

PROT  
27588

Amworth J  
Cand.

Native Policy

1913

5 Aug.

Submits suggestions - & encloses memoranda on  
A. Position of Native Converts in Reserves B. Development  
of Nyassa Province. C. General Education of  
natives. D. Swahilis, Portuguese and other officials  
at present residing in Townships. Dest. Stations &c.

last previous Paper.

4507  
24544  
10

Dr. G. Fiddes

Mr. Amworth came here shortly after  
his arrival on leave & said that he had been  
instructed by the Gov<sup>l</sup> to come & see me with  
regard to a scheme for the better education  
of the natives. I asked him to send  
me the Scheme & he has done so - see memo.

B.1. He has also sent me some other  
memoranda - which apparently because they  
have a bearing on memo: B.1. These  
are interesting mem<sup>s</sup> & I do not know why  
we have heard nothing of them before now.  
I have written to ask him whether they have  
ever been sent home & also whether, as I  
assume, the scheme in memo: B.1. is being  
sent home by the Gov<sup>l</sup>.

In memo: B. you will see that there  
is a great lack of info regarding the results  
required

see reply  
memo attached  
to J.P.  
2/10/13

at subsequent Paper.

... which might have been possibly  
included in an L.V. to the Treasury regarding  
the loan

Dait  
# J.R.  
20/8/13

Mr Bottomley, Sir G. Ziddes

I think that we might well send  
to the Gov. copies of all these  
memos. - refer to the corresp<sup>e</sup> as  
to native policy in Gov/20524/10.  
ask him to give the whole  
question his careful consideration  
& submit a report.

[It is not, however, clear even  
now wh. of these memos, if any,  
are pigeon-holed in the Native  
Secretariat - ? as a first  
step Mr Adairworth shd be told  
significantly that we want to  
refer the memoranda to the Gov.  
& asked to say whether any, and  
so which are already in the  
Gov's possession.]

all  
S. proceed. 20/8/13  
LW

I have written to Mr Adairworth as suggested - Reply attached.  
I submit aft. Gov. & concur N.D. 29.13

Print

Brookfield

351

27, Page Lane

Cheshampton cum Hardy  
Manchester

August 8 1913

Dear Mr. Read

With reference to our conversation when I met you in London on native betterment questions I enclose herewith copies of papers compiled by myself on the undivided subjects:-

- (A) Position of Native Courts, in Reserves.
- (B) Copy of proposals for the development of the Nyanza Province.
- (B1) Copy of memo dealing with proposals for the general education of natives, with copy of a letter from the ~~Rev~~ W. Blackwick (C.M.S.).
- (C) Copy of a memo regarding Swahilis and other Africans.

What we require in East Africa is a general policy for the uplifting and betterment of the natives. If we are to have a successful future in East Africa and indeed in the other Protectorates also, we must raise the status of the natives and they must be brought to realize that they are citizens of the Empire and that they have responsibilities. All this cannot be achieved unless the Government decides on a definite beneficial policy for their future. From whatever point of view we look upon their operations, whether from a business or a moral point of view, it is a fact that we seem to accept that a policy of native development is the only sound moral and business way of dealing with these millions of blacks over whom we have asserted our suzerainty.

We must realize that the native question in the African Protectorates is all important and that the bringing up of these populations should be (must be) our very serious concern, for in our present methods and policy lies the moulding of the future of these people.

Contented, industrious and progressive native populations in the different Protectorates means all the difference between success & failure of our administration in these countries both from the Black and White point of view.

I have felt all this for a long time and have been endeavouring to the best of my ability to adjust the policy of the Province, of which I have charge, so as to allow of this ideal being reached. Our staff & resources are, in face of great possibilities, unfortunately limited.

It is your good offices in this direction which I solicit. My reasonable outlay in this connection will be returned one hundred fold in more ways than the actual return of the money in the shape of revenue.

Under our present limited endeavours the Nyanza Province shows the following figures:

Railway bookings of export produce  
from stations in the Province

1908-9	3583 Tons
1909-10	6829 " "
1910-11	4893 " "
1911-12	16743 " "
1912-13	17799 " "

(Before 1908-9 there was no export produce, excepting wool and hides, & skins.)

	<u>Revenue</u>	<u>Expenditures</u>
1905-6	<u>Total</u> 259,000	<u>Total</u> 201,000
1906-7	283,000	216,000
1907-8	405,000	359,000
1908-9	596,000	584,000
1909-10	776,000	710,000
1910-11	878,000	802,000
1911-12	978,000	865,000
1912-13	1,081,000	949,000

James L. ...  
 John A. ...

	<u>Revenue</u>	<u>Hyman Rev</u>
	<u>Total</u>	<u>Halt Tax</u>
1905-6	259,000	201,000
1906-7	283,000	216,000
1907-8	405,000	359,000
1908-9	596,000	584,000
1909-10	776,000	710,000
1910-11	878,000	802,000
1911-12	978,000	865,000
1912-13	1,081,000	949,000

James L. ...  
 John A. ...

MEMORANDUM

by

PROVINCIAL COMMISSIONER, NYASIA,  
ON THE QUESTION OF THE POSITION  
OF NATIVE CONVERTS IN RESERVES.

-----:O&D(-)O&O:-----

This is a question that has in one form or another been the subject of discussion in this Protectorate for some time. My views on the subject are as follows:-

In the first instance it should be definitely decided as to what qualifications should constitute a Native Convert. I think a standard should be fixed and agreed upon. The standard to be fixed should be based on an Educational test; this is the common accepted method in all African Colonies or Protectorates where the question has been dealt with. Together with the Educational test the choice should further be left with the individual.

In my opinion it is most desirable in this country at least for some years yet to maintain a sense of nationalism (tribalism) amongst the native tribes, and this can only be done by encouraging the tribes to regard the Reserves as their heritage and hence their home. Otherwise it must come about that the Government will require to provide separate lands and set up another form of native Administration in the country. This may possibly come in course of time, and the procedure is already coming to the front now that we are arranging for crown settlement areas for demationalized and detribalized and alien natives. This evolution is due to the new and varied conditions attendant upon white occupation of lands in the Protectorate and is not due to any system of educational test; therefore, for some years to come these crown settlement areas will be occupied by a mixed class of Africans, and in many instances have either no Reserve to

to go to, or else who, from having formed habits contrary and opposed to tribal discipline, are not wanted in the Reserves, or who, of their own accord, do not desire to return to them.

Supposing we take it that the ordinary run of Mission converts do not come into the same category as the class I have just described and therefore will require special consideration. If Missionaries and others responsible for the conversion and education of these natives make a strong point of reminding their pupils that one great object of their superior up-bringing should be to try and better their fellow tribesmen in the reserves and also that their real home is in the Reserve, then I think the question of dealing with Mission converts will be simplified. Converts will, I assume, in this country consist of converts to Christianity and to Islam. More European sentiment will naturally be extended to the former than to the latter, and on this account they will require, if any convert does, special consideration and treatment. At the same time Islam must be recognized as having an uplifting tendency as regards pagan tribes. Personally I would tolerate Islam where Africans are concerned. Whether we tolerate it <sup>or</sup> not the teachings of Islam must, I think, make some headway, and if we refrain from opposing it, the tendency will probably be to be loyal to the Government of the country otherwise the influence may be otherwise.

In this country the object of practically all missionary influence will be to operate in and about the Native Reserves. Therefore, the assumption is that converts will be natives belonging to the Reserves, and in most instances the attendants at Mission Stations will be in the majority of cases such as have received the sanction of their elders to attend the Missions for the main purpose of being taught to read and write. It is, I feel absolutely confident, neither the wish or desire in any way of the elders that these natives who attend missions should be in any way brought up with a view of their leaving their Reserve for good; and, I think, once the elders do recognize such a possibility

possibility that every possible obstacle will be put by them in the way of their children joining the Missions. This point, therefore, would seem to be a question for very serious consideration by the Missionaries, and I think the matter should be put very clearly before them.

It is, of course, no desire of ours that the Native Reserves shall for ever remain the home of raw savages. I, for one certainly, look forward to the time when the natives in the Reserves will adopt more civilized methods of living generally; even today in certain places changes are taking place. Even, however, if great changes should take place in this respect, there will remain one great difficulty with which Christian propagandists will be faced, and that is the question of native marriages. It is, of course, striking at the very root of the native social system to teach them to become monogamists: such teachings are against the inclinations of the native and also against the interests of the tribe where female children are looked upon as an asset of no mean importance, if the marrying capacity of the male is limited or restricted then necessarily the marriage value of the woman will be decreased. All these points are going to lead to serious opposition from the natives once they are understood by them.

Native Converts in the Reserves: Their Status, Marriage, &c.

It is argued in some quarters that the fact of a native having become a Christian is ipso facto proof that he has departed from native custom. A parallel with such an argument would be that because a naked native takes to dress, or because he eats off a plate or sleeps on a bedstead or wears a bicycle or smokes regularly, he has departed from native custom. I am afraid I cannot agree with such a contention: such a native is simply changing his manner of living and is emerging from a lower state to a somewhat higher one. It is a native custom

for a native man to indulge in polygamy, but this custom is optional. A man may please himself in this respect. Therefore if a native convert living in a Reserve restricts himself to observing the law of monogamy, such a decision on his part is not opposed to native custom, although if such a practice became the custom instead of the exception, it may be decried by the conservative elders. We insist that the administration of native law shall be in conformity with civilized ideas of morality and humanity, I know, therefore, of no real obstacle to the introduction of civilized ideas into the Native Reserves. Such introductions should be encouraged; they can, however, only come and grow up with the younger generation. Another point is that with new and changed conditions native customs must necessarily undergo some change, and also new ideas and consequently customs must be introduced; and amongst them, if Christianity is going to take a hold of the people, pagan rites and customs will change and disappear, and Christian or other rites and customs take their place. For a time these will possibly conflict, but eventually one or the other will prevail. The result will show the strength or otherwise of the spirit of evolution. I think, therefore, we can dispose of the contention wherever held that the introduction of Christianity into Native Reserves is a departure from tribal custom, and we can allow that any form of evolution is admissible as a new form of native custom wherever introduced & accepted. The fact that a Christian convert may revert in so far as marriage is concerned is no argument that monogamy cannot be accepted as a native custom by those persons residing in the Reserve who wish to practise such a custom or law. The crime of bigamy may become a feature, but this is a crime liable to be committed in any Christian country.

As regards the native custom of the payment of a marriage (bridal) price, this to my mind is not repugnant. Indeed when we consider the nature of the people with whom we are dealing, I consider it a desirable procedure, and no self-respecting, or indeed

indeed any, native woman living in a Reserve would feel that she was properly married unless the price was paid. I think, therefore, that any marriage under Christian rites as between the natives of the Reserves should be attended by such payment. I know of no Missionaries who are opposed to such procedure, as they all realize that it is regarded by all parties as a very necessary essential and that without it the transaction would be looked upon as of no value and as not binding. I consider that the law regulating native Christian marriages should uphold this practice of the payment of the marriage price. A serious point to consider in this connection is that, should we allow any form of evasion of this custom because of the parties being professing Christians, we shall be responsible for a distinct menace to continuity and security in matrimonial and domestic life in the Reserves, and for the introduction of loose morality and consequent prostitution.

In actual practice compulsion in marriage is no more common in the Reserves than it is in normal Christian countries. Indeed I understand that the woman has considerable latitude in this respect, the main stipulation in all such matters being the payment of the bridal price. The Native Tribunals could, if necessary, be instructed to prevent, wherever possible, cases of compulsion. I do not anticipate any difficulty on this score.

There may arise questions in connection with Mission converts of youths desirous of being married who have not the means (either by themselves or through relatives) of paying the marriage price. With regard to natives belonging to a Native Reserve this would be a somewhat rare exception. Should, however, such a case arise, the Missionaries should endeavour to put such a youth on the way of earning money by working, such need to serve of Bechib. But as a general rule I think it can be accepted that any natives who are unable to pay the bridal price do not belong to the Reserves, and are either themselves proscribed or children of proscribed natives. I expect that such cases will be

place as there will in all probability be women in the same position.

As regards the matter of bridal price, there arises the question of nature of payment. The present practice is to pay in cattle and goats. It would be a considerable step in advance if an equivalent in cash could be arranged. This may come in time. I think it would be hastened if elders, etc., were constantly recommended to adopt the practice. I understand that in a few instances this practice is now being followed in Kavirondo.

There would appear to be no reason why native Christians should not be able to reside in the Reserves, and at the same time remain subject to the jurisdiction of the Native Authorities, for as I have already said the normal law in the Reserve, now we have provided for the elimination of inhuman or immoral practices, cannot be repugnant to such people; and in any case such people, or any other natives, have the right to appeal against an order of the Native Tribunals. Civilized Administration is spreading, in some places rapidly, in others gradually; and this fact alone makes for more purity in the social conditions generally. Again there should be no difficulty in getting the native councils to agree, when necessary, to so alter conditions where converts from paganism are concerned, so as to remove anything repugnant to their principles or ideas. Another point in this matter is one I have had some discussion upon with native converts, and their idea is that as the converts become numerically stronger, they can, if necessary, enforce their views as applying to themselves. In certain places in Kavirondo certain classes of the native community are already asserting themselves on the lines of emancipation from native superstitions. And certain converts to whom I have spoken seem to have no fear as to their ultimate status in the Reserves, and none of these people appear to have any intention of cutting themselves adrift from their people. I understand that certain Missionaries have this question in regard to the fate of Christian widows.

actual practice the native custom in this respect is not nearly as bad as it is represented. According to native usage the widow goes to live with a brother, or her deceased husband, and failing a brother she goes to an uncle, &c.; she may, however, marry again if anyone wants her. In such case the new prospective husband is required to pay a reduced rate of bride-price to the father of the young man. An old woman is practically never subjected to this procedure. The practice keeps women from want and from possible prostitution. If a widow has children she has the option of remaining with her children in the village of her brother-in-law &c. Taking, however, the worst aspect of the case it amounts in actual practice to a man marrying the wife of his deceased brother. As, however, this practice is opposed to Christian teaching, it might be possible to get the Native Councils to alter the practice in the case of Christians, (a case of this description happened in connection with some converts of the Roman Catholic Mission at Erkanoga some weeks ago and the proposed procedure (marriage to the uncle of the deceased man) was prevented on representing the case to the elders.) A native woman may hold property for her children, she, as a general rule, being given cattle by her husband when she has children, and these cattle are held in trust for the male children. It is generally the case that these cattle are handed over to the male children when they come of age. I believe, it is the exception for widows with children to remarry.

The next point is the question of female children of a deceased Christian going over to the male representative of the man's family. This procedure appears to me a normal one, and would seem to be the best and most proper one, and I think they are better in such cases than otherwise.

#### Conclusion.

There should be no great difficulty here. The property of a deceased father is divisible amongst the male children.

It is not the case amongst the Navahos that a native by

becoming a Christian or a Mohomedan ipso facto severs himself from his tribe nor does he lose any right to share in the property of his deceased father. Such native converts here are received at their villages and homes. This may possibly be due to the fact that such natives attend Missions in the Reserves, and are in the habit of going back to their village at regular intervals. (Even some of the Sub-Chiefs in the North Kavirondo District and at least one in the Kisumu District are professing Mohomedans. Their status, however, remains unaltered, except, perhaps, that they are respected more). I have had actual cases before me of Kavirondo who have left their country for periods of up to six and seven years and who, living down country, have become converts to Islam, their people are anxious for them to return home. A case has just happened in which an old woman holding cattle in trust for a son went herself to Nairobi to find him, (he had been absent from her for 6 years). The young man was found and has returned with his mother. The man had become Islamized.

Another point in connection with inheritance is that I see no reason why a native, although he should leave his Reserve, should lose any part of his just inheritance, but he should only be entitled to it when he is of age, not while he is a minor. The best guardians of his property, while a minor, would be the elder male representative of his family. Anyone, interested in a minor, who was living out of his Reserve, could communicate with the respective District Authorities on the subject.

So far I have dealt with native custom and the possibility of providing for the native converts who care to wish to remain in the Reserves. There, however, remains another aspect and this is connected with the possible desire of some native converts who may wish to sever for ever their connection with the Reserves and consequent Native Authority. I will deal with this aspect of the case by saying that except under an educational test such people should not be allowed to sever their connection with

with the Reserve. Indeed, I think, we should run extreme risks and social dangers if we allow any wholesale general movement of undisciplined native from the Reserves. Granted that we have to provide for aliens and detribalized blacks who are already reserveless, it does not follow that we should in any way facilitate or encourage such future movements. Once an educational test, (this can be either an ordinary school or technical test), is recognized and adhered to, we have the prospect of a better class of black coming into existence, and one who is able to recognize the responsibilities connected with the individual as apart from any tribal responsibility. Such a man will readily understand any advantages or disadvantages connected with residing in or leaving a Reserve.

I feel sure the Native Councils will not move in the way of any restrictive measures against their people, because they are converts to either Christianity or Islam; and I am assured by competent natives in Kavirondo that conversion from paganism does not by that fact alienate the convert from the tribe to which he belongs. This fact can be supported by every day evidence in this country.

There naturally arises here the question of the future of the Native Reserves. From my point of view the mere fact that Reserves are arranged and recognized means, amongst other things, a desire on the part of the Government to maintain the tribal entity, and to keep to the tribes their own areas in which the respective members can reside. It is only reasonable to assume, however, that some day individual tenure of land plus individual responsibility will prevail in the Reserves. Evolution must, therefore, be the order of the day, and possibly Christianity will be a serious factor in the progress.

#### Land Tenure in Reserves.

I believe that in all areas where there is Tribal control and responsibility there is no individual claim to absolute ownership of land. By native law a member of a tribe may continue

in possession of land so long as he occupied. He may sell his right to such occupation to another member of the tribe but not to an alien. An alien can only settle on land by the consent of the tribal chief and council. But even in this a member of a family cannot sell his occupation right without the consent of the head of a family, and the head of a family cannot part with it unless the land is occupied or is recognized as fallow land practically occupied by the particular village; in other words there is no individual freehold tenure. Any money paid for such land is in the way of compensation for improvements, &c.

Land is held by the tribe and for the use of the tribe and any contention to the contrary is not sound native law. With the advent of new conditions and ideas there may be certain natives who will endeavour to claim individual ownership: such claims should, however, be ignored.

#### \* Ownership of Property.

Amongst native tribes there is no individual claim in anything but moveable property.

#### The Rights of Native Woman in the Reserves.

A native woman cannot own property. She can, however, hold property. With many tribes a married woman has certain cattle handed to her on her giving birth to male children. The increase from such stock remains with her. The male children on reaching maturity (marriageable age) have a claim on such cattle. Female children belonging to the same mother share in the milk, &c., produced by such cattle but have no claim on it. Therefore a native girl on being married takes no property to her husband. A widow marrying again would leave all cattle, &c., with the male representative of her late husband; if she had sons the cattle remain their property, if she has no sons the cattle lapse to the male head of the late husband's family.

#### Exempted Natives.

In setting up a standard for exemption, I would not mean to

imply that as a natural consequence such natives would be expected or encouraged to leave the Reserves. My idea would be that these natives who wish to be freed from tribal responsibility, must, first of all, pass the test:

Kisumu,

April 22nd, 1912.

PROVINCIAL COMMISSIONER.

363

Proposals by the Provincial Commissioner, Nyanza,  
for the better development of the Nyanza Province in  
connection with the Grant of Special Funds by the Imperial  
Government.

-----:OO&OO:-----

Introduction.

The greater part of the Nyanza Province, as at present con-  
stituted, is a Native Reserve, and consists principally of the  
Tropical and sub-Tropical areas known as Kavirondo. Within the  
Kavirondo country there exists some of the most thickly populated  
area in East Africa and at the same time some of the richest and  
most productive land in the Protectorate. The productive pos-  
sibilities of the country are in a small way evidenced by the  
fact that with what little encouragement native growers of pro-  
duce have already received, an export trade, which was practical-  
ly nil before 1908, had reached some sixteen thousand odd tons  
for the twelve months ending March 31st, 1912. To encourage  
this trade the Administration has opened up Trading Centres at  
various points, some situated along the Gulf of Lake Tanganyika  
along the Railway line and others in the interior of the Dis-  
tricts. The Government has constructed the greater part of the  
Kisumu - Kisumu Road to connect Kisumu with Ludias. All other  
existing roads and tracks have, however, either been made by the  
natives or by money from the Native Central Stock. That road  
construction has been effected has been with comparatively little  
monetary assistance from the Government. That has been done has,  
however, lead to results of considerable commercial importance to  
the Protectorate which is singularly wanting in an export trade.  
Incidentally the production has enriched the districts resulting  
in increased native revenue, and has added very considerably to  
the Government Railway receipts.

Commercial prosperity in the districts concerned has result-  
ed in increased rents by the natives and these rents are now exer-  
cising a very real and important influence on the people in the way  
of

of increased industry which is having a stimulating effect generally. There is no doubt but that this development is broadening the minds of the people and bringing them yearly more into touch with civilized ideas.

The more the country is opened up by trade the more generally enlightened will the people become and the more they will require in the way of civilized luxuries, and so the more they will wish to earn; and with this will come a greater desire on the part of the more able-bodied to investigate conditions further afield in search of the money which they are beginning to realize is the open sesame to the luxuries that many of them already covet.

The country so far is only partly opened up and further progress is retarded for want of reasonable communication in the way of cart roads, &c. There still remain many parts of the Province that can be made rich and productive and responsive to civilized economic pressure if we can but introduce some reasonable and easy access to the areas.

Another point is that native efforts alone and unaided are slow and comparatively small in result. By this it is meant that native methods of cultivation are in themselves poor and far less productive when compared with civilized ideas. Therefore under native effort alone production is far more wasteful in the way of labour and area than would be the case if the same people were instructed in more civilized methods. Under any circumstances many of the native populations will continue to produce. It would, therefore, seem both reasonable and politic to have them instructed in their production and so allow them to develop with as little economic waste as possible, by which means such greater results can be obtained by the expenditure of less human effort, and so, while continuing economic development and progress, free larger numbers of the able population for works of development elsewhere.

There is undoubtedly room for very considerable development in the Kavirondo districts, and it is, I think, fairly cert

My opinion, however, always inclined to ...  
 of the idea that we should be far more likely to obtain  
 labour from districts where the people were industrial  
 than from the locations where no one did more than produce his  
 special food requirements. Now, however, I have no doubt as to my  
 point on the subject; and I am firmly convinced that only from  
 the native populations that are amongst themselves industrial  
 will any appreciable amount of the future voluntary labour supply  
 come. The industrious native is always wanting something; his  
 wants extend to luxuries; his habits spread and multiply  
 continually increase; and he is apt to do so preferentially  
 first, viz., an industrious population with constantly increasing  
 wants. This is a healthy sign as regards the labour supply  
 and for general all-round progress. My contention is, however,  
 that in order to achieve this, the population must first learn  
 to teach workers in their own country. This I could not do  
 in the first school. Once this lesson is learnt we need not  
 fear the future. Under such conditions we shall have a proge-  
 nerous native country and an ample supply of labour for all possi-  
 ble projects in the country system.

I have dealt with the matter of an increased labour  
 supply, I think, it is necessary to say that the  
 of the opinion that increased agricultural effort  
 in the tropics means a reduced supply of labour for the  
 such ideas are erroneous. I have quoted actual  
 in support of what I say and I am satisfied that  
 as I have now put it.

Had I on the other hand been satisfied that increased agricul-  
 tural effort meant a decrease in the supply of labour from  
 such areas for work outside I should not hesitate to say so,  
 for I cannot accept the argument that a native has no right to  
 develop his own country, and I sincerely believe that in the  
 tropical areas increased success in native agriculture means a  
 prosperous protection. I am on the other hand an absolutely  
 convinced that the introduction of any policy likely to retard  
 native

2. A definite policy of agricultural development will undoubtedly pay the Protectorate in a very handsome manner for it will add greatly to the trade and export and also to the Railway receipts. I would just mention the amazing results such a policy has had in the development of the Eastern Province of the Uganda Protectorate.

3. From the point of view of the justice of expenditure on agricultural development in this Province, I can only point out that during 1911-12 the total hut tax revenue contributed by the natives of the Province amounted to over Rs. 865,000, which this year will be over Rs. 900,000. This is in the form of direct contribution to the Revenue. Therefore an expenditure of Rs. 50,000 amongst natives who contribute Rs. 900,000 in direct revenue payments amounts to just over three per cent of a refund. In two years' time, however, this expenditure would mean payments to the Uganda Railway on freights alone of about Rs. 750,000 and possibly more. (I estimate the freight payments to the Uganda Railway during 1911-12 on produce mailed from this Province at over Rs. 300,000). In case I should be asked as to how long I think this special recurrent expenditure should continue, I would reply "Three years at the least".

4. I trust that I am not asking too much when I ask that definite attention should now be given to systematized agricultural development of the native districts of this Province. The natives are developing on their own lines and will continue to do so. I feel sure it will be wise on our part to guide the development on more civilized lines by which means the resources of the soil will be better utilized and with more economy.

I have, &c. &c.,

Sd. John Ainsworth,

Provincial Commissioner.

MEMORANDUM DEALING WITH CERTAIN PROPOSALS

FOR THE GENERAL EDUCATION OF NATIVES

374

IN NATIVE DISTRICTS IN THE EAST AF-

RICA PROTECTORATE.

—:G.O.C.(-)O&Co:—

As the result of a discussion between the Honourable Director of Agriculture and the Provincial Commissioner, Nyanza, a meeting was arranged at the office of the former in Nairobi on the 30th April, 1913. The Provincial Commissioner, Ukamba, and the Director of Education also attended.

~~XXXXXXXXXXXXXXXXXXXX~~

It was considered that some definite scheme of general Education, to include instruction in Agriculture and simple Technical matters, together with elementary scholastic subjects, should be instituted by the Government in the Native Districts. It was considered advisable to put forward suggestions for the information of the Governor in the hope that His Excellency might see his way to give them his consideration either from a point of view of general application or else for application to selected districts in the first instance. We would term the foregoing proposals as ones covering primary education. It is not intended that they should cover higher education or advanced technical training, as it is felt that should the future show the need for the higher education of natives special provision can be made when such need is proved.

Influence of a general Education on the Natives.

It is considered that any general Scheme of Education such as outlined in the preceding paragraph, must ultimately have very far reaching and beneficial results to the native populations of this Protectorate. It will make them in every sense more useful citizens; it will influence for the better their relations with the whites. It will

will allow of their reaching a higher standard of living and so be a considerable element in increasing their wants and incidentally their desire to earn money. Increased production, a better understanding as regards the labour market, and more efficient and more voluntary labour which can be relied upon will naturally follow. We feel certain that some definite policy in this connection is highly desirable, and equally so that its introduction must have beneficial results not only with regard to the native populations but as regards the Protectorate as a whole.

We feel that the native populations must be raised to a higher status and we feel that it is a duty of the Government to take a real live interest in the process and to deal liberally with it. The real working asset of the country is the native, without him the position would be an impossible one. If he remains a raw savage or if his future is left to chance unassisted by any education, the native will undoubtedly remain an unprogressive savage who will ultimately become a danger to the state. Guide him and educate him on approved and definite lines and we shall ultimately have a helpful citizen.

The Natal Native Commission strongly urged that greater facilities be given for primary education, and that a beginning should be made in teaching agriculture and some instruction given in handicrafts; but such teaching should not go beyond the present needs of the natives. We would suggest that what we have already proposed in this memorandum falls within the meaning of the Natal Commission proposals and is a system of education calculated to meet the present needs of the natives. We would remark that the present needs of the natives include, amongst other things, the necessity for their understanding the new conditions consequent on the inevitable changes in their environment; and it is, we consider, the duty of the Govern-

Government to meet those needs. We suggest that our proposals will go very considerably in this direction.

We feel definitely satisfied that, amongst other things, the only real solution of the Native Labour problem in this country is a system of education such as we advocate in this memorandum. The tendency of natives if left to themselves, is to produce only sufficient for their own requirements; apart from this they have very few, if any, real industrious habits. If we are going to permanently alter this state of affairs we must take definite steps to inculcate habits of industry in the rising generation. Once these habits are formed the effect on local development and production and on the outside labour market must permanently improve. In this connection it is necessary to bear in mind that any form of forced labour in this country cannot help but have the most disastrous results eventually. Natives in their own districts do not mind work when it is for themselves and when it may be performed within their own time and as they please. This is naturally an indolent way of working; it, however, suits the native. We admit that for any outside industry to have to depend upon such methods would mean stagnation and ruin to such industries; yet in reality it is just such a system that the non-native industries in this country have at present to depend upon. Many people advocate pressure being put upon the natives to force them out of their districts. Supposing pressure is applied, the <sup>concerned</sup> savage native/at once looks upon work as some form of punishment applied to him because the whiteman has the power to apply it. He on this evinces a distaste for labour. He then opposes the system by apathy and indifference to the work, and on his return to his district employs a lot of his time trying to avoid any similar experience.

It is abundantly admitted that the native labour coming out of the districts is not only apathetic it is also very poor.

poor. It is, therefore, usually poorly paid. Yet the demand is such that employers are in many instances forced to pay more than the labour is worth. Some cases of improvement in the class of labour may be evident but the general class remains poor and in some cases gets worse. The state of affairs will not improve under existing conditions, and their continuance will most certainly increase the difficulties of the future allowing that the <sup>future</sup> ~~present~~ demands for labour are on the same scale as they are at present.

An important point in this connection is that because labour is raw and untrained and does not improve in this respect, it is not valued by the employers in the same way as better class labour would be valued. Also for the same reason it is usually necessary to employ for one job more natives than would be necessary supposing the labour was in any way trained. The consequence of all this is that there is in all parts of the country a very large percentage of really waste labour. These remarks apply equally to production in the native districts where in most cases agricultural efforts are limited to the most primitive methods. Educate the natives in their own districts to more civilized agricultural effort and we arrive at more production with employment of less labour and at the same time improved utilization of the soil. The further results generally would be

Inculcation of industrious habits,  
training of labour.

incitement towards a higher status of living,

desire to obtain imported goods.

desire to earn money, and,

as increased efficiency in agricultural effort made for the opening up of larger areas and more production with fewer labourers, and as in all districts numbers of young men never have and never will cultivate the soil, it would mean the voluntary departure of young men to outside places to earn money by engaging in the trades they have learned in the Agricultural

Agricultural and Technical Schools in the Province.

Another point we wish to bring out in this connection is that if left alone the native must and will continue to cultivate in his primitive way, his production, because of his limited agricultural knowledge, will be correspondingly limited; to increase the production additional labour will be employed, and so on. While at the same time the inclination to seek labour outside will not increase, indeed, bearing in mind the conditions we have referred to under which his pay and general treatment cannot improve very much because as a worker he is not of much economic value to the employer, it is highly probable that the labour supply will shrink very considerably.

We recognize that in some cases employers do endeavour to teach and train their labour, but owing to the want of early training and the consequent lack of adaptability the majority of natives so treated leave their employment before the employer can really reap any benefits for the time and trouble expended.

(It is recorded of one decent raw native who had gone on to a whiteman's land that for months he took no interest in the work. He was taught to inspan and to drive oxen when ploughing and had been constantly employed for about six months on such work, when suddenly he burst out "Oh! I know now what the whiteman is doing, he is hosing the ground and planting". All this time he had apparently been wondering what the whiteman was playing at.)

There are thousands of raw and semi-raw natives who to-day "wonder what the whiteman is playing at." We want to teach him during his youth what we "are playing at".

Suggestions for the Formation of  
Schools for Native Instruction.

—:oOo:—

- (i) The Schools to be considered as Provincial Schools.
- (ii) The establishment of any Schools to be subject to the approval of His Excellency.
- (iii) Branch Schools to be opened up in Districts as considered necessary and as funds admit.
- (iv) That the expenses connected with this proposed educational system be met out of the Native Hut and Poll Tax Revenue collected in the particular Province. We propose that a sum not exceeding 5% of such Revenue should be set aside to meet the requirements.
- (v) That subject to His Excellency's general power of control, the Schools to be under local control with the addition that the Hon: The Director of Agriculture and Director of Education be ex-officio members of each Provincial School Committee. The Provincial Committee to consist of  
 Provincial Commissioner and District Commissioners of Each district, with two non-official members to be nominated.
- (vi) The Committee to decide in each case whether or not School fees should be charged. (It may be considered advisable to charge a small fee as it often happens that if a native gets something for nothing he fails to appreciate it. Besides which a matter of payment, no matter how small, tends to create self respect).

Religious Teaching in the  
Schools.

This is a question upon which many people hold different ideas. We think, however, that a great deal of our effort in the uplifting of the African must be devoted towards forming character and to giving them some basis of solid

solid thought on which to work out the moral side of their lives. We cannot force such matters. They must come gradually by precept and example. Religion we must all accept as the dominating factor in this connection. Strict discipline and sound instruction in a moral atmosphere with some amount of religious teaching will achieve the best and more permanent results. We think, therefore, that any schools under Government auspices should be in charge of specially selected men having the qualifications essential to the carrying out of the work. In other words men with strong personalities, instinctively liking the African, and who are prepared to guide the African in his moral obligations, should, if possible, be selected for the work.

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Finally we would remark that we recognize that any and all European Governments responsible for the administration of African Tribes, are faced with enormous responsibilities in the up-bringing of <sup>the</sup> people committed to their charge. The future of these races is fraught with immense possibilities for good or evil in these lands. We have accepted the burden, it is <sup>our</sup> absolute duty to do our best to see that we do not fail for the want of trying.

The present day conditions in these lands are such that these duties must be observed. The Black must be taught to be a helpful and useful citizen. He must be taught to understand that he has moral obligations. It is our duty to teach him. Administrative effort has a considerable effect in this direction, and Missionary effort, where effectual, has a further wholesome effect. There are, however, other things, and these, we maintain, can be supplied in great part by our present suggestions. If we fail in our obligations in this connection, we must not blame the African for the state of chaos which must come, and which, when it does come, will, where large populations

are concerned, be the cause for grave anxiety in British East Africa in the future. We have now the power to mould the future. Is posterity to blame and curse us for our lack of foresight? We, therefore, earnestly pray that these proposals, or others having the same object in view, may be accepted as a basis for dealing with this all important question of the uplifting of the native populations.

Certain Missionary Societies are at present engaged in shouldering part of the burden. Their efforts are, however, limited, and in certain cases are wanting in system and direction. We have, however, in some cases taken advantage of these efforts in the way of Education of the sons of Chiefs and Headmen with certain good results. We require, however, in addition direct and universal Government effort, hence the object of this memorandum.

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Director of Agriculture.

Provincial Commissioner,  
Nyanza.

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Provincial Commissioner, Ukamba. Director of Education.

Rev.

Resume

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Dear Mr. Henslowth,

I feel very strongly that even from an administrator's point of view Mission Schools must always be more valuable than any other kind.

My reason is this.

It has been found from experience, especially in India, that it is exceedingly difficult, if not impossible, to give a good moral training without a religious one. But in the present condition of our unhappy divisions, it is also very difficult for a Government school to be run on religious lines. The latter difficulty you will understand better than I, but personally I should prefer to see schools run even on Mohammedan lines than trying to ignore religion all together.

If the Government can devise any scheme by which religion can be taught in them, the schools proposed must be entirely a boon; but you know the criticisms that are constantly brought against "Mission Boys". Very many boys come to our schools simply to better their social position, their wage-earning capacity, & of these a certain proportion are bound to leave without their character being really changed. If they are inclined to be rogues they will be all the worse for being trained. If there are also certain numbers who bring shame on us in spite of the fact that we especially aim at character rather than learning, how much greater is the evil likely to be unless you do indeed get the men you mention with strong personalities who are prepared to guide their fellows in his moral.

obligations.

Such men will be difficult to find outside the membership of the churches; & churchmen of what ever church, who are of a strong personality and anxious to guide others, will naturally prefer to guide men in their own church.

In many places, nowadays, there are in the same Government institution hostels, or boarding houses, under the superintendance of different religious bodies, - Mohammedan & Hindoo as well as Christian. The men in charge frequently hold teaching appointments in the Government institutions. These however are generally large & except in a large institution there would be no economy in such an arrangement. A society would naturally prefer to run a school themselves to taking a secondary position in any but a really large institution.

I entirely agree that something must be done & soon, & if the various missions cannot do more, than they are doing now, the Government must undertake the responsibility.

There remains only to ask first - whether the Government have given all the encouragement they can to the mission schools & secondly, whether a definite statement of the help that you do generously give, together with your opinion that the response from the Churches is quite inadequate, might not have an effect if addressed to the principal missionary societies.

Personally, I should be most grateful for any such statement it would be of the greatest

use to me in my approaching furlough, when  
I hope to try and beg for my help from home.

Thanking you for having allowed me  
to see the draft of this most interesting mem-  
anda.

I remain

Yours sincerely  
(Sd) W. Chadwick

Regarding the question of Swahilis, Sudanese & other Africans at present residing in Townships, Dist. Stations, &c.

The primary point in this connection necessary to remember is that the Swahilis, Sudanese and similar people are with us, and they have, in many instances, been in particular locations or districts for many years. Very many of them are old Government servants ~~for whom no pension has been provided~~ ~~and in some cases the pension has been granted~~.

The Sudanese are in many cases the remains or the off-spring of men brought down from the Equatorial Province of the Sudan by Sir (then Capt.) F. Lugard, while others are I believe men who have taken their discharge in the country from the R.A.R. These people who have been brought up as soldiers are in many cases fairly good agriculturists and their women are keen petty traders.

The Swahilis (a number of these people are in reality ex-slaves and are only Swahilis in name. The appellation of Swahilis in their case being due entirely to the fact that they speak Swahili and have been on the Coast, and that they dress like a Swahili and either profess or ape the teaching of Islam,) resident in this and other provinces who come generally under two heads, viz.,

- (i) Old Safari porters, headmen or askaris, or those who have acted in other capacities as Government servants.
- (ii) Old Caravan porters.

Under (i) These people came from Senibar, German East Africa, and from different points of the E.A.P. Coast to enlist for caravan and other up-country work. Toil and age in some cases, and the removal of the railway, in others, tended to deprive these people of employment, so that they were left with no provision for their general mode of living, etc., necessitated a higher rate of wage than the ordinary native of the interior, they were unable to find employment when brought into competition with the up-country native. Thrown on their own resources without advice

or leaders, these people gradually took ~~the~~ to settling round centres and made, and are making still, an endeavour to eke out a precarious existence by petty trading; in some cases receiving sympathetic treatment and in others, because of their position not being understood, they have been harried until, as a matter of fact, in many cases they are looked upon and treated as pariahs. It is not to be wondered at that in cases where their treatment has been consistently harsh, and where they have been looked upon as undesirable, that they, together with their trader brothers, have unwittingly assumed the guise ascribed to them

(ii) Old Caravan Traders. These people, who originally carried out a Caravan Trade in the interior, were gradually driven from their calling by the advent of our Administration. According to their light, acquired naturally from their up-bringing, their methods, which we object to, were in no way wrong. They had, however, perforce to submit to our objections. Ivory trading, amongst other things, is closed to them, and their movements are at every point severely prescribed. This class of Trader was possibly unique in every possible way; he would walk hundreds of miles, taking if necessary a year or more to do it in, to buy one or two tusks of ivory; he would sit at a village a month if necessary to discuss the price of a tusk, and so on. Well! his vocation has in the main, gone. Some of these people still endeavour to keep themselves above water by buying hides, &c. Others, however, have come down to precarious petty trading.

Some time ago we attempted to deal with the matter by allowing these people to take up small plots of unoccupied land at various points and tried to induce them to settle down and become cultivators. The attempt has, however, been only partly successful, and for the following reasons:--

- (i) The difficulty amongst the greater number of these people to take up agriculture seriously owing to their long absence from such vocations.
- (ii) The tendency amongst many of them to flock round townships and stations, and there carry on a semi-indolent existence by petty trading.

- (iii) The constant hope amongst many of them that ivory and other trading in outlying districts would again be permitted.
- (iv) The absence of a universal Official scheme for the Protectorate for dealing with these people.

Many of these people, are getting on in years and have done, or nearly done, what hard work they were capable of, and it is, of course, difficult for these to commence life under new conditions. At the same time, in many places, there is a younger generation growing up amongst them, and their numbers are being supplemented in many cases by natives, both youths and women, who leave the Reserves.

If the centres to which these people go were able to offer industrial employment, many of them might become easily absorbed to the ultimate benefit of all concerned. Such, however, is not the case at present, and the result is that the greater number of this class is forced to devise its own means of employment, which is more often than not as unsatisfactory as it is precarious.

In the absence of a universal Official scheme conditions are liable to vary under different officers and in the different provinces, and this tendency alone is not favourable to settling these people, who, if excluded from one centre or location drift to another and so on.

In the Ukamba Province a number of ex-porters and askaris settled down in Kikuyu some years ago, and have, I believe, done well. This was, I think, due to the fact that they were placed in a location and had the advantage of the proximity of Nairobi for the disposal of their garden produce. Again, some European landholders near Nairobi have taken to sub-letting their land to Swahilis and others. This procedure, has I believe, been of some benefit to the Africans concerned. (The policy of Europeans sub-letting their land to Africans as, I believe, condemned by many; it is, however, not part of my case now to defend or condemn the practice; I simply mention it.)

Again in the Nyanza Province a certain number of Swahilis and Sudanese have leased small plots of agricultural land on a yearly agreement in and about the Townships and Stations. Some of these holdings have turned out successful, but in any case

there is no definite understanding that such agreements can be entered into by further members of this class. And, indeed, I doubt the wisdom of allowing unrestricted holdings of this nature round Townships and Stations, and I think that the limit in this connection has now been reached at some points.

There are, however, a good number of such people as I have described who are not definitely settled in any way, and these keep on wandering about from place to place and in many cases are required to shift by the local authorities.

Added to the foregoing numbers of the younger people belonging to the Reserves are gradually becoming detribalized. These will help to swell the class that settles round the Townships, &c.

From every point of view this matter is one that requires attention and organization on some general basis.

It is noticeable that the tendency amongst many of the Africans who take to residing in and about Townships and Stations, is to avoid work and endeavour to earn a precarious living by petty trading. It is quite obvious, however, that this mode of earning a living has very limited possibilities, and its adoption is of very little, if any benefit to the community.

To anyone willing to follow this question through it is abundantly evident that it is one that must be dealt with sooner or later. The longer it is left the more difficult it may become.

Some people say "why should these people be allowed to be in the Province; why not clear them out?" and so on. If they are cleared out of one Province they will go to another; they must go somewhere. So the matter is in no way assisted by moving them about. Indeed, if they could be settled down definitely it would be an all-round advantage.

These people are, after all is said and done, bona-fide inhabitants of the East Africa Protectorate, but having almost from the start either become associated with the Government or else been handicapped out of the commercial race by our methods, etc., as regards restrictions, or through our action in abolishing

slavery they have been deprived of masters and consequently homes, &c., and we, having overlooked the necessity of providing something else to take the place of a master, &c., have left them homeless and disorganized. They have become detribalized, demoralized and decentralized, and so they congregate round what centres there are.

A further matter is that the tendency for individual members of tribes to leave their Reserves is likely to increase yearly. This is due in great part to the fact that year by year there is an increasing movement on the part of the young men to go out of their Reserves to seek for work, and of these invariably a certain percentage either do not return to the Tribe or else they return only to again leave on months of absence. The demand for native labour is undoubtedly adding to the nondescript class which is the subject of this memo. A curious feature in this connection is that many natives who originally left their Reserves for work, and who have subsequently taken to living at centres outside of their Reserves, seem to adopt an indolent life, and do not again return to labour; they seem to prefer leading a life of ease, away from control, &c.

It is noticed that, notwithstanding the fact that the native unemployed populations round places like Kisumu are steadily on the increase, it is necessary, on practically every occasion, for employers requiring labour to go into the Reserves to get it.

The particular class of native referred to is unfortunately less intelligent than the ordinary Swahili, and is less able to adapt himself to new surroundings away from Tribal control, and so is possibly more apt to form a large proportion of the Criminal class, not so much from inclination as from force of circumstances and want of control.

I have possibly taken some space to describe the subjects of the problem before us. Its present and its future looming importance is, however, my justification.

It is of course no use raising problems unless one is prepared with some suggestions for their solution, and this I have pleasure

pleasure in doing.

(1) All Swahili and Sudanese who have already definitely settled on agricultural holdings, or within Township or Station areas anywhere to be allowed to remain there on definite agreements, and on, where possible, a uniform rental etc., and on conditions to be hereinafter specified. All such holdings to be properly listed and the rentals to be approved. This question of rental is one that is constantly cropping up because of its want of uniformity and general application. Rents to be reasonable, say as follows:--

Rs. 3/- a year per acre for Agricultural plots, with a maximum holding of 5 acres in any one case. Such areas to be dealt with only where they are available without injury to the native inhabitants, or where Crown land is available. Agricultural plots not to be leased in Township or Station areas except on yearly agreements renewable from year to year by endorsement on the original agreement until such time as the land should be wanted. Plots leased outside Township areas to be for a term of 10 years renewable under the same conditions as Township plots.

Where, however, any existing buildings occupy land in excess of the measurement named, then the ground rent to be based on a rate of Rs. 10/- for 50 x 50 ft. with a maximum of 100 x 75 ft. at Rs. 15/-.

(ii) In all Township and Station centres special locations to be set apart for the different classes of Africans, e.g. Swahilis, Sudanese, Waganda and interior tribes; and within such locations building plots to be leased at Rs. 4/- a year for a space of 50 ft. x 50 ft. Each individual able-bodied male living in a location shall be deemed to be liable for payment of a plot rent.

(iii) Any person residing in a native location or in a house in a native quarter to be registered and to pay a Poll Tax of Rs. 2/- a year in addition to the ground rent. Lodging houses in locations or in native areas in a Township to be prohibited.

(iv) No native to be allowed to come to reside in a native location unless

(a) he has a permit from the District Commissioner to leave his district,

- (b) he is over the age of what is apparently 15 years,
- (c) in case of a woman that she is the wife or mother of a native who is duly authorised to reside in a native location.

Except such natives shall already have been registered or identified and have been absent from their Reserve previous to any notification of such restrictions as above:

All Courts should be instructed to order, whenever possible, the return to their Reserves of all unemployed natives found wan- about Townships or anywhere out of their Reserves, and for whom employment cannot be found, or who will not work.

- (v) That any African resident in a Township or Station failing to pay his rent or taxes on demand shall be called upon to work for the Government at the rate of one month for every 4/- due. But every native holding a plot in a location who can prove that he has been absent for a period of three months or more on regular employment away from his location, may obtain a proportionate rebate of any ground rent due, and the production by him of a receipt for his Poll Tax paid for the current year in any other district shall free him from any further payment for that year under this head.

(vi) The Government to establish Agricultural allotments or locations at convenient and suitable points in the Protectorate, and that any Africans as defined in this Memo shall be eligible to become tenants of plots therein on payment of rent to be decided for each locality and where necessary rent for these plots can be paid in kind on a valuation to be assessed on local market rates.

(vii) All locations to be in charge of a Headman to be approved by the District Commissioner and the locations to be policed by members of the location to be selected by the District Commissioner, such police to be called "Location Police." Such Headman and Police shall (under certain conditions) receive compensation not to exceed 25% of the total revenue collections of the location.

(viii) Trading sites shall, when necessary, be set apart in any location, but no trading shall be allowed in locations where there is a bazaar or other trading centre in close proximity.

- (ix) At all Trading centres in areas alongside Native Reserve areas but excluded therefrom, plots may be specially set apart for leasing to Africans desirous of opening shops; rents and terms for these plots to be arranged by the Land Office.
- (x) A Registration or Identification ticket to be the personal property of the person registered, and on such person moving from one location to another the Registration paper to be endorsed. The Registration paper, with the endorsement to be produced before the person concerned can be allowed to take up a plot in another location. Such endorsement should show whether the individual has paid his rent and taxes, etc., and show his reasons for leaving the previous location.
- (xi) Every endeavour to be made to set up location industries, such as
- |                |                  |
|----------------|------------------|
| Mat making,    | Cap making,      |
| Basket making, | Blacksmith work, |
| Sandal making, | Rope making,     |
- and any other industry that the inhabitants can carry on without supervision.
- (xii) Proper sanitary arrangements such as latrines, &c. to be established, and all huts or houses to be built on regular lines and kept in proper order.
- (xiii) Roads to locations to be made by the inhabitants and maintained by them under proper agreements.
- (xiv) The I.P.C. to be in force in all such locations.
- (xv) All Government owned locations shall be exempt from payment of any ground rent by the occupants.
- (xvi) Privately owned locations which are duly authorised and registered will be exempt from any payment of ground rent for plots except such rent as the lessee has agreed to pay to the Crown, but no such locations to be authorised except in the case of bona-fide employers of labour.

I would further suggest consideration of a scheme of semi-convict Agricultural settlements at points where Crown land is obtainable in thinly peopled districts along the Coast, say in Witu, &c.

A good number of vagrants are present at nearly all the different centres. Many of these people if they remain amongst their old surroundings will never work, and will continually get into trouble. If such people could be removed to an entirely new locality and placed under definite control they would possibly eventually turn out to be useful people and become a benefit to the State. Such a scheme as this would throw some expense on the Government at the start; there is however no reason why such a scheme should not eventually become self-supporting.

It might eventually be feasible to turn such settlements into permanent holdings and the occupants pay rent and taxes to the Crown.

The point in this idea is, that human material which is at present running to waste, and in the process is incidentally becoming a Criminal and Sanitary menace to the country, might be saved and be made a productive agency.

In conclusion I would add that I am aware that the proposals etc., laid down in this paper appear to be beset with difficulties. I am of the opinion, however, that they are more so in the abstract than in the reality. What is wanted is a definite scheme and where necessary, legislation. I should say that a good deal of the proposals could be made to fit in with existing laws, &c.

A general system of ground rents might be approved by His Excellency.

The question of allotments is simply one requiring His Excellency's approval.

A hut rate of Rs. 3/- a year is in force in some Townships and this covers the amount of the Poll Tax proposed.

Under the Townships Ordinance rules can be enforced to compel natives to live in locations, etc.

The question of natives moving into Township areas can be dealt with under the Native Pass and Township Regulations.

The power to enforce work in default of payment of Poll Tax can be met with under the Hut & Poll Tax Ordinance but there is no power at present to order any work in default of payment of hut rate and ground rent.

His Excellency would require to agree to agriculture allotments being dealt with, and also to rents being paid where necessary in kind.

His Excellency would also require to agree that compensation could be paid to location Headmen and Police.

The Township Regulations could deal with Trading sites in locations.

The question of plots for Trading sites for Africans in Trading centres is a matter for arrangement with the Land Office.

Registration and identification would require to be made compulsory; legislation would be necessary here. This is an important part of the proposals.

The establishment of Location Industries is a matter for the District Commissioner or Townships concerned.

Possibly the Roads in Native Reserves Ordinance could be applied to locations.

Provided the Crown provides the areas for the semi-convict settlements, the Protectorate Courts may be able to order the removal of natives to such places in default of their finding security for their future good behaviour. Otherwise, special legislation will be necessary in this connection.

(Sd) JOHN ALLSWORTH,

Provincial Commissioner.

Agumu,

June 30th, 1917.

PROVINCIAL COMMISSIONER'S OFFICE,

N.P. No. 584/1909

K I S U M U

16th. October 1911.

Sir,

Reference N.P. No. 157/08 Oct. 5th. 1911 on the subject of Swahilis and other Africans residing in Township Aa.

I have the honour to acknowledge receipt of your memo referred to above.

3. I note His Excellency's remarks and fully realise the difficulties in connection with allowing such people as Swahilis or so-called Swahilis and Sudnese to settle round Townships, Aa., alongside the Native Reserves. The question, however, arises as to what we are to do with these people. They have no tribal lands or tribal organization in the Protectorate, and they as a class do not seem to work for other people in any capacity of servitude entailing manual labour such as tilling the ground. Industrial concerns do not exist in the Protectorate except in very limited numbers, and where industrial workers are required preference is generally given for the Natives of the Reserves because, as a rule, they are cheaper. I cannot see how it is possible for us to do with these people except settle them on the land. It need not, however, necessarily mean that in future Agricultural Settlements should be near Townships in the Reserves; it may be possible for the Administration to set aside part in Crown Lands elsewhere for such settlement: such lands are available in certain parts of the Protectorate, and it would be a distinct advantage to have them occupied in a more permanent production. The Africans in the East Africa Protectorate who has become demoralized, and who remains unemployed, must in default

HONOURABLE,

THE ASSISTANT CHIEF SECRETARY,

NAIROBI.

in default of being absorbed by industrial enterprise, be found some interest in land; this interest can possibly be found on European-owned lands or on Crown land.

In obedience to Mr. Maillan's request I have the honor to record in brief on the proposals put forward in your memorandum.

(1) I presume that the first part of this should read "the danger of allowing agricultural holdings to Coast and other denationalized natives round Townships or Stations in or alongside Native Reserves." (I have underlined the part underlined.)

If the reading as amended by me is the one intended I agree with the proposal provided Crown Lands are made available elsewhere, and provided that it is understood that those people who are already settled as either agriculturists or traders and are law-abiding people are not interfered with.

(a) I presume bad influence is intended. The influence is not always a bad one, in fact I know of several cases where it has been good; at the same time I have to admit that there are also evil influences.

(b) I think now I have found a means of dealing to an extent with the question of natives leaving their Reserves to reside in Township areas, &c. A separate memorandum is being submitted on this subject.

(c) How are we to repatriate Swahilis, &c., if they do not wish to be repatriated? The Swahilis, so-called, have no Reserve of their own, and therefore I assume that the East Africa Protectorate (excluding the Native Reserves) is their Reserve. A Swahili man, I suppose, be deemed to be an inhabitant of the Coast, and if he becomes a vagrant or a criminal, I suppose he can be sent to the Coast. I doubt, however, if we could forcibly send him to the Coast without his having committed an offence. Under the Private Regulations we can, on the expiration of his sentence, return any African to the place to which he belongs; therefore  
through

through the medium of the prisons we can return Coast people to the Coast. Such procedure can only be in part recognized and adopted because many of these so-called Swahilis have vested interests up-country, where they have in several cases been residing for many years, and are practically strangers to the Coast. Then what are we to do with Sudanese; they have really no home anywhere except where they happen to be now living; these people are as numerous in some places as the Swahilis.

Personally I do not think we should aim at disturbing, what we might term, alien Africans now residing in a District Township, or Station unless such are criminals or vagrants. Any evil influences the Administration should be in a position to wear down, and when necessary, punish offenders.

Natives who belong to a Reserve should, if found unemployed anywhere outside of their Reserve, be returned to the control of their Chief.

(3) I doubt myself whether the origin of Swahilis would, even if he is returned to the Coast, work as a labourer for anyone; some of the Coast natives might, but others would not. I am afraid that we cannot look to such people becoming any solution of the labour question on the Coast. They might work for themselves, some willingly, others under pressure. (Some scheme of forced agricultural settlement will be necessary, vide my suggestion re semi-convict Agricultural Settlement.)

It might, however, be possible to arrange with individual Coast Planters to send to them Coast natives from the prisons when their various imprisonment has expired.

I think the Railway Department should give greatly reduced rates for ex-convicts being repatriated. Expense under this head is, and will be, a very serious item and will probably tend to induce certain Prison authorities to avoid repatriation whenever possible.

4. I quite agree that natives of a Reserve should not be allowed to establish themselves as Agriculturists within

(4)

a Township area anywhere. I would also add that there  
be forbidden to reside in a Township unless properly  
employed in earning a living.

I have the honour to be,

Sir,

Your obedient Servant,

sd/ JOHN AINSWORTH

PROVINCIAL COMMISSIONER.

A/27588/Pat. App. Part

28  
1914

9 Sept 1914

Sir,

I have etc. from you on the  
Mr. S. Anisworth has been  
in communication with the  
Dept on the subject of  
Native Policy in the E.A.P.  
and has forwarded certain  
proposals  
dealing with the following  
points:-

- (A) The position of the Native Councils in Reserves (22<sup>nd</sup> April 1914)
- (B) Proposals for the development of the Nyanga Province (14<sup>th</sup> October 1912)
- (B1) Copy of minute  
Proposals for the general education of natives, with a copy of a letter from the Rev. W. Chadwick (K.M.S.), (15<sup>th</sup> July 1912)
- (C) Swahilis and other Africans. (9<sup>th</sup> June 1914)

I understand that before proceeding

27588 + memo

DRAFT

Conf.  
P.O.P. No. 749  
of the E.A.P.

MINUTE.

- Mr. Downie 5.9.13
- Mr. Bostrom 6.9.13
- Sir G. Fiddes
- Sir H. Just.
- Sir J. Anderson.
- Lord Esmont.
- Mr. Harcourt.

10/11/14

I must believe you  
to be the one  
whose matter is  
O, and that copies of  
the memoranda are already  
in the <sup>possession</sup> hands  
of the Secretariat of the  
C.A.P.

I have read the  
memoranda with great  
interest, and should  
be glad you would  
give the whole question  
your careful consideration and  
would submit a report.

In this connection, I would  
refer you to ~~the~~ my conf.

despatch of the 6<sup>th</sup> of Dec 1910 dealing with Section IV and  
on the subject of ~~the~~ <sup>Section IV</sup> C.A.P.

Giannini's Report on the  
Prot<sup>o</sup> for that year.



W.P. 400  
BROOKFIELD,

27, EDGE LANE,

CHORLTON CUM HARDY.

Manchester.

Sept. 3<sup>rd</sup> 1923

Dear Mr. Downes

With reference to your note of  
yesterday date I have to say that all my  
memoranda on Native policy is in the  
possession of the Secretariat in C.A.  
I may say that just before proceeding  
because I put up suggestions for the  
adoption of a general Native policy, it  
was headed "Suggestions for the institution  
of a general Native Policy to deal with  
Native in C.A.P. and with Tribal Land"

Yours faithfully

John Downes

BROOKFIELD,

27, EDGE LANE,

CHORLTON CUM HARDY.

Manchester

August 21, 1913

Mr. Read,

With reference to your letter of Tuesday's date I have to reply that I do not know whether the Government is commencing to be C.O. on the subject you mention. The position is, that, while in East Africa we have been much interested in the question of native development, the matter is now held up for want of funds. It is held to which there is apparently considerable opposition by the large portion of the community to any scheme of native education which may entail expenditure. Notwithstanding the fact that in most cases the natives receive no pay.

is considerably in excess, the  
expenditure involved in their being  
and also that the best interests of  
Countriy will be served by doing the  
possible to keep the nation's trade  
as long as possible.

Therefore before I left Port of Spain  
asking whether the Governor had  
objection to my discussing the  
the <sup>should in opposition to</sup> the C. O. and also with members  
of the British Cotton growing Assoc  
while Lewis is in leave. I received  
reply to the effect that there was no  
objection.

Yours sincerely  
John Dawson

copy

S. 5473

The Secretariat

Nairobi

April 7, 1913

Provincial Commissioner  
Kenya

Re discussion by Mr. [Name] with  
with Colonial Office and the British  
Cotton Growing Association on the  
subject of Native Agricultural Instruction  
and Development

Ref: your No. 855/295/12 of 18<sup>th</sup> ult.

His Excellency has no objection to your  
discussing the matters referred to  
therein with the Colonial Office and  
the British Cotton Growing Association

(Sd) W. J. Mowson  
for Chief Secretary

BROOKFIELD,  
27, EDGE LANE,  
CHORLTON CUM HARDY.

Manchester

Oct. 4, 1913

Dear Mr. Read

When I saw Sir George Fiddes  
and yourself on Friday Sir George  
referred to the question of dealing  
with the matter who left their districts.  
I attach here to copies of circular  
letters I have from time to time had  
occasion to write on the subject,  
and these you will see that the question  
came up some time back. My  
communications were simply provided  
as, of course, I could only deal  
with the matter within my own Province  
and a matter of fact however the trouble  
is not of anything near a serious

in some of the other provinces of  
-Kazanga.

The native question generally is  
urgent and a particular attention to  
H.E. is extremely interested & sympathetic.  
I know however that he has his  
very field of a multitude of other

James S. Sweeney

John Sweeney

1910

1910

1910

I have to bring to your notice the question of unemployed  
 labour being hired about some of the Province's rail  
 sections in that Province. In some cases these involves having  
 served a term or terms of imprisonment in one or other of the  
 gaols in the Province or elsewhere, and in some cases they are  
 becoming habitual loafers whose intentions and identity can  
 at the best be looked upon with extreme suspicion, and who in  
 several instances are either awaiting opportunity to commit  
 crimes or else cannot resist the opportunities when they occur.  
 Very often these people are the unfortunate victims of an  
 early offence the gravity of which was not realized by their  
 uncivilised mind, and having been sentenced to some of the  
 prisons, have become habituated with a kind of idleness,  
 causing in many instances a state of mind which causes them on  
 release to have recourse to the ordinary criminal crime.  
 Personally I think that many of these along with their reserva-  
 tions, &c., when first charged with a crime, should be prop-  
 erly warned and the nature of the crime fully explained to  
 them, and the consequences of a conviction for a criminal  
 offence should be explained to them in a way which  
 would have a beneficial effect on their minds.

It is unfortunate that many of our present at-  
 tention with officials tends to manufacture a large amount of  
 out of a crime or other. The object of the law should  
 be to reduce the criminal class instead of increasing it. If  
 give you herewith my views on the present procedure, which  
 should, I consider, be adopted. Of course, in the absence of  
 any instructions from the Legislature, I can only give the





His Excellency would require to agree to agriculture allotments being dealt with, and also to rents being paid where necessary in kind.

His Excellency would also require to agree that compensation could be paid to location Headmen and Police.

The Township Regulations could deal with Trading sites in locations.

The question of plots for Trading sites for Africans in Trading centres is a matter for arrangement with the Land Office.

Registration and identification would require to be made compulsory; legislation would be necessary here. This is an important part of the proposals.

The establishment of Location Industries is a matter for the District Commissioner or Townships concerned.

Possibly the Roads in Native Reserves Ordinance could be applied to locations.

Provided the Crown provides the areas for the semi-convict settlements, the Protectorate Courts may be able to order the removal of natives to such places in default of their finding security for their future good behaviour. Otherwise, special legislation will be necessary in this connection.

(Sd) JOEL AINSWORTH,

Provincial Commissioner.

June 2nd 1911

PROVINCIAL COMMISSIONER'S OFFICE,

M.P. No. 584/1909

K I S U M U

18th.

October

1911.

Sir,

Reference M.P. No. 187/08 Oct. 8th. 1911 on the subject of Swahilis and other Africans residing in Township Ac.

I have the honour to acknowledge receipt of your memo referred to above.

3. I note His Excellency's remarks and fully realise the difficulties in connection with allowing such people as Swahilis or so-called Swahilis and Sudanese to settle round Townships, Ac., alongside the Native Reserves. The question, however, arises as to what we are to do with these people. They have no tribal lands or tribal organization in the Protectorate, and they as a class do not seem to work for other people in any capacity of servitude entailing manual labour such as tilling the ground. Industrial concerns do not exist in the Protectorate except in very limited numbers, and where industrial workers are required preference is generally shown for the Natives of the Reserves because, as a rule, they are cheaper. I cannot therefore see what else we are going to do with these people except settle them on the land. It need not, however, necessarily bear that their future Agricultural settlements should be near Townships in the Reserves; it may be possible for the Administration to set aside certain Crown Lands elsewhere for such settlements, such lands are available in certain parts of the Protectorate, and it would be a distinct advantage to have them occupied provided some means of production. The Africans in the East Africa Protectorate who have become detribalized, and who remains unemployed, must

in default

HONORABLE,

THE ACTING CHIEF SECRETARY,

NAIROBI.

in default of being absorbed by industrial enterprises, be  
 land some interest in land; this interest can possibly be  
 on European-owned lands or on Crown land.

In compliance with the Agency's request I have this  
 morning prepared a copy of the proposal put forward in  
 your letter of the 11th inst.

(1) I presume that the first part of this should read "the  
 danger of allowing agricultural holdings to Coast and other  
 denationalized natives round Terminals or Stations in or  
alongside Native Reserves" (I have underlined the part underlined)

If the reading as amended by me is the one intended I  
 agree with the proposal provided Crown Lands are made avail-  
 able elsewhere, and provided that it is understood that  
 those people who are already established as either agriculturists  
 or traders and are law-abiding people are not interfered  
 with.

(a) I presume bad influence is intended. The influence is  
 not always a bad one, in fact I know of several cases  
 where it has been good; at the same time I have to  
 admit that there are also evil influences.

(b) I think now I have found a means of dealing to a cer-  
 tain extent with the question of natives leaving their Re-  
 serves to reside in Townships, etc. A separate re-  
 memorandum is being submitted on this subject.

(c) How are we to repatriate Swahilis, etc., if they do not  
 wish to be repatriated? Swahilis, so-called, have  
 no Reserve of their own, and therefore I assume that  
 the East Africa Protectorate (excluding the Native Re-  
 serves) is their Reserve. A Swahili, I suppose, be-  
 deemed to be an inhabitant of the Coast, and if he  
 becomes a vagrant or a criminal, I suppose he can be  
 sent to the Coast. I doubt, however, if we could for-  
 mally send him to the Coast without his being con-  
 sidered an alien. Under the British Regulations we  
 cannot send him to the place to which he belongs;  
 therefore

through the medium of the prisons we can return Coast people to the Coast. Such procedure can only be in part recognized and adopted because many of these so-called Swahilis have vested interests up-country, where they have in several cases been residing for many years, and are practically strangers to the Coast. Then what are we to do with Sudanese; they have really no home anywhere except where they happen to be now living; these people are as numerous in some places as the Swahilis.

Personally I do not think we should aim at disturbing, what we might term, alien Africans now residing in a District Township, or Station unless such are criminals or vagrants. Any evil influences the Administration should be in a position to wear down, and when necessary, punish offenders.

Natives who belong to a Reserve should, if found unemployed anywhere outside of their Reserve, be returned to the control of their Chief.

(7) I doubt myself whether the ordinary Swahili would, even if he is returned to the Coast, work as a labourer for anyone; some of the Coast natives might, but others would not. I am afraid that we cannot look to such people becoming any solution of the labour question on the Coast. They might work for themselves, some willingly, others under pressure. (Some scheme of forced agricultural settlement will be necessary, vide my suggestion re semi-convict Agricultural Settlement.)

It might, however, be possible to arrange with individual Coast Planters to send to them Coast natives from the prisons when their term of imprisonment has expired.

I think the Railway Department should give greatly reduced rates for ex-convicts being repatriated. Expense under this head is, and will be, a very serious item and will probably tend to induce certain Prison authorities to avoid repatriation whenever possible.

4. I quite agree that natives of a Reserve should not be allowed to establish themselves as Agriculturists within

(4)

a Township area anywhere. I would also add that there  
be forbidden to reside in a Township unless properly  
employed in farming & living.

I have the honour to be,

Sir,

Your obedient Servant.

sd/ JOHN AINSWORTH

PROVINCIAL COMMISSIONER.



Dear Mr. [Name] I believe you  
[Name] to be [Name]  
[Name]

O. [Name] that copies of  
the memoranda are already  
in the hands  
of the Secretariat of the  
C.A.P.

2. I have read the  
memoranda with great  
interest, and should  
be glad you would  
give the whole question  
your careful consideration  
and would submit a report.

In this connection, I would  
refer you to [Name] my conf.

dated 6<sup>th</sup> Dec 1948 dealing with Lectures IV and  
on the subject of [Name]

Gusnada Report on the  
Prot. [Name] that you.



BROOKFIELD,  
27. EDGE LANE,  
CHORLTON CUM HARDY.

in enclosure.  
Sept 3<sup>rd</sup> 1913

Dear Mr. Downes

With reference to your note of  
yesterday date I have to say that all my  
concerns on National policy is in the  
possession of the Secretariat in E.A.  
I may say that just before proceeding  
I have I put up suggestions for the  
revision of a general nature policy, it  
is enclosed. " suggestions for the institution  
of a general Policy to deal with  
National in E.A.P. and with Public Land

Yours faithfully  
John Downes

BROOKFIELD,

27, EDGE LANE,

CHORLTON CUM HARDY,

Manchester

August 21, 1913

Mr. W. Road,

With reference to your letter of Tuesday's date I have to reply that I do not know whether the Government is committed to the C.O. on the subject you mention. The position is that, while in East Africa, we have been much interested in the question of native development, the matter is however held up for want of funds. It is to be noted that there is apparently considerable opposition by the League and the community to any scheme of native development which may entail expenditure. Notwithstanding the fact that in the past we have seen the native movement for

is considerably in excess, the  
expenditure involved on that head  
and also that the best interests of  
country will be served by doing all  
possible to keep the national tribu-  
te as low as possible.

Therefore before I left I expressed  
satisfaction with the Government's  
objection to my discussing the  
the <sup>which an opportunity I wished</sup> and also with members  
of the British Cotton Growers Assoc-  
iation. As you have seen I received  
reply to the effect that there  
is no objection.

Yours sincerely,  
John Bull

copy

No. S. 5493

The Secretariat

Nairobi

April 7, 1913

Provincial Commissioner  
Kisumu

Re discussion by Mr. Ainsworth  
with Colonial Office and the British  
Cotton Growing Association on the  
subject of Native Agricultural Instruction  
and Development

Ref: your No. 855/295/12 of 28<sup>th</sup> ult.

His Excellency has no objection to your  
discussing the matter referred to  
therein with the Colonial Office and  
The British Cotton Growing Association

(Sd) W. J. Mouson

Chief Secy

BROOKFIELD,

27, EDGE LANE,

CHORLTON CUM HARDY.

Manchester

Oct. 4, 1913

Dear Mr. [Name]

When I saw Sir George Fiddes  
in person on Friday Sir George  
referred to the question of dealing  
with matters which left their districts  
attach hereto copies of circular  
which I have from time to time had  
occasion to write on the subject,  
and these you will see that the question  
became acute some time back. My  
communications were simply restricted  
and as, of course, I could only deal  
with the matter within my own Province  
a matter of fact however the trouble  
is not of anything near a serious

in some of the other provinces of  
Nyanza.

The native question generally is  
urgent and particular attention.  
H.C. is extremely interested & sympathetic.  
I know however that he has his hands  
very full of a multitude of other matters.

Yours sincerely

John A. ...



my views, and leave it to the Magistrates responsible to adopt them where they consider desirable and possible.

3. As regards District Commissioners and Magistrates I consider that they should exercise a personal interest in all juveniles brought before them and take a line of action more with a view to correction and reclamation rather than that of punishment.

4. The District Commissioners as Superintendents of Prisons should interest themselves as much as possible in convicts committed to their charge, and endeavour to find employment for able-bodied, well behaved men as their periods of imprisonment terminate. By such means ex-convicts will be far better able to keep out of prison in the future. As the case stands at present, however, i.e., when a convict completes his sentence, he is usually thrown on his own resources and generally these are by no means successful, he either does not try because of his desire to exercise his freedom or else he fails to secure work owing to his having been in gaol, and so he drifts to a position which ends in a further conviction and thence to his definite inclusion in the ranks of habitual criminals.

5. It has often happened in the past and will happen again that the really first introduction of many an ignorant savage to any form of European civilisation is through the medium of the gaol where the associations are not such as to influence him for any good. Personally I am extremely sceptical as to doubtful whether imprisonment has really any beneficial influence on the ordinary savage who is usually peculiarly susceptible to evil influences and correspondingly backward in accepting better examples. The same may be said of the natives of the islands and other parts of the world who have been brought to the coast.

6. I consider further that where it is proved that a large number of our reserves and who become loafers about townships and other similar centres, District Commissioners should take any opportunity of warning them and advising them

to return to their villages or obtain work. Every endeavour should be made to have periodical returns made of such people, and if it is eventually found that they will neither work nor return to their villages, the District Commissioner should instruct the Police to enquire into their methods of living with a view, if necessary, to their being compelled to find security, &c.

7. In the case of any person, who has been through one or more periods of detention in gaol, and who, after release, becomes an habitual loafer making no attempt to work, I think there should be no hesitation in making an enquiry with a view to proceeding under Section 109 I. C. P. C. Wherever possible, however, the District Commissioner should send for such persons and advise them to obtain work, and, if necessary, should interest himself in an endeavour to find <sup>(them)</sup> them work, and in other ways the District Commissioner should endeavour to warn such people that they cannot be allowed to loaf about.

8. Where such persons as are referred to in this letter are Khasis or other non-natives of the Province, the District Commissioner should report their case to the Provincial Commissioner when an endeavour will be made to do something for them. It is presumed, however, that such people can, if they so wish, usually obtain work somewhere in the Protectorate if they are so very inclined.

I have, &c., &c.,

(Sd) JOSEPH AINSWORTH

District Commissioner

Sir,

It has occurred to me as a means of meeting in part the question of what to do with the Swahilis, Southerners, and other detribalized Africans who settle round Niham that it might be possible to get the people to undertake various trades in their different locations, e.g.,

Fanning and Spindle making,

Mat making,

Basket making,

Cup making,

and any other industries that can be carried on by such people without our aid or supervision, and for which there would be a demand for the articles made.

3. If certain trades could become an institution in these locations their existence as regards the future need not be viewed with the apprehension that is the case at present.

DISTRICT COMMISSIONER,

K I S U M U .

10th October, 1911.

403

Sir,

As you are aware the question of Natives belonging to the Reserves coming into Townships and Stations and thus cutting themselves adrift from tribal control is becoming a serious matter and requires dealing with without further delay.

3. Some of the people concerned appear to wander away from their Reserves in a irresponsible manner, while others have their reasons for such movements many of these reasons being as follows

- (a) To avoid the tribal control.
- (b) To escape an order made against them by the Council.
- (c) Because of some offence committed in the Reserve.
- (d) To avoid payment of the dowry for a Native girl (this in cases where the girl or woman has consented to accompany the man.)
- (e) The attraction of an indolent uncontrolled and wandering existence.
- (f) The associations contracted in the Townships, &c.
- (g) The idea at the commencement that <sup>they</sup> can earn money in a Township. Generally, however, the associations knock any idea of this description out of their head, and they resort to a vagabond life.

3. Practically none of these people are able to understand the responsibilities of individual citizenship, they are in fact just a rabble, uncontrolled and leaderless. They consequently become in a very short time a lazy good-for-nothing part of the population, and a common danger to society generally.

4. Conditions in this Protectorate do not at present permit us to view with anything but alarm a continuance of any practice making for detribalization of the natives of the Reserves. These raw natives can only be dealt with under Tribal control, or under some organized system of registration. To allow them to continue to wander about at their own sweet will into Townships and other non-reserve areas can only mean disaster to themselves and loss of human material for purposes of development, and ultimate expense and anxiety and danger to ourselves and society and society generally.

generally. In years to come when natives are educated to a recognition of their responsibility as individuals apart from their tribe then the matter will be different, but time, however, is not yet.

5. We unfortunately have to admit that the tendency for the class of people referred to to leave their reserves is on the increase. I think, therefore, that some form of general action is necessary to at least regulate it.

6. I have been informed recently that there are several cases, in which Fathers would like to get back their sons or daughters from the Townships where they have located themselves but that they do not know how to proceed to achieve their object; in some cases they have either been themselves or sent people to their absconding of spring or relative but this method has failed; some of these now appeal to the Government to help them.

7. I would request the District Commissioners to endeavour to give effect to some system of mutual help in this matter, the system might be worked out on the following lines:--

- (i) No native to be allowed to leave his Reserve to go into a Township or Station for the purpose of residing in such Township or unless he or she is properly employed in such Township, etc., or unless, in the case of a woman she is the bona-fide wife of a person properly residing in a Township.
- (ii) As Townships, etc., are usually gazetted as being excluded from Native Reserves (and where such is not the case the matter should be attended to) it therefore follows that the authorities can take action on the lines indicated.
- (iii) The Administrative Officers should whenever possible interest themselves in all cases of natives found in Townships, etc., and if they are not employed they should be advised to return to their Reserve, very often a little advice of this description might have considerable beneficial effect.
- (iv) The Police to bring all non bona-fide residents of a Township before the District Commissioner or Magistrate who should have the people concerned removed back to their Reserve under an order, and should any person refuse to obey such order they could be punished under the Native Pass Regulations.
- (v) Native authorities to be encouraged in every possible way to recover their people who have left their Reserve but who are not properly employed.
- (vi) Where any removal means expense which the Government cannot recover because of the poverty of the person concerned then it might be possible to recover the cost from the relatives of the particular native concerned. Indeed I know of certain cases where the relatives would gladly pay the expenses. Otherwise the Vagrancy Regulations should be applied.

8. Every possible endeavour should be made to move back these idle people who have come out of their Reserves recently and who, if left much longer to their own resources, will become detri-  
malized, unless, of course, they are employed, or can obtain im-  
mediate employment. Also, whenever possible, the older Reserve  
absentees should be returned wherever possible, when not follow-  
ing bona fide employment.

9. I wish all officers to give this matter their attention,  
and I shall be very pleased to hear from any of them that have  
suggestions to make.

I have, &c., &c.,

(Sd) JOHN AINSWORTH,

Provincial Commissioner.

NYANZA AND DISTRICT OFFICIALS.Memorandum on the question of Natives who leave  
their Reserves.

1. Any native who wishes to leave his Reserve for purposes of work or trade, should receive any advice and assistance that it is possible for the District Official to render. He should be advised that as regards work it will be wiser to, whenever possible, obtain an engagement under an agreement before he leaves his district, than in preference to his going down the line on his own.

2. Such natives should be given a pass which should describe him as much as possible and contain the name of his district, location, father, headman of District. The District Official is obliged to keep the pass on his person. (It is an accepted fact that the present form of pass is useless for the purpose intended. The form for, however, is given to fit in with the requirements, possibly, the Inspector of the track.

3. Passes should not be issued to juveniles nor to women except in the case of a juvenile, he is going to die or is about to die with the sanction of his father or legal guardian, and in the case of a woman who is the recognized wife of a man who is a native. In such cases and when possible the husband's pass might be endorsed and he is to be given to the woman.

4. All natives should be advised that they must not leave their Reserves for other country unless they have a pass.

5. Any native, on a Reserve found anywhere out of his or her Reserve without a pass or with an expired pass and not employed during his absence either as a salaried servant of an employer or as a contractor, should be either found work or returned to his Reserve. In such cases it is desirable to act as follows:-

- (i) find out what is possible about the person;
- (ii) if necessary, have him medically examined;
- (iii) an endeavour to be made to find him employment locally, (with this

(with this object officers located at places outside the Reserve and where it is not possible to obtain local labour should try and find employment for such people.

- (iv) If such native will not accept employment and he is not employed in bona fide trading and if he has means he should be returned at his own expense to his Reserve. If on the other hand he has no means and is able to work but wont, then he should be treated as a vagrant under the Vagrancy Regulations, 1900, (amended April 24th, 1906, to Mysore and Malabar). A native found without means and who should be pronounced medically unfit for work, should on the advice of the Medical Officer, be returned to the district to which he belongs. The District Commissioner should be advised and any expense incurred on account of finding or training him should be recovered from him, insofar as it is possible, otherwise the Provincial Government will require to bear the expense.

All natives found working for Indians and others in a bazaar should be advised to get registered (in Mysore registration with police in limits is compulsory) and, if they resist, should be taken to the Police and make periodical inspections and make them liable to know what natives are in the bazaar, etc.

It is never possible to shut all other camps of the kind should be closed and employment lists checked. Any policy of this kind should be dealt with in accordance with paragraph 1.

The following will more particularly apply to the registration centres adjacent to Mysore:-

Clubs, Headmen and Panchs should be invited to visit the locations, etc., in such Townships, and if they find any of their people unemployed, they should be allowed to take such people back with them to their homes, juveniles, and women living with their husbands should be sent back with the Panch, etc., unless and where they are employed. As a rule the word "employed" should mean that juveniles will explain that they are employed by a person in a location. Wives, however, should be properly employed and have the sanction of the Panch or guardian to remain in such employment. They should be sent back to their Reserves.

An effort should be taken in all unemployed natives fear of being sent to the Reserves, and they should be advised to find work in their Reserves. In any case where a native is employed in any such trade, are the actual want for should be supplied in sufficient quantity to enable him to acquire a living. Usually, if such cases are very numerous, the Provincial Government should be notified against the Provincial Government. Since, however, the sort under this head is expected to be heavy, the Provincial Commissioner should be communicated with. It is in no way desirable that natives should be treated as criminals, and in fact every possible

possible endeavour should be made to avoid doing so.

Maunabo,  
October, 19th, 1911.

Sd/ John Ainsworth  
Provincial Commissioner.

To the

The foregoing memo is sent out as a circular for your information and action when necessary.

Maunabo,  
20th, December, 1911.

PROVINCIAL COMMISSIONER.

Reference No.  
18618/12

LILU.

Wanza, Province.

25th March, 1912.

Sir,

Reference your letter No. 24/12  
of 29th February, 1912.

regarding the issuing of permits  
for native owned cattle to run  
on European settled lands.

I have the honour to state that I consider it very  
necessary in this connection to arrive at some definite  
policy in the first instance.

1. There are <sup>some</sup> ~~many~~ points in favour of allowing natives  
with their cattle to go on to European lands; there are,  
however, other points against such a policy.

2. Naturally the European Farmers are anxious in most  
instances to get a certain number of natives to settle  
on their land; the natives in their turn wish to bring  
with them their belongings particularly cattle, without  
this privilege is granted, believe that natives  
will drift away from their Reserves.

3. At present there is no law or settled policy on  
this subject and if we go on under the present circumstances  
and simply allow these movements we are drifting towards  
two very serious aspects as regards our responsibilities  
in connection with Native Administration; these are:-

- 1st. The question of insecurity of tenure as  
regards the native and as to what he is to do

ACTING DIRECTOR OF AGRICULTURE,

W. A. H. B. O. S. S. S.

and where it is to go in the future should he be evicted from the European holding and should it so happen that land is not available for him in his old Reserve and in the absence of any system of Crown settlement land which he could rent from the Government.

2nd. The undoubted tendency to drift away from Tribal Control.

3rd. The added difficulty of policing the areas concerned.

4th. The possibility at any time of some revision of feeling on the subject and the possible demand by Farmers that the Government shall have all the particular natives returned to their Reserve.

5. Under some definite law dealing with the matter all these points could I think be <sup>met</sup> ~~not~~ satisfactorily. The main idea would be to

- (i) Restrict the number of families and stock that can go on to any land say on an acreage basis.
- (ii) To make the registration of all natives going on to European land compulsory.
- (iii) To define terms of tenure and other conditions as between the European holder and the native.
- (iv) Branding of all native stock going on to such land to be compulsory.
- (v) The European holder to be responsible for seeing conditions complied with, For the collection of all taxes due etc.

To detain and report any strange stock brought on to the land.

To report the presence of any unregistered native who shall be found resident on the land.

To give access at all times to District and Police Officials to enter the land to see that conditions are complied with.

(vi) No registered native or branded stock on a Farm to be allowed to return to the Native Reserve without the consent in writing of the District Commissioner.

(vii) Any Farmer employing casual labour from the Reserve at any time for periods of over one month which labour is not comprised within the registered native residents on the land to report the same to the District Commissioner.

6. I consider this subject a very important one. It was discussed at the last Provincial Commissioners' meeting but so far nothing has been done towards bringing it to a point of final discussion.

7. I am aware that there are many and conflicting views on the subject and I am afraid that the Farmer community will find very considerable difficulty in arriving at any point of unanimity when dealing with it. Indeed, I think an unanimous opinion either one way or another is impossible. I therefore think that the Government will eventually require to act itself in the matter.

8. There is one point about the matter in so far as this Province is concerned and that is this that the particular natives concerned are the Lumbwa and I think that their economic development will be best assisted by bringing them well within the influence of the European Farmers. If the Lumbwa are left to themselves their conservative natures will help to keep them back for generations and while they are so kept back they will continue to be a menace to peace and order in the areas they inhabit and are adjacent to. Under constant European guidance and control they will I think evolve more rapidly into being useful citizens. On these grounds therefore I would feel inclined to support a general scheme within reason on the lines I have indicated.

I have, &c.

Sd/ JOHN AINSWORTH

Provincial Commissioner.