

TC/VM.1949/7
22 September 1949

Visiting Mission to
Trust Territories in West Africa

WASTED

CAMEROONS UNDER BRITISH ADMINISTRATION:

THE BAKWERI PROBLEM AND THE CAMEROONS DEVELOPMENT CORPORATION

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I. INTRODUCTORY SUMMARY

During the German administration of Kamerun some 460 square miles, or 294,000 acres of land mostly in the Victoria and also in the Kumba Division of the Cameroons Province were alienated by the German Government to plantation companies, missions and individuals, mostly by sale and in some cases by lease.

These alienations were recognized subsequently by the British authorities, and after the First World War the ex-German estates were placed on sale by auction in London. They were purchased mainly by the original German owners, and developed with increasing intensity for export purposes up to the outbreak of the Second World War. All the German-held lands were then seized as enemy property by the Nigerian Government, which in 1946 decided to declare them to be native lands, purchase them as a reparation transaction, and lease them to a semi-government corporation -- the Cameroons Development Corporation -- for development in the interests of the inhabitants of the Territory.

The Corporation is the largest productive and export enterprise in the Territory. Its role in the economy is already important, and its potential value is high.

In the Victoria Division the right of ownership of these ex-enemy lands by the Bakweri and other indigenous inhabitants is claimed in a petition (T/PET.4/3 and Additions 1, 2 and 3) which the Trusteeship Council has instructed the Visiting Mission to investigate fully and present recommendations to the Council not later than its sixth session.

In addition, during the examination by the Trusteeship Council of the annual report for 1947, a number of problems relating to the operations of the Cameroons Development Corporation were raised, to which, in accordance with its terms of reference, the Visiting Mission is required to give general attention.

A summary of the problems raised is contained in Chapter VI of this paper, which presents an historical and factual account of the events leading to the formation of the Cameroons Development Corporation and the submission of the Bakweri Land Committee petition.

II. HISTORY OF THE PLANTATION ESTATES

a. Indigenous Land Tenure

Before the arrival of European in the Cameroons, the whole of the coastal belt that includes the present Victoria Division and parts of the Kumba Division was thickly forested, except on the higher slopes of the Cameroons Mountain. It is thought probable that scattered through these forests were small settlements of hunters mainly belonging to the Bambuko tribe and locally known as the Bakweri. Now forming the principal indigenous inhabitants of the Victoria and Buea districts, they are believed to have come originally from the northwestern slopes of the Cameroons Mountain, possibly under the pressure of other tribes.

The men of these settlements engaged mostly in hunting, while their womenfolk planted and tended patches of food crops for the subsistence of their families. The settlements were established in clearings in the forests, and each family obtained, according to indigenous custom, a prescriptive right to the land occupied by it. The indigenous system of land tenure in the Cameroons Province as a whole, as subsequently determined, recognized and upheld in law by the British authorities, has been explained in the following general terms:

"The right of property in land is derived either from right of conquest or from first occupation of a hitherto uninhabited country or through long-continued or uncontested use...It is the native village community or state that is the one and only owner of the whole territory, and this village community or state concedes the enjoyment and use of its lands to families and to individuals.

/"The absolute and

"The absolute and irrevocable alienation of land to a stranger is not allowed, and individual ownership can only be acquired over the results of a man's labour or that of his family and dependents, and over an area of land which does not include the soil itself. The ownership of the land remains collective, the representatives of the community, whether a single chief or several heads of families, being the trustees." 1/

i. That these customary principles in their strictest sense -- particularly the prohibition against absolute alienation -- were contravened at least in the early stages of German development of the Territory is apparent from events after 1884.

b. Acquisition of Land by the Germans

During the German administration of Kamerun, some 460 square miles of land in the Victoria and Kumba Divisions were alienated by the German Government to plantation companies, missions and individuals. Available records of the methods by which this was done are not complete, but on the whole, the evidence that is available suggests that during the first 12 years of the occupation there was no regular procedure, and that land was taken by whatever means seemed most convenient in each locality concerned -- whether by purchase at small sums from local chiefs, or by simple expropriation. The German Government in turn sold estates into private hands, or in a minority of cases granted leases. Other lands were acquired directly, and title was recognised by the government. 2/

In 1896 The German Government made an apparent attempt to regularize land tenure and lay down a definite policy for the future. The Imperial Decree of 15 June 1896 sets forth that except for the substantiated claims of persons, chiefs or native communities, and existing rights of occupation, all ownerless (presumably unoccupied) land should be deemed Crown land. Such ownerless land was required to be determined by Land Commissions, who would also decide any claim.

1/ Annual Report, 1922, p. 59; see also Annual Report, 1948, p.73.
2/ See Appendix A of this paper.

It was further laid down that when Crown land was occupied in the vicinity of existing settlements of native inhabitants, areas should be reserved sufficiently to ensure their subsistence, having regard to future increase of population.

The United Kingdom authorities have pointed out, however, that the demarcation of Crown land was never done systematically, nor did a Land Commission ever deal generally with all unoccupied land in Kamerun. When land was required for plantation purposes the Commission was convened; if any claims were established the owners would be compensated by the planter or plantation company, this compensation being set off against the purchase price paid to the Government. If the owners were actually settled within the area they would be required to move to reserves outside the area, on the basis, under an agreement of 1904, that "apart from land built and farmed upon by natives each hut is to be given six hectares." ^{1/}

Such as it was, this regularization of the alienation procedure did not in any case take effect until after the process had been going on for up to twelve years. There may be reason to doubt whether the indigenous communities knew what was happening to their lands; the present Bakweri petitioners claim, for example, that their people did not understand the significance of the surveys made by the Germans. ^{2/}

Furthermore, the Administering Authority has stated that the Bakweri people "stoutly resisted" the German invasion, ^{3/} and has also stated its belief that a "wrong" was done to the Bakweri tribe of that generation. ^{4/}

^{1/} Observations by the U.K. Government on the petitions from the Bakweri land committee, T/182, pp.3-4

^{2/} Document T/PET.4/3, p.4

^{3/} Annual Report, 1929, pp.101-4

^{4/} See Chapter III, para (e).

The land thus acquired included the best land on the lower slopes of the Cameroons Mountain. In the Victoria district, where by far the greatest alienation took place, more than half of the available area of good land fell into the hands of plantation companies. Areas allotted to mission bodies were also intended for planting as well as for religious and educational purposes. In the Victoria district the Bakweri and other indigenous people were left living in what came to be known as "native reserves" -- areas of land dotted through and on the fringes of the plantation properties.

The climate of the Cameroons is not considered well suited to European settlement, and development of the land under the German regime was directed towards filling the ships with cargoes of palm oil and kernels, rubber, cocoa and other produce for consumption in Germany rather than towards preparing the way for colonization on any scale. Almost all of the plantation enterprises were owned by companies registered and based on Germany itself; they sent out managers and technicians, and for labour relied entirely on Africans. Most of this labour was drawn from districts removed from the plantations; the Germans apparently found the local inhabitants unsuitable or unwilling for plantation work, and in fact even in more recent years comparatively few of the Bakweri men have been employed. The German planters were first able to meet their labour needs by voluntary recruitment, but as the development both of the plantations and of roads and other public works increased, the German administration took over the recruitment of all labour on a forced-labour basis. (Under the subsequent British administration, both official recruiting and forced labour were abolished as a matter of principle. The British authorities admitted, however, that the German regulations for the housing, feeding and medical treatment of the conscripted labour had "left little to be desired". ^{1/})

^{1/} Annual Report, 1922, p.53

The outbreak of the First World War, the internment of the Germans, and the seizure of their estates and other properties, brought this phase of the development of the plantations to an abrupt end.

c. Disposal of Estates after World War I

When the British authorities took up the administration of the British sphere of the Cameroons after its military occupation, they merged the plantations into a single whole and formed a government department to maintain them until their disposal was determined.

The British authorities were impressed by the physical results of the German planters' efforts, describing the estates as, on the whole, "wonderful examples of industry, based on solid scientific knowledge". ^{1/} A large amount of capital had obviously been sunk in the plantations: expensive machinery for curing cocoa, then the main crop had been installed at several places and the plantations were well equipped with European bungalows, labourers' houses, hospitals, stores and narrow-gauge railways.

Before 1922 the British authorities decided that it would be in the best interests of the Territory and its inhabitants to turn the plantations back into the hands of private -- but non-African -- enterprise. The Lieutenant-Governor of the Southern Provinces of Nigeria, who administered the Cameroons, reported in 1922 that

"on the fate of these plantations will depend to a large extent the future prosperity of the Victoria Division. Provided that due allowance is made for the requirements of the natives, the plantations should be taken over by European and American companies, which alone will have sufficient capital and experience to maintain them at their past high level of efficiency and preserve the good name of the Cameroons for the high quality of its cocoa." ^{2/}

^{1/} Annual Report, 1922, p.62

^{2/} Ibid.

/ The possibility

The possibility of returning the lands to their original indigenous owners appears to have been considered but rejected, for the same statement goes on:

"It will be impracticable to split up the plantations into small plots for native owners, without capital it would mean that the buildings and machinery would fall into ruins, entailing enormous loss, and without the necessary experience disease would soon spread and the cocoa would be destroyed. The resources of civilization must, therefore, be brought to the aid of the native and the plantations sold to companies able to develop them. This policy will be really in the best interests of the natives of the Province."

It was a decision that apparently had to be taken on the basis of moral and economic considerations, for the legal position seems to have involved no difficulties. Provision for the disposal by sale of the ex-enemy estates was contained in the Treaty of Versailles; and as a matter of general application to ex-enemy property in all the mandated territories it was later acknowledged by the Permanent Mandates Commission. At its 7th session the Commission adopted a memorandum by Lord Lugard which stated, in part:

"Estates which were formerly the private property of German nationals in her colonies now held under Mandate were, under the Treaty of Versailles (Art.297 and annex) liable to be liquidated by the Allied and Associated Powers and to be charged with payment of certain classes of claim against Germany...It was no doubt assumed that they would be sold at once and the proceeds dealt with in accordance with the provisions of the Treaty. The Mandates Commission has nothing to do with their sale or the disposal of the proceeds."

The United Kingdom authorities prepared for the sale of the estates by recognizing the sales made by the German Government, after proof, as conferring rights similar to English freehold under English law and as allowing transfer absolutely or on lease, except to ex-enemy nationals, without restriction. By proclamation (No.38 of 10 October 1922) the Public Custodian, in whom ex-German property had been vested, was directed to sell the estates. Purchase by ex-enemy nationals or corporations under ex-enemy control was

explicitly forbidden, and the proceeds of the sale were ordered to be paid into the German Liquidation Fund, a reparations account.

Except for lands which had been held by German missions (and which were subsequently taken over by other missions) the estates were put up for sale by public auction in London in 1923. In spite of the fact that purchase by British and other European and American companies had been envisaged, almost all of the property failed to find buyers. In the following year the restriction against ex-enemy nationals was withdrawn, and now all except three small lots were sold -- practically all of them to the original German owners. (A return compiled in 1936 showed that of all the Victoria and Kumba plantations, 293,578 acres were in German hands, 19,053 in British and 260 in Swiss.) ^{1/} The sum realized was £ 224,670, which was paid into the German Liquidation Fund.

Having thus restored the pre-war state of land alienation -- even to the nationality and identity of the European occupants -- the British authorities decided that "the scope for alien enterprise already afforded by the alienation of very large tracts of land is more than sufficient for many years to come and that a check should now be put on any further expansion of the concessionaire system in the Cameroons Province". ^{2/} This policy was given legislative effect in 1927 when the application of the Nigerian Land and Native Rights Ordinance ^{3/} declared all land in the territory -- with the exception of the plantation estates -- to be "native land under the control and subject to the disposition of the Governor, without whose consent no title to occupation and use is valid. The

^{1/} Annual Report, 1936, p.

^{2/} Annual Report, 1925, p.93

^{3/} See: Appendix B of this paper.

Governor is empowered to grant rights of occupancy for definite or indefinite terms to non-natives, and to charge a rent. Since the plantation and mission lands were alienated there has been no appreciable alienation to Europeans.

d. Development under Mandate Regime

Having re-purchased almost the entire total of their original holdings, the German planters moved back into the Territory in 1925. From that point on, the history of the plantations becomes one of increasing expansion and of increasingly profitable exploitation.

Some study of the manner and circumstances of this phase of their development may be considered desirable at this point in view of the question raised in the Trusteeship Council at its fourth session as to whether the present method of disposal of the plantations compensates the Territory adequately or quickly enough for the benefits which may have been withheld from it under the previous exploitation of the lands.

After the re-sale of the plantation estates, the Europeans, of whom the great majority were German, were granted generous commercial privileges in respect of duties and taxes; and a flourishing two-way trade was built up with Germany in particular, to which the bulk of the plantation produce was shipped and from which one-half of the Territory's imports -- mostly equipment for the plantations and consumer goods sold to the Africans from the planters' own stores -- was derived. The Territory enjoyed little share of the proceeds; export duties, taxes and wages were all low; and it was estimated in 1936 that from the banana trade alone 95 per cent of the profit went to the Europeans.^{1/}

The more important aspects of this development were as follows:

^{1/} Minutes of Permanent Mandates Commission, 30th Session

1. The planters were exempted from paying import duties on "vast quantities" of building materials, plant and machinery which they imported for reconstruction purposes.^{1/}
2. No income tax or other direct tax was imposed on Europeans until 1931.^{2/} The tax then imposed was at the rate of one per cent, and it brought to the territorial revenues little more than E 1,000 a year (e.g. E 1,127 in 1938). The indigenous inhabitants, however, were subject to direct tax.
3. Until 1934 no export duties were applied on bananas, which became the most profitable and the chief item of export from the plantations. After a few months the banana duty was reduced, on the protest of the planters, from 2 to 1½ pence per bunch.^{3/} On the other hand the export of cocoa, produced mainly by indigenous farmers and subject to serious price fluctuations, had for many years been subject to duty.
4. The Territory's external trade, largely in the hands of the German plantation companies, was developed to the point where, in 1938, the favourable annual trade surplus reached 130,410 pounds. Exports in that year were valued at E426,930 and 81.88 per cent of the volume went to Germany. Imports were valued at E 296,520 and 52.41 per cent of these came from Germany. In the same year, the total government revenues in the Cameroons were estimated at E110,249, to which the export trade, including cocoa exports largely

^{1/} Annual Report, 1925, p.63

^{2/} Annual Report, 1931 et seq.

^{3/} Annual Report, 1934.

produced by African farmers, contributed E 23,426 and European income tax E 1,127. Direct indigenous taxes brought E 20,043 of which 40 per cent went to the government and the remainder to the native treasuries.^{1/}

5. The plantation companies were not only the principal exporters but were also among the principal importers and distributors of consumer goods. Company stores were operated on most of the plantations, and from these the plantation labourers and people living nearby purchased clothing and other goods. A curious situation arose in the early 1930's in that the two-way trade with Germany so dominated the economy of the area that three of the largest companies became short of British currency, and obliged their workers to accept nearly one-third of their wages in the form of credit notes on the company-owned stores. For a time, they actually charged higher prices to credit-holders than to those paying cash. The British authorities investigated this practice, but allowed it to continue when it found that such abuses had ceased.^{2/}
6. Wages paid to the plantation labour, which at peak numbered about 19,000, were low. In 1938, the total wages of a plantation labourer were assessed at 7 pence a day. Of this amount, he received on an average about 30 per cent in the form of rations, 20 per cent in credit notes, and 50 per cent in cash. The credit-note system had by that time become well established; it was interpreted principally as a means of securing continuity of labour and of ensuring business at the

^{1/} Statistics from Annual Report, 1938

^{2/} Annual Reports, 1936 and 1937

plantation stores.^{1/} It may be noted here that little of whatever benefits these wages represented went directly to the Bakweri people; although the Bakweri demonstrated an ability for the more skilled types of work, comparatively few of them were at any time during the mandate regime attracted to the plantations as common labourers. In 1938, for example, of the 19,299 plantation labourers only 988 were Bakweri; the majority came from other parts of the Cameroons, including the northern areas, and a considerable number (4,705) from the Cameroons under French administration.

The disparity between the profits flowing to European owners and shareholders and the benefits derived by the Territory and its inhabitants was known to the Permanent Mandates Commission, and from time to time questions on the point were raised. At the 14th Session the late Lord Lugard, himself a former governor of Nigeria and the Cameroons, noted that the value of the estates sold after the First World War had been credited to the Reparations Account and had accordingly been lost to the Territory. He noted further that although the Territory received indirect benefits by way of customs revenues it appeared to derive no direct profit from its most valuable properties. That, he said, was a handicap to the Territory.^{2/}

In the buoyant trade years before the outbreak of the Second World War, members of the Commission sought information as to what measures were being taken to ensure that the indigenous inhabitants got the full benefit of the rising trade from the Cameroons. The Administering Authority replied

^{1/} Annual Report, 1938, pp.70-72.

^{2/} Minutes of 14th Session

that, although indigenous farmers were getting direct benefits as producers of cocoa and palm products,

"The trade in bananas and rubber being entirely in the hands of European firms, improved conditions primarily benefit these firms and the profits accruing to the natives are largely indirect...

"The question of the natives getting the full benefit of trade revival is one of economics and it is difficult to see what useful measures the administration could take to ensure it."^{1/}

At the 30th Session a member of the Permanent Mandates Commission commented that the countries which had derived most benefit from the improved trade seemed to be those who had left the League of Nations -- namely Germany, which by then (1936) had secured 80 per cent of the export and 50 per cent of the import trade, and Japan, from which imports of cotton and other goods had been rapidly increasing.^{2/}

On the eve of hostilities, fast motor liners and steamships, with less than a week between sailings, were carrying most of the Cameroons' bananas, cocoa and palm products and all of its raw rubber to a Germany arming for war in which the Territory itself was to become involved and which was again to interrupt abruptly the pattern of its exploitation and, this time, to change it radically. As a means of "repairing the omissions of the past" and of ensuring that the plantation lands should in future be operated for the benefit of the Territory and its inhabitants, they were placed under the control of a public corporation in 1946. (See Chapter IV: The Cameroons Development Corporation.)

e. Other Alienated Lands

The former German estates, as represented by the present holdings of the Cameroons Development Corporation, form by far the greater part (252,766 acres, or 395 square miles) of the 294,471 acres alienated in the Victoria and Kumba Divisions.

^{1/} Annual Report, 1936, pp.71-72

^{2/} Minutes of 30th Session

Trading companies, notably the United Africa Company, hold 34,260 acres, mostly freehold, individuals occupy 3,820 acres, all freehold, and missions 3,625 acres, mostly freehold. Less than 2,000 acres are occupied by the government for agricultural and educational institutions, government stations, aerodromes and so forth.

Title to the mission lands was granted by the German Government and later recognized by the Nigerian Government. Most of them (2,708 acres) are in the hands of the Roman Catholic Church, and the other holdings are occupied by a Swiss mission and a Baptist mission registered in the United States. The terms and conditions of occupation of these lands were investigated in 1948, but the findings are not available.

III. SOCIAL AND ECONOMIC EFFECTS ON THE INHABITANTS

a. Introductory

No indigenous group in the Cameroons has been more directly and adversely affected by the large-scale alienation and exploitation of the plantation lands than the Bakweri tribe,^{1/} which forms the greater part of the indigenous population of the Victoria Division, the scene of the most widespread alienation. The process of alienation left them confined to small islands or reserves scattered through the European estates. The principal effects on their economic and social progress, as recorded over the years by the Administering Authority, have been:

1. They have had insufficient land for subsistence farming, on the basis of the fifteen acres per household deemed adequate by the Administering Authority.
2. The non-plantation lands have been to a considerable extent over-run by so-called "stranger" natives, i.e. immigrant families who have moved in from other parts of the Territory.

^{1/} The present numbers of the Bakweri people are not known. They comprise a majority, however, of 15,602 indigenous persons who in 1948 were living on native lands in the plantation areas, together with 9,515 "stranger natives" and in addition to some 16,000 labourers on the plantations. See para (d) below.

/ 3. The scattered

3. The scattered nature of the Bakweri reserves has militated against the encouragement of co-operative cocoa-farming and marketing, in contrast with the situation in the Kumba Division where alienation was on a much smaller scale.
4. The presence among the Bakweri people of large numbers of plantation labourers, unmarried or unable to bring their women with them, has had serious social consequences, leading to the spread of venereal disease and the weakening of the morale and stamina of the Bakweri.

Adverse effects on the Bakweri resulting from the alienation of land were noted early in the mandate regime by the Administering Authority, which reported in 1925 that

"...there is no doubt that their relegation to reserves has to a large extent made them lose interest in life, as is demonstrated by the dilapidated state of their houses and their neglect of most sanitary measures in spite of years of culture contact with Europeans. Even if the land allotted to them appears large enough for their needs, it is invariably not fertile, for the best land has been apportioned to aliens.

"Nor is it surprising that interest in life has been lost when they have seen their native organization and institutions ruthlessly broken up to make way for foreign ideas and enterprise.

"While then it is not argued that the Bakweris would have cultivated the land in as scientific a manner and to such quick profit as it has been by European capitalists, there is little doubt that they would have been healthier and happier people if there had been no large alienation of land but a policy of promoting production by the native himself on his own land, as has been followed with such excellent results in the Gold Coast. The development would have been slower, but it would have been surer, and it would have been possible to have maintained the framework of the native system of government and preserved for the people that racial pride and self-respect which they have now to a large extent lost." ^{1/}

b. Social Effects

In subsequent reports the Administering Authority has presented evidence of some improvement in the social conditions

^{1/} Annual Report, 1925, p.94

of the Bakweri, but as late as 1936 there was further mention of their "lethargy and lack of initiative" -- characteristics which the Administering Authority admitted to be more than possibly due to the removal of their villages from their ancient sites and the appropriation of their land for plantation purposes. ^{1/} The Administering Authority has not yet made available in complete form the results of its most recent survey of their conditions. ^{2/}

An actual physical degeneration of the Bakweri people, said to have been at one time a "big and virile" people who strongly resisted the German invasion, ^{3/} has been noted by the Administering Authority. It was thought to have its primary cause in the influx of large numbers of labourers -- up to 19,000 -- recruited from other and often distant parts of the Cameroons for work on the plantations.

At one time, note was even taken of a suggestion that the Bakweri might, in fact, be a dying tribe. In 1925 the opinion of "natives and others best qualified to judge" was recorded to the effect that the tribe was on the decline. The chief reason seemed to be the moral laxity of the women as a result of the presence of a large number of unmarried wage labourers, and the weakening effect on the Bakweri stock of the spread of venereal diseases. Their birthrate was at that time reported to have declined. ^{4/}

The impression was not altogether correct, however, for a reassessment of population during the next few years showed that the Bakweri were increasing on normal lines, except in one small group of villages. It was realized that possibly too pessimistic a view had been taken. ^{5/}

Nevertheless, the social impact of the presence of large numbers of non-indigenous Africans has continued to

^{1/} Annual Report; 1936; p. 73
^{2/} Annual Report; 1948; p. 75
^{3/} Annual Report, 1929, pp. 101-104

^{4/} Annual Report; 1925; p.92
^{5/} Annual Report, 1928, p.106

make itself felt and the need for encouraging the immigrant labourers to bring their own women with them is still seen; ^{1/} and partly in the train of this problem and partly parallel with it a separate problem has arisen-- that of the so-called "stranger natives", or African individuals and families from other districts who began to settle with an air of permanence on such land as the Bakweri and other of the true indigenous inhabitants did not actually occupy. This problem is dealt with in a subsequent section; it may be mentioned, however, that over the past ten or more years the large increase in the numbers of these settlers has diminished the amount of land available to the Bakweri and other communities and so added to their economic, if not their social difficulties.

c. Economic Effects

Little information is available as to the exact economic position of the Bakweri. Some of them grow, on their own account, cocoa and oil-palm trees -- the principal cash crops of the indigenous farmers of the southern part of the Territory -- but the Administering Authority has had little good to say about their capacity as farmers. It has variously called them "a byword for laziness and lack of stamina", ^{2/} "not industrious", ^{3/} "not enthusiastic". ^{4/} The general picture given is of the Bakweri womenfolk doing the greater part of the work of growing food for each family, and of the men being satisfied with the easier task of raising pigs and livestock for sale to the plantation labourers. The actual trading of foodstuffs is also carried out largely by the women.

It has been noted earlier in this section, however, that the Administering Authority has placed emphasis on the alienation of the plantation lands, and the absence of opportunity for normal agricultural production, as the reason for the lack of interest and enthusiasm of the Bakweri men. That the

^{1/} Annual Report, 1948, p.75

^{2/} Annual Report, 1925, p.92

^{3/} Annual Report, 1933, p.55

^{4/} Annual Report, 1936, p.122

/ alienation of

alienation of the land altered the possible main course of their economic development became clear in a survey made in 1926 of agricultural prospects in the Cameroons Province. Then, as now, the Administering Authority considered the development of cocoa farming, especially along cooperative lines, as perhaps the most fruitful field of cash-crop production among the indigenous inhabitants. Because of the extent of alienation of land, however, the survey ruled out this or any other form of agricultural development as impractical for the Victoria Division.

The officer who made the survey -- the senior superintendent of agriculture -- reported ^{1/} that

"...out of a total of 838 square miles in the Victoria Division only about 336 square miles are what could be termed 'native land', and of that only a comparatively small proportion is available for cultivation because of the prevalence of mangrove swamp at the mouth of the Mungo River and rocky ground near the Cameroon mountain.

"The plantation concessions occupy the best land on the lower slopes of the Cameroon mountain; the remainder consists of mountain land which is practically valueless, at any rate from a native cultivator's point of view."

He found that the indigenous cocoa farms already existing were so small that the owners could not afford proper drying facilities; and the farms were so scattered and their production so low that it would neither be possible nor economic to establish cooperative facilities.

He found "no possibility of the extension of oil palm cultivation by the natives in this Division; the scarcity of land alone would preclude this", and no possibility of extending the cultivation of other cash crops. Of the prospects for the Victoria Division in general, he reported that:

1/

Extracts from the report appearing in
Annual Report for 1926, pp.128-133

/ "...one is

"...one is unfortunately forced to the conclusion that very little can be done in the Victoria Division to improve native agricultural conditions, The chief factor is the lack of land suitable for the extension of cultivation, particularly of exportable crops".

By the "lack of land" the officer clearly meant "lack of un-alienated land", since at the time less than one-quarter of the plantation land had been brought under cultivation.

On the other hand, the survey gave a much more optimistic picture of the prospects for the neighbouring Kumba Division, where only 102 square miles out of some 4,000 square miles of usable agricultural land had been alienated. As a result of the survey the Administering Authority launched in Kumba a plan to encourage and develop cooperative cocoa producing methods. Kumba remains the most important indigenous cocoa growing area in the territory.

The Bakweri people had little economic contact with the profitable development of the plantations except through the sale of foodstuffs to the plantation labourers. The only part they might have played in the plantation operations to any great extent would have been as ordinary labour. However, they were never greatly attracted to this work. Most of the 12,000 to 19,000 labourers who worked on the plantations each year came from other districts, and from as far away as the Cameroons under French administration. The Bakweri contributed no more than a few hundred workers a year. It has been explained that they "do not find work as plantation workers congenial", and that they preferred peasant proprietorship.^{1/} This suggestion that they may have found common wage labour beneath their ability or their dignity is heightened by the fact that they have been observed to make good artisans, and have often occupied the better paid posts of medical dressers, fitters, mechanics and craftsmen.^{2/} In spite of the difficulties caused by the alienation of the land and the up-rooting

^{1/} Annual Report, 1925, p.88

^{2/} Annual Report, 1929, pp.101-104

of their villages, their administrative capacity has also been praised -- the Bakweri Native Authority has been described as one of the most successful in the province^{1/}-- and the people of the Victoria Division as a whole have been recently described as "exceptionally sophisticated".^{2/}

d. Problem of "Stranger Natives"

The problem of "stranger natives" -- that is to say, of the occupation of land by indigenous individuals and even small communities not normally belonging to the district -- has now assumed serious proportions in the Victoria Division as a whole.

The influx has been the result partly of a natural migratory flow and partly of the settling in the area of persons who went there originally as plantation labour. In 1938 the problem was already becoming acute, and the proportion of "strangers" to the total population of the Victoria Division was estimated at one-third; in 1948 an indigenous population (presumably mostly Bakweri) of 15,062 was living in areas of native lands in the vicinity of the plantations. Living among them were immigrants to the number of 9,515, of whom 4,896 were adult males. These immigrants were in addition to the some 16,000 plantation labourers domiciled on the Corporation's estates. In the Balong area, in the northern part of the Division, strangers out-numbered the indigenous inhabitants by about three to one.^{3/}

Resistance to the settlement of "stranger natives" has been observed in most of the Victoria Division, which is the only part of the Trust Territory in which the problem of population pressure has arisen. In those parts of the Cameroons where land is plentiful the immigrant stranger is welcomed in most native societies, and if he proves himself a good citizen he may be given the use of

^{1/} Annual Report 1936, pp.13-17

^{2/} Annual Report, 1938, pp.97-98,
See also Annual Report 1948, p.95

^{3/} Annual Report, 1948, pp.75, 95

/ land. In

land. In Victoria and parts of Kumba, however, this attitude gives place to one of suspicion lest the stranger or his descendants claim full rights over land assigned to his use. This is particularly true in the case of cocoa farming; the fact that cocoa is a permanent crop requiring much labour and care tends to create a strong vested interest against disturbance, since while custom does not permit ownership of the land itself to be claimed by the user, it may allow him to claim ownership of the trees.^{1/}

Native Authorities have been attempting to work out a compromise by which the exact terms of agreements in respect of such land would be registered in the native courts. The control of immigration and settlement of strangers in the plantation area has also been recommended by the officer who carried out the investigation of conditions there in 1948.^{2/}

e. Measures Taken by Administering Authority

The most important direction in which the Administering Authority has acted to improve the lot of the Bakweri -- apart from measures taken for the benefit of the Territory as a whole -- has been in providing them with additional land for individual or household farming. It is in this direction also that the Administering Authority has sought to meet the present complaints of the Bakweri petitioners. (See Chapter V).

The shortage is in unalienated land; on the other hand, many thousands of acres of the plantation estates have remained uncultivated since they were alienated under the German regime. At the time of the British occupation during the First World War, only about 45,000 of the roughly 250,000 acres had been cultivated. The planters were required in the terms of their titles or leases to

^{1/} Annual Report 1948, pp.74, 94

^{2/} Ibid. pp.75

to bring additional acreages under cultivation each year, but by 1938 only about 87,000 acres had been developed.^{1/} Further extensions of cultivation were interrupted by the war. Some new planting has since taken place, but several thousand acres have not been brought under cultivation.

Nevertheless, the shortage of land immediately available between 1927 and 1932 a total of 14,851 acres of plantation land was re-purchased in the Victoria and Kumba Divisions. The extent to which the Bakweri people benefited from this has not been made entirely clear, since only 5,089 acres are shown specifically to have been acquired in the Victoria Division; furthermore, some of the land had already been occupied by indigenous families, either without their knowing that it was plantation land or with the temporary permission of the plantation companies. However, it has been stated that the object was to secure to each community the possession of an area equal to nine acres per adult male; and the Administering Authority reported at the time that:

"...the present acquisitions may be viewed as the final act in the process of righting a wrong done to the Bakweri tribe in a previous generation."^{2/}

For a few years thereafter, no further measures were thought necessary. By 1938, however, the problem had again begun to take shape; it was recognized that although the indigenous lands might have been sufficient for the food supply of the inhabitants they left little scope for expansion or for the planting of exportable crops.^{3/} No further move was made, however, until 1948, when the Administering Authority sent a senior Administrative Officer to investigate the situation. The contents of his report, submitted towards the end of the year, have not yet been communicated to the Trusteeship Council except in a brief summary included in the Annual Report for 1948. The report estimates

^{1/} See Appendix C of this paper

^{2/} Annual Report, 1931, pp.82-83

^{3/} Annual Report, 1938, pp.96-97

that to provide each indigenous household with a holding of fifteen acres (the basic requirement adopted for the purposes of the investigation) a further 25,000 acres would have to be released by the plantations. (The report also recommends the development of social welfare in the plantation areas, the encouragement of labourers to bring their women with them, and control of immigration into and settlement of strangers in the area.)^{1/}

IV. THE CAMEROONS DEVELOPMENT CORPORATION

a. Legislative Action

One phase of the history of the Cameroons plantations repeated itself exactly in 1939 when, with the existence of a state of war between Germany and the United Kingdom, the British authorities seized all property belonging to enemy nationals and vested it in a Public Custodian.

At first, an attempt was made to keep the plantations in production with the help of the German managers and technicians, but it was subsequently found necessary to intern them, and a general manager was appointed by the Nigerian Government in 1940. Rubber production, which the Germans had expanded considerably until the outbreak of the war, was fully exploited to help the war effort but the banana crops -- the greater wealth of the plantations -- had to be largely neglected, and afterwards the Nigerian Government admitted that "the properties have been run at a loss, and they have seriously deteriorated during the war".^{2/}

With the war over, the government announced in 1946 its plans for the future of the ex-enemy estates. Except in one important sense -- the fact that they again involved a reparations transaction by which their greatly enhanced purchase price would once more be lost to the Trust Territory -- these

^{1/} Annual Report, 1948, p.75

^{2/} Proceedings of Special Session of Nigeria Legislative Council, Dec.1946

plans followed so radical a departure from the course adopted after the First World War that one of the African members of the Nigerian Legislative Council declared that at first glance the proposals "seemed too good to be readily believed and credited". ^{1/}

The proposals, as finally approved and since put into effect, ^{2/} were that the Nigerian Government should purchase the ex-enemy estates from the Custodian of Enemy Property, declare them to be native lands, and lease them to a statutory corporation, the Cameroons Development Corporation, which would operate and develop them not for private gain but for the common benefit of the inhabitants of the Territory as a whole. The Corporation is given wide powers not only in developing the agricultural production of the plantations but also in setting itself up in business as importers, merchants and manufacturers, and engaging in farming, stock breeding, fishing and any other undertaking sanctioned by the Governor of Nigeria.

The Corporation is required to pay direct and indirect taxes to the Nigerian Government as if it were a private enterprise. After taxes, payment of capital and interest on the purchase price, allocation of general and special reserves, and expenditure on the welfare of its employees, the Corporation is required to make the residue of its profits available for expenditure for the general benefit of the inhabitants of the Trust Territory in such manner as the Governor may determine.

The ultimate objective -- as stated by the government although not explicitly provided in the enabling legislation -- is to staff the Corporation entirely with inhabitants of the Cameroons and to turn the whole enterprise over to the people, possibly on some cooperative basis.

^{1/} Proceedings of Special Session of Nigeria Legislative Council, December 1946.

^{2/} Extracts from the enabling legislation are contained in Appendix D.

/ These measures,

These measures, amounting to the "nationalization" of the plantations, reflected an admission that the past exploitation of the lands by private enterprise had not operated in the best interests of the inhabitants. Indeed, the Nigerian Development Secretary, after outlining the history of the estates, declared in the Legislative Council when he introduced the legislation:

"Now we come to the end of the war, when it is felt that the correct thing to do is to repair the omissions of the past and ensure that those lands are acquired and operated for the benefit of the inhabitants of the Cameroons." ^{1/}

The legislation had an easy passage through the Council. African members who spoke applauded the principle underlying it. The only criticism of note related to the government's proposal to grant the Corporation a 99-year lease of the plantations, for the first 35 years at a rental designed to pay off the purchase price, and for the remainder at a peppercorn, or nominal, rate; some of the African members suggested fixing the lease at 60 years as a means of giving the people of the Cameroons a more concrete promise of eventual ownership. The Development Secretary replied that he thought the Government would agree, subject to the Corporation being given a continuous option of renewal.

The Legislative Council at that time included a member for the Cameroons, Mr. J. Manga Williams. He strongly supported the scheme, saying that it had been explained to the local inhabitants in their own language and it had been "welcomed by all the people".

Mr. Manga Williams, who is president of the Victoria Federated Council (a Native Authority) is now the sole African member of the board of the Corporation.

^{1/} Proceedings of Special Session, 9 December, 1946.

b. The Financial Transaction

The legal basis for the transfer of ownership of the ex-enemy plantations is similar to that on which they were disposed of after the first World War. The transfer takes the form of a reparations transaction, and the purchase price, as such, is again lost to the Trust Territory, being paid by the Nigerian Government to the Custodian of Enemy Property, and entered as a charge against the reparation share of the United Kingdom. ^{1/}

The value of the estates for the purposes of the transaction has been negotiated between the Custodian, the Nigerian Government and the Corporation, subject to the approval of the Inter-Allied Reparations Commission. ^{2/} The price has been estimated at not more than £850,000, based on a formula by which the freeholds were regarded as undeveloped and unimproved land valued at from 5 to 30 shillings an acre; added to this were the value of the improvements, compensation payments for certain leaseholds. No allowance was made for goodwill.

^{1/} See statements of special representative of the Administering Authority (document T/251) and the Nigerian Development Secretary (Proceedings of Special Session of Nigeria Legislative Council, 9 December 1946). Article 6 of the Paris agreement on reparations, 1945, states that each signatory government having jurisdiction over external German assets

"...shall, under such procedures as it may choose, hold or dispose of German enemy assets within its jurisdiction in manners designed to preclude their return to German ownership or control and shall charge against its reparation share such assets (net of accrued taxes, liens, expenses of administration, other in rem charges against specific items and legitimate contract claims against the German former owners of such assets)." (Art. 6A)

^{2/} Nigerian Development Secretary, as cited above. Information is not available as to whether the transaction has been completed.

The valuation of £850,000 amounts to some three times the price realized at the auction of the estates after the first World War. The Nigerian Government is raising the amount by loan, and the Corporation is required to reimburse the Government, with interest at the rate of $3\frac{1}{2}$ per cent on outstanding balances, by means of rentals over 35 years. Profits available for the benefit of the Territory will therefore be diminished by the amount of this rental, which in 1948 totalled £30,645. (The Nigerian Budget for 1949-50 shows that the government expects to receive in that year £21,500 in the form of interest on the capital cost, and £12,000 in repayment of the capital itself).

While the obligation imposed upon the Government of the United Kingdom to charge the value of the plantations against its reparations share has not been disputed, the question was raised during the fourth session of the Trusteeship Council as to whether the government might not, in view of the special circumstances of the case and the history of the previous exploitation of the estates, consider making some internal arrangement which would on the one hand meet its reparation requirements but on the other hand reduce or remove altogether the considerable drain on the profits from the plantations for the next thirty-five years.

The Council recommended that the Administering Authority should consider the possibility of shortening the period of thirty-five years which must under present arrangement elapse before the indigenous inhabitants achieve full benefit from the earnings of the Corporation.

c. Operations of the Corporation ^{1/}

(i) Control and Management

The Cameroons Development Corporation operated under general accountability to the Governor and Legislative Council of Nigeria, to whom it is required to submit annual reports and accounts. Its constitution provides for a board of up to nine members, all to be appointed by the Governor. No legislative provision is made for specific representation of any interests; but it has been stated that

"the intention is that there shall be increasing representation of the people of the Cameroons on that Board. Of necessity the representation will be small in the beginning, because.....there are not many people there who are competent at this stage to deal with highly complex business." ^{1/}

Since its inception, the Board has had one African member from the Cameroons - Mr. J. Manga Williams. The membership of the Board, up to the early part of 1949, was as follows:

1. Mr. F. E. V. Smith, former Nigerian Development Secretary, Chairman and Chief Executive Officer
2. Mr. J. Manga Williams
3. Director of Commerce and Industries, Nigeria
4. General Manager of the Nigerian Railway
5. Mr. W. J. C. Richards of London
6. Mr. G. G. R. Sharp of Jamaica

The appointment of a second member resident in the Cameroons was expected in 1949. It is not known whether he is an African.

The Corporation also has a director of welfare and social services (Sir Ralph Stonchen), and in 1948 had on its administrative and technical staff 74 senior colonial service officers, all "expatriates" (presumably European), and 368 junior service officers, in addition to the labour force.

^{1/} Except where otherwise stated, the data herein is taken from the Annual Reports of the Corporation for 1947 and 1948.

The Corporation is required to take steps to train "Cameroonians" for higher and more technical positions, and in 1948 six subordinates were promoted to officer rank. The Corporation has found, however, that men with extended practical experience suffer from serious deficiencies in basic education. In 1948 it allotted £1500 to inaugurate a scholarship system for training ranging from that of artisans to university education. The number of candidates was disappointing; the Corporation has, in fact found it difficult, because of the relatively low standard of education in the Trust Territory, to give effect to its desire to meet the "very strongly expressed" wishes of the Cameroon people that local inhabitants should be employed as far as possible in all its work.

Early in 1949 the head office of the Corporation was moved from Lagos, Nigeria, to Bata in the Cameroons. The chairman and chief executive officer moved his residence there at the same time.

(ii) Production

Forty-nine estates, totalling slightly more than 250,000 acres, are held by the Corporation. One important freehold estate of some 15,584 acres, known as Likomba estate, was for many months the subject of a claim alleging "beneficial ownership" by the British company of Elders and Fyffes Limited ^{1/} through rights acquired from a German company. Agreement has now been

^{1/} This company is also the corporation's sales agent for its banana output (see below).

reached by which this company and the Likomba Company in Germany have transferred all their interest in the estate to the Governor, in return for permission being granted to Elders and Fyffes to lease for 18 years such land on the estate as they consider suitable for banana growing. The Corporation managed the estate until 31 March 1949; its important banana output is included in the corporation's production figures but presumably not in its financial accounts. A further estate in the same area is owned by the United Africa Company.

The three principal products of the Corporation's estates are bananas, oil palm products and rubber. Bananas are marketed under an arrangement with Elders & Fyffes Ltd. as sales and shipping agents who, in turn, pass over the bananas to the British Ministry of Food. In 1947 the Ministry made "quite a substantial profit" in sales to the wholesale fruit trade in the United Kingdom. Total production in that year was 2,822,139 stems, of which 1.6 million came from the corporation's estates. However, shipping arrangements were unsatisfactory, and some £400,000 worth of the corporation's bananas could not be exported. In 1948, however, with total production (including Likomba) greatly increased at 4 million stems, full export was possible, and the corporation's revenue from green bananas rose from £337,793 to £733,423. New plantings are expected to increase total Cameroons production still further to 5 million stems in 1949 and 8 million in 1951.

Some 17,000 acres of rubber trees, many of them badly planted and generally uneconomic, produced £128,000 worth of rubber in 1947 but resulted in a small loss. Production was

/about the same

about the same in 1948, but development has been kept at a minimum because of unencouraging market prospects.^{1/} Because of the declining state of the market the Nigerian Government abolished in August 1947 the export duty of 2 pence per lb. on rubber. The product is sold on the London market through normal trade channels.

Oil palm production in 1947 was totally uneconomic, resulting in a loss of £15,000 because of the scattered and unsatisfactory nature of the plantings and deterioration of oil pressing and other machinery and transport facilities. Even with improved efficiency in 1948 the palms were not profitable until a material improvement was made towards the end of the year in the local prices fixed by the West African Produce Control Board, through which all Cameroons palm produce is sold. The Corporation, however, felt it to be its duty to continue production in order to maintain employment and because of the world shortage of oils and fats. A long-term new-planting programme has been started.

Expansion of cocoa production, on the basis of small plantations left by the German owners, has also been under consideration. The Corporation also operates dairy and vegetable farms for supply to employees and others, and is importing pigs and establishing flocks of sheep for the same purpose. It is installing new equipment in the plantations, such as railway

^{1/} The question may be raised as to the possibility that the agreement between the Governments of the United States and the United Kingdom in September 1949 to allow greater use of rubber, as against synthetics, in tyre manufacture in the United States, in order to improve the market there for British rubber, will affect future development plans.

tracks, locomotives, rolling stock, oil mills, motor trucks, launches and barges, and electricity generators.

(iii) Financial Results

In its first year, 1947, the Corporation showed a profit of £178,275. Of this, the substantial sum of £158,000 was set aside for income tax payable at the flat rate of 7 shgs. 6 pence in the pound, to the Nigerian Government for two and a quarter tax assessment years, up to 1948/49. Admitting that this was a heavy commitment to be provided in the first year, the Corporation stated that tax provision in subsequent years would be required to be calculated for a single year only. The balance of £19,956 was carried forward, in view of heavy commitments for capital and other equipment and stores. No part of the profit was therefore available for the general benefit of the Trust Territory.

Doubling its profit to £343,396 in 1948, the Corporation again found it necessary to set aside a substantial sum -- £209,000 -- in Nigerian taxes. In accordance with its statute, the Corporation then laid prior claim on the profits in order to establish reserves for hospitals, dispensaries, medical equipment, educational facilities, rehousing, replanting and hurricane risks (£100,000). The residue of the profits, £54,352, was made available to the Governor for application to the Territory as a whole.

Expenditure as well as revenue had substantially increased over 1947. The first full year's rental (the repayment with interest of the purchase price) was due, and this amounted to £30,845. New construction, equipment and other deferred maintenance amounted to £80,000; a gratuity fund for the staff cost £15,000; and expenditure on social and welfare activities,

/primarily for

primarily for the employees, amounted to £10,564.

The following figures taken from the annual accounts of the Corporation for 1947 and 1948 show the totals and main items of revenue and expenditure, and the disposal of the profits:

(1) <u>Revenues</u>	1947	1948
Total revenue	£539,498	£999,788
Main items:		
Green bananas	337,793	733,423
Dried bananas	11,543	6,133
Rubber	103,522	128,048
Palm products	53,679	74,468
Other products	6,251	5,638
Agency fees	26,710	52,078
(2) <u>Expenditures</u>		
Total expenditure	361,223	656,391
Main items:		
Production, wages etc	317,506	459,419
Improvements	23,591	32,021
Rental to Govt. of Nigeria.	4,873	30,845
Staff gratuity fund	- (1)	15,000
Deferred maintenance.	- (1)	80,000
Head office	11,734	16,847
Social & welfare.	- (1)	10,564
(3) <u>Profits</u>		
Profit for year (before tax).	173,275	343,397
Disposal of profits:		
Taxation	158,000	209,000
General and special reserves	nil	100,000
Carried forward	19,956	(see below)
Allocated to Governor for benefit of Cameroons	nil	54,352

(1) no specific provision shown.

d. Benefits Accruing to Nigeria and the Cameroons

The accounts of the Corporation, outlined above, show that by contrast with the situation existing when the plantation were in private hands, a very large part of the income from the estates now finds its way into the treasury of the Nigerian Government.

/It may be

It may be recalled here that the administrative and fiscal integration of the Cameroons with Nigeria is so complete that although for the benefit of the Trusteeship Council an effort is made to separate the accounts of the Trust Territory from those of Nigeria, in actual practice no such distinction is made. The practical administration of the integrated territories is based on a single, indivisible budget, in which the revenues from and expenditures in the Trust Territory as such are not dealt with separately.

The Administering Authority has accordingly pointed out that because of this integration, and because its approximate estimates of purely Cameroons finances show that more money is spent in the Territory than is earned from it, the Territory loses nothing, but rather gains, by paying its taxes into the Nigerian Treasury.

During the examination at its fourth session of the annual report for 1947, the Trusteeship Council recommended that, pending a final solution of these administrative arrangements, the Administering Authority review the situation and take steps or institute measures such as budgetary autonomy for the Territory, which will enable the Trusteeship Council better to perform the duties and functions vested in it by the Charter.

In the light of this recommendation, and in view of the fact that the Cameroons Development Corporation is still in its formative stage, is several years away from full earning capacity, and is potentially the most important economic factor in the Territory, some analysis is made below of the disposition of its expenditures as between Nigeria and the Cameroons.

/The greatest

The greatest contribution which the Corporation has made to the Nigerian treasury so far is in the form of direct taxation at the rate of 7 shgs. 6 pence in the pound.

In addition, the Nigerian Government collects export and import duties (e.g. 3 pence per count bunch or stem of bananas, £6½ per ton of cocoa, £2 per ton of palm oil and kernels) on the produce shipped by the Corporation and on some of the materials and stores which it imports. These charges amounted to about £20,000 in 1947 and probably not less than that figure in 1948.^{1/}

Furthermore, the annual rental (£30,845 in 1948), while not representing a gain to the Nigerian treasury, since it consists of repayment of the purchase price raised by loan by the government, does represent a diminution of profits available directly for the benefit of the Cameroons. Direct payments made to or set aside for the Nigerian treasury in the first two years may be estimated at some £440,000, or nearly nine times as much as the single allocation of £54,352 for the direct benefit of the Trust Territory. The payments to or provisions for Nigeria are as follows:

	1947	1948
Income tax.	153,000	209,000
Import & export duties.	20,000	20,000(1)
Rental.	4,847	30,845
Totals (approx.)	£ 182,847	£ 259,845

^{1/} No figure is available for 1948. However, it has been presumed that the increased revenue derived from the greatly increased banana exports may have been largely offset by the abolition of duty on rubber.

At the same time, it may be noted that the sums provided for income tax are somewhat larger than the tax due on the actual operations of 1947 and 1948, since provision is made partly against future operations.

In addition it may be considered that not only will the surplus profit available for the Cameroons generally increase with rising production and a diminution of reconstruction costs, but also that the wages paid by the corporation and the social and educational facilities which it is required to provide are of further direct and indirect benefit to the Trust Territory, even if primarily to those of its people who are employed by the Corporation.

Taking these factors into account, all or part of the following items of expenditure represent benefits to the Trust Territory:-

	1947	1948
Surplus profits	Nil	54,352
Wages	335,637	435,959
Staff gratuity fund	-- (1)	15,000
Social and welfare	<u>-- (1)</u>	<u>10,564</u>
Totals	£ 335,637	£ 515,875

Further social and educational benefits are intended to be provided out of the £100,000 reserve fund set aside by the Corporation in 1948. On the other hand, the proportion of these sums representing salaries paid to and benefits enjoyed by European staff -- for instance, the housing of senior officers, to which high priority has been given -- is not known. Furthermore, it may be noted that 5,864 employees, or one third of the labour force of 17,910 in 1948, were not inhabitants of the Cameroons but came from Nigeria and the Cameroons under French administration.

(1) No specific allocation.

e. Labour and Working Conditions

Africans employed by the Corporation in 1948 totalled 17,910, of whom all except 368 comprised the actual plantation labour force. Some 12,000 were indigenous inhabitants of the Cameroons, representing, in numbers ranging from a single man to more than 2,200, nearly eighty different tribes or localities. Bakwori employees numbered nearly 1,500 -- considerably more than at any time under private enterprise.

In addition, 2,662 workers were listed as coming from the Cameroons under French administration, and 3,202 were classified as Nigerians and others.

Wage rates are substantially higher than before the war. During 1947 they were fixed, retrospectively to the beginning of 1946, at the prevailing government rates starting at 15 pence a day. As from November 1948, the basic rate was increased to 18 pence a day to meet a further rise in the cost of living. The basic rate applies to unskilled labour; three intermediate grades range from 19 pence to 3 shillings 9 pence; trade-tested skilled labour from £72 to £150 a year; and clerical from 2 shgs 3 pence a day to £102 a year. Junior service employees, of whom there were 368 in 1948, receive from £72 to £350 a year, in line with equivalent Nigerian Government posts. The senior (European) and junior service staffs have a provident fund to which the Corporation contributes equal amounts. All employees, from senior officers to unskilled labourers, are provided with free housing. The Corporation is empowered to pay bonuses to persons in continuous employment, as an incentive to the employment of inhabitants of the Cameroons.

Strikes and other labour disturbances have taken place among Corporation employees during both 1947 and 1948. Because, it is believed, ^{1/} of delay in the payment of the retrospective wage increases, 300 men struck for a day in July 1947 and 400 men rioted during the loading of a banana ship at Tiko on 20 September, blocking a plantation railway, cutting telephone wires and doing other damage. Police were called, and 34 persons were arrested; when their trial began on 9 October, strikes and disorderly incidents, affecting another 800 men, were reported from other plantations. One hundred police reinforcements were sent from Nigeria; there were further minor incidents, but wage payments were speeded up and order was restored. Ninety-eight persons were prosecuted; 86 were sent to prison for terms ranging from six to eighteen months, and nine others sentenced to a fine of £5 or three months' imprisonment.

Three strikes occurred in 1948. The most important involved 300 men who struck for a few days in September because of dissatisfaction with the results of trade tests, and on a demand for a wage increase to 4 shg 6 pence a day. Eighty went back to work when they were told that further opportunities for trade tests could be expected; the others resumed when the management threatened to terminate their engagements. Two hundred workers stopped for a few hours in December until five men had been reinstated in their jobs and their head overseer placed under supervision. The third stoppage, lasting two days, involved 19 men who refused to work in rain.

Most of the workers belong to the Cameroons Development Corporation Workers' Union, which had a membership of 16,000 in

^{1/} Annual Report 1948, pp. 284-285.

1948. Most of them, however, are thought to have no conception of the proper functions of a trade union, and the labourers are distrustful of the clerks, who mainly comprise the union's leadership. The 1947 strikes and disorders were not supported by the leaders of the union. Some other Corporation workers, together with employees of the United Africa Company, belong to the Tiko Workers' Union, the only other in the Cameroons apart from branches of Nigerian unions.

The staff housing and labour camps inherited by the Corporation were found to be unsatisfactory, and it estimates that a full programme of permanent re-housing will cost £2 million and take 15 years. Skilled labour is scarce, however, and pre-fabrication methods are being investigated. High priority has been given to senior (European) staff housing, on the grounds that the African housing programme cannot effectively be carried out without the help of technical officers, while on the other hand these officers cannot be recruited without being offered reasonable housing.

f. Welfare

The Corporation's statute provides that it may, in developing the lands leased to it, provide for the religious, educational and general social welfare of its employees, and encourage and assist the establishment by them of cooperative societies.

Although the legislation makes these activities both optional on the part of the Corporation and restricted to its employees, a wider interpretation has been placed on it by both the Nigerian Government and the Corporation itself. They envisage that, for example, educational and medical facilities provided for the employees would also be available to other people living in the neighbourhood of the plantations.

In the case of education, it has been stated that

"it will be the business of the Corporation to expand educational facilities in order to increase the number of educated people in the Cameroons, so that in the course of time -- it may take many years to do it -- the Corporation should be entirely a Cameroons body, consisting of Cameroons personnel and, no doubt when the right time comes, elected by the people of the Cameroons themselves." 1/

The Corporation has in fact undertaken a number of services, notably educational, to supplement inadequate facilities so far provided by the government. It has already been noted that the Corporation has inaugurated a scholarship scheme for technical and university training. It has been disappointed, however, at the small number of suitable youths available, for lack of basic education, and has found it necessary to enter the field even of primary education in order to ensure that adequate facilities are provided quickly. Although it has pointed out that the corporation and its employees already pay substantial taxes, it has accepted responsibility for providing primary schools, equipment and books in the plantation areas, and has also met the cost of training four teachers. The schools will be managed by the Native Authorities or missions. The Corporation has also agreed to make available 30 acres of land for the establishment by the government of a technical training centre for the Cameroons. It has inaugurated an apprentice training scheme, and has arranged for other youths to be trained by government departments in Nigeria.

1/ Nigerian Development Secretary, speaking in the Legislative Council, 9 December 1946.

In the field of medical services, the Corporation has similarly found existing facilities to be inadequate and has reorganized, re-equipped and expanded two hospitals at Tiko and plans to build a large modern hospital. A nurses' training school and two clinics have been built; registration of births and deaths has been started; and surveys of health, sanitation and nutritional needs have been completed. It is proposed to have a medical officer and a nursing sister stationed in each of four outlying areas.

The Corporation is anxious to start consumer and other cooperatives among its employees, but at the end of 1948 was still waiting for the Nigerian Government to post to the Cameroons a trained cooperative officer. It was prepared to pay the cost of the appointment out of its own funds. In the meantime, being concerned at inflationary price tendencies -- against which it hopes the government will also set up some machinery of wage regulation -- it has provided premises for controlled-price stores, developed vegetable farms, and arranged the sale of meat, fish and flour to its workers at under cost.

Twenty-one recreation grounds have been provided, four African Clubs established, and sports and cinema equipment made available.

V. THE BAKWERI LAND COMMITTEE PETITION (T/PET.4/3; Add.1,2,3)

a. The Petitioners

The Bakweri Land Committee, in its petition to the United Nations, states that it was founded early in 1946 in order to take action for the recovery of the Bakweri lands. As of 31 December 1948 it was made up of 80 members representing all the

/villages in

villages in the Victoria Division and also the sub-tribes of Balong, Bimbia and Bota.^{1/} The secretary of the committee is shown as D.M.L. Endeley, who states that he is headmaster in charge of a native administration school, and the address shown in the communications is the Native Administration Office at Buca.

(Buca is the European administrative headquarters of the whole Victoria Division and is also the headquarters of the Bakweri Native Authority, consisting of 60 or more predominantly Bakweri villages in and near the plantation area. It is one of three Native Authorities in the Division, the others being Balong in the north and Victoria, which includes Bimbia and Bota, along the coast. The organization of the Bakweri Authority takes the form of a clan council, of which Chief Endeley -- presumably related to the secretary of the Land Committee -- is district head).

The petition in its original form (T/PET.4/3) was addressed in the first place to the Secretary of State for the Colonies, London, and was dated 24 August 1946, some three months before legislation for the disposal of the plantation lands was introduced in the Nigerian Legislative Council. The petitioners asked the Secretary of State to bring their case to the notice of the appropriate international body. The Secretary of State, however, asked the Governor of Nigeria to confirm from them whether, in view of the new developments affecting the land, they still wished their petition to be forwarded to the United Nations; he had

^{1/} T/PET.4/3Add.3, p. 4. Earlier, in observations dated 9 June 1948, the Administering Authority gave its membership as some 48 persons, of whom 25 were village heads, out of a total of 60 village heads in the area, and others were government and native authority servants and traders.

understood that both the Land Committee and the Clan Council were by that time satisfied that the establishment of the Cameroons Development Corporation was in the best interests of the people of the Cameroons.^{1/}

More than a year after the date of their petition, the secretary of the Land Committee wrote on 17 November 1947 to the Secretary of State informing him that a composite committee of the Land Committee and the Clan Council still wished their case to be considered by the Trusteeship Council.^{2/} The petition was received at the United Nations on 17 March 1948. The substance of their case was further explained in additional communications (T/PET.4/3 Add.3) sent directly to the United Nations on 1 September and 31 December 1948.

b. Petitioners' Complaints and Requests

In summary, the petitioners make the following complaints:

1. The alienated lands were taken from their people by the Germans without treaty or agreement and wrongfully sold to the plantation companies and missions, in contravention of the principles of customary land tenure.^{3/}
2. The British authorities, by recognizing the alienations, and selling most of the estates back to the former German owners, perpetuated the wrongful acts of the German Government.
3. Huge profits left the Territory from the plantations while the Bakweri people were relegated to poor and difficult land, suffering malnutrition and other hardships.

^{1/} See Administering Authority's letter of transmittal, T/PET.4/3.

^{2/} See T/PET.4/3, p. 13.

^{3/} See Chapter II, paras. (a) and (b), and Appendix A.

In their original communication the petitioners make the following requests:

1. All "Crown lands" should be converted to "native lands" 1/ and controlled by the indigenous inhabitants.
2. All land alienated from the Bakweri people in the Victoria Division should be returned to them, in order that the native administrations might develop them on a cooperative basis and the proceeds be devoted by the native administrations, in concert with a permanent land committee, for the benefit of the people.
3. Compensation should be paid to the Bakweri people in an amount equal to the proceeds from the plantations during the previous five years 2/ and they should be given "everything now standing on the plantations".
4. All mission lands, except plots on which ecclesiastical and school buildings are standing, should be returned to the Bakweri people.

In their subsequent communications (T/PET.4/3 Add.3), transmitted after the Cameroons Development Corporation had been established, the petitioners make it more clear that while they still claim, on behalf of the Bakweri, absolute right to the control of the estates, they do not want the land simply and immediately, handed back to them free of all European participation. They state that they "will have no reason to complain" if the plantations are given over to the people "more genuinely

1/ In the legislation subsequently passed, the plantations were in fact declared to be "native lands". However, the same series of legislative acts authorized the Governor to lease them to the Cameroons Development Corporation. (See Chapter IV, para.(d)).

2/ According to the Nigerian Government, the plantations were operated at a loss during the war period, covering the better part of the five years mentioned by the petitioners. (See Chapter IV, para. (a)).

/and completely"

and completely" than the existing constitution of the Cameroons Development Corporation allows, and, they make the following main proposals:

1. The plantations in the Bakweri area should be renamed the "Bakweri People's Plantations" and should be operated under the trusteeship of the Governor by a board of directors and a board of management. The Bakweri Land Committee would advise the Governor on the nomination of the directors, who would be 13 in number and consist of Europeans in the key positions at first, with Africans as "understudies", as follows:

(i) Board of Directors 1/

<u>Europeans</u>	<u>Africans</u>
Chairman	Vice Chairman
Secretary	Permanent Under-Secretary
Nigerian Director of Commerce & Industry
Economist
General Manager of Nigerian Railway
Shipping Director	Assistant Shipping Director
	4 members representing the plantation areas.

1/ See Chapter IV, para. (c). The board of the Corporation is similar in that it includes a European chairman and secretary and the two Nigerian officials mentioned. However it has only one, or possibly two, African members, and is limited to a total of nine members in all.

(ii) Board of Management ^{1/}

<u>Europeans</u>	<u>Africans</u>
General Manager (chairman)
Welfare Officer
Administrative Officer	Assistant Admin. Officer
Chief Accountant
Chief Engineer

2. By posting Africans immediately to the posts shown, and by training them and other Africans in technical and administrative skills, virtually full African control of the plantations would be possible within about 15 years. 2/
3. The policy to be followed should be the improvement of the territory and the development of its resources, the education of the people, and the improvement of living standards, including assistance to peasant farmers in the marketing of their produce. 3/

In these later submissions, the petitioners do not repeat their request for compensation for previous exploitation of the land, and they make no further reference to the mission lands.

c. Observations of the Administering Authority;
Replies of the Petitioners

In its observations (T/182), which were made on the basis of the original communication, the Administering Authority does not directly comment on the merits of the petitioners' claim that the

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- 1/ The Corporation has no formal board of management. The chairman is the chief executive officer (i.e. general manager), and other Europeans fill the key administrative, technical and welfare posts.
 - 2/ The stated intention is ultimately to give Africans full control of the undertaking, but the Administering Authority expects the transfer to take many years. Training schemes are already in progress.
 - 3/ The stated policies of the Corporation are similar, although assistance in the marketing of peasant farmers' produce is not explicitly included.

/plantation lands

plantation lands were wrongfully alienated in the first place, but it cites the executive and legislative action by which the various phases of the disposal of the lands were recognized or made legally possible according to the European laws applying to the Trust Territory. These various acts have already been referred to earlier in this paper.

The Administering Authority makes the following additional points, on which the comments of the petitioners, as contained in document T/PET/4.3/Add.3, are given in each case:-

1. The Administering Authority states that the indigenous population of the Cameroons is not yet competent to obtain, unaided, the maximum benefit from the plantations. The Cameroons Development Corporation provides machinery by which the plantations may be developed in the interests of the inhabitants, at the same time enabling the people to take an increasingly active part until they are competent to manage the whole enterprise without further assistance.

(The petitioners state that if the people are not yet competent, the reason lies in their poor social and economic conditions and lack of opportunity for full education. With proper training, 15 years at the most would be sufficient to prepare them for the most highly technical tasks. They wish to have actual practice in the handling of their own affairs, and not merely be made to "lock on" indefinitely.)

2. The Administering Authority states that the plans for the future of the plantations were fully explained to the Bakweri Clan Council and to the petitioners, and the formation of the corporation was welcomed by both.

(The petitioners state that it was only after the legislation had been actually enacted that the people had been informed "that the land had been bought back for them and that there was a Cameroons Development Corporation to be established in their interests". The plans did not turn out in practice as they had expected; they expected to be asked to elect their own representatives on the board, but the Governor nominated only one man, without the knowledge or consent of the people concerned. They also expected that the Land Committee would be invited to submit its plans for the administration of the plantations).

/3. The Administering

3. The Administering Authority states that if investigation shows that a genuine shortage of farmland for subsistence and cash-crop farming on a household basis exists among the indigenous inhabitants, additional land will be taken for them from the plantation areas.

(The petitioners state that these measures have no bearing whatever on their demands).

VI. CONCLUSION: SUMMARY OF PROBLEMS RAISED

a. Problems Raised in the Petition

After examining the petition at its fourth session, the Trusteeship Council instructed the Visiting Mission to make a full examination of the problems raised in the petition, and to present its recommendations to the Council not later than the sixth session.

In summary, the problems raised in the petition may be stated as follows:-

1. Whether the indigenous inhabitants whom the petitioners claim to represent have a legal right to ownership or control of the plantation lands, in that the lands may have been wrongfully alienated in the first place.
2. Whether the alienation of their lands has caused them economic and social hardships which may entitle them to special consideration.
3. Whether they still desire payment of compensation for past exploitation of the lands, and whether such payment is justified.
4. Whether they desire a complete legal transfer of ownership to the Bakweri people; or whether their demands may be satisfied completely by greater immediate participation in the control and management of the plantations, acceleration of technical training and the fixing of a specific time-limit for complete transfer to African control; and the extent to which these measures may be justified and practicable.
5. Whether the present policies of the Cameroons Development Corporation adequately provide for the development of resources, education, standards of living and assistance to peasant farmers.
6. Whether the mission lands, except for plots carrying ecclesiastical and school buildings, should be returned to the Bakweri people.

/b. Problems raised

b. Problems Raised in the Council

During the examination by the Trusteeship Council at the fourth session of the annual report for 1947, the following questions were also raised in relation to the Cameroons Development Corporation and the Bakweri Land Committee petition:

1. Whether, although the decision to operate the plantations under a public corporation for the benefit of the inhabitants was to be commended in principle, there was sufficient indication that the plantations were in actual practice being operated for their benefit. 1/
2. Whether the nature of the purchase transaction -- the fact that the purchase price of some £850,000, being a reparations payment, would be lost to the Territory, and the fact that the profits to be enjoyed by the Territory would be diminished for 35 years by the repayment charge and interest -- did not diminish the value of the scheme; and whether, in view of the special circumstances, a way might not be found to reduce or remove altogether this considerable drain on the profits. 2/
3. Whether, because of the economic and social effects on the Bakweri people of the alienation of their lands, special attention should not be given to them and measures taken to enable them to participate not only in the cultivation but also in the management of the plantations.
4. Whether all alienated lands, as a matter of general policy in the Territory as a whole, should not be returned to the indigenous inhabitants and further alienations prohibited.

1/ In its report to the General Assembly the Council passed a resolution in which it "expresses the hope that future reports of the Administering Authority will clearly and sufficiently indicate that effective steps are being taken by the administration to ensure that the Cameroons Development Corporation is working for the benefit of the indigenous population".

2/ In the resolution quoted above, the Council "in particular, recommends that the Administering Authority consider the possibility of shortening the period of 35 years which must under present arrangements elapse before the indigenous inhabitants achieve full benefit from the earnings of the Corporation".

5. (The payment by the Corporation of income and other taxes to the Nigerian Treasury has a bearing on the question of the administrative and fiscal integration of the Cameroons with Niberia. See TC/VM.1949/5, and Chapter IV, para. (d) of this paper.)

VII. APPENDICES

APPENDIX A: ALIENATION OF PLANTATION LANDS UNDER GERMAN REGIME

1. The following account of the methods of alienation of the plantation lands in the Victoria and Kuaba Divisions, Cameroons Province, is contained in the Annual Report for 1922, pp. 59-61:-

"In connection with the sale of German property in the Cameroons it was necessary to examine the German records to ascertain the titles and conditions under which such properties had been held under the German Government. These records were by no means complete; many had been destroyed or lost during hostilities, but fortunately the "Grundbuch" or General Land Register was found by the French authorities at Duala, who kindly placed it at the disposal of this (Nigerian) Government for purposes of this examination and for any necessary extracts to be made. From these data, though full particulars were not available in all cases, it was possible to arrive at a fairly accurate conclusion as to the German policy.

"It appeared that from the date of occupation in 1884, until June 1896, there was no definite policy of general application, as the following few instances of widely divergent procedure will show.

"In the case of the Kamerun Land und Plantagenesellschaft, title to ownership appears to have been established by occupation pure and simple, which the Government acknowledged when the question of title was raised.

"Or again a private individual, like the then Governor Soden, in 1887 purchased outright from the native chiefs of Buca ^{1/} "all land in Buca not built upon or cultivated," a transaction which two years later was approved by the purchaser's successor in office, von Puttkamer. The only condition attached to the sale was that no further sale of land should take place without Soden's permission, this clause being intended as a protection against the native practice of selling the same land twice or more times.

"Again, the Westafrikanisch Pflanzungsgesellschaft ^{2/} Victoria arose from an amalgamation of the properties and interests acquired by various individuals who purchased from the Government large tracts of land of about 2,000 to 3,000 hectares at an average price of 5 marks per hectare. The Government undertook in one such case "to make the transaction possible by creating Crown land in so far as the rights of the natives do not conflict therewith." In general, the Government agrees to "assist the purchaser in his dealings with the natives."

^{1/} Buca is the centre of the area principally inhabited by the Bakweri people.

^{2/} Victoria and Bibundi are in the Victoria Division.

"Similarly, in the case of the Nestafrikanische Pflanzungsgesellschaft Bibundi, 1/ the land was originally purchased from the native chiefs, although a clause was inserted in the agreement to the effect that ownership should remain vested in the natives. This would appear to have been little more than an appeasing formula, for later the Government acknowledged the agreement to be regular and valid, vesting the freehold ownership of the land in the company.

"In another instance, four individuals formed a company; they acquired land, not from the Government, but secured registration of the land in due form in the Grundbuch. It was found that no deed of purchase existed, but the Government recognised their title to the land.

"In the above cases where the land was sold by Government there is nothing in the records to show how the Government came into possession of the land.

"On 15 June 1896 the German Government issued an Imperial Decree 2/...in order, apparently, to regularise existing tenure under the previous haphazard arrangements and to lay down a definite policy for the future in dealing not only with the Crown lands but the acquisition of Native Lands by aliens. Section 1 of the Decree which makes all ownerless (presumably unoccupied) land Crown Land, and Sections 4 and 5, which give powers to Land Commissioners to determine which land is Crown land, are obviously the most important as affecting the rights of the aboriginal natives. The practical effect of the decree as far as the British sphere (of the Cameroons) is concerned was confined, with a few exceptions, to the Victoria, Kumba and Buea Divisions, where most of the land owned by Europeans was situated, and where large areas had already been granted to concessionaire companies.

"In these divisions occupiers of land acquired by the various haphazard methods disclosed (above) were given freehold titles. The Land Commissioners then proceeded to carve out native reserves on the basis of six hectares (about 15 acres) for each adult male, and all the remainder of the land not covered by a title or forming part of a reserve was declared Crown Land.

"In some instances the native reserves cut into land claimed by private individuals or companies. In some cases a friendly settlement by way of exchange was come to with the Government; in other cases resort was had to the law. The legal position on this point of expropriating plantation lands for native reserves is obscure, largely due to the extremely vague wording of the clauses intended to safeguard the rights of natives in the agreements dating prior to 1896, and also to conflicting decisions of various land commissioners at different times."

1/ Victoria and Bibundi are in the Victoria Division.

2/ See below.

/2. The following

2. The following are the principal clauses of the Imperial Decree of 15 June 1896:

Section 1.--Save and except in the case of claims to property or other realty which private or legal persons, chiefs or native communities can substantiate, save and except also the rights of occupation of third parties established by agreements with the Imperial Government, all land within the Protectorate being ownerless shall be Crown land. The title thereto shall vest in the Empire (replaced in 1902 by "the Government of the Protectorate").

Section 3.--When Crown land is occupied in the vicinity of existing settlements of natives, areas shall be reserved the cultivation and usage whereof shall ensure the subsistence of the natives having regard also to future increase of the population.

Section 4.--Ownerless land (Crown land) shall be sought out and determined by Land Commissions which shall be appointed by the Governor who shall allot to them the requisite staff of surveyors. These Commissions shall also decide any claims made by private persons. An appeal to the law shall lie against such decision.

Section 5.--In districts where a Grundbuch (land register) exists the registration of lands occupied as Crown lands shall be effected in virtue of a certificate given by the Governor or by an official authorized thereto by the Governor...

Section 6.--Crown land shall be disposed of by the Governor to wit, either by transfer of the title to ownership or by lease...

Section 10.--The sanction of the Government shall not be necessary to the acquisition of ownership or to leases of property which is owned or leased by a non-native...

Section 11.--Without the sanction of the Governor it shall not be permissible for natives to make over the title of ownership to urban properties of more than one hectare or to any rural properties, or to lease them for a period exceeding 15 years, to a non-native.

3. The following additional explanation is contained in the observations of the Administering Authority (T/182) on the Bakwari petition:

"It would seem...that the original intention was for a Land Commission to tour the country and demarcate all Crown land. In point of fact, however, this was never

done systematically nor did a Land Commission ever deal generally with all unoccupied land in Kamerun. When land was required for plantation purposes the Commission was convened. Its members were usually a political officer, one or more assessors, who were often missionaries, and a surveyor. The Commission proceeded to the area where the land required for plantation purposes was situated and invited claimants to state the nature of their claims. If any claims were established the owners would be compensated by the planter or plantation company, this compensation being set off against the purchase price paid to the Government. If the owners were actually settled within the area to be sold for plantation purposes they would be required to remove to reserves outside the plantation area, the political officer having satisfied himself that sufficient land had been left to the villagers for their future maintenance which in an agreement of 1904 was estimated as 'apart from land built and farmed upon by natives each hut is to be given six hectares.'

APPENDIX B: LAND LEGISLATION UNDER THE MANDATE ADMINISTRATION

1. The following explanation of land legislation applied to the Cameroons by the British mandate administration and affecting the plantation lands is extracted from the Annual Report for 1927, pp. 78-80:-

"Ordinance No. 1 of 1927, the British Cameroons Administration (Amendment) Ordinance, 1927, provided for the extension of the Land and Native Rights Ordinance to the British Cameroons...

"The preamble and sections 1-5 embody the fundamental principles, namely (1) that the whole of the lands whether occupied or unoccupied are declared to be Native lands, and are subject to the control and disposition of the Governor to be administered for the use and common benefit of the natives, and (2) that the control is to be exercised as far as possible in accordance with Native laws and customs.

"Section 3 ... exempts from the provisions of the Ordinance all such land in the British Cameroons as may at any time have been vested in the Public Custodian appointed under the first Public Custodian Ordinance, 1/ and all land to which a title may have been established under Section 22. For purposes of reference Section 22 is quoted below as adapted to the requirements of the British Cameroons:-

"Section 22.-- Nothing of this Ordinance shall be deemed to affect the validity of any title to land granted to a non-native or any interest therein acquired by such non-native before 4 February 1927 but all such titles shall have the same effect and validity in all respects as though this ordinance had not been enacted. Provided always that such titles shall be proved to the satisfaction of the Governor before 1 January 1928."

"Section 4 lays down that "no title to the occupation and use of any Native lands shall be valid without the consent of the Governor" and Section 5 directs that the Governor shall have regard to the Native laws and customs existing in the district where the lands are situated.

1/ These lands are the ex-enemy plantation estates, which were thus exempted from the provisions of an Ordinance whose purpose was to declare the whole of the lands, whether occupied or not, to be Native lands.

This exemption was made more explicit by the Cameroons under British Mandate Administration (Amendment) Ordinance, 1938, which set out a schedule of the exempted lands. This new schedule contains, by name, the plantation areas. (T/182, p.5).

"Section 7 of the Ordinance empowers the Governor to grant "Rights of Occupancy" and to demand rental for such . rights and to revise the rental periodically. Any such rents collected are to be paid into local Native Administration funds.

"Section 15 provides that "the devolution of the rights of an occupier upon death shall be, in the case of a native, by the Native custom existing in the locality in which the land is situated."

APPENDIX C: PLANTATIONS IN THE VICTORIA AND KUMBA DIVISIONS, 1938

The following table gives details of the individual plantation estates in the Victoria and Kumba Divisions in 1938. No more recent compilation is available; and it may be noted that recent surveys have reduced to some extent some of the acreages shown. The list is of interest, however, in showing the extent of German ownership (all estates except those indicated by asterisk) and the extent of cultivation by comparison with total acreages. (Source: Annual Report 1938).

1. Victoria Division

<u>Plantation</u>	<u>Area of Estate</u>	<u>Area Cultivated</u>	<u>Number of Labourers</u>	<u>Daily Wages</u>
Dota Ngeme- Sachsenhof)	18,790	6,585	1,305	4d.-9d.
Molyko & Malende	5,687	3,602	306	4d.-6d.
Missellele	6,042	4,692	1,154	4d.-9d.
Gimbia & Mabeta	11,083	3,018	907	4d.-9d.
Ekona	29,640	9,955	3,100	2½d.-6d.
African Fruit Co.	12,172	7,109	3,552	4d.-6d.
Likomba	15,672	5,945	2,590	5d.
Moliwe	34,000	7,636	2,107	4d.-6d.
Holtfoth	1,617	1,617	493	5d.-7d.
Bwenga*	1,125	1,125	437	6d.
Ombe	603	600	152	6d.
Bibundi- Isongo- Mokundange	32,100	5,994	1,734	5d.-7d.
Idenau*	9,884	3,933	748	5d.-6d.
Debundscha	4,329	1,025	378	6d.-7d.
Oechelhausen	4,940	1,137	114	4d.-6d.
Isobi	1,000	544	222	4d.-7d.

*British ownership. All others German.

2. Kumba Division

<u>Plantation</u>	<u>Area of Estate</u>	<u>Area Cultivated</u>	<u>Labourers</u>	<u>Daily Wages</u>
Bai*	1,585	1,585	290	5d.-8d.
K.E.G. Tombel	17,500	2,500	860	4d.-5d.
Mukonje	6,250	4,500	797	4d.-6d.
Kassa	17,375	1,130	530	3d.-6d.
Ndian*	6,459	6,459	720	4d.-7d.
Mbonge, Dave, Beafa, Kumbe, Bukoko, Eboka, Transport, Bea	20,289	5,990	2,603	3d.-6d. 7d.-1s.3d.
Scheitlin's, Tombel**	260	112½	14	4d.

*British ownership.

**Swiss ownership.

All others German.

APPENDIX D: ENABLING LEGISLATION ESTABLISHING THE
CAMEROONS DEVELOPMENT CORPORATION

1. The Ex-Enemy Lands (Cameroons) Ordinance, No. 38 of 1946, empowers the Governor of Nigeria to purchase the estates, classifies them as "native lands" and entitles the Governor to lease them to the Cameroons Development Corporation. The principal clauses are:-

"...WHEREAS it is deemed expedient that the said lands should be acquired by the Governor to the end that the same may be held and administered for the use and common benefit of the inhabitants of the said territory....

"2. It shall be lawful for the Governor to acquire by purchase from the Custodian of Enemy Property, in whom the same are vested, the lands situated in the Cameroons under British Mandate and more particularly described in the Schedule to this Ordinance, paying therefore such reasonable price as may be agreed upon by or on behalf of the Governor and the said Custodian.

"3. Subject to the provisions of section 4 of this Ordinance, such lands, when so acquired as aforesaid, shall forthwith by virtue of this section become and be vested absolutely and indefeasibly in the Governor for the time being, free from all competing rights, titles, interests, trusts, claims, liens, demands and restrictions of all kinds whatsoever.

"4. It is hereby declared that, upon the vesting of the said lands in the Governor by virtue of the provisions of Section 3 of the Ordinance, all such lands shall be deemed to be native lands within the meaning of the Land and Native Rights Ordinance, and subject to the provisions of Section 5 of this Ordinance, all such lands shall be under the control and subject to the disposition of the Governor, and shall be held and administered in accordance with the provisions of the Land and Native Rights Ordinance which shall, notwithstanding anything in any written law to the contrary, be deemed to apply to such lands.

"5. It shall be lawful for the Governor to lease to the Cameroons Development Corporation all or any part of such lands upon such terms and conditions as may be agreed upon by or on behalf of the Governor and the said Corporation."

(A schedule naming the plantations is appended to the Ordinance.)

2. The Cameroons Development Corporation Ordinance, 1946, provides for the establishment, functions, powers and duties of the Corporation. The principal clauses are:-

Preamble "....AND WHEREAS IT IS DEEMED EXPEDIENT in the interest of the economic advancement of the inhabitants of the said territory to establish a corporation for the purpose of controlling and developing the said lands and such other lands situate in the Cameroons under British Mandate as may be made available for the said purpose by the Governor....

Establishment and constitution of Corporation "3. (1) So soon as may be after the coming into operation of this Ordinance, there shall be established for the purposes thereof a Corporation to be known as the Cameroons Development Corporation.

(2) The corporation shall consist of a chairman and such number of other members not being less than five or more than eight as the Governor may from time to time think fit....

(3) The members of the corporation shall be appointed by the Governor who shall also appoint one of the members to be chairman.

(4) The corporation shall pay to each member thereof, in respect of his office as such, such remuneration as may be determined by the Governor....

Functions of Corporation "6. It shall be the duty of the Corporation, subject as hereinafter provided, to secure the development of such lands as the Governor may from time to time place under their control and management; and for the purpose aforesaid the Corporation may either by their own servants or by any duly appointed agent ---

(a) cultivate the said lands and develop the resources of the same by draining, clearing, planting, pasturing or farming, and for the purposes aforesaid purchase from time to time such livestock and employ such labour, and from time to time sell all or any part of the live or dead stock or produce of the lands as may, in the opinion of the Corporation, be necessary for carrying on the business of the planting or farming or pasturing of the said lands;

/(b) erect, establish,

(b) erect, establish, construct or acquire by purchase or otherwise, all works, buildings, machinery, apparatus and other things which may be necessary for the purposes of the Corporation;

(c) construct, maintain and improve or subscribe towards the construction, maintenance and improvement of roads, waterworks and canals, and also of tramways, railways and other roads and ways, and quays and wharves, for the purposes of the Corporation, or to connect the same with other lines of communication;

(d) carry on all or any of the trades or businesses of owners and operators of ships, tugs, lighters, barges and other vessels of any class, carriers, shippers and customs agents, wharf-owners and wharfingers, warehousemen, manufacturers, builders, fishermen, fish-curers, dealers in livestock, stockbreeders and farmers;

(e) carry on the business of exporters, importers, buyers and sellers of and dealers in merchandise and produce of all descriptions;

(f) set aside part or parts of the said lands for the production of foodstuffs by persons employed by the Corporation;

(g) provide for the religious, educational and general social welfare of persons employed by the Corporation by building, establishing, making or supporting houses, factories, stores, buildings, churches, hospitals, dispensaries, schools, reading rooms, baths, parks, places of recreation and other institutions, and water, lighting, drainage and improvement works;

(h) encourage the establishment and development of cooperative societies by employees of the corporation and grant facilities and assistance to such societies;

(i) carry out research and experimental work in matters connected with the functions of the Corporation;

(j) do all such things as are calculated to facilitate, or as are incidental or conducive to, the discharge of the functions of the Corporation;

(k) engage in any other undertaking, whether similar to those hereinbefore specified or not, which may be sanctioned by order of the Governor...

Borrowing
Powers

"15. (1) The Corporation may, with the consent of, or in accordance with the terms of any general authority given by, the Governor, borrow by way of loan or otherwise such sums, not exceeding in the aggregate at any one time £1,000,000, as they may require for meeting their obligations and discharging their functions under this Ordinance, and the moneys aforesaid may be borrowed from the Government of Nigeria or from such other persons and upon such terms and conditions as may be approved by the Governor.

(2) Where any such moneys as aforesaid are borrowed otherwise than from the Government of Nigeria, the repayment of such moneys and the payment of interest thereon may be guaranteed by the said Government.

Invest-
ment of
Funds of
Corpor-
ation

"16. Any funds of the Corporation not immediately required to be expended in the discharge of any functions of the Corporation shall, if invested, be invested in such securities as may be approved by the Governor.

"17. (1) The Corporation shall keep proper accounts and other records in relation thereto and shall prepare in respect of each financial year a statement of accounts....

(4) The Chief Secretary to the Government shall lay a copy of every such statement and (auditors') report on the Table of the Legislative Council.

Annual
Report

"18. (1) The Corporation shall, as soon as possible after the end of each financial year, make to the Governor a report dealing generally with the operations of the Corporation during that year and containing such information with respect to the proceedings and policy of the Corporation as can be made public without detriment to the interests of the undertaking of the Corporation.

(2) The Chief Secretary to the Government shall lay a copy of every such report on the table of the Legislative Council.

(3) The Corporation shall furnish to the Governor such financial and statistical returns as the Governor may from time to time require.

Applic-
ation of
Profits

"19. The annual profits of the Corporation, after the Corporation has made such allocations as they deem necessary or expedient for meeting their obligations and for discharging their functions under this Ordinance, and after they have set aside such sum or sums as they deem necessary or expedient by way of general or special reserves, shall be applied for the benefit of the inhabitants of the Cameroons under British Mandate in such manner as the Governor may determine."