

1927

KENYA

1927

X. 10440

C0533/371

X. 10440

Labour in Kenya - Threshing of natives by employers

Previous

Em. 4236/26

Subsequent

		W. Flood	22 9
		" Calder	25 9
		" Adams	27 9
		" Davis	23 9
		" Mr. Green	23 9
		" Mr. Swenson	25 9
		Morris	23 9
		Haggerty	away
		W. G. N. Green	23 9
		W. Machin	25 9
		Ellies	23 9
		<u>Seal</u>	28 9
		Jiff	28 9
		" Lee	26 9
		" Seabottom	away
		Wall	
		Domick	26 9
		XCB	14 11
		29 E.A.G	22 9
		Mr. Allen	27 11
		Rogers	25 9
		" Williams	25 9
		" Williams	26 11

XCB

E.A.G

28 9

29

29

2

29

26 9

27 9

27 9

27 9

27 9

27 9

Anti Slavery
& Aborigines Protection Society

8 Aug, 1917.

Refer to a letter signed by Mr. F. Watters,
Governor of Nyanza in which he admits that
he flogs his boys. Express concern and
enquire whether any steps will be taken by
Govt. of Kenya with regard to this admission.

Sir C. Strachey

Amongst of the various papers, articles,
have been a default to Kenya on the
question whether colonial, in fact those
that they have a remedy for assault.

X/4235/26
8 f.p.

The Col. Govt. have for years been
"slay" of this question of "thrashing" in
the former ~~the~~ showing the general
view that in Indian administration
rather than punish taking the man to a
magistrate etc.

The Society's concern of "thrashing" to "flogging"
fully represents the most extreme of opinions
on the matter.

I am very sorry that this letter
will be brought before notice of the Govt.
and no step of course is (without
the Governor's letter) to be taken
ref. X/4235/26. (Signed) 10/8/17

X 10440
27

As proposed
But think it is worth considering
rather in future, in reply to the
kind of letter, we should not state the
need to communicate direct with the
local Govt. concerned -

2 TO AS + AP Sec (no) and 120 AUG 27

to Gov. Conf (K. 100/102) 22 AUG 27

Anti Slavery Society 28 Aug. 1917

In copy letter signed by Col. W. Essex Capell stating
that he flogged a Paramount Chief without trial
very necessary for announcement by Dept
repealing such

In the copy letter appears
reference to the "The Times Herald" of 1910.
Reference is made in 233/26 that the Colonial
Govt. did not at all intend to make any pro-
posals on this subject. The Appts. file
contains (flagged page) that Col. Capell was
Asst. District Commissioner in E. Africa
from December 1908 to September 1910. The inci-
dent in question is, therefore, apparently at
least

33

X 10440
17

least 17 years old!

? Reply that according to the records in this
Office Col. Capell served as an Asst. District
Commissioner in the E.A.P. between the above mentioned
dates, and that the incident to which he refers would
therefore, apparently have occurred not less than 17
years ago, but that a copy of this correspondence is
being communicated to the Governor of Kenya, and in
view of Sir C. Strache's suggestion in his minute of
the 12th August above, suggest that in cases of this
kind, the Society should communicate direct with the
Colonial Govt. concerned.

Out [] in
rather

(As the adoption of Sir C. Strache's suggestion
may affect the other Tropical African Depts., I send
this minute through Mr. Flood, Mr. Fliddien and Mr.
Green.)

H. Allen
29.7

It does not appear as if there are no plantations in Nigeria and
anyone who flogged a native (N. G. Rogers - will perhaps
means a boy or the car or more) would get no more below in most
cases, & would probably be laid up for several
weeks.

I have found that it is not true that
Sir C. Strache included the name of the
"The Times Herald" in his letter. It is not for
some years past that the Society has been
in communication with the Govt. of
Kenya (N. G. Rogers) in
the Society would probably get replies

which it would regard as originating from
Tanganyika but not from Nyasaland or Northern
Rhodesia. My own feeling is that communication
with the Office tends to prevent attempts to
bring pressure through the press and Parliament
and that it may not be desirable to discourage
it.

The 17th Nov

As proposed as regards the letters
On the general question it used
to be the rule that direct correspondence
between individuals & societies
in this country & the Colonies
was severely discouraged
except in regard to more routine
matters. Increasing pressure of
business has, I believe, led to
this rule being considerably modified
especially in regard to the African
African posts, but whatever may
be the advantages of direct
corresp. on business matters I see
no advantage whatever but
rather grave disadvantages of in-
direct corresp. on literary subjects
such as treatment of native
labour. In all other such a subject
requires the intervention of a
buffer between local officials &
the public at home, to say

Notes President
Book
Jan

Mr. Allen

4.10.1927
4.10.1927
4.10.1927

20/9
20/9

nothing of the form in which it
which might be caused to the I.P.
By letters written in the Secretariat
under the influence of the local
at atmosphere.

I would therefore do nothing to encourage
the Anti-Slavery Society or any other
body to write direct to the Colonies
on any other relations.

3.9.27
G.E.
above

To Anti-Slavery Socy (4 copies) 16 SEP 1927
To Gov Conf (13) (copy 4 + 5) 17 SEP 1927

See below 20/9

At 22/9/27
ADP 23/9
23/9/27
20/9/27
20/9/27
20/9/27
20/9/27
20/9/27

6

X 1001572

7 ----- Gov. GRIGG ----- 24th October, 1927.
Conf. 110.

States views of Mr. Watkins should not be taken as representing those of the Kenya settlers. Has nothing to add to his earlier despatches on the subject.

There is nothing here which would serve as a reply to No. 9 in para 2, it is not clear that any reply is necessary.

X line was intended
JMM

A note has been made on the "I.P." papers, (X 1001572) below about no regards para 3. This paper can be

P. 1001572

8 Dec

22.11.

JMM

27/11

atance

110

6

X 100487/27

7 ----- Gov. Grigg ----- 24th October, 1927.
Conf. 110.

States views of Mr. Watkins should not be taken as representing those of the Kenya settlers. Has nothing to add to his earlier despatches on the subject.

There is nothing here which would serve as a reply to No. 1, & in view of 2 it is not clear that any reply is necessary. A note has been made on the J.P. papers, (X 10015/27 below) about us regards para 3. This paper can be

There was intended
10/10/27

P. put by

8 Dec

22 XI

J. Miller

27/11

atance

had



75
GOVERNMENT HOUSE,
NAIROBI
KENYA.

KENYA.

No 112

CONFIDENTIAL

2 October, 1927.

Sir,

With reference to your Confidential despatch of the 22nd of August, transmitting copies of correspondence with the Anti-Slavery and Aborigines Protection Society, I have the honour to invite your attention to Sir Edward Denham's Confidential despatch No. 157 of the 1st of September, 1925, and Kenya Confidential despatch No. 49 of the 9th of April, 1926, on the subject.

2. Mr. Watkins, Junior, is a well-known contributor of letters to the local press on various topics and his views on the subject of Corporal Punishment of servants should not be taken as representative of those of the Kenya Settlers.

3. I have nothing to add to the views expressed in these despatches on this matter except to state that the report of the Local Government Commission on the Grant of Magisterial Powers to Certain Selected Justices of the Peace has been referred for the views of the various District Committees. Pending the receipt of local opinion on the Commission's recommendations I am taking no further action.

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

Edward Denham
GOVERNOR.

THE RIGHT HONOURABLE
LIEUTENANT COLONEL L.C.M.S. AMERY, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON S.W.1

Mr. Seel

Mr. Allen

Mr.

Mr. E. J. Harding

Mr. Strachey

Sir J. Stuckburgh

Sir G. Grindle

Sir C. Davis

Sir S. Wilson

Mr. Ormsby-Gore

Earl of Clarendon

Mr. Amery

X.10440/27 Kenya

Downing Street,

17 September, 1927.

Sir,

With reference to my Conf.

despatch of the 22nd of August, I

have the honour to transmit to you

the encg. copy of correspondence with

the Anti Slavery and Aborigines

relative to
Protection Society on the subject
a letter from Colonel A. Green Capell
on the treatment of natives in Kenya
published in the "Raiders Herald"
the 15/July, 1927. I have, etc.

DRAFT.

CONFIDENTIAL

CONFIDENTIAL (3)

Gov. Frigg

From Anti Slavery & Aborig. Prot Soc
24.8.27

To Sec. 16 Sept
Ormsby-Gore

2 drafts

(For the Secretary of State)
(Signed) W ORMSBY GORE

Mr. Bess

6 9 27

X.10440/27 Kenya.

Mr. Allen

Mr.

Mr. E. J. Harding

Sir C. Strachey

Sir J. Shackleton

Sir G. Grieth

Sir C. Davis

Sir S. Wilson

Mr. Ormsby-Gore

Lord Lovat

Mr. Amery

Downing Street,

16 September, 1927.



Sir,

DRAFT.

THE HON. SECRETARY,

THE ANTI-SLAVERY AND
NATIVE PROTECTION DEPT.

17 SEP 1927

6 Encl (3)

I am directed to ack. the receipt of your letter of the 24th of August transmitting an extract from a letter published in the Rhodesia Herald of the 18th of July from Colonel A. Essex Capell, on the subject of treatment of natives in Kenya.

According to

It would appear from the records of this Department that Colonel Capell served as an Assistant District Commissioner in the East African Protectorate from December, 1900 to September, 1910, and the incidents referred to in his letter therefore ~~may~~ ^{appear} have taken place not less than 17 years ago.

2 drafts

A copy of this correspondence
is, however, being ^{communicated to} ~~presented to the notice~~
of the Government of Kenya.

I am, etc.,

(Signed) W. C. BOTTOMLEY.

8 4
Telegraph:
30 CLEVELAND, CHURTON, LONDON.
Telephone:
VICTORIA 633.

The Anti-Slavery and Aborigines Protection Society

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

Hon. Secretary:
Frederic Buxton, M.A.

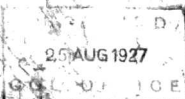
DENISON HOUSE,

296, VAUXHALL BRIDGE ROAD,

LONDON, S.W. 1.

(Close to Victoria Station.)

Parliamentary Secretary:
John F. Harris.



24th August, 1927.

To:-

The Under-Secretary of State for the Colonies,
Colonial Office,
Downing Street,
S.W. 1.

Sir,

Referring to our letter of the 8th instant, about the flogging of natives by employers in Kenya Colony, we beg to bring to your notice a letter in the "Rhodesia Herald" of 18th July, an extract from which we enclose, signed by Colonel A. Messer Capell, who writes as one who was administrator of a native district in East Africa. In it, he takes credit for having, while occupying this official position, himself flogged a Paramount Chief, without any sort of trial, and calls it "a just and condign punishment" which, owing to what he considers sentimental weakness in administration in Rhodesia, could not now be applied to adults there. He appears to take for granted that in Kenya, Europeans are free to flog natives on their own initiative, without interference, and we again beg to urge the necessity for some pronouncement by the Government, or possibly a letter which we could publish, deprecating the practices disclosed by these public admissions.

We have the honour to be, Sir,

Your obedient Servants,

Frederic Buxton
Hon. Secretary.

John F. Harris
Parliamentary Secretary.

17 SEP 1927
Copy to Sec. of State

16 SEP 1927

9

Extract taken from letter published in the "Rhodesia Herald"
of Friday, July 16th, 1927, from Colonel A. Essex Capell.

"The second paramount chief, "Mudhama", of the
Wekikuyu tribe had told me a deliberate lie on an
official matter."

"So I called the elders of the people aside,
to follow me into the bush, where I laid on 20
cuts with the kiboko (rhino hide) on that portion
of naked childhood obviously made for the purpose.

"As a result of this perfectly just and condign
punishment Mudhama became an almost embarrassingly
devoted servant of mine,"

Mr. Whitcombe 17/8/27

Mr. Jeffries 17/8/27

Mr.

Mr. J. Hastings

Sir C. Strachey

Sir J. Shackburgh

Sir G. Grindle

Sir C. Davis

Sir S. Wilson

Mr. Ormsby-Gore

Lord Lovat

Mr. Athery

X 104400 10
27

Answer
20/8
S.H.

27 Aug 1927

Sir,

With ref. to Sir

DRAFT.

Kenya

Conf:

G.A.G. 4 ans.

A.C.S. 20/8/27 (not incl.) 20 ans.

Edward Guggo says that

49 of the 9th of April, 19

have etc. to h. to you

the acc. copy of notes

with the Anti-Slavery

and Aborigines Protection

70

S.H.

Society relative to the question

of the administration by

employers of corporal punishment

to native servants.

I have etc

(Signed, W. J. GORR)

your letter will be

brought to the notice of

the Govt. of Kenya

9 *april*

(Signed) W. G. BOTTOMLEY.

Telephone
20 CITIZENRY, CHURTON, LONDON.
Telegrams
VICTORIA 2065.

The Anti-Slavery and Aborigines Protection Society

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

HON. SECRETARY
Travers Buxton, M.A.

PARLIAMENTARY SECRETARY
John H. Harris.

RECEIVED DENNON HOUSE.
9 AUG 1927
COL. OFFICE

129, VAUXHALL BRIDGE ROAD
LONDON, S.W. 1

(CLOSED TO TELEGRAPH STATIONS)

3th August, 1927.

To:-

The Under-Secretary of State for the Colonies,
Colonial Office,
Bowling Street,
S.W.1.

20 AUG 1927
ix.

We have observed with considerable concern, a letter signed by Mr. P. Watkins, Junior, of Nakuru, and published in the "East African Standard" of June 25th, in which this gentleman not merely admits, but appears to pride himself on the fact that he ^{keeps his colony} flogs his boys. We beg leave to draw attention to the serious nature of this statement. If it becomes generally accepted that employers are permitted to flog their employes without any interference from the Administration, the Government is obviously brought into disrepute, and we would enquire whether any steps will be taken by the Government of Kenya with regard to this admission. We attach hereto the extract in question.

We have the honour to be, Sir,

Your obedient Servants,

Travers Buxton
Hon. Secretary.

John H. Harris
Parliamentary Secretary.

Copy to Dept. 20 AUG 1927

12
1

13
END

Extract from the East African Standard, June 25th, 1927.

"I am not wanting labour. I have always had more labour than I want. I have never recruited a boy directly or indirectly and would leave the country rather than do so. I thrash my boys if they deserve it and I will let Archdeacon Owen or anyone else enquire into my methods of handling and working labour but I would ask that a full enquiry be made into the real causes of laziness, drunkenness, bang smoking and the like in the Jaiue reserves.

Yours etc.,

F. WATKINS, JR.

Nakuru, June 18. 1927."