient native clerks, who are numerous, wander about from place to place seeking clerical work with very little prospect of getting it but scorning all other forms of employment.

## VII—LABOUR IN TOWNSHIPS

There was the usual number of trivial differences between employers and their domestic staffs. Apart from the employment available in industrial and commercial undertakings the increase in building activity in most towns in the Colony provided work for a considerable number of adult natives, both skilled and unskilled.

The number of juveniles employed, mainly by Indians, in minor domestic posts at wages on which they could not possibly exist, gave rise to concern. This is a difficult problem as these children are only too eager to have an excuse for remaining in a township and will therefore accept employment almost any terms. Steps are being taken to deal with the problem as it is far from satisfactory and there is no doubt that children living in a township, with its attendant facilities, very easily gravitate to a career of crime in order to obtain the funds necessary to gratify their wishes.

A point worthy of mention is that at one time during the year a well known firm of coffee curers in Nairobi urgently wanted 20 labourers and offered Sh. 24 per month as wages. They were only able to obtain them after a period of three weeks and yet it was estimated that there were anything up to 5,000 unemployed natives then living in the town.

The Kenya and Uganda Railways and Harbours workshops in places such as Nairobi, Mombasa and Kisumu were very popular centres of employment, and in the first named almost every day 50-200 natives line up outside the Railway offices seeking work. Many of these are youths who have just left school and are anxious to enter Railway services with a view to becoming apprentices, while the elder natives prefer Railway work to any other on account of the excellent conditions which prevail—regular pay days, good rations, good housing, excellent medical attention and a gratuity at the end of a certain number of years service. Many are apparently prepared to wait for months without work rather than miss a chance of being engaged.

## VIII—FEMALE LABOUR

The main sphere of employment for women in 1936 was in the coffee industry in which they worked as pickers and undertook a certain amount of light weeding; they also provided a useful addition to the labour supply for harvesting maize in the Rift Valley Province. In most cases they were

paid at piece work rates or by the day, they either lived with their relatives on the farms on which they worked or returned to their homes in their reserves at night.

It was thought at one time that women would be very good at plucking tea and picking pyrethrum but in 1937 the number employed in these two industries decreased considerably as they had not proved very suitable for the work. A possible explanation of this is that they do not particularly care for these types of employment as tea is grown in the districts which have the heaviest rainfall, and more often than not the pluckers in moving from bush to bush get very wet, especially in the early morning, whilst pyrethrum plants do not grow very high and to pick the flowers a great deal of stooping is necessary if the work is undertaken by adults. Here again climatic conditions are not always ideal as the best estates are situated at comparatively high altitudes, where cold and misty mornings often prevail and at certain times of the year the high winds are very trying.

#### IX—JUVENILE LABOUR

The most suitable employment for juveniles is on coffee, pyrethrum and tea estates. Adult females make the best coffee pickers, but male juveniles have proved to be the best pyrethrum pickers and tea pluckers, and are therefore in great demand by growers of these crops.

A certain amount of concern was caused during the year by native recruiters, sent up to the Kavirondo districts by down-country estates, collecting batches of small children, without their parents' consent, for work which was considered to be unsuitable for them, owing to the place of employment being too far from their homes and the risk of their being called upon to perform work for which they were unfitted. In many cases it was possible to intercept these batches before they left their Reserves, they were then taken before a Medical Officer, and those who were found to be old enough to go out to work and were passed fit, were allowed to proceed, provided that they were destined to be employed on work suitable for them. A number of other batches were intercepted by the Labour Section at Nairobi when a similar procedure to that outlined above was adopted. There is no doubt that a certain number of these juveniles got through without being checked but Labour Officers paid special attention to the employment of juveniles when inspecting labour on estates, and if any were found to be engaged on unsuitable employment, such as work in factories, steps were immediately taken to rectify

the position and employers were usually quite willing to cooperate as is shown by the large decrease in the number of juveniles working in brushing sheds on sisal estates.

Juveniles, who in most cases returned to their own homes at night, were also employed in considerable numbers in the building trade at Kisumu and on the remaining alluvial areas in the gold-fields, the work given to them was of a light nature, and as Labour Officers took all steps to ensure that their services were not abused they were allowed to undertake such employment.

#### X—RESIDENT NATIVE LABOURERS

The majority of resident labourers are employed in the Central and East Provinces. The latter is the real stronghold of the labour, of which the Wakikuyu supply almost 90 per cent of the district and the Nandi the greatest part in the latter district. The former tribe enter into Resident Labourers' Contracts mainly because they wish to be able to grow their crop on European farms and the latter tribe because they want to obtain grazing for their cattle. In neither case is the desire to get work and earn wages a primary consideration.

Commenting on resident labourers in the Rift Valley Province, the Labour Officer, Nakuru, writes as follows:—

"No resident labourers were contracted under the 1925 Ordinance in the first part of the year as it was thought that it would be better to wait and to make all contracts under the new Resident Labourers Ordinance which it was expected would come into operation in the latter part of the year. Although the Bill was passed, the Ordinance was not applied during 1937 and in view of this employers were advised to contract their resident labourers under the 1925 Ordinance, as they could not be permitted to continue to reside indefinitely without contracts. In spite of the fact that owing to the above procedure control of resident labourers was somewhat lax they gave comparatively little trouble except towards the end of the year when a number of them whose contracts had expired, and had not been renewed, realized that they could leave their employment at any time when they had completed a monthly or a ticket contract, and elected to do so as soon as the crops which they had planted on their employers' land had been harvested. This caused considerable inconvenience to farmers who had relied on being able to call on their services to help them harvest their own crops.

The policy of the removal of resident labourers' goats from European farms has continued and in the Nakuru district in most cases they are now allowed to keep sheep only, except that one family on each farm is usually permitted to keep a small herd of goats from which the head of the family undertakes to sell, at the prevailing market price, any that may be required by any other labourers residing on the same farm for use in connexion with tribal customs in cases of marriage, birth, illness, death, etc.

#### XI—MACHINERY SAFEGUARDS

##### *Factories and Compensation*

Conditions in factories can be said to have been fairly satisfactory though there is still large room for improvement in the safeguarding of the machinery in many of them. This remark is especially applicable to a number of sisal brushing sheds. Reference was made in Section VII of the Labour Section Annual Report for 1936, page 184 of the Native Affairs Annual Report, to the fact that little was done to eliminate the dust nuisance in these sheds, it is therefore of interest to note that a big sisal estate in the Eldoret district has dealt with the problem successfully by installing excellent dust extractors, and now possess the cleanest brushing shed in the Colony. It is also the safest, as all the shafting and belts in connexion with the brushing drums have been taken underground and the apertures on the drums themselves have been reduced to the minimum, i.e. 1/4 inches, which makes it impossible for anyone working on them to get their hands inside except through their own carelessness, which even then would have to be almost deliberate. A number of other estates in the Colony have also reduced the apertures on their brushing machines but only a few estates have attempted to deal with the dust problem. A satisfactory feature of the year was that the old beater type of brusher which was really dangerous and still existed in a few factories was almost entirely eliminated, being replaced by drum brushers.

The dangerous machinery in one sugar factory mentioned under this heading in last year's report has now been extensively renovated with a consequent lessening of the risk of injury to employees who work it.

With very few exceptions employers willingly paid compensation in cases of accidents to their employees, the total sum recovered by the Labour Section for natives being £450, a large percentage of this was paid by the Kenya and

Uganda Railways and Harbours for minor injuries to their native staff. Cases of injury and death in the course of work were by no means confined to factories but occurred in all spheres of employment, one of the most remarkable being that of a native who was employed as a night-guard on a maize plantation near a large lake, who was killed by a hippopotamus, which he was endeavouring to keep out of the maize.

#### XII—JUDICIAL PROCEEDINGS

Eighty criminal and six civil cases were instituted on behalf of natives by labour officers in 1937 as against 123 criminal cases in 1936. Whilst at first sight this appears to be a satisfying decrease in the number of prosecutions, in fact there were a further 41 prosecutions, bringing the total up to 124. The Native Registration Ordinance were undertaken by the Police at Kisumu at the instigation of the Labour Officer there, all these were for offences which were discovered when labour came up for attestation on written contracts of service, i.e. natives who were found to be in possession of Registration Certificates other than their own or Certificates which had been mutilated.

There was an increase of 13 in the number of prosecutions for withholding wages, convictions were 35 as against 37 in 1936; acquittals, mainly on technical points of law, 8 as against 9; and 16 cases as against 8 were withdrawn as they were settled out of court.

The only other cases that call for comment are the two acquittals for failing to provide proper housing, in one of these the housing was disgraceful and in the other bad, but the accused were acquitted on the grounds that section 24 of the Employment of Servants Ordinance which lays down that employers shall house their labour properly was rendered *ultra vires* by a local Municipal By-law which stated that all labour employed in the townships concerned unless given permission by the local District Commissioner, must be housed in the Municipal Native Location. This entirely vitiated the powers of Labour Officers in regard to housing in townships where such locations existed, played right into the hands of bad employers and was grossly unfair to the native employees, as in the two cases under review payment for accommodation in the locations of the townships concerned had to be made each night in advance, and over a month amounted to practically the whole of the employees' wages.

## XIII—RECOVERY OF WAGES

The table below gives the legitimate claims made and the recoveries effected during the last six years:—

YEAR	Claimed	Recovered	Outstanding
	£	£	£
1932	3,065	3,759	1,306
1933	2,753	2,337	416
1934	4,188	2,081	2,107
1935	4,299	2,821	1,478
1936	2,905	1,594	1,311
1937	2,778	1,033	1,135

Of the £1,135 outstanding at the end of the year it is probable that £746 will eventually be recovered and that £382 will have to be written off as a total loss. £300 of this latter sum is owed by an ex-miner who was working on an alluvial mine on tribute, he was prosecuted for withholding wages but was acquitted on a technical point of law, and although he was ordered by the court to fulfil his contract with his native employees by paying them the wages due to them, it is very unlikely that he will ever be in a position to do so.

## XIV—GOVERNMENT LABOUR REST CAMPS

The camps at Kisumu and Nairobi were again well patronized during the year, the relative figures being:

YEAR	Kisumu	Nairobi
1936	18,218	6,496
1937	18,369	5,548

The rest huts on the Kinangop were also maintained and were used by labourers taking the short cut from Nyeri to the Nakuru District over the Aberdare Mountains.

The other camps at Kendu Bay, Yala, Mumias and Sagana were closed throughout the year as improved communications by rail and road in the areas which they serve rendered their opening unnecessary.

## XV—DESERTIONS

There was a very marked increase in the number of desertions reported by employers in 1937, this was due to the fact that labour was not easy to get and employers were

therefore anxious that their employees should fulfil their contracts, whereas in times when labour is plentiful and deserters can be easily replaced they do not worry very much. The following analysis of desertions in the Nakuru District is of interest:—

289 cases of desertion were reported during the year, an increase of 90 per cent over 1936. 102 of these cases were from the employ of the Nakuru District Council. Whilst it is admitted that the conditions under which the native employees of this Council are housed are far from ideal, owing to the frequent necessity of moving camps, and that in many instances work has to be done under somewhat trying climatic conditions, i.e. excessive cold, it is not the main cause of the trouble. The type of desertion is such that most of them have no idea of having any employers and at times their method of stimulating them to do a job of work is that of the frequent use of their hands and feet. It is obvious that such methods are not conducive to building up a contented labour force or to obtaining a steady supply of labour. Of the balance of 187 desertions 133 happened on sisal estates, 57 of these being from one estate on which a wave of sickness occurred and difficulty was experienced in keeping wages up to date. The other desertions from sisal estates call for no particular comment and were probably chiefly due to the fact that the natives concerned found this type of employment ungenial, and instead of finishing their current monthly contract and getting their discharge just went off. Of the remaining 54 cases of desertion 21 were from one small farmer, and there is no doubt that these were due to an entire lack of ability to handle natives, the balance of 33 desertions was spread over an almost equal number of employers and calls for no comment.

## XVI—STRIKES

The opinion expressed in the Labour Section Annual Report for 1936 (*vide* Section XIII, page 187 Annual Report on Native Affairs), that natives were beginning to realize that they possessed a powerful weapon in the strike was confirmed during 1937 as strikes were more numerous than ever before. It was noticeable in a number of these that the strikers put forward their demands through a small delegation instead of *en masse* as has previously always been the case. This is undoubtedly a sign that natives are gradually learning to adopt trade union measures but as yet there is no evidence

that any such organized unions exist amongst them in the Colony, nor has the presence of any professional agitators been detected, though each strike has obviously had its ring-leaders. In no instance of a serious strike can it be said that the native demands were entirely unjustified, though in many cases they were beyond all reason and the settlements eventually effected could, in all probability, have been obtained without resorting to strikes at all, had the employees only put up their case first. Practically all strikes were for an increase in wages and were primarily due to the higher cost of living consequent upon the rise in prices of most commodities which, in many instances, attained the pre-war level, whereas native wages which had been greatly reduced during the depression had in no sphere of employment returned to the old rates. The most serious strike of the year occurred at the Shell Company's installation at Mombasa, at Teita Concessions sisal estate at Mwatate, amongst the stone masons employed by Indians at the Nairobi quarries, in the Kenya and Uganda Railways and Harbours Marine Workshops at Kisumu and one the Victoria Nyanza Sugar Company's sugar estate at Miwani. All these and the other minor strikes were promptly settled by Labour Officers, the only strike that lasted any length of time being that of the native stone masons in Nairobi, but this was due to the fact that the strikers waited ten days before bringing their grievances to the Labour Section, which then brought about a settlement, satisfactory to both employers and employees, within 24 hours. There were no disorders or threats of violence in any of the strikes except in the case of the one at Teita Concessions, where the acting manager of the estate was unable to leave his office for several hours owing to the threatening attitude of the strikers, who were armed with clubs and had surrounded the building. This unfortunate occurrence was due to the fact that the man concerned was a foreigner who, by his methods of handling labour, had incurred the active dislike of the native employees. However the District Officer, Voi, who was the first Government official to arrive on the scene, by his tactful handling of the situation succeeded in pacifying the strikers and inducing them to return to work, a very good performance in view of the fact that he was a young cadet in his first year's service.

At the beginning of April 1937 all Indian artisans employed in the building trade in Nairobi came out on strike, with the result that work on new buildings in the town was most seriously affected. Employers replaced as many Indian

artisans as possible by Africans, and although in most cases they were satisfactory as a general rule their degree of efficiency was not of a sufficiently high standard to enable the work to be carried on as before. The employers then offered to meet certain demands of the Indian strikers but they insisted that these should be met in full and refuse to negotiate at all. The strike dragged on for weeks, until finally Government, at the request of both sides, intervened and meetings between the employers and Indian employees were arranged at which the Principal Labour Officer took the chair. After protracted negotiations a settlement acceptable to both sides was reached on the 31st May. As a result of this strike it was decided to introduce trade union legislation and a Bill for this for all races was passed by Legislative Council. As stated above natives have as yet no organizations, there is no doubt that they took a great interest in the Indian strike and that ere long they will endeavour to form their own unions.

#### XVII—WAGES

Rates of wages remained steady in the various industries with a slight upward tendency due to the constant demand for labour during the whole of the year. Casual unskilled labourers were paid from Sh. 8 to Sh. 12 per 30-day ticket, except in certain coffee districts which had been badly hit by the depression and by disease, where the signing on rate was Sh. 6 but was later in the year increased to Sh. 8 in order to attract labour.

Unskilled contracted labour received Sh. 10 to Sh. 14 per 30-day ticket.

Skilled agricultural labourers earned from Sh. 12 to Sh. 20 per 30-day ticket, according to the work on which they were employed, the highest pay being earned by expert sisal cutters.

In all the above cases rations, the prices of which were considerably higher than in 1936, in some cases being 66 per cent dearer, were issued in addition to pay, in many instances these consisted of maize flour and salt only but, on the other hand, the more enlightened employers issued a balanced ration which included meat or fish, beans, sugar, fresh vegetables and often milk. There is no doubt that natives who are well fed work better than those that receive a minimum ration, they are also more contented, which is an important factor in the building up of a happy and efficient labour force.

Resident Native Labourers who generally did not receive rations, were paid Sh. 4 to Sh. 8 per 30-day ticket. In the Rift Valley Province, where the bulk of such labour is employed, the rates varied from Sh. 5 to Sh. 8 per ticket as against Sh. 4 to Sh. 7 in 1936, and in the Nyanza Province where Resident Labourers are chiefly employed on coffee farms the ruling rates were from Sh. 4 to Sh. 6 per month.

#### XVIII—HEALTH

The health of labour throughout the Colony was good. The demand for trained native dressers increased and adequate stocks of drugs and medicines were kept by the majority of employers, most of whom now realize that it pays to look after the health of their labour.

The incidence of cerebro-spinal meningitis on the tea estates, which caused a certain amount of concern last year, decreased as the result of the measures taken to combat it.

#### XIX—HOUSING AND SANITATION

Housing on tea estates in the Colony is excellent. At Kenicho during the year the African Highlands Produce Company and the Kenya Tea Company carried out improvements and additions to their permanent lines. The Buret Tea Company completed the housing programme started last year and Jamji Ltd. built a number of concrete houses in fulfilment of their promise made in 1936. The two latter estates profited by the experience of the African Highlands Produce Company and the Kenya Tea Company and incorporated all the best features of the housing on these estates in their buildings, at the same time eliminating any constructional features which had proved to be unsuitable.

The Kenya Tea Company's estate at Limuru provides very good brick housing for its native employees.

Sukari Ltd., a large sugar estate near Ruiru, completed a number of permanent labour lines during the year and the housing at Messrs. Liebig's new meat factory at Athi River is also excellent.

The Victoria Nyanza Sugar Company at Miwani has not yet begun to construct permanent houses for their labour, but their camps have been greatly improved during 1937 by the building of 60 dwellings of a semi-permanent type.

At the Coast housing on all the important estates has maintained its usual high level, and sanitation on these and

the estates mentioned above has been very good indeed, the camps having been kept scrupulously clean and latrines provided.

In the Rift Valley Province a few of the smaller employers have started good housing and the Nakuru Tannery also provide most satisfactory accommodation for their native employees and apprentices.

The Nyanza District Council greatly improved the housing of their road gangs by the introduction of a new semi-permanent type of hut with circular corrugated iron walls and a well thatched roof, this is gradually replacing the old pattern huts made out of mud and wattle. The camps of this Council and of the Uasin Gishu, Transvaal and Nakuru District Councils were good, but the latter had deteriorated somewhat at the end of the year. As regards housing and sanitation, this was due to lack of supervision by the European foremen.

The Kenya and Uganda Railways and Harbours continued to set an example to all employers as to the correct way in which natives should be housed, their housing in all big centres such as Mombasa, Nairobi, Eldoret and Kisumu was all that could be desired, compounds were well laid out and cared for and sanitation was beyond reproach. At Eldoret a number of new married quarters were constructed, these consisted of two good-sized rooms which were light and airy, having steel window frames with glass windows, exactly the same as are nowadays fitted in Government European houses. In comparison with the average native housing throughout the Colony these quarters can, without exaggeration, be termed palatial. The Kenya and Uganda Railways and Harbours maintenance gang *landhies*, which are built at every four miles on the main line and every six miles on the branch lines, were also maintained in a most satisfactory condition, as were the camps for temporary gangs, which move from place to place at frequent intervals.

The thanks of the Labour Section are indeed due to those employers, whether large or small, who are taking an interest in improving housing conditions, as without them no progress could be made at all. Though their numbers are comparatively small, it is an encouraging feature that they are increasing year by year, were it not for this the outlook would be most depressing as, turning from good to bad housing, the number of employers who take not the slightest interest in their labourers' housing is increasing.

that the worst housing in Kenya is in Nairobi and during the year conditions, far from improving, became worse. In the past, Labour Officers when they found housing conditions unsatisfactory immediately took action under the Employment of Natives Ordinance but during the year this power was lost as regards housing in townships owing to a decision of the High Court in the case of Rex versus Achhar Singh, Criminal Revision Case No. 33 of 1937, in which it was held that a Municipal By-law overrules section 24 of the Employment of Servants Ordinance, *vide* remarks under section XII, Judicial Proceedings. The conditions under which natives live in Nairobi are deplorable and the overcrowding in the quarters provided by the Municipal Council must be seen to be believed.

As an example of what goes on, the following extract from the proceedings in a case brought by the Labour Section against an Indian employer in Nairobi for failing to provide proper housing is of interest:—

"One native witness stated that his contract with the accused was for pay, food and housing, and that he had slept in the premises complained of with twenty others for three days and then declined to do so any longer as he and the other inmates were being bitten by parasites. The Chief Sanitary Inspector, Medical Department, who had visited the premises said the structure was made out of all sorts of things such as old-tins, old pieces of corrugated iron and stone. It consisted of three rooms of the average height of 4 ft. 6 in., one 8 ft. by 9 ft., another 6 ft. by 7 ft., and the other 8 ft. by 6 ft. There was no chimney, no latrine accommodation and no window. Mr. Ling described the housing as the worst that he had ever seen during his fifteen years' experience. The Principal Labour Officer concurred with this view and added that when he visited the premises one room was occupied by four goats which were tethered, and that the floor was covered with urine, manure and pools of water. The magistrate in acquitting the accused on the grounds that a Municipal By-law overruled the Employment of Natives Ordinance remarked that but for this he would have imposed an exemplary sentence as the premises were not fit for a pig to live in."

Frequent representations have been made by the Principal Labour Officer to the Medical Officer of Health, Nairobi, but so far the result has been nil. Even a request to the Council that the by-law be altered, has met with no success.

The housing of natives in other large towns, Mombasa, Nakuru, Eldoret and Kisumu, was satisfactory and improved conditions were observed, this is proof of what can be done by a sympathetic local body.

Commenting on housing in the Nakuru district, the Labour Officer there writes as follows:—

"Generally speaking housing conditions have remained poor. Whilst it is admitted that to provide permanent housing is an expensive undertaking and one that must be carried out gradually, as finances permit, it is more than disappointing to observe the lethargic attitude which most employers adopt towards the question of their labour lines. It is regrettable to have to say it, but they evince no interest in them at all and consequently the poorest type of native huts are erected by the natives themselves without any supervision, and the result is a heterogeneous collection of huts, dotted about all over the place, which are nothing more or less than an eyesore. There is really no excuse for this, as for very little, if any, extra cost, these temporary camps, for they are nothing more, could be made into attractive semi-permanent ones. A few employers in this district have done this, and one only has to visit some of the Police lines in the Colony to realize that it presents no difficulty. When the matter is raised with employers the usual reply is that the natives prefer to make their own arrangements and that they do not like living in well set-out lines. To a certain extent this is true, but on the other hand the natives should be taught to appreciate orderliness and cleanliness, this cannot be done if the present prevailing system of building camps is adhered to, but I am afraid that no alteration will take place until it is required by law.

Before leaving the subject of housing it is necessary to say that in some instances that provided by Government for its native employees in 1937 was far from satisfactory.

Sanitation has been fair, but here again there is the necessity for constant supervision and an interest in the general cleanliness of camps by the individual employer."

The remarks of the Labour Officers, Kisumu and Nairobi, on housing on the average private estate were couched in exactly the same terms as the above.

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XX—RECRUITING

The three Kavirondo Districts were as usual the main centres of recruiting activities, which consequent upon the insistent demand for labour throughout the year were greater than in 1936. The Labour Officer, Kisumu, reports that apart from the fourteen licensed Labour Agents operating there, these districts were full of European, Asian and native employees sent up as private recruiters by the estates for whom they worked. Some of these recruiters had difficulty in obtaining labour but others whose estates had a good name in the Reserves got all the labour that they required.

No abuse of recruiting conditions by licensed Labour Agents came to light but cases occurred in which recruiters, especially native ones, who are not subject to control, misrepresented the terms and conditions of employment in order to obtain labour. It should be impossible for such cases to happen when the Employment of Servants Ordinance, 1937, comes into operation, as then all recruited labourers will have to be taken before a magistrate, as near as possible to the place of recruitment, who must be satisfied that they understand the conditions of employment before he allows them to proceed out to work.

Most of the labour recruited by private recruiters was not attested on written contracts of service but entered into verbal undertakings to work from three to six tickets, and although these are not enforceable in law they were, in the majority of cases, observed.

All labour recruited by licensed agents was indentured on written contracts but in spite of the increased activities of these agents during the year the number of natives so indentured was approximately the same as in 1936, i.e. about 9,000. Most of these were employed in the Central and Coast Provinces, very little indentured labour working in the Nyanza and Rift Valley Provinces.

Apart from misrepresentation by private recruiters the only unsatisfactory feature was the revival of the pernicious system, which of recent years had died out, of giving considerable advances to labour to induce it to come out to work, in some cases as much as three to four months' pay being given on a six months' contract. As in the case of misrepresentation this evil is dealt with under the Employment of Servants Ordinance, 1938, which prohibits any advances

being made to labour as an inducement to come out to work, and also limits the advance of wages to an engaged servant to one month's wages.

In addition to recruiting in Kavirondo, private employers were also active in the Kikuyu, Embu, Meru and Akamba Reserves but licensed agents confined themselves almost entirely to the Kavirondo Districts.

Applications for permission to recruit Kenya labour were received from employers in Tanganyika and Uganda, but in view of the labour situation in the Colony the policy of 1936 was maintained and permission was refused. In spite of this, however, a campaign of organized recruiting by Indians, aided by natives, was discovered in the Teita area of the Voi district; on investigation it was discovered that a Teita headman had been actively concerned in this recruiting and he was therefore dismissed. The matter was taken up with the Tanganyika Government and as far as is known this illicit recruiting has now ceased.

Early in April it was discovered that natives of the Urundi and Ruanda Provinces of the Belgian Congo who were being recruited by labour agents in Tanganyika at Bukoba and Mwanza, on the shores of Lake Victoria Nyanza, and were being forwarded to work at Moshi and Tanga by the Lake steamers to Kisumu and thence by rail via Voi to their destination, were inadequately supplied with rations or subsistence allowance in lieu thereof. A number of these natives reached Nairobi in an exhausted condition owing to lack of nourishment arrangements were immediately made by the Labour Section to issue them with cooked food at Nairobi and to provide them with subsistence allowance for the rest of their journey.

The Kenya and Uganda Railways and Harbours readily co-operated by advising the Principal Labour Officer when batches were due to arrive in Nairobi, and the Labour Officer, Kisumu, met all inward Lake steamers and did everything possible to ensure the well-being of these natives.

XXI—SOCIAL WELFARE OF NATIVE EMPLOYEES

The number of employers taking a real interest in the general welfare of their native employees again increased during the year. These employers improved their native housing, paid more attention to the issue of a balanced ration and provided better medical facilities for their employee.

The provision of schools also figured largely in the programme of a number of estates, the most outstanding example being that of the African Highlands Tea Co., who built one school at a cost of £600 and, if it is a success, propose to build others at a total cost of £5,000.

Football was still the most popular form of amusement amongst native and more employers than ever provided facilities for playing the game. A very fine new playing field for labour was made by the African Highlands Produce Co., at Kericho, it is beautifully situated and in shape and general lay-out is reminiscent of the old cup final ground at the Crystal Palace, though naturally on a much smaller scale.

Natives are also learning to appreciate moving pictures, one estate now provides regular performances for its labour, and it is quite probable that educational films will eventually form a useful adjunct to the curriculum of estate schools.

#### XXII—LABOUR LEGISLATION

Considerable interest was displayed by employers in the Employment of Servants Bill 1937, the Resident Labourers Bill 1937, and amendments to the Native Registration Ordinance, before and during the discussion of these measures by Legislative Council, and they appeared on the agenda of meetings of practically every District Association. Most of these meetings were attended by Labour Officers and the ensuing discussions were undoubtedly useful as they helped to "clear the air" and resulted, in many cases, in a number of useful amendments.

#### XXIII—LABOUR ORDERED OUT UNDER THE COMPULSORY LABOUR (REGULATION) ORDINANCE

The number of men ordered out was 40 per cent less than in 1936 and the average number of days worked by each man was almost exactly the same as in that year, i.e. 2.04 days per man as against 2.01.

Full details are given in Appendix B.

#### XXIV—MISCELLANEOUS

The Watu-wa-Mungu caused a certain amount of unrest amongst labour in the Naivasha district of the Rift Valley Province. The movement first appeared on a farm in the Kijabe area about May, and gradually spread westwards along the valley to the eastern boundary of Naivasha. All the

adherents of this sect were Kikuyu resident labourers and the trouble was that they refused to work, as they said that God had told them that they must not do so. Their peculiar rites, amongst which one was that of barking like dogs and dancing all night, failed to please either the employers or the other native employees, especially the Kikuyu ones, on the farms on which they were performed. All the known adherents were eventually discharged from work and returned to their reserves, with the result that the other labour on the estates concerned settled down again quite happily.

#### XXV—CONCLUSION

The increased demand for labour in 1937 was more than maintained in 1937 and recruiting was therefore more intense. The labour position was difficult during the first six months of the year but then improved. At the time of the survey there was an acute labour shortage in the Colony, except in two comparatively small districts, and by the end of the year the situation was generally satisfactory.

A pleasing feature of the year was the number of Meru and Akamba that came out to work, the former proved particularly useful at maize harvest time in the Rift Valley, and the latter together with the Kikuyu provided a most useful addition to the supply of cutters on sisal estates. Another interesting fact was that Kikuyu replaced, to a large extent, natives of the Kavirondo tribes on railway work in the Nakuru District.

During the year it was conclusively proved that employers who took a personal interest in their native employees and fed and housed them well were much better off for labour than those who did not do so, as a result there was an increase, though not very great, in the number of such employers, resulting in improved housing and feeding on their estates.

Females were employed chiefly on coffee as they have not proved entirely suitable on pyrethrum and tea, two industries which for picking and plucking now rely almost entirely on male juveniles, whose general welfare is receiving increased attention from every aspect, including that of education.

Wages continued the upward trend reported last year, and generally speaking relations between employers and employees were good throughout the year.

The less satisfactory features of the year were the increase in the number of large strikes, most of which could have been avoided if the employees had approached their employers first, and the increased number of desertions.

The real disappointment, however, was the comparative lack of improvement in native housing on a large number of estates and especially in Nairobi Township, where in spite of a well staffed Public Health Department, conditions were the worst in the Colony.

In conclusion I take this opportunity of expressing my thanks to the officers of all the departments which have co-operated in the work of the Labour Section during the year, to Mr. Prem Singh the Headquarters clerk, and to the African clerks in the various stations, all of whom have carried out their duties most satisfactorily.

P. DE V. ALLEN,  
Principal Labour Officer

13th May, 1938

APPENDIX A  
ANALYSIS OF PROSECUTIONS, 1937

OFFENCE	Con- victed	Ac- quitted	With- drawn	Total
Withholding Wages :				
European . . . . .	15	2	9	59
Indian . . . . .	8	3	3	
Seychellois . . . . .	1		2	
African . . . . .	11	3	2	
Failure to fulfil contract :				
European . . . . .	1			2
Indian . . . . .	1			
Seychellois . . . . .	1	2		3
African . . . . .	1	(1 on Appeal)		
Failure to repatriation :				
European . . . . .	2			3
Indian . . . . .			1	
Deceiving Labour :				
Indian . . . . .	1			2
Failure to supply food :				
European . . . . .	1			1
Wrongful employment of				
Juveniles . . . . .				
European . . . . .	1			1
Registration offences :				
European . . . . .	6			10
Indian . . . . .	1			
African . . . . .	3			
TOTAL	25	5	9	80
European	11	5	4	
Indian	2		2	
Seychellois	14	3	2	

In addition to the above Criminal cases, six Civil cases, four against Europeans, one against an Indian and one against an African, were instituted on behalf of natives for the recovery of moneys due to them under civil contracts. In all cases judgment for the plaintiffs was obtained.

**APPENDIX B**

**LABOUR ORDERED OUT UNDER THE COMPULSORY  
LABOUR (REGULATION) ORDINANCE**

PROVINCE AND DISTRICT	1935		1936		1937	
	Men	Men-days	Men	Men-days	Men	Men-days
NYEREA C. Kavirondo	903	1,934	359	443	209	262
CENTRAL Machakos Kitui	788	1,204	475	559	484	1,203
	934	1,286	715	1,843	140	166
EAST Digo Kilifi Malindi Tana West Suk	197	610	205	778	272	930
	217	497	283	358	—	—
	399	489	666	1,471	513	732
	272	307	164	168	56	121
	12	91	—	—	—	—
<b>TOTAL</b>	<b>3,814</b>	<b>5,572</b>	<b>2,791</b>	<b>5,020</b>	<b>1,674</b>	<b>3,414</b>
Average number of days worked by each man called out	1.46		2.01		2.04	

**NATIVE REGISTRATION AND STATISTICAL  
SECTIONS ANNUAL REPORT 1937**

**PART I**

**INTRODUCTION**

The composition of the Administration remained unaltered and consisted of the following five Sub-Sections:—

- A—The Native Registration—Records Sub-Section.
- B—The Native Registration—Finger Print Sub-Section.
- C—The Registration of Domestic Servants' Sub-Section.
- D—The Registration of Births, Marriages and Deaths Sub-Section.
- E—The Migration and Statistical Sub-Section.

**PERSONNEL**

The total personnel consisted of 110 officers, clerks and menials.

The policy of engaging locally born and educated Asian youths continues to be a success and their training as finger print clerks is giving satisfaction.

*European Staff*

Mr. A. E. T. Imbert proceeded on overseas leave on the 3rd March and Mr. Graham Wedderburn took charge of the Section as Acting Chief Registrar of Natives until the end of the year. Miss Arnold vacated her position on 11th of September and Mr. A. T. Wise was appointed in her place with effect from the 1st of November on transfer from the Finger Print Bureau, Kenya Police.

## EXPENDITURE

The general expenditure of the Section for the year was £11,328 and the revenue derived from its activities £4,168, the net cost being £7,160 as detailed below:—

EXPENDITURE		
Native Registration and Finger Print Sections—	£	£
Personal Enrolments	7,875	
Other Charges	1,196	
		9,071
Births, Marriages, Deaths and Statistical Section—		
Personal Enrolments	792	
Other Charges	75	
		867
Registration of Domestic Servants Section		
Personal Enrolments	1,304	
Other Charges	86	
		1,390
<b>Total Expenditure</b>		<b>11,328</b>
<b>REVENUE</b>		
Native Registration Fees	1,817	
Registration of Births, Marriages and Deaths	1,127	
Registration of Domestic Servants	1,024	
<b>Total Revenue</b>		<b>4,168</b>
<b>Net Cost</b>		<b>7,160</b>

## PART II

NATIVE REGISTRATION—RECORDS SECTION  
*Progress of Registration.*

Only 30,166 initial registrations were effected during the year, of which 18,041 were permanent registrations and 12,125 were taken out under temporary numbers. This figure reflects a decrease of 39,516 registrations as compared with 1936, but a proportion of this deficit is accounted for by the issue of 23,268 renewals. Apart from this partially accountable difference, the number of initial registrations effected is approximately 3,000 below the number of youths who should have reached registration age during 1937. The reason for this cannot easily be ascertained but it is probably due to the following two causes:

A.—Failure on the part of employers to demand the production of Native Registration Certificates of prospective employees on the ground that it is unnecessary to do so when engaging natives by the day. This is entirely a technical quibble as in fact, irrespective of the alleged terms of engagement, the native is employed for a succession of days which frequently extend into months. Convenience is really the only consideration in this breach of the law.

B.—Relaxation of enforcement by Administrative Officers of section 4 of the Native Registration Ordinance which requires a native to be registered in his district if he had previously been registered elsewhere.

Whatever the cause, the psychological and political effect upon native opinion is undesirable.

Since the promulgation of the original Native Registration Ordinance in 1919, 1,281,215 registrations have been effected, of which 846,072 were permanent and 435,243 temporary.

This total includes 209,284 multiple registrations leaving a net effective figure of 1,072,031 persons registered.

Only 1,995 deaths of registered natives were reported the year bringing the total of recorded deaths of natives to 47,758. It is obvious that the recorded deaths bear no known relation to actual deaths, in order to obtain a fair approximation of the actual effective registration it has been necessary to assume a death rate among registered natives of 20 per 1,000. That figure is most probably low, but in the absence of accurate vital statistics no better basis can be provided. By the adoption of this basis the number of live registrations at 31st December 1937 would be in the neighbourhood of 839,379, whereas if only recorded deaths were accepted 1,003,793 would be the total live registrations, a figure which could not be sustained.

*Re-registrations and renewals*

The re-introduction of the Renewal System in 1936 has naturally caused the number of re-registrations to drop in favour of renewals, which totalled 23,268. During 1937, only 2,618 re-registrations were effected, of which 1,639 were lawful transfers from temporary to permanent numbers as provided for in section 4 of the Ordinance, and 879 were obtained unlawfully by making false declarations as regards previous registrations. Bearing in mind that about one-third of all registrations is temporary, the paucity of re-registrations during 1937 is a certain index of the fact that the proviso in section 4 of the Ordinance is not being given effect to on the natives' return to their reserves.

Actually therefore there were 21,328 fewer re-registrations effected in 1937 than were taken out in 1936.

The number of renewals issued is an index not merely of the loss of *kipandis* but rather of lawlessness in that the owners have desired to obscure their identity or to destroy evidence on the *kipandi* which they deem detrimental to their interest.

## Renewals

The number of renewals applied for was 23,268, analysed as follows:—

Districts	Number of Renewals
Digo	112
Mombasa	1,063
Kilifi	34
Malindi	55
Machakos	312
Kitui	179
Voi	167
Nairobi	4,931
Kiambu	1,530
Fort Hall	319
Nyori	1,152
Embu	—
Meru	—
Masai	—
Nyivasha	262
Lalipia	1,671
Nakuru	163
Baringo	442
Nandi	715
Uasin Gishu	1,355
Elgeyo	1,033
Marakwet	3,184
Trans-Nzoiia	1,631
Kisumu	1,060
North Kavirondo	1,920
Kericho	47
West Suk	—
TOTAL	23,268

The following analysis shows the frequency of re-registrations and renewals among the 25,786 persons who took out either certificate:—

AN ANALYSIS OF RE-REGISTRATIONS	
1st to 2nd Registrations	15,121
2nd „ 3rd „	6,535
3rd „ 4th „	2,468
4th „ 5th „	914
5th „ 6th „	394
6th „ 7th „	—
7th „ 8th „	86
8th „ 9th „	47
9th „ 10th „	20
10th „ 11th „	9
11th „ 12th „	5
12th „ 13th „	2
13th „ 14th „	1
14th „ 15th „	1
15th „ 16th „	3
16th „ 17th „	1
17th and over	2
Total	25,786

## Submission of Monthly Labour Returns

A total of 95,270 monthly labour returns was received from all districts during 1937, compared with 99,895 received during 1936. Of the total 89,097 were received from the public and 6,173 from Government Departments. The table below reflects the monthly average and the highest and lowest totals by districts and by all communities:—

## AVERAGE NUMBER OF MONTHLY LABOUR RETURNS RECEIVED FOR THE YEAR 1937

PROVINCE AND DISTRICT	Highest	Lowest	Average
COAST PROVINCE:—			
Mombasa	809	1,343	633
Kilifi	26	47	7
Malindi	—	—	—
Voi	34	42	21
Digo	26	30	14
CENTRAL PROVINCE:—			
Machakos	112	132	33
Kitui	25	44	10
Nairobi	2,969	3,357	2,609
Kiambu	321	375	275
Thika	283	348	254
Fort Hall	53	86	34
Nyori	242	270	216
Embu	11	17	3
Meru	27	47	20
RIFT VALLEY PROVINCE:—			
Nyivasha	161	209	109
Lakippa	76	177	29
Nakuru	544	396	464
Baringo	9	31	4
Nandi	26	59	19
Elgeyo-Marakwet	8	12	3
Uasin Gishu	471	628	414
Trans-Nzoiia	359	399	275
NYANZA PROVINCE:—			
Central Kavirondo	464	605	352
North Kavirondo	151	173	111
South Kavirondo	68	107	23
Kericho	123	145	104
TURKANA DISTRICT:—			
West Suk	2	—	—
MASAI DISTRICT:—			
Masai	27	65	14
Totals	7,425	9,186	6,144
Government Depts.	514	560	483
GRAND TOTAL	7,939	8,786	7,436

THE PROPORTION OF NIL RETURNS RECEIVED FROM THE VARIOUS COMMUNITIES IS AS SHOWN BELOW :

YEAR, 1937	EUROPEANS			GEORGIAN AND SEYCHELLOIS			ASIANS AND AFRICANS			TOTALS			Percentage of Nil	
	Move-ments	Total	Nil	Move-ments	Total	Nil	Move-ments	Total	Nil	Move-ments	Total	Nil		Total
January	3,276	5,171	1,805	540	1,436	1,105	2,541	4,976	3,282	5,958	39.74	3,282	5,958	
February	3,041	4,975	1,938	531	1,314	1,081	2,265	4,640	3,285	5,025	41.45	3,285	5,025	
March	2,992	4,737	1,750	459	1,104	873	2,167	4,402	3,071	4,773	40.29	3,071	4,773	
April	3,156	4,846	1,790	459	1,104	873	2,167	4,402	3,282	4,976	39.73	3,282	4,976	
May	2,887	4,584	1,697	400	1,030	793	1,823	4,484	2,907	4,522	39.82	2,907	4,522	
June	3,013	4,823	1,810	443	1,030	793	1,823	4,484	3,183	4,976	41.35	3,183	4,976	
July	2,833	4,310	1,577	482	1,196	1,047	2,543	4,255	2,880	4,255	40.36	2,880	4,255	
August	2,659	4,230	1,571	474	1,184	1,149	2,392	4,056	2,850	4,056	40.36	2,850	4,056	
September	2,663	4,234	1,571	474	1,184	1,149	2,392	4,056	2,850	4,056	41.21	2,850	4,056	
October	2,749	4,355	1,606	404	1,135	1,047	2,182	4,072	2,905	4,072	41.63	2,905	4,072	
November	2,708	4,336	1,632	449	1,133	1,011	2,204	4,186	2,897	4,186	40.80	2,897	4,186	
December	2,574	4,236	1,512	492	1,239	889	2,128	4,341	3,025	4,341	39.88	3,025	4,341	
TOTAL	34,041	55,285	20,344	5,805	15,274	12,674	28,907	52,908	36,099	52,908	40.51	36,099	52,908	
AVERAGE	2,912	4,607	1,695	494	1,278	1,056	2,334	4,417	3,008	4,417	40.51	3,008	4,417	

### Prosecutions

An analysis of the Criminal Court Returns compiled from Hollerith cards prepared in this Section reveals that the following prosecutions were instituted during the year for offences against the provisions of the Native Registration Ordinance, Employment of Natives' Ordinance and Registration of Domestic Servants' Ordinance:—

#### NATIVE REGISTRATION ORDINANCE

RACE	Convictions	Cautioned	Acquitted	Discharged	Total
Europeans	188	32	36	45	301
Asians	258	48	20	20	346
Natives	8,364	2,487	117	158	11,126

#### EMPLOYMENT OF NATIVES ORDINANCE

RACE	Convictions	Cautioned	Acquitted	Discharged	Total
Europeans	63		8	25	96
Asians	32	3	10	17	62
Natives	882	55	39	131	1,147

#### REGISTRATION OF DOMESTIC SERVANTS ORDINANCE

RACE	Convictions	Cautioned	Acquitted	Discharged	Total
Europeans	70	16	4	14	104
Asians	100	24		2	126
Natives	48	6	2	8	64

Some 2,700 N.A.D. Forms 28, quoting sundry natives' names, numbers, tribal particulars and last place of reported employment were despatched, mostly on request, to various Government Officers, Police Officers, the Courts and the general public. The dispatch of a Form 28 does not always necessarily imply a forthcoming prosecution, for it is often used in tracing the native directly in his own interest for the payment to him of outstanding wages or to put an employer in touch with an old employee, or the like.

#### Non-observance of the provisions of the Native Registration Ordinance

The disregard of the provisions of the Ordinance previously reported upon appears to be as prevalent as it was during recent years, notwithstanding the fact that farmers have at last

recognized that their default in this connexion is reacting adversely against them, and that much labour indiscipline appears to have resulted from their own lack of support of a measure which they agree is essential to the welfare of both employers and employees. At the moment the main default lies in the fact that employers allege they engage natives by the day and that, although they pay them their wages weekly in view of the terms of the contract, no duty is placed upon the employer to demand the production of his prospective employee's registration certificate or to endorse it. In consequence the evils of "indefinite leave" have become accentuated and natives come and go at will from one employer to another with what is colloquially termed "open kipandis", that is to say Native Registration Certificates bearing endorsement of engagements and none of discharge. A further consequence of this tacit disregard of the law is that the engagement of "deserters" on the part of the less responsible employer is a frequent occurrence, leading to much discontent in the farming districts. In the circumstances the good employer has found himself compelled in self-defence also to ignore the law and to engage natives without examining their Registration Certificates. The employer's connivance in such a well-known offence has not been lost upon the most unruly native who in turn has induced many others to follow suit. Various farmers' associations have asked that the Native Registration Ordinance should be more strictly enforced, a request which it is only now becoming possible to comply with, as a result of increased staff.

#### *Contracted Labour*

Records analysed as shown in Appendix I, show that 8,245 natives entered into written contracts of service during 1937, usually for a period of 180 working days.

The majority were recruited in the Nyanza Province and were distributed as shown in Appendix I.

#### *The Native Registration (Casual Labourers') Rules, 1926*

The Nairobi Municipal Council reported the issue of 461 casual labourers' and ricksha pullers' licences.

The only other town to which these Rules apply is Mombasa where, however, the position is ludicrous. It has probably some 10,000 casual labourers, of whom a little more than half (about 6,000) can be presumed to be in employment each day. Their Registration Certificates are never examined,

or signed on, and are in fact seldom carried, with the probable result that many natives who are wanted for offences gravitate to that sanctuary and are never heard of by this Section.

The Casual Labourers' Rules provide the only check on the activities of such natives, but the rules have not been applied owing, it is said, to the cost of the necessary brassards.

The attitude of the municipal authorities in this matter is perplexing, for the scheme was introduced at the request of certain shipping firms whose experience of its success in South Africa led them to advocate its adoption in this country.

#### *Legislation*

The Native Registration (Amendment) Ordinance was passed in the Kenya Legislative Council on the 4th of November, but it was reserved by the Governor for the signification of His Majesty the King, which, at the end of the year, had not been conveyed to this Government.

#### *Employment Bureau*

The facilities afforded by this Sub-Section are appreciated by would-be employers and employees alike.

On an average 100 to 150 natives can be seen daily sitting outside the office awaiting their selection and employment has been found for some 900 to 1,000 natives, Somalis, Seychellois, Arabs, and others.

#### *Honorary Registration Officers*

Three Honorary Registration Officers were appointed during the year and three resigned, as follows:—

1. Captain C. S. Miller, of Kenya Gold Mining Syndicate, in South Kavirondo District, with effect from 18th December, 1937, *vice* Mr. C. E. Potgieter, resigned.
2. Mr. C. E. Potgieter appointed for the same area on 5th October, 1937, *vice* Mr. F. W. Watson, resigned.
3. Mr. M. E. Hay, of MacAlder Mings, Ltd., Kakamega, with effect from 1st May, 1937.
4. Mr. W. Levet resigned on 16th April, 1937, after many years of most efficient service.

#### *LABOUR STATISTICS*

The tabulation of the information received from employers in the Special Labour Return for October 1936, which was the subject of an Addendum to my previous annual

Report was completed during the latter quarter of the year and was widely circulated, but I think the following summaries of the various analytical tables contained in that report might with advantage also be included in this:—

1. Preliminary count showing total number of natives who worked during the month of October 1936 in each district, inclusive of squatters.
2. Estimated tribal totals of Kenya natives, including those domiciled or employed outside of their Reserves, showing also the numbers of each tribe in employment on 31st October 1936, and total wages earned. ('Wages earned' includes values of rations as assessed by employers.)
3. Race of employer, showing classes of employment, total wages and total value of rations.
4. Analysis of occupations and average rates of wages (including value of rations) paid to natives employed by all races of employers compared with November 1930.

In October also the monthly labour statistics which had had to be discontinued, whilst the work in connexion with the Special Labour Return was in progress were resumed by the issue of a recapitulative supplement to the Special Labour Return report, showing the labour movements from November 1936 to May 1937.

From May 1937, the usual monthly labour statistics were sent out, showing that at 31st December 1937, there were 182,975 adult male natives in employment, after allowing for omissions to report discharges on the part of employers.

#### EXPENDITURE AND REVENUE

Owing to the nature of their interdependent duties and the interchangeability of the staff of the Native Registration Records and the Native Registration Finger Print Sections, it is not convenient nor practicable to separate the cost of each Section, which are shown as one unit.

The total net cost of the two Sub-Sections for the year 1937 amounted to £7,254. This net cost reflects an increase of £898 over the previous corresponding period, of which £490 was due to increased personal emoluments and £408 to diminished earnings, mostly in respect of the sale of metal containers.

The following is a summary of the Expenditure and Revenue of the Native Registration and Finger Print Sections for the year 1937:—

ESTIMATE HEADINGS	Estimated	Actual	Increase	Decrease
	£	£	£	£
<b>EXPENDITURE</b>				
Personal Emoluments	7,993	7,875	—	88
Other Charges	1,525	1,106	—	129
<b>Total General Cost</b>	<b>9,288</b>	<b>9,071</b>		<b>217</b>
<b>REVENUE</b>				
Native Registration Fees	1,350	1,658	208	—
Sale of Metal Containers	—	—	—	191
<b>Total Revenue</b>	<b>1,350</b>	<b>1,658</b>		<b>307</b>
<b>NET COST</b>				
Expenditure	9,288	9,071		
Revenue	1,800	1,817		
<b>TOTAL</b>	<b>7,488</b>	<b>7,254</b>		

It will be noted that on the Revenue side there has been a shortfall of £191 in the revenue estimated to accrue from the sale of metal containers. I believe this to be due to the fact that a large proportion of natives, particularly in the towns, carry their Registered Certificates in pocket books, purses, etc., rather than in the metal containers provided for the purpose; the effect upon the life of the Native Registration Certificate is simply disastrous, and it results in the free issue of thousands of duplicates of mutilated, worn and stained certificates.

#### PART III

##### FINGER PRINT SECTION

##### *Initial Registrations, Re-Registrations and Renewals*

The finger impressions of 53,434 natives were received and dealt with during the year in connexion with the issue of initial or renewed certificates, in the following proportions:—

Initial Registrations	27,648
Re-registrations from Temporary to Permanent	1,639
Illegal Registrations	879
Renewals	23,268
<b>TOTAL</b>	<b>53,434</b>

By the addition of the 27,648 initial Registrations effected during the year the total individual records filed in our finger print cabinets is brought up to a total of 1,072,031 sets, but as the finger prints taken at the time of each re-registration or renewal are added to each individual record as each identity is established, the actual number of finger prints filed amount to 1,456,471, as follows:—

Initial Registrations	1,072,031
Re-registrations	209,284
Renewals	175,156
TOTAL	1,456,471

Each registration finger print slip, be it an initial registration or a renewal, must be carefully classified, checked, frequently re-tested, searched for and filed.

Even in cases of declared initial registrations the search for previous records, often under alternative formulae, must be most meticulously conducted to guard against the possibility of a false declaration by the applicant for an alleged initial registration.

In the case of re-registrations and renewals, the various prints referring to one individual must be assembled together and the necessary cross entries must be made upon these records and the various *ad hoc* registers.

Considering the somewhat difficult conditions under which the work is carried out and the personnel at our disposal, the achievement is one of which every finger print-clerk in the Bureau has good reason to be proud.

#### *Posthumous Identifications*

The deaths of 1,995 natives were reported during the year, only 289 of which were accorded by finger prints, leading to 262 positive identifications being established and 27 negative searches in which the natives concerned had not been registered.

#### *Identification of Domestic Servants*

The finger prints of 2,918 applications for registration as domestic servants were dealt with in 1937, of which 2,693 were found to be without any criminal history, the remaining 225 having a previous record.

The finger prints of applicants for registration as domestic servants were filed in the Criminal Records Section of C.I.D., a necessity which is unavoidable in the circumstances. Apart

from the actual taking of the finger prints of applicants, which is done under the authority of section 11 of the Registration of Domestic Servants Ordinance, 1928, the work entailed in classifying, searching, filing and identifying these prints is conducted by two Asian members of this Department, under the direct authority of the Officer in Charge, Criminal Records Section, who certifies previous records. I am therefore much indebted to that officer for his collaboration, my appreciation of which I wish to place on record.

#### *Miscellaneous Identifications*

In addition to the expert finger print work detailed in the paragraph dealing with Native Registration and Renewal, the Section was called upon to establish the identity of 30,056 persons in various Government Departments and for various public purposes. These identifications entailed the examination and study of numerous prints.

#### *Certificates of Identity*

The identification of natives applying for duplicate copies of worn or torn certificates naturally plays a big part in these transactions, no less than 4,767 having been carried out during the year. Another activity which requires constant identifications is in connexion with the issue of Renewal Certificates. It is necessary, under this head, to verify that the correct applicant has received his correct renewal certificate. This is done by comparing the thumb prints affixed to the original Temporary Renewal Registration Certificates on application and on issue of renewal. 14,964 original Temporary Renewal Registration Certificates sent in by Registration Officers were so checked.

The Post Office officials continue to make full use of our services in connexion with Savings Bank deposits, payment of money orders and delivery of registered packages and I feel sure that, in consequence, they have become confirmed supporters of the finger print system for identification purposes. Altogether some 968 Savings Bank depositors' identities were confirmed by these examinations, without query, a fact which appears to reveal that natives are aware that personations are no longer as lucrative as they have been in the past and that, in consequence, their savings are now secure from the cupidity of their unscrupulous friends as long as they remain in the Bank. There is much evidence to show that natives are making use of the registration certificates for purposes of

identification in carrying out various other business transactions, unfortunately, however, this facility is sometimes abused by the sophisticated natives.

There were altogether 572 non-productive searches, a somewhat high figure and one which necessitates many tedious hours of intensive search, frequently by several men for one identification. Not only has one to deal with the many legitimate border line cases wherein a finger print, as received, might fall within two possible classifications such as arch or loop, central pocket loop or ordinary radial or ulnar loop, but there is also the all too frequent search due to badly taken prints, or the prints of the man who, through some form of hard manual labour or some tissue-wasting disease, gives an almost indecipherable print. In such cases the lot of the searcher is not a happy one and many hours, indeed days may be spent before one reluctantly comes to the conclusion that it has been a wasted effort.

An identification that was effected during 1936 had definite beneficial results during 1937. It will be remembered that during 1936 a native sentenced to death was identified through the medium of our records and was shown to have had a mental history. In consequence, the man was reprieved. Since then, on the 3rd of April, 1937, His Honour the Chief Justice has issued his Judicial Circular No. 2, instructing all magistrates committing adult male natives for trial on capital charges, to have the accused's finger prints submitted to this Section for identification and transmission to the Superintendent in Charge, Mathari Mental Hospital, thus ensuring that no insane person, or previously insane person, shall suffer the full rigour of the law until his past mental history shall have been ascertained.

The total number of finger print documents handled during the year totalled 94,520, resulting in the establishment of the following positive identities:—

	Documents Examined	Positive Identities
Initial Registrations	27,648	27,648
Re-registrations	2,518	2,518
Retewals	23,268	23,268
Posthumous Identifications	283	262
Miscellaneous Identifications	37,313	30,056
Registration of Domestic Servants	2,918	2,918
Negative Searches	572	—
<b>TOTAL</b>	<b>94,520</b>	<b>86,670</b>

## CONCLUSION

In concluding the two preceding chapters I wish to record my deep appreciation of the services of the various Honorary Registration Officers, throughout the Colony, for their willing and able assistance in carrying out native registration work, to the greater convenience of their neighbours and particularly their employees who, without such assistance, would have to travel long distances to obtain Registration Certificates.

I wish also to express my keen appreciation of the courteous assistance of all officers of Government with whom I have been in contact as Chief Registrar of Natives and more particularly with the officers of the Labour Section and the Commissioner and Officers of the Kenya Police and Criminal Investigation Department.

## PART IV

### MIGRATION AND STATISTICS

Owing to the prior claims of the Treasury upon the services of the Hollerith machines it has not yet been found possible to obtain the tabulated data for the compilation of the Annual Migration Summary. This compilation, therefore, will be submitted separately at a later date.

## PART V

### REGISTRATION OF DOMESTIC SERVANTS SECTION

#### Personnel

Mr. G. H. Booth, Deputy Registrar of Domestic Servants, returned from overseas leave on 11th February, 1937.

No other leave movement, other than casual leave, has to be reported in respect of the remainder of the staff.

#### Registrations effected

Applications for Registration as Domestic Servants received during the year totalled 2,732, of which 2,671 had been dealt with by the Finger Print Section by the end of the year.

These applications were received from various districts as follows:—

Nairobi	1,749
Thika	87
Kiambu	38
Nakuru	251
Eldoret	370
Kitale	237
<b>Total</b>	<b>2,732</b>

The total number of applications dealt with since the promulgation of the Ordinance until 31st December, 1937, was 34,195, from which number 1,522 have been refused as the applicants were considered "Not suitable for domestic employment".

This figure includes 1,197 who had their pocket registers withdrawn on conviction.

342 applicants for registration have failed to claim their Pocket Registers since the application of the Ordinance, and 491 registrations have been cancelled on the death of the holders.

798 natives registered as domestic servants have handed in their Pocket Registers for various reasons.

The total number of Pocket Registers in circulation has now reached the considerable figure of 30,955, including 344 free issues to domestic servants employed by various Government Departments.

The prejudice hitherto shown by Asian and Seychellois domestics against registration has diminished considerably and 132 of these have now been registered.

#### *Alleged loss of Pocket Registers and Re-Registrations*

Since the application of the Ordinance, 2,139 cases of loss or accidental destruction of Pocket Registers have been reported, 1,716 duplicates have been granted at Sh. 5 (the applicants not being able to prove that the alleged "loss" was genuine) and 91 duplicates were issued at Sh. 2.

In 332 cases Renewals were issued free of charge.

#### *Inspections and Prosecutions*

During the year 218 prosecutions were entered, 170 against employers and 48 against servants, resulting in 210 convictions and 8 withdrawals or acquittals. The prosecutions were made up as follows:—

Race	Prosecuted	Withdrawals or Acquittals
Europeans	70	4
Asiatics	100	2
Natives	48	2
<b>TOTAL</b>	<b>218</b>	<b>8</b>

#### *Testimonials*

77,607 are now on record. Employers on the whole are very fair in giving characters, if anything they err on the side of leniency. The amending Ordinance of 1936, allowing the grant of characters to be permissive instead of mandatory, does not yet appear to have been appreciated by employers, but steps are being taken to make its provisions known.

#### *Expenditure and Revenue*

The actual gross cost of the Section for the year amounted to £1,492, made up as follows:—

Estimated Expenditure	Sanctioned Estimates	Actual Expenditure	Over Expenditure	Savings
Salaries and Emoluments	£ 1,304	£ 1,400	96	—
Other Charges	114	86	—	28
<b>TOTAL</b>	<b>£ 1,418</b>	<b>£ 1,486</b>	<b>106</b>	<b>28</b>

As far as can be ascertained at this date pending reconciliation of our accounts with the Treasury, the revenue collected during 1937 amounted to £1,024.

This reflects a working loss of £468 for the year and a decrease of £183 on the previous year's income. The decrease in revenue is mainly due to reduction in initial registrations, as the Ordinance was not applied to any new districts during the year, and also to a reduction in the Registration of Engagement fees. This may be due to the fact that native domestic servants do not now so frequently change from one employer to another.

#### *General*

During the year applications have been received for the extension of the Ordinance to other areas as follows:—

Areas	Application by
Mombasa Municipal Area	Commissioner of Police.
Thomson's Falls	Local Association.
Nyeri, Nanyuki and Tunau	E.A. Women's League (General Council)
Rongai	E.A. Women's League (Local Branch)
Whole Colony	E.A. Women's League (General Council)

In addition to the above it is of interest to record that applications for registration have been received from natives, employed or residing in non-registration districts, such as Kisii, Kisumu, Nyeri and Mombasa.

### PART VI

#### THE REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS SECTION

A separate report of the work carried out during the year in connexion with the above service has been submitted to the Registrar-General of Births, Deaths and Marriages, but the following matters concerning Africans are republished herein for information:—

#### *Registration of Native Births and Deaths*

During the year three births and 1,543 deaths were registered by Africans. These registrations, particularly the deaths, have reflected a tendency to increase, as shown hereunder:—

	Births	Deaths
1932 .. .. .	2	759
1933 .. .. .	6	852
1934 .. .. .	8	1,172
1935 .. .. .	14	1,404
1936 .. .. .	12	1,377
1937 .. .. .	8	1,543

#### *Native Christian Marriages contract A under the Provisions of the Native Christian Marriage and Divorce Ordinance, 1931*

Records of 1,778 native marriages were received from the various Missions, bringing the total of marriage entries recorded to 29,314. This figure, however, does not entirely reflect the true record of native Christian marriages, as ministers do not submit their returns regularly and frequently send their records to the District Commissioners in whose districts they are stationed, instead of sending them to this office; it is not possible, at the moment, to state definitely the extent to which natives have contracted marriages under the provisions of the Native Christian Marriage and Divorce Ordinance.

#### *Appointment of Ministers of Religion to be Registrars for the purposes of the Native Christian Marriage and Divorce Ordinance*

Twelve ministers were appointed during the year to be Registrars of Native Christian Marriages as detailed below:—

	Europeans	Africans	Total
Church Missionary Society	—	2	2
Roman Catholic Church (Holy Ghost Mission Society)	3	—	3
Roman Catholic Church (Mill Hill Mission Society)	4	—	4
Methodist Missionary Society	1	1	2
National Holiness Association Missionary	1	—	1
	9	3	12

#### *Fees*

The fees received during 1937 for the Registration of Native Christian Marriages amounted to Sh. 3,556.

### PART VII

#### CONCLUSION

Once again I feel I cannot close this Annual Report without expressing my gratitude to my staff, European, Asian and African, for their loyalty and industry.

A. E. T. IMBERT,  
Chief Registrar of Natives

**TABLE I**  
**PERSONNEL**

SUB-SECTIONS	Europeans	Asians	African Clerks	African Menials	Total
Native Registration—					
Records, Headquarters	3	6	20	19	48
Out-station Staff			22	11	33
Finger Prints		16	—	—	16
Registration of Domestic Servants	1	4	4	—	9
Registration of Births, Marriages and Deaths		2	—	—	2
Migration and Statistics		2	—	—	2
TOTAL	4	30	46	30	110

**TABLE II**  
**PROSECUTIONS UNDER THE NATIVE REGISTRATION ORDINANCE INSTITUTED BY THE SECTION IN 1937, AGAINST EMPLOYERS**

CLASS OF EMPLOYERS	Summons issued, which referred					
	Summons issued	Pending	Final	Convicted	Withdrawn or acquitted	
<b>NAIROBI—</b>						
Europeans	6/1	3	—	3	3	—
Asians	6/1	2	—	2	1	1
Europeans	9/1	36	1	35	29	6
Asians	9/1	17	—	17	10	7
Europeans	10	3	—	3	3	—
Asians	10	—	—	—	—	—
Europeans	13/3	1	—	1	1	—
Asians	13/3	1	—	1	1	—
Total Nairobi		63	1	62	53	9
<b>OTHER DISTRICTS—</b>						
Europeans	6/1	2	—	2	1	1
Asians	6/1	—	—	31	27	4
Europeans	9/1	4	—	4	4	—
Asians	9/1	4	—	4	4	—
Europeans	10	—	—	—	—	—
Asians	10	1	—	1	—	1
Europeans	15	—	—	—	—	—
Asians	13	2	—	2	2	—
Europeans	13/1	—	—	—	—	—
Asians	13/1	1	—	1	1	—
Europeans	15/2	1	—	1	1	—
Asians	13/2	—	—	—	—	—
Europeans	13/3	1	—	1	1	—
Asians	13/3	—	—	—	—	—
Total Other Districts		47	—	47	41	6
GRAND-TOTAL		110	1	109	94	15

**TABLE III**  
**PROSECUTIONS UNDER THE NATIVE REGISTRATION ORDINANCE INSTITUTED BY THE SECTION IN 1937 AGAINST AFRICANS**

N.A.D. FORM NO.	Traced	Arrested	Convicted	Acquitted With- drawn or Discharged	Pending Result not yet Notified
26	686	225	220	5	461
34	120	44	43	1	76
59	447	440	368	17	69
By Letters	—	53	52	1	—
TOTAL	1,253	762	683	24	606

**TABLE IV**  
**CASUAL LABOURERS**

	Casual labourers	Total	Identified correct	Identified incorrect	Total
January	7	37	34	3	37
February	—	—	—	—	—
March	84	84	77	7	84
April	38	40	35	5	40
May	2	37	33	4	39
June	4	36	40	7	40
July	1	36	37	31	6
August	38	38	31	7	38
September	36	36	31	5	36
October	37	37	29	8	37
November	34	34	29	5	34
December	39	39	34	5	39
TOTAL	9	452	461	64	461

**TABLE V**  
**MISCELLANEOUS IDENTIFICATIONS**

DEPARTMENT ON WHOSE BEHALF MADE	Number
Police	795
Prisons	7,224
Administration	164
Medical	283
Chief Registrar of Natives	4,767
Registration Officers	14,964
Police	11
Legation African Rifles	1
Local Government	401
Labour Officers	14
Postal	968
Legal	3
Education	1
General Public	1
Ministry of Pensions	1
Detention Camps	451
Registration of Domestic Servants	1
Approved Schools	6
TOTAL	30,056

APPENDIX I  
AREA OF DISTRIBUTION

DISTRICTS OF ORIGIN OF CONTRACTS	Eldoret-Bergot	Fort Hall	Kakamega	Kilifi	Kisumu-Songhor	Kitale	Kiambu Limuru	Lumbwa Kericho	Machakos	Magadi Soda Co.	Malindi	Mombasa	Nairobi, Kapete and Rufti	Narasha- Lushkipa	Nakuru-Njoro	Thika	Voi	Nyeri	Fort	
COAST— Kilifi	—	—	—	4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4
CENTRAL— Machakos	—	—	—	91	—	—	25	—	7	—	11	2	—	—	—	18	—	—	—	111
Nairobi	—	—	—	—	—	—	186	—	—	—	—	10	36	—	—	—	—	—	—	89
Kiambu	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6	—	—	—	—	224
Meru	—	38	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6
RIFT VALLEY— Nandi	—	—	—	—	83	—	—	—	—	—	—	—	—	—	—	—	—	—	—	83
NYANZA— C. Kavirondo	26	308	—	291	168	58	104	173	191	87	10	751	1,241	8	150	151	339	10	—	4,046
N. Kavirondo	—	—	26	—	95	8	42	—	6	—	—	506	401	—	—	9	56	—	—	1,149
S. Kavirondo	—	—	—	40	—	18	—	275	—	4	4	563	845	—	266	—	473	10	—	2,500
Kericho (Lumbwa)	—	—	—	—	—	—	—	33	—	—	—	—	—	—	—	—	—	—	—	33
TOTAL	33	346	26	426	346	84	357	481	291	87	25	1,811	2,523	8	422	178	868	20	—	8,245

1938

Kenya

No. 38077

SUBJECT. C0533/491

*Executive Council*  
*(Reorganisation)*

Previous

1937

Subsequent

1940

The Gov suggests two alterations to the draft Additional Royal Instructions (flagged on -B) (p. 9).

① "Financial Secretary" should be substituted for "Treasurer" in the amended clause IV, and at the same time the corresponding amendment should be made in clause XVI of the original instructions (also flagged on -B) (p. 9). This is clearly desirable on the assumption that Sir A. ... Financial Secretary is ...

The document has already been approved by Fin Sec.

② The Col Sec should be renamed "Chief Secretary". The Gov does not feel strongly about this but thinks that the title of Col Sec tends to lose its unambiguously dominant connotation when placed side by side with Fin Sec a point also see for Native Affairs. I understand that in the Col Sec. has always been used as the title of the officer next after the Governor except in dependencies which are not colonies, where Chief Sec is used instead. The Gov's proposal, if this is correct, therefore breaks new ground. Perhaps C.D. would give their views on this point.

X see also para 6 of 31 of 38247/38

③ If Sir A. ... proposals for the reorganisation of the Secretariat were adopted it will be necessary also to alter in the new clause IV and in the old clause XVI the title Chief Native Comm<sup>r</sup> to that

of Secretary to Native Affairs. In this  
case the Gov does not mention this  
point, perhaps because the recent  
appointment of Mr. Hosking to the  
post combined with the fact  
(which has not been accepted) that he should  
continue under the same name  
clearly it is convenient that the  
instructions should not be  
amended until this point is settled and  
any alteration which may be required  
combined in them. The whole  
question of the reorganization of the  
Secretariat is under active consideration  
on 28/1/28 below.

Should be detailed in order  
not delayed, &  
to C.S.D. is  
be unked up  
the new Secretariat  
Cloke White 12/4

See on 38247

1/1/28  
H.L.

It had been proposed to defer  
action on this question until decisions had been  
taken on the Governor's views on the  
reorganization of the Secretariat.  
The position in regard to this matter has  
now received from the Governor a  
memorandum which he was asked to  
Sir Amisal Gede and Mr. Lockett. In this  
despatch in which he has said that in his  
own view he is in favour of the  
reorganization of the Secretariat should be  
between Sir C. Bottomley, Sir G. Tomlinson,  
Sir H. Moore and members of the C.S. Dept. and  
I.C.S. Dept. This discussion cannot take place  
until between the 6th of May when Sir H. Moore  
returns from leave, and the 14th of May when  
Sir G. Tomlinson goes on leave. A letter that  
discussion it will naturally be held before a  
final decision is given.

It is therefore, the decision of the  
instructions is deferred until a decision  
has been taken on the reorganization of the  
it will be some little time before the Executive  
Council can be reconstituted on the new basis.  
I still think that it is right that the matter  
should be deferred until a decision has been taken  
on the Secretariat question, especially as it  
involves the question whether the title of the  
Colonial Secretary should be changed to that of  
Colonial Secretary.

If it is agreed it is  
to let the Governor know that the issue of the  
Royal

I am in favour  
that Sir H. Moore  
should take part

W. H. King, Esq.

including the  
reduction of  
members

And mention to  
C.N.C. should be  
Sec. for Native  
Affairs

See Appendix



Tel. to Gov, Kenya, No 487 6000  
Conf/ 16/5/38

Gov 56 Conf 14 5 38  
Do not anticipate absence of  
chief having Comm on other business  
will be taken as acceptable of order

This telegram leaves the way open for  
the submission of the Additional Protocol  
Instructions to the Council  
attach a copy of the Draft Additional  
Royal Instructions as ~~sent~~ sent to the  
Kenya in the 1938. Dispatch of 3/12/37 (1937  
u-137) with suggested amendments in red  
ink to give effect to the alterations  
it has since been decided to make

Clarke, inside  
16/5

To Privy Council 16.5.38

Mr. Costly while discovered that  
there was to be a Council  
today, ~~at 2.30 p.m.~~ and  
that it wd. be possible for this  
matter to be taken if the  
necessary pp. docs be sent to  
the Privy Council Office before  
2.30 p.m. ~~the~~ accordingly  
arranged for the revised ppt. of

Separate minute  
placed on the  
Cabinet table 16/5

Very good work  
17/5

Assistant R. J. paid me covering  
letter to the P.C. President, to be  
copied in advance of approval.

Sir C. B. Botley who went through  
the ppt. with me & approved them.

I also had an opportunity of  
showing the revised ppt. (R.J.) to  
Mr. Roberts - King before the 14th

and then to the Privy Council  
before they were sent to the  
Office. I have not been to  
the Office since then.

Mr. Roberts - King to as  
to the revised ppt. in the  
Office. I have not been to  
the Office since then.

Mr. Roberts - King to as  
to the revised ppt. in the  
Office. I have not been to  
the Office since then.

Mr. Roberts - King to as  
to the revised ppt. in the  
Office. I have not been to  
the Office since then.

Mr. Roberts - King to as  
to the revised ppt. in the  
Office. I have not been to  
the Office since then.

Mr. Roberts - King to as  
to the revised ppt. in the  
Office. I have not been to  
the Office since then.

I have spoken to Mr. Meagan who  
is arranging to cooperate  
with the Privy Council Office as regards  
printing & as regards getting  
the revised Instructions revised & sent  
out to Kenya as soon as possible

J. J. Parker  
16/5

On reading the draft A.I. as  
sent to the Council Office I  
discovered that the necessary  
alterations consequent upon the  
amendment of Clause XVI had  
not been made in the first two  
pages of the draft. After  
speaking to Mr. [Name] I  
informed the Council Office and would  
then to make the alterations  
shown on the attached carbon copies.

I have sent the necessary  
documents to the Stationery Office  
for printing and have returned  
to send a proof to the Council Office  
as soon as one is available.

As regards the attention  
of tables under Article No 8 of  
A.I. this should reasonably  
coincide with the coming into  
force of the new A.I. The Com. can  
reasonably arrange this since the  
A.I. have to be brought into force  
by their own notification in the  
Gazette. It will I think be

sufficient to explain this in the  
letter when we send out the A.I. -  
a telegram hardly seems necessary.

Juregon  
14/5/38

If a debt of [unclear] [unclear]  
[unclear] [unclear] [unclear] [unclear]  
[unclear] [unclear] [unclear] [unclear]

Since the minutes were written in  
Botswana has spoken to [unclear] [unclear]  
[unclear] [unclear] [unclear] [unclear]  
[unclear] [unclear] [unclear] [unclear]

Juregon  
H. Mawe  
-175-

Received [unclear] [unclear]  
14/5/38

To Kenya tel. 51 Conf - 5 and - 175

N. Kenya Conf (14/5/38)

Secretary [unclear] [unclear]  
Nairobi [unclear] [unclear]

the following instructions are  
drafted below

See Kenya 206 (Aug 1937)

Kenya 206 (Aug 1937)

Make it at the expense of land...

Draft below

us against the period of 4 years,  
see para 3 of No 16 on -/37.

The following instructions are  
drafted below  
A.F. Scott

the following instructions are  
drafted below  
A.F. Scott has kindly been requested  
to draft the instructions...  
The Gov. expects to be informed  
it is necessary to...  
A.F. Scott

I think we might send  
a copy in as in the dft.  
so as to avoid any possibility  
of misunderstanding about  
the present absence of  
Kinnaird  
A.M.

DESTROYED UNDER STATUTE

No. 100 100 100 100

65 600 - 1000

12/04/38

DESTROYED UNDER STATUTE

London Gazette

1506

San Diego 1919

20 1938



Kenya 38077/38 8

C. O.

Mr. Mackenzie 17.6  
Mr. Pascoe 17.6 jr.

Mr.  
Sir H. Moore  
Sir G. Tomlinson  
Sir C. Bottomley  
Sir J. Stuckburgh  
Permt. U.S. of S.  
Parly. U.S. of S.  
Secretary of State

JUN 1938

Sir,

(16)

I have etc to confirm my telegram no 64 of the 10<sup>th</sup> of June in which I informed you that His Majesty has been pleased to give directions for the appointment of Lord Francis Scott Major Cavendish Bentinck, Mr. H. R. Montgomery & Mr. J. B. Pandya to be members of the Kenya Executive Council for a period of four years.

DRAFT.

Kenya  
No 319  
Governor

I am

FURTHER ACTION.

C. O.

Mr. Dawe. 10/6/38.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Holtzman.

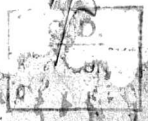
Sir J. Stuchburgh.

Comm. U.S. of S.

Party, U.S. of S.

Secretary of State.

*Indexed refer  
7 open 10/11/38*



NO. 65 Confidential.

Your letter of No. 76

concerning the Executive Council

has been received on 10/6/38

re: You will no doubt be aware

of the provisional and temporary

appointment of H.M. in the

course for H.M.'s confirmation.

**DRAFT** TELETYPE

GOVERNMENT

*2 files*

**FURTHER ACTION**

RECEIVED

38677/31

7 July 1933

O. O. REG

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

Dated 8th June, 1933. Received 5.21 pm 8th June, 1933.

To G Confidential

Your telegram No 36,000 Confidential of 21st May 1933 and instructions brought into force on 27th June 1933 are received. The General Order under Ordinance No. 8 of 1933 and report accepted by the Executive Council under clause 5 of the Royal Instructions of 29th March, 1933 of Lieutenant-Colonel Lord Francis George Douglas Scott Major Ferdinand William Cavendish Bentinck; George Blundell; Mr. Dhananishanker Pandya and Mr. C. S. Srinivasan were tendered by the above to facilitate appointment to Executive Council. I request that the names of Lord Francis Scott, Major Cavendish Bentinck, Mr. Dhananishanker Pandya and Mr. Srinivasan may be submitted to His Majesty for approval of definite appointment for four years to the new Executive Council under clause 5 of Royal Instructions of 29th March, 1933 as amended by additional

Instructions of 26th May 1933 and Article 6 of Letters Patent of 11th September, 1920. In the absence of Lord Francis Scott I propose provisionally and temporarily to appoint Justice of the Peace Mr. Dhananishanker Pandya under Clause 5 of my Instructions of 29th March, 1933. It is my opinion that the appointment of this new Council is desirable and I shall be grateful for telegraphic reply.

Meeting  
A

35077/58

C. O.

Mr. Ansell 26/5

Mr. Mignon 24/5

Mr. Parlin 22/5

Sir H. Moore

Sir G. Tomlinson

Sir C. Bottomley

Sir J. Shackleton

Berm. U.S. of S.

Emb. U.S. of S.

Secretary of State

3 JUN 1958

May 1958

lie

I have the

transmit to you herewith  
 additional instructions pursuant  
 under the Royal Warrant  
 and liquor, as the  
 May 1958 to the Governor  
 and Commissioner in Chief of  
 the Colony of Kenya in regard  
 to the Executive and  
 legislative committees thereof

Kenya

No 306

(Original Constituent Order  
 of 6 June 1958 - RGA com  
 supply)

(2 copies)

FURTHER ACTION.

Copy for RGA

Return to RGA  
 to send points

2. You will will advise  
that this instrument is  
to come into operation on  
a date to be fixed by the  
Governor by notification in  
the Official Gazette of Kenya.

I have to request you to take  
action accordingly, and to  
inform me in due course  
of the date so fixed.

I have the

380/1911

1272

In any communication on this subject please quote No. *145731* and address--

THE CLERK OF THE COUNCIL  
PRIVY COUNCIL OFFICE  
WHITE HALL, LONDON, S.W. 1

PRIVY COUNCIL OFFICE

*27 May 1938*

SIR,

I am directed by the Lord President of the Council to transmit to you the accompanying Order of His Majesty in Council of the *16* instant *Kerigo Bolani's Additional Instructions*.

*Send 2 Orders and 6 copies.*

and I am to request that you will lay the same before the Secretary of State for *the colonies*

I am,

Sir,

Your obedient servant,

*M. J. P. Mackay*

The Under Secretary of State

*Colonial Office*

AT THE COURT AT BUCKINGHAM PALACE

This 10th day of May, 1938

Present

THE KING'S MOST EXCELLENT MAJESTY  
IN COUNCIL

WHEREAS there was a Board of Directors letter to the  
Lord President of the Council of His Majesty's  
Principal Secretaries of State for the Draft of  
Additional Instructions to the Governor and  
Commander-in-Chief of the Colony of Jamaica

HIS MAJESTY, having taken the same into consideration, was  
pleased, by and with the advice of His Privy Council, to  
approve thereof, and to order, as it is hereby ordered, that the  
Right Honourable Malcolm MacDonald, one of His Majesty's  
Principal Secretaries of State, do prepare the said Additional  
Instructions (which are hereunto annexed) for His Majesty's  
Royal Signature

*M. P. A. Hankey*

ADDITIONAL INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Colony of Kenya, or other Officer for the time being administering the Government of Our said Colony.

Whereas by certain Instructions under Our Sign Manual and Signet, bearing date the Twentieth day of March, 1921, and hereinafter called the Governor's Instructions (therein and hereinafter called the Colony) bearing date the Twentieth day of March, 1921, as amended by Additional Instructions bearing date the Twentieth day of June, 1925, provision is made amongst other things for the constitution of the Executive and Legislative Councils of the Colony;

And whereas We are minded to make other provision in regard to the constitution of the said Councils;

Now, therefore, We do hereby these Our Additional Instructions under Our Sign Manual and Signet, as from a date to be fixed by the Governor by notification in the Official Gazette of the Colony, provide without prejudice to any appointment lawfully made, or to anything lawfully done, thereunder, the Fourth and Sixteenth Clauses of the said Instructions of the Twentieth day of March, 1921, and We do hereby direct and enjoin and declare Our will and pleasure that from the date so fixed, the said Instructions shall be construed as if the following Clauses had been inserted therein instead of the Fourth and Sixteenth Clauses thereof:—

IV. The Executive Council of the Colony shall consist of the persons for the time being lawfully discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, and of Chief Native Commissioner, who shall be styled *ex officio* Members of the Executive Council, such other persons (if any) holding office in the Public Service of the Colony as the Governor in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal, who shall be styled *Official* Members of the Executive Council, and such persons (if any) not holding office in the Public Service of the Colony as the Governor, in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time

to time appoint by an Instrument under the Public Seal, who shall be styled *Unofficial* Members of the Executive Council:

Provided that if any *Official* Member of the Council shall cease to hold office in the Public Service of the Colony his seat in the Council shall thereupon become vacant.

Whenever upon any special occasion the Governor desires to obtain the advice of any person within the Colony or the Protectorate of Kenya relating to affairs in the Colony, he may, by an Instrument under the Public Seal, summon for such special occasion any such person as an *Extraordinary* Member of the Executive Council.

XVI. The *ex officio* Members of the Legislative Council shall be the persons for the time being lawfully discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, of Chief Native Commissioner, of Commissioner for Local Government, Lands, and Settlement, of Director of Medical Services, of Director of Agriculture, of Director of Education, of General Manager of the Kenya and Uganda Railways and Harbours, of Director of Public Works, and of Commissioner of Customs.

Given at Our Court at Saint James's, this \_\_\_\_\_ day of \_\_\_\_\_, 1928, in the Second year of Our Reign.

Replaces the instructions of 1921, and Additional Instructions of 1925.

Replaces Clauses IV and XVI of Instructions of 1921, March, 1921.

Constitution of Executive Council.

Extraordinary Members.

Ex officio Members of Legislative Council.

AT THE CHAMBER OF HUCKINGHAM PALACE

The 10th day of May

Present

THE KING'S MOST EXCELLENT COUNCIL  
IN COUNCIL

WHEREAS it was this day read at the Board of the  
Lord President of the Council from one of His Majesty's  
Principal Secretaries of State transmitting the Draft of  
Additional Instructions to be given to the Governor and  
Commander in Chief of the Colony of Kent

His Majesty having taken the same into consideration  
pleased by and with the advice of His Privy Council  
approve thereof and to order as was lawfully ordered that the  
Right Honourable Malcolm MacDonnell one of His Majesty's  
Principal Secretaries of State do prepare the said Additional  
Instructions (which are hereunto annexed) for His Majesty's  
Royal Signature.

*m. p. h. h.*





in the Colony of Kenya or other Colonies administered by the Government of the United Kingdom.

It was by certain Instructions under the Sign Manual and Signet of His Majesty the King in Council, bearing date the twenty-ninth day of March 1927, that the Executive Council of the Colony of Kenya was constituted, and the members thereof were appointed.

It was by certain Instructions under the Sign Manual and Signet of His Majesty the King in Council, bearing date the twenty-ninth day of March 1927, that the Executive Council of the Colony of Kenya was constituted, and the members thereof were appointed.

Now, therefore, We do, by these Our Additional Instructions under the Sign Manual and Signet, as from a date to be fixed by the Governor, do hereby amend the said Instructions of the Colony, so far as they relate to the appointment of the members thereof, and to anything therein done in pursuance thereof, and declare Our will and pleasure that from the date of the issue of these Our Instructions shall be construed as if the following provisions had therein instead of the Fourth and Sixth Clauses thereof:

1. The Executive Council of the Colony shall consist of the persons for the time being lawfully discharging the functions of Chief Secretary, Attorney-General, Financial Secretary, and Chief Native Commissioner, who shall be members of the Executive Council, such as may be appointed to the office in the Public Service of the Colony, and such as may be appointed in pursuance of Instructions under the Sign Manual and Signet of His Majesty the King in Council, and such as may be appointed to the office in the Public Service of the Colony, and such as may be appointed in pursuance of Instructions under the Sign Manual and Signet of His Majesty the King in Council, and such as may be appointed to the office in the Public Service of the Colony, and such as may be appointed in pursuance of Instructions under the Sign Manual and Signet of His Majesty the King in Council.

to the Colony of Kenya, and such as may be appointed to the office in the Public Service of the Colony, and such as may be appointed in pursuance of Instructions under the Sign Manual and Signet of His Majesty the King in Council.

It was by certain Instructions under the Sign Manual and Signet of His Majesty the King in Council, bearing date the twenty-ninth day of March 1927, that the Executive Council of the Colony of Kenya was constituted, and the members thereof were appointed.

It was by certain Instructions under the Sign Manual and Signet of His Majesty the King in Council, bearing date the twenty-ninth day of March 1927, that the Executive Council of the Colony of Kenya was constituted, and the members thereof were appointed.

It was by certain Instructions under the Sign Manual and Signet of His Majesty the King in Council, bearing date the twenty-ninth day of March 1927, that the Executive Council of the Colony of Kenya was constituted, and the members thereof were appointed.

It was by certain Instructions under the Sign Manual and Signet of His Majesty the King in Council, bearing date the twenty-ninth day of March 1927, that the Executive Council of the Colony of Kenya was constituted, and the members thereof were appointed.

AT THE COURT AT BUCKINGHAM PALACE.

The 10th day of May 1958

Present

THE KING'S MOST EXCELLENT MAJESTY  
IN COUNCIL

WHEREAS there was this day read at the Board a letter to the Lord President of the Council from one of His Majesty's Principal Secretaries of State transmitting the Draft of Additional Instructions to be given to the Governor and Commander-in-Chief of the Colony of Kenya:

HIS MAJESTY, having taken the same into consideration, was pleased, by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the Right Honourable Malcolm MacDonald, one of His Majesty's Principal Secretaries of State, do prepare the said Additional Instructions (which are hereunto annexed) for His Majesty's Royal Signature.

*M. P. A. Hankey*

ADDITIONAL INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Colony of Kenya, or other Officer for the time being administering the Government of Our said Colony.

Whereas by certain Instructions under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief (therein and hereinafter called the Governor) in and over Our Colony of Kenya (therein and hereinafter called the Colony) bearing date the Twenty-ninth day of March, 1934, as amended by Additional Instructions bearing date the twentieth day of June, 1935, provision is made amongst other things for the constitution of the Executive and Legislative Councils of the Colony;

And whereas We are minded to make other provisions in regard to the constitution of the said Councils;

Now therefore, We do, by these Our Additional Instructions under Our Sign Manual and Signet, as from a date to be fixed by the Governor by notification in the Official Gazette of the Colony, revoke, without prejudice to any appointment lawfully made, or to anything lawfully done, thereunder, the Fourth and Sixteenth Clauses of the said Instructions of the Twenty-ninth day of March, 1934, and We do hereby direct and enjoin and declare Our will and pleasure, that from the date so fixed, the said Instructions shall be construed as if the following Clauses had been inserted therein instead of the Fourth and Sixteenth Clauses thereof:—

"IV. The Executive Council of the Colony shall consist of the persons for the time being lawfully discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, and of Chief Native Commissioner, who shall be styled *ex officio* Members of the Executive Council; such other persons (if any) holding office in the Public Service of the Colony as the Governor in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal, who shall be styled Official Members of the Executive Council, and such persons (if any) not holding office in the Public Service of the Colony as the Governor, in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time

to time appoint by an Instrument under the Public Seal who shall be styled Unofficial Members of the Executive Council.

Provided that if any Official Member of the Council shall cease to hold office in the Public Service of the Colony, his seat in the Council shall thereupon become vacant.

Whenever upon any special occasion the Governor desires to obtain the advice of any person within the Colony, or the Protectorate of Kenya (relating to affairs in the Colony) he may, by an Instrument under the Public Seal, summon him to attend on any such occasion, any such person, as an *Ex Officio* Member of the Executive Council.

Members of the Executive Council shall, at the time, and so long as they are discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, of Chief Native Commissioner, of Commissioner for Local Government, Lands and Settlements, of Director of Medical Services, of Director of Agriculture, of Director of Education, of General Manager of the Kenya and Uganda Railways and Harbours, of Director of Public Works, and of Commissioner of Customs,

be styled *Ex Officio* Members of the Council, and shall be styled *Official* Members of the Council, and shall be styled *Unofficial* Members of the Council.

Given at Our Court at Saint James, this  
day of \_\_\_\_\_ 1935, in the Second Year of Our  
Reign.

AT THE COURT AT BUCKINGHAM PALACE

The 16th day of May, 1928

Present

THE KING'S MOST EXCELLENT MAJESTY  
IN COUNCIL

WHEREAS there was this day read at the Board a letter to the Lord President of the Council from one of His Majesty's Principal Secretaries of State, transmitting the Draft of Additional Instructions given to the Governor and Commandant of Kenya;

His Majesty's Council came into consideration, was pleased by an Order in Council of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the Right Honourable Malcolm MacDonald, one of His Majesty's Principal Secretaries of State, do prepare the said Additional Instructions (which are hereunto annexed) for His Majesty's Royal Signature

M P A Hankey

Additional Instructions to Our Governor and Commander-in-Chief in and over Our Colony of Kenya, or other Officer for the time being administering the Government of Our said Colony.

And whereas certain Instructions under the Royal Sign Manual and Signet of Our Governor and Commander-in-Chief (the said Signet being the Governor's Seal) have been given to Our Governor and Commander-in-Chief in and over Our Colony of Kenya, and hereinafter called the Colony, bearing date the fourth day of March 1924, as amended by Additional Instructions bearing date the twenty-fourth day of June 1925, provision is made amongst other things for the constitution of the Executive and Legislative Councils of the Colony.

And whereas We are minded to make other provision in regard to the constitution of the said Councils.

Now therefore We do, by these Our Additional Instructions under Our Sign Manual and Signet, as from a date to be fixed by the Governor by notification in the Official Gazette of the Colony, revoke, without prejudice to any appointment lawfully made or to be lawfully done hereunder, the Fourth and Sixteenth Clauses of the said Instructions of the Twenty-fourth day of March 1924, and We do hereby direct and enjoin, and declare Our will and pleasure, that from the date so fixed the said Instructions shall be construed as if the following Clauses had been inserted therein instead of the Fourth and Sixteenth Clauses thereof.

IV. The Executive Council of the Colony shall consist of the persons for the time being lawfully discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, and of Chief Native Commissioner, who shall be styled *ex officio* Members of the Executive Council; such other persons (if any) holding office in the Public Service of the Colony as the Governor in pursuance of Instructions from Us through one of Our Principal Secretaries of State may from time to time appoint by an Instrument under the Public Seal, who shall be styled *Official* Members of the Executive Council; and such persons (if any) not holding office in the Public Service of the Colony as the Governor, in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time

to time appoint by an Instrument under the Public Seal, who shall be styled *Unofficial* Members of the Executive Council.

Provided that if any *Official* Member of the Council shall cease to hold office in the Public Service of the Colony his seat in the Council shall then and there become vacant.

Whenever upon any special occasion the Governor desires to obtain the advice of any person within the Colony or the Protectorate of Kenya relating to affairs in the Colony, he may by an Instrument under the Public Seal, summoned for such special occasion any such person as an *Extraordinary* Member of the Executive Council.

Members of the Legislative Council for the time being lawfully discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, of Chief Native Commissioner, and Commissioner for Local Government, Lands, and Settlements, of Director of Medical Services, of Director of Agriculture, of Director of Education, of General Manager of the Kenya and Uganda Railway, and Harbourmaster, of Director of Public Works, and of Commissioners of Customs.

Given at Our Court at Nairobi the 10th day of June 1925.  
In Witness Whereof We have hereunto set Our Hand and the Seal of Our said Colony.

AT THE COURT AT BUCKINGHAM PALACE

The 10th day of May, 1938.

Present

THE KING'S MOST EXCELLENT MAJESTY,  
IN COUNCIL.

WHEREAS there was this day read at the Board a letter to the Lord President of the Council from one of His Majesty's Principal Secretaries of State transmitting the Draft of Additional Instructions to be given to the Governor and Chief of the Colony of Kenya;

and His Majesty, having taken the same into consideration, was pleased to give His Privy Council the said Draft, and with the advice of His Privy Council to approve thereof, and to order, as it is hereby ordered, that the Right Honourable Malcolm MacDonald, one of His Majesty's Principal Secretaries of State, do prepare the said Additional Instructions (which are herewith annexed) for His Majesty's Royal Signature.

*J. P. A. Hanley*

ADDITIONAL INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Colony of Kenya, or other Officer for the time being administering the Government of Our said Colony.

Whereas by certain Instructions under the Royal Sign Manual and Signet in the Dominion and Command-in-Chief (hereby and hereafter called the Governor in and over Our Colony of Kenya) bearing date the Twentieth day of March, 1934, as amended by Additional Instructions bearing date the Twentieth day of June, 1935, provision is made amongst other things for the constitution of the Executive and Legislative Councils of the Colony.

And whereas We are minded to make other provision in regard to the constitution of the said Councils:

Now therefore We do, by these Our Additional Instructions under Our Sign Manual and Signet, as from a date to be fixed by the Governor by notification in the Official Gazette of the Colony, revoke, without prejudice to any appointment lawfully made, or to anything lawfully done, thereunder, the Fourth and Sixteenth Clauses of the said Instructions of the Twentieth day of March, 1934, and We do hereby direct and enjoin and desire Our will and pleasure that from the date so fixed, the said Instructions shall be construed as if the following Clauses had been inserted therein instead of the Fourth and Sixteenth Clauses therein:

IV. The Executive Council of the Colony shall consist of the persons for the time being lawfully discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, and of Chief Native Commissioner, who shall be styled *ex officio* Members of the Executive Council, such other persons (if any) holding office in the Public Service of the Colony as the Governor in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal, who shall be *ex officio* Members of the Executive Council, and such persons (if any) not holding office in the Public Service of the Colony as the Governor in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time

to time appoint by an Instrument under the Public Seal, who shall be styled Unofficial Members of the Executive Council:

Provided that if any Official Member of the Council shall cease to hold office in the Public Service of the Colony his seat in the Council shall thereupon become vacant.

Whenever upon any special occasion the Governor desires to obtain the advice of any person within the Colony or the Protectorate of Kenya relating to affairs in the Colony, he may, by an Instrument under the Public Seal, summon for such special occasion any such person as an Extraordinary Member of the Executive Council.

XVI. The *ex officio* Members of the Legislative Council shall be the persons for the time being lawfully discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, of Chief Native Commissioner, of Commissioner for Local Government, Lands, and Settlements, of Director of Medical Services, of Director of Agriculture, of Director of Education, of General Manager of the Kenya and Uganda Railways and Harbours, of Director of Public Works, and of Commissioner of Customs.

Given at Our Court at Saint James's this  
day of 1938, in the Second year of Our  
Reign.



... under the Public Seal  
also shall be signed by the Members of the Executive

... the Colony  
and Seal of the Council shall be the same as that of the

Whenever upon any special occasion the Governor desires  
to obtain the advice of any persons situated in the Colony  
he may by an Instrument under the Public Seal summon  
for such special occasion any such persons as an Extra-  
ordinary Member of the Council.

XVI. The *Ex Officio* Members of the Executive Council  
shall be the Prisoner for the Peace, the Advocate General,  
the Surgeons of Civil Surgery, the Attorney General,  
the Fiscal Secretary, the Chief Native Commissioner,  
the Commissioner for Local Government, Lands and Settlements,  
the Director of Medical Services, the Director of  
Agriculture, the Director of Education, the General Manager  
of the Kenya and Uganda Railways and Harbours, the  
Director of Public Works, and the Commissioner of  
Customs.

Given at the Court at Saint James's this *Twenty sixth*  
day of *May* 1900 in the second year of our  
Sovereign Lord King's Majesty.

Printed and Published by the Government Printer,  
P.O. Box 111, Nairobi.

C.O. McMeagan 7/5  
 Mr. Coetley-White 7/5/38.  
 Mr. P. [unclear] 7/5  
 Mr. D. [unclear] 7/5  
 Sir H. Moore.  
 Sir G. [unclear]  
 Sir C. [unclear] 7/6  
 Sir J. [unclear]  
 Perm. U.S. of S.  
 Parly. U.S. of S.  
 Secretary of State.

1301 May, 1938

**DRAFT.**

**CONFIDENTIAL**

Sir, I have etc. in refer to

(Sik)

the Confidential telegram No. [unclear] and to transmit

to [unclear] and to transmit  
 Additional Royal Instructions in  
 the form in which they were approved  
 by His Majesty in Council on the  
 16th of May.

*Draft addition of Royal Instructions*  
 (6) *Overseas*

2. I shall inform you by  
 telegram when the Instrument has  
 been finally issued under the Royal  
 Sign Manual and Signet so that if  
 you desire you may be able to arrange  
 for the said [unclear]  
 instructions to come into [unclear]

**FURTHER ACTION.**

C. O.  
Mr. Nelson 7/5  
Mr. Cooley - 7/5/38  
Mr. ... 7/15  
Mr. Dave 17  
Sir H. ...

Sir G. Tomlinson  
Sir C. ... 7.5.38  
Sir J. ...  
Private, U.S. ...  
Private, U.S. ...  
Secretary of State

No. 51. Confidential.

Your Confidential  
(S) ...  
Additional Royal ...  
be issued with ...  
change of titles ...  
of 1952 should coincide with coming  
it to force of Additional Royal  
Instructions and necessary  
notifications should appear in the  
same issue of the Gazette.  
Lestley follows.

DRAFT TELEGRAM

NON-SECRET  
GAFRCBI

(see country ...  
letter ...)  
9/1

FURTHER ACTION.

Downing Street,

16th May, 1938.

My Lord,

I have the honour to transmit to your Lordship the Draft of Additional Instructions to be passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of Kenya in regard to the Executive and Legislative Councils thereof.

I have to request that your Lordship will submit this Draft for the approval of the King in Council, and that two sealed copies and six plain copies of the Order in Council approving the Additional Instructions may be supplied for the use of the Colonial Office.

I have the honour to be,

My Lord,

Your Lordship's most obedient, humble servant,

(Sd) W.C. Bottrell

THE LORD REIDERT

OF THE COUNCIL.

(BY THE SECRETARY OF STATE)

ADDITIONAL INSTRUCTIONS

Additional Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of Kenya in regard to the Executive and Legislative Councils thereof.

ADDITIONAL INSTRUCTIONS to Our Governor and Commander-in-Chief, in and over Our Colony of Kenya, or other Officer for the time being administering the Government of Our said Colony.

Whereas by certain Instructions under the Royal Sign Manual and Signet to His Governor and Commander-in-Chief in and over hereinafter called the Governor, in and over Our Colony of Kenya (hereinafter called the Colony), bearing date the twenty-ninth day of March, 1934, as amended by Additional Instructions bearing date the twentieth day of June, 1935, provision is made amongst other things for the constitution of the Executive Council of the Colony.

Recites Instructions of 29th March, 1934 and Additional Instructions of 20th June, 1935.

And whereas we are minded to make other provision in regard to the constitution of the said ~~Executive~~ Council:

Now, therefore, we do, by these our additional instructions under our Sign Manual and Signet, as from a date to be fixed by the Governor by notification in the Official Gazette of the Colony, revoke, without prejudice to any appointment lawfully made, or to anything lawfully done, thereunder, the Fourth and sixteenth clauses of the said Instructions of the Twenty-ninth day of March, 1934, and we do hereby direct and enjoin and declare our will and pleasure that from the date so fixed, the said Instructions shall be construed as if the following clauses had been inserted therein instead of the fourth and sixteenth clauses thereof:-

replaces Clause IV and XVI of Instructions of 29th March, 1934.

IV. The Executive Council of the Colony shall consist of the persons for the time being lawfully discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, and of Chief Native Commissioner, who shall be styled ex officio Members of the Executive Council, such other persons (if any) holding office in the Public Service of the Colony as the Governor, in pursuance of Instructions from Us through one of our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal, who shall be styled Official Members of the Executive Council; and such persons (if any) not holding office in the Public Service of the Colony as the Governor, in pursuance of Instructions from Us through one of our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal, who shall be styled Unofficial Members of the Executive Council:

Constitution of Executive Council.

Provided that if any Official Member of the Council shall cease to hold office in the Public Service of the Colony, his seat in the Council shall thereupon become vacant.

Whenever upon any special occasion the Governor desires to obtain the advice of any person within the Colony or the Protectorate of Kenya relating to affairs in the Colony, he may by an Instrument under the Public Seal, summon for such special occasion any such person as an Extraordinary Member of the Executive Council:

Extraordinary Members.

VI. The ex officio Members of the Legislative Council shall be the persons for the time being lawfully discharging the functions of Chief Secretary, of Attorney-General, of Financial Secretary, of Chief Native Commissioner, of Commissioner for

Ex officio Members of Legislative Council.

Local Government, Lands, and Settlement, of Director of Medical Services,  
of Director of Agriculture, of Director of Education, of General Manager  
of the Kenya and Uganda Railways and Harbours, of Director of Public  
Works, and of Commissioner of Customs."

Given at Our Court at Saint James's, this \_\_\_\_\_ day  
of \_\_\_\_\_ 193\_\_\_\_\_, \_\_\_\_\_  
year of Our reign.

O. O. REC.

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

Dated 14th May 1938 Received 10-41 am 14th May 1938

No. 56. Confidential.

Your telegram No. 48 see no reason  
to anticipate that the Chief Native Commissioner will be  
absent from any regular meetings of the Executive Council  
on account of tour which is and will be arranged so as to  
ensure his presence at meetings. As regards  
alteration of title of officers appropriate / will be taken  
group omitted

C.C.

38011 SF

loaded & sent  
50 from  
10/15/51

Mr. B... ..

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

4 Sir G. Tomlinson 105

Sir J. ... ..

Perp. No. 28 10 at ... ..

Perp. No. 28 5.

D. H. ... ..

Governor  
Nairobi

Mr. H. ... ..

Y - K ... .. No. 67

J. ... .. 1-p ... ..

and the ... .. 232 ... ..

Page ... ..

the ... .. of H.M.

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FURTHER ACTION.

Present that you before Additional  
 instructions and send for all the  
 files under title 8, 9, 10, 11 &  
 other titles of Officers concerned  
 in the process as regards  
 signature of Secretariat





rice to a good deal of discussion, but  
we hope that it will be not less so  
as was the secretary of state  
for a session in the near future. He  
was invited

You will  
in the 5 word - shall attend  
the first class

(C. 188) W. C. BOTTOMLEY.



CONFIDENTIAL

April, 1968.

Sir,

With reference to your Confidential despatch of the 3rd December, 1967, regarding the reconstitution of the Executive Council, I have the honour to address you on the subject of the proposed amendments to the Instructions passed under the Royal Sign Manual and Signet, dated the 29th March, 1964.

2. My reasons for not furnishing my observations at an earlier date were that I had hoped that a speedy decision on the related matter of the proposed reorganization of the Central Government would have been possible. It has, however, become apparent that there is no immediate prospect of finality in this latter question and, since the new Legislative Council, which opens on the 8th April, affords a most auspicious opportunity for effecting changes in the personnel of the Executive Council, I do not feel that their introduction should be further delayed.

3. I have only two comments to offer on the draft Additional Instructions which

THE RIGHT HONOURABLE  
W. ORMBY GORE, P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S.W. 1.

formed the accompaniment to your despatch under reply. In the first place, the appointment of a Financial Secretary in substitution for a Treasurer necessitates the appropriate alteration in the title of that officer in the fourth line of the amended Clause IV. In this connection it appears that opportunity should be taken correspondingly to amend the fourth line of Clause XVI of the original Instructions also. In the second place I would prefer to see the title "Chief Secretary" substituted for that of "Colonial Secretary", in both the above Clauses. With regard to this latter recommendation, I hold no very strong views, and if there is any constitutional objection to the change in title I should not wish to press the matter, or to cause the submission of the draft Additional Instructions to His Majesty to be delayed on that account. I feel, however, that the title of "Chief Secretary" does more clearly define the status and functions of that officer in an organization which now contains a Financial Secretary, than would the title "Colonial Secretary", however adequate it may have been when he was the sole secretary to Government.

4. I have noted with pleasure that His Majesty's permission has been obtained to the retention by the persons, who will cease to be members of the Executive

Council under its new constitution, of the right to wear uniforms appertaining to members of the Executive Council during the period of their individual service in the Colony, and that they will also be allowed to retain precedence with members of the Executive Council. I have arranged that they should be given precedence accordingly.

Action will also be taken, in due course, to amend the Schedule of Kenya Officials entitled to wear Civil uniform (a copy of which was enclosed in Lord Swinton's despatch No. 556 of the 15th May, 1935) in the manner indicated in the fourth paragraph of your despatch under reply.

I have the honour to be,

Sir,

Your most obedient, humble servant,

*W B ...*  
AIR CHIEF MARSHAL  
GOVERNOR.