

1936

38203

C0533/473
KENYA

38203

THE NORTH KAYIRONDO CENTRAL ASSOCIATION

PETITION REGARDING APPOINTMENT OF A PARAMOUNT CHIEF.

Previous

1935

Subsequent

1937

R. 297 5/11/36

R. 309 10/11

Mufeskin 2/10

M. Ford 17

S. C. Bettlesby 17

S. J. Mackay 7

Handwritten name 10/11

29 1/10

R. 299 25/11

R. 297

Drafts petition on subject

Presumably the memorialists have been informed by the Gov. that their petition to the Lg. of N. S. of 1935 (sent to No 3) was unsuccessful. They now appeal to the Imperial Parliament through the Rt. Hon. Lg. for the Colonies.

~ 1935 file

The memorial (or memorandum as they call it) has not been sent through the Governor.

The President was 1303/32 to suitable in this case, and we may so proceed

No. v below. H.P.

In point of fact, Parliament has the Lg's reasons for rejecting the earlier petition have been given in Parliament see No 1 on the P.O. File 38203/36

Ch. Groomer
1577/36

Nigerian

In this case referred to by Mr Groomer the petition was sent to the Gov. who was asked to inform the petitioners that it had been forwarded through him. Nothing else happened.

It is however clear from the H.P. below No 1 on 1167/33 Kanga that petitions to Parliament are not required to

was.

to send through the Gov., or the S. J. or through any other authority.

What is required is that they should be presented by a member of Parliament, so that anyone desiring to petition P.C. must find a member willing to take up the case.

There are also printed rules as to the manner in which such petitions are to be prepared (e.g. they have to be in ink, & not typed, & have to begin & end in a prescribed form).

In addressing this matter through the S. J. the Signatories have no doubt been motivated by a genuine desire to observe what they understood to be the Constitutional proprieties.

I assume that it wd. be improper to say anything to the Gov. to suggest that new papers should be discouraged from proceeding with their petition, & that all that should be done is to request the Gov. to inform them as to the correct procedure;

I submit for consideration.

I have however added a reference to the reply to a letter in the 17c series of Mr. Thomas on 12/5.

J.J. Bassin

(1383 Nigeria s.d. to be denoted as a precedent, & 30/1/33 & the file sent to s.d.)

20. petition from the Association regarding the imprisonment of 5 members for collecting money without permit & detail circumstances of case

This does not appear for order to be taken on No. 5.

Shaw for comm. after the action has been taken on No. 5.

J.J. Bassin
20/6

I agree. There is no need to say more about the facts. For some reason they say they want a "Paramount Chief", which is an institution that local tribal structures.

The new petition adds nothing to it.

No. 2 is added. I should hardly call this sort of thing a "subsequent" myself (to last action).

Sir J. K. H. H. H.

For use with the Commission in a no. 6. The draft submitted on 12/5 is to be used: it is to be used by the Gov. the letter in 12/5 to the H. H. as it stands. This entry has no form, besides being a very inferior production.

Secretary of State

22/6/36

P.
27.7.36

3/ To Kenya, Conf. — 11 AUG 1936
(w/Resolution + Rules)

A. N. Kavirondo Central Assocn. — 24.7.36
Further petition on the matter.

No 6

In the Petition enclosed in No 2, the petitioners state that five of the members of their Association were sentenced to two months' imprisonment for no other charge than collecting an entrance fee from persons wishing to enrol in the North Kavirondo Central Association, an Association whose existence is recognised by Government.

The Governor's statement is a direct contradiction. He says that the Association called a meeting on the 14th of December, 1935, and solicited contributions from the natives assembled there towards a fund to be utilised for the purpose of obtaining the appointment of a Paramount Chief, and that no permit for the collection of money for this purpose had been obtained from the District Commissioner, as is required by the standing orders governing the collection of money from natives. These orders are set out in Secretariat Circular No. 11 of 1931, in which it is stated that it is incumbent upon the Provincial and District Commissioners to see that the orders are understood; that Headmen are to be reminded from time to time that it is their duty (i) to see that they are strictly complied with, and (ii) to report any breach or attempted breach of them.

copy passed on 1/2/31

On

On appeal to the Supreme Court, the convictions and sentences passed on the five natives were quashed on the grounds that while the offence involved the breach of an order issued by Headmen under Section 8(r) of the Native Authority Ordinance,

(i.a. "Any Headman may, from time to time, issue orders to be obeyed by the natives within the local limits of his jurisdiction for any of the purposes following:-

(r) for any other purpose approved by the Governor in writing.")

no evidence was adduced that the order in question was ever promulgated. It seems from this that the natives in question got off on a technicality, because the Governor is sure that the issue of orders by Headmen, on the instructions conveyed to them by the Provincial and District Commissioners, in accordance with Secretariat Circular No. 11 of 1931, could have been proved.

? Acknowledge the despatch and ask the Governor to inform the Association that the Secretary of State has received their Petition, and that he understands that the natives Andra Jumba, Johana Atala, Reuben M. Kati, Lumaade Kisala, and Mudi Lisudza were convicted by a properly constituted court and that on appeal to the Supreme Court, the convictions and sentences were quashed.

No 4

The opportunity might be taken to mention to the Governor that the Secretary of State has received a Petition, dated the 24th July, signed by the Vice President and Secretary of the North Kavirondo Central Association, and that he proposes to await the Governor's comments thereon.

P. Akmal No. 5 in very old and does not appear
26. 8. 36. J. I. O. 200
W.C. 19. 8. 36 18. 8.

C.R. Powell
18.8.1936

5 To Kenya, 680 (2 amended) ⁷¹¹ 2 SEP 1936

6. GOV. KENYA.....524.....5.10.36.
submits obsns. on petition, dated 24.7.36, and
states that he is unable to recommend any
variation of the decision conveyed in S. of S's
desp. No. 943 of 20.11.35 (4 on 382/3/35).

The Governor's comments relate
to the petition from the North
Kisumu Central Association
at No. 4 on the file.

I attach a separate note showing
the points raised by the
petitioners and the Governor's
comments thereon.

As regards action I suggest that
the Governor be asked to ^{explain} inform
the petitioners of the facts
regarding the gratuity paid to
Mwalima Shumudu, and to
inform them that the Govt.
has considered their representations
with regard to the working of
the Local Native Councils and
the question of the appointment
of a Paramount Chief, and that
[he is not prepared to interpose.]

C. P. Hornwith
10/11/36.

in () ? sketch

in () ? sketch
The Councils have several opportunities
of sending the proposals for expenditure
from their funds; it is not as regards the

(No 4 on
382/3/35)

letter, a S. of S. would seem to depart
from the decision conveyed - no memorandum
desp. No. 943 of 20.11.35.

J. P. Hornwith
17/11

I agree: of course all these memoranda are
expensive.

J. E. O. Hornwith
17.11

I agree with 17.11.36

J. P. Hornwith
17/11

J. E. O. Hornwith

7 To Kenya, 945 (6 amended) 5 NOV 1936

C. O.

38203/

Mr. Grossmith. 19/11

Mr. Parkin 19/11

Mr.

Sir C. Parkinson.

Sir G. Tomkinson.

Sir C. Bottomley.

Sir J. Stuchburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DOWNING STREET.

25 November, 1936.

Sir,

I have etc. to acknowledge the

receipt of your despatch No. 524 of the

5th of October, transmitting your

observations on a petition dated the

24th of July, addressed to me by the

North Kavirondo Central Association.

2. I shall be obliged if you will

explain to the petitioners the position

regarding the gratuity paid to Chief

Muama, and inform them that I have

considered their representations with

regard to the working of the local

Native Council and the question of the

appointment of a Paramount Chief, and the

As regards the former I am ^{subvised} advised that

the members of the Councils have adequate

opportunities of considering the

proposals

DRAFT.

KENYA

NO. 945

GOVERNOR

FURTHER ACTION.

proposals for expenditure from their
funds; and ~~that~~ as regards the latter, I see
no reason to depart from the decision conveyed
in Mr. MacDonald's despatch No. 943 of the
20th of November, 1935.

MW
30/20/35

I am, etc.

W. GIBSON GORE

Spencer's account.

The points raised in the petition (No. 4 on the file) were:-

- (a) Why was a gift of Shs.2009/35 made by Government to Chief G. J. Mulama?
- (b) From what fund was the amount paid?
- (c) Whether the gift meant the termination of Chief Mulama's services.

During the period from 1903-1909 Mulama was employed as a tax collector on a commission basis, but on the 27th of May, 1909, he was gazetted as headman and was thereafter continuously employed on a salary basis until the date of his retirement on the 31st of July, 1935. The payment of the gratuity of Shs.2009/56 to him by Government was made under Section 4 of the Superannuation Act, 1937.

The petitioners stated that chiefs and elders are never consulted beforehand regarding expenditure from the funds of local native councils, and they submitted that the control and administration of such funds should be vested in the chiefs jointly with the North Kavirondo Central Association.

This statement is, of course, incorrect. The draft estimates of revenue and expenditure are considered and approved by the local native council before submission to Government, and in the case of the North Kavirondo local native council, which contains many representatives of the literate classes of native, this procedure is by no means formal as the draft estimates are subjected to detailed criticisms and frequently amended before receiving the approval of members. The Governor is of the opinion that the degree of control over local native council expenditure exercised by the members of the councils is entirely adequate and that no change of the present procedure is desirable.

They submitted further that it is the desire of the Kavirondo natives that Chief Mulama should be appointed Paramount Chief.

The request for the appointment of a Paramount Chief is one which has frequently been refused for the reasons stated in No. 3 on 38203/35, and the Governor is unable to recommend any variation of the decision contained in Mr. Malcolm MacDonald's despatch No. 943 of the 20th of November, 1935 (No. 4 on 38203/35).

KENYA

No. 524



8
6
GOVERNMENT HOUSE
NAIROBI
KENYA

5 OCTOBER, 1936.

Sir,

5.
With reference to the third paragraph of your Despatch No. 680 of the 2nd September, I have the honour to submit the following observations on the petition addressed to you by the North Kavirondo Central Association, dated the 24th July, 1936.

2. The sum of Sh.2000/56 presented to Chief Sulama was in respect of his gratuity on retirement, approval of the payment being given in Mr. J.H. Thomas' despatch No. 226 of the 7th April, 1936.

3. The statement contained in the fourth paragraph of the petition to the effect that the expenditure of Local Native Council funds is controlled entirely by the District Commissioner, and that the natives concerned are not consulted in the matter before expenditure is incurred, is of course incorrect. The draft estimates of revenue and expenditure are considered and approved by the Local Native Council before submission to Government, and in the case of the North Kavirondo Local Native Council, which contains many representatives of the literate class of natives, this procedure is by no means formal, as the draft estimates are subjected to detailed criticism, and

-1-

frequently

THE RIGHT HONOURABLE
W. OMBELEY CORSE, F.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,

LONDON. S.W. 1

frequently amended before receiving the approval of the members. I am of the opinion that the degree of control over Local Native Council expenditure exercised by the members of the Councils is entirely adequate, and that no change of the present procedure is desirable.

4. The request for the appointment of a Paramount Chief is one which has frequently been refused for the reasons stated in my despatch No. 538 of the 16th October, 1935 and I am unable to recommend any variation of the decision conveyed in Mr. Malcolm MacDonald's despatch No. 943 of the 20th November, 1935.

I have the honour to be,

Sir,

Your most obedient

humble servant.

J. J. T.
BRIGADIER-GENERAL,
GOVERNOR.

38200/35

10
4

C. O.

Mr. *S. Smith* 27/8.
Mr. *Compton* 27/8
Mr.



- Sir C. Parkinson.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Stuchbury.
- Parlt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

~~August 1936~~
SEP 1936

Sir,

I have etc to acknowledge the receipt of your Report No 223 of the 22nd of June in which you enclosed a petition addressed to me by the North Kavirondo Central Association regarding the trial and imprisonment of five members of the Association.

②

DRAFT.

Keaga
No 680
for.

2. I shall be obliged if you will cause the petitioners to be informed that I have received their petition and that I understand that ANDREA JUMBA, JONANA ATALA, ROYDEN MUHATI, LUMADEDE KISALE, and MODI LISUDZA were convicted by a properly constituted Court

FURTHER ACTION.

and that on appeal to the
Supreme Court the convictions
and sentences were quashed.

3. I take this opportunity
to inform you that I have
received a petition, dated
the 24th of July and signed by
the Vice President and Secretary
of the North Borneo Central
Association, regarding a payment
made by Government to
Chief Mulama. Copies of
the petition were sent to
the Colonial Secretary, and the
Chief Native Commissioner
and others. I propose to
await the receipt of your
comments on this further
petition.

I have etc.

(Signed) W. ORMSBY GORE.

RECEIVED
24 AUG 1935
O.O. MESS

UNITED GENERAL ASSOCIATION - CD
ABAIWEYA

88203 W. 25
4/8 P. O. Box No. 80,
KISUMU, 24th July, 1935.
(KENYA COLONY)

The Right Honourable,
The Secretary of State for the Colonies,
London.

Sir,

RE: CHIEF G. J. MULAMA and LOCAL NATIVE COUNCIL.

This Association most humbly and respectfully beg to approach Your Honour with a view to inquire into the following matters which, we have, will receive prompt attention and favourable reply.

1. That recently Chief G. J. Mulama received a sum of Shs 2009/35 from the District Commissioner, North Kavirondo, and the Provincial Commissioner, Nyanza Province by way of gift or reward. It was stated by the officers that the said sum was paid on recommendation received from your office (the Secretary of State for the Colonies) London.

2. Shortly prior to giving the above gift, the said Chief Mulama was ordered or asked by the Government to quit from his land and immediately after that he received the above gift from the Government, to our surprise. This Association craves leave to inquire as to (1) whether for what purpose or on what ground the said gift or reward was granted and (2) from what particular fund.

3. This Association also craves leave to inquire whether the gift or reward referred to above means extinction of the said Chief Mulama's capacity as chief or it still continues or is it in any way affected to or concerned with the gift or reward.

4. This Association also craves leave to inquire as to the matter of the Local Native Council's administration and the control over its funds. Up to now all the funds are under the control of the District Commissioner and all the expenses and disbursements etc., are incurred solely at the discretion of the District Commissioner. The accounts are read over before the Elders or the Chiefs some time after the same has been incurred but it is to say that the chiefs or the Elders are never consulted before incurring the expenses or inspect of its control otherwise. This Association respectfully submits that there should be entire control of our Chiefs over the funds, and its administration, jointly with the association.

5. This Association also craves leave to submit that the said Chief Mulama loyally and faithfully served as chief for about 35 years without any fault and always in harmony with the Government and that nearly 43000 persons of his people desire that he should be appointed a Paramount Chief and it is hoped that this request will be granted.

We beg to remain,
Sir,

Your most humble and obedient servant,

MATHIAS SIKINDI Vice President
Musa Odalo Secretary
The North Kavirondo Central Association,
Mushabura, Kisumu.

Copy to:-

1. The Hon'ble,
The Chief Native Commissioner,
NAIROBI.
2. The Colonial Secretary,
NAIROBI.
3. The Provincial Commissioner,
Nyanza Province,
KISUMU.
4. The District Commissioner,
North Kavirondo,
KANANGA.

C. O.

38 203/35.

12

Mr. Paine 20/7

Mr. Hood 20-7

Mr.

Sir C. Parkinson

Sir G. Tomlinson

Sir C. Bottomley 23.7

Sir J. Stuckburgh

+ Permt. U.S. of S. 23/7 ABC

Party. U.S. of S. 23/7

* Secretary of State. WBY 22 7 36

11 AUG 1936

Sir,

(A)

I have the pleasure to transmit to you a memorandum addressed to "The Imperial Parliament" through me by the President & Secretary of the North Kaimondo Central Association in regard to their desire that a Permanent Chief be appointed in the Kaimondo district, & to request that the signatures of the petition to the House of Commons must be presented by a Member of that House.

I enclose reference to the petition presented by Sir Robert Hamilton, on behalf of certain members of Kanya, who founded

DRAFT.

Kanya

Conf.

Gov.

~~For N. Kaimondo Central Assoc. 1936
(No 5 - original copy)~~

Recd

3167/33

Thanks to the Secretary of State
(copy returned for [unclear])

FURTHER ACTION.

Recive.

(No. 2 - 3167/33)

~~As sent to Sir Philip Cunliffe list~~
No. 3 of July 1933
from Sir Philip Cunliffe list (now
Lord Swinton).

If therefore the petitioners
desire to proceed with the matter it
will be necessary for them to find
some member of Parliament who
would be prepared to present the
petition on their behalf. It will
also be necessary for the petition
to be drawn up in accordance with
certain prescribed Rules of which I enclose
a copy.

For your own information
I would add that, in the case of petitions
to Parliament, the provisions of Cl. Regs.
Nos. 183-186 do not apply, as it will
be regarded as a breach of privilege to
require any such petition to be
passed through the Gov. or the S. of S. or any
other authority.

While it will not be proper
to attempt to dissuade the petitioners
to ~~desist from their efforts~~ from

proceeding with their petition
 in accordance with the
 prescribed procedure, it wd.
 be legitimate to draw their
 attention to the fact that,
 in reply to a question in
 Parliament on the 12th of May,
 my predecessor gave an answer
 which he was unable to explain
 to the effect that of Parliament
 chiefs - large. Again for
 another & another time
 and to you with the Thomas
 note of the 21st of May.

(Not in
 38203/36 PR.)

[Handwritten signature]

(Signed) W. ORMSBY GORE

KENYA.

No 323



14
GOVERNMENT HOUSE
NAIROBI,
KENYA.

29 June 1936.

SIR,

1. I have the honour to transmit a petition dated the 15th January 1936 addressed to you by the North Kavirondo Central Association in regard to the trial and imprisonment of five members of the Association.

2. The facts are that the natives named in the third paragraph were convicted on 10th January 1936 in the Court of the 2nd Class Magistrate at Nakamega of the offence of collecting money from other natives without a permit to do so, contra section 8 (r) of Cap. 129, Laws of Kenya.

3. The accused are leading members of the Association which addressed the petition to Mr. Malcolm MacDonald transmitted with my despatch No. 538 of 16th October 1935, on the subject of the appointment of a Paramount Chief in North Kavirondo District.

4. Mr. Malcolm MacDonald replied in his despatch no. 945 of 20th November 1935, and requested that the petitioners be informed that he had examined their petition and that he was not prepared to intervene.

5. It appears, however, that the members of the Association named in the petition now transmitted to you called a meeting on the 14th December 1935, and solicited ...

THE RIGHT HONOURABLE

W. CHURCHILL, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWLING STREET,
LONDON, S. W. 1.

15
solicited contributions from the natives assembled there, towards a fund to be utilised for the purpose of obtaining the appointment of a karamont chief. No permit for the collection of money for this purpose had been obtained from the District Commissioner.

5. The Magistrate who tried the case sentenced each of the accused to undergo two months detention. In the meantime, however, the accused lodged an appeal to the Supreme Court and pending the hearing of the appeal, since the matter was still suo jure, I have deferred transmission of the petition. The appeal has now been heard and the convictions and sentences have been quashed on the grounds that while the offence with which the accused, who were resident within the jurisdiction of different headmen, were charged, involved the breach of an order issued by their respective headmen under section 4 (1) of the Native Authority Ordinance, no evidence was adduced that the order in question was ever promulgated.

1707/151
I am advised that such an order was in fact promulgated by all Chiefs as a result of the District Commissioner's instructions on the receipt of Secretariat Circular No. 11 of 1931, a copy of which was transmitted to you at the time of its issue. The order was to the effect that no subscriptions towards the funds of any Association or Society, or for any purpose whatsoever, should be allowed without a permit in writing from the District Commissioner. The order was qualified in the manner directed by the Circular.

I am satisfied that the issue of the order could have been proved and that the accused not only had knowledge of the order but acted in defiance of a

considered ...

3

considered instruction of government. In the circumstances I am of the opinion that their conviction, if not technically correct, did not result in any miscarriage of justice. In this connection I would add that instructions have recently been issued to District officers in the Province concerned that a record shall be kept of all orders of a standing character which may be issued by Chiefs.

6. I have no further comments to offer on the petition but I would observe that it was to discourage subversive agitation of this sort that the collection of funds without permits was prohibited.

I have the honour to be,

Sir,

Your most obedient, humble servant.

G. G. G. G. G.
GOVERNOR

The North Kavirondo Central Association

To The right honourable,
The Secretary of State for the Colonies,
Downing Street,
London.

Sir,

Your most humble servants, the members of the North Kavirondo Central Association, desire to put before Your Excellency a few of their many grievances which they feel sure Your Excellency will consider favourably, not forgetting Your Excellency's infinite desire to do justice and they are as follows:-

Following our Memorandum to the Government we were permitted to meet and to exist as an Association. We have been therefore upset when five members have been sentenced to two months imprisonment each for no other charge but for collecting an entrance fee from those wishing to enroll themselves in the Association. The association asserts Your Excellency that this fee was not given as a result of pressure or compulsion, and as the matter is carefully investigated, it will be found that any command that the Association has of finance is a result of kind-hearted citizens' gifts who, though poor, love their country dearly.

The members now in prison are Messrs Andrea Jumba, John a M'Gala, Reuben Mubati, Lamadede Kivala, Mudi Lisudza. They were arrested on Jan. 10th and were locked in on the 10th.

Your Excellency's humble servants pray desiring to know whether any Associations which collect an entrance fee exist anywhere in His Majesty's realm.

Lastly, the Association desires to be informed what can be done in a case like this. Suppose a native in the reserve accuses other natives in which court of law should the case first be tried, in the District Commissioner's or in the Chiefs? The case which resulted in the imprisonment of our five members was of a unique character. A native went and accused the aforementioned members to the District Commissioner, and, contrary to what is in vogue, the case was tried outright. The Association wants to know of Your Excellency whether this is compatible with what is laid down in the judicial columns of Native Administration.

The Association's fate depends on Your Excellency's reply, which will not, it is hoped, delay, seeing that this is an urgent matter. Five members of the Association are looking with longing eyes to the day of their salvation, will Your Excellency leave them so long?

We remain, Sir,

Your Excellency's most humble servants.

P. Mathayo Sitalo
Secretary

copy to C.N.C. Nairobi
P.C. Nyayo
D.C. Kakamega

THE NORTH KAVIROONDO CENTRAL ASSOCIATION,

ABALUUYA.

P.O. BOX No. 80.

KISUMU.

18th June, 1936.

MEMORANDUM TO THE IMPERIAL PARLIAMENT
THROUGH THE RIGHT HONOURABLE
SECRETARY OF STATE FOR THE COLONIES.
LONDON.

"AND the Lord said, I have surely seen the affliction of my peoples, and have heard their cry for I know their sorrow. And I am come down to deliver them, and to bring them up out of that Land unto good Land and large!"

Exodus. 3: 7-8.

An outline history of our country.

Appointment a Paramount Chief.

We the Kaviroondo tribes, have herewith awful what were read in the Gazette of 14th May 1936 page 5) that the reply which did you have given to the East African Standard. And to declare them at here Kempa sir, we has yet been addition to request that the Executive of parliament, to do sympathy for us. And to consideration on the last year for the Gazette of the 1st November 1936. But whose was said such as these: His Majesty's Government think it is necessary definitely to record their considered opinion that the interests of the African and Natives must be a paramount then we are follow that may the Government to dome suggest us, Kaviroondo. For that our appointment of a Paramount Chief to be, without to disappeared.

About 300 years ago before the white man arrival in this country. We had our own tribal Government the Bawanga who originated the name "Wanga" from their ancestor.

THE NORTH KAVIROUNDO CENTRAL ASSOCIATION,

ABALUYA.

P.O. BOX No. 80.

KISUMU.

18th June, 1956.

MEMORANDUM TO THE IMPERIAL PARLIAMENT
THROUGH THE RIGHT HONOURABLE
SECRETARY OF STATE FOR THE COLONIES.
LONDON.

"AND the Lord said, I have surely seen the affliction of my peoples, and have heard their cry for I know their sorrow. And I am come down to deliver them, and to bring them up out of that Land unto good Land and large!"

Exodus. 3: 7-8.

An outline history of our country.

Appointment a Paramount Chief.

We the Kavirondo tribes, has herewith send what were read in the Gazette of 14th May 1956 (page 5) that the reply which did you have given to the East African Standard. And to declare them at here Kenya sir, we has yet been addition to request that the Executive of parliament, to do sympathy for us. And to consideration on the last year for the Gazette of the 1st November 1955. But whose was said such as these: His Majesty's Government think it is necessary definitely to record their considered opinion that the interests of the African and Natives must be a paramount then we are follow that may the Government to dome suggest us, Kavirondo. For that our appointment of a Paramount Chief to be, without to disappeared.

About 300 years ago before the white man arrival in this country. We had our own tribal Government the Bawanga who originated the name "Wanga" from their ancestor.

ancestor Wanga, had their special Kingdom it was a Kingdom not like that of Buganda, or Bunyoro - save that the country was not so extensive as their as their Buganda or Bunyoro.

About of Local Native Council, here are no one who a Native being owner administration of Local Native Council. Except European,

Wanga, founder of the Buwanga dynasty had a quarrel with his brothers and left his mother-land Tiriki, for Wanga, he was a son of well known gentleman in his former country. Wanga after reaching Buwanga as it is now called, spent most of his time in poverty and as a mere vagabond. He afterwards got a proper place where he thought he could attain prosperity and settled there as he found that the population was scarce in the country he made his homage in the country and there he became head of the peoples in riches and in politics.

After Wanga's death, his son Vabala succeeded him to the throne of Buwanga. The heirs from Wanga to Mumia had to inherit a precious ring which is equivalent to the throne in other Kingdom. The Buwanga sovereignty. Lasted up to the time of Mumia who inherited the title of "Mabengo" (King) from his father Shihundu (Mabongo), is a title given to the sovereigns of Buwanga, from the time of Wanga.

Mumia, the last sovereign, succeeded to the throne of Buwanga before the white man entered the country; Captain Jackson, one of the officials in the British East Africa Company, arrived at Mumias or Buwanga, about the year of 1885. He has we believed, found Mumia a very hospitable sovereign. Mr. Jackson in settling the tribal disputes, got tremendous help from Mumias, in Mr. Jackson's time there were many severe battles in the country. And that is why he had to ask for regiments from Mumia. Mumia was very much appreciated

appreciated the British peoples, and therefore, tried to help them in every way Mr. Jackson finding that Mumia was loyal, open hearted superior, made his residence at Mumias very near Mumia palace, an official after another belonging to the British East Africa Company, had to go to Mumia for some assistance, and Mumia, willingly consented to do whatever they requested or demanded from him.

After a time Captain Jackson, seeing what the state of affairs was proclaimed it the "East Africa Protectorate of Mumia". Thenceforward Mumia became the ruler of North Kavirondo District. He was given the official title of a Paramountcy.

Mumia, ruled for a period and then his superiority quickly became limited, he was dethroned by the previous Government official of Kavirondo in the year of 1926. He is no more a Paramount Chief, and he is now under pension.

THE LAND WE LIVE IN

We are very grateful for the peace brought by the British Government in this country, the main facts, which have made us appeal to His Majesty's Government, are those which we have mentioned, i.e., sovereignty, and the Land.

We have seen that our country is going to be occupied, entirely by the European miners and settlers which may lead the country to ill-will and conflict, in the future, we are of the opinion that the country cannot be in a better state, while in the hands of foreigners. We will be very grateful if we can get our special ruler. We hate the present system of Government, whereby official Headman or Chiefs,

Chiefs, are co-ordinated to each other.

We have constantly requested the Government to let us have a Native who must be the head of the Native administrations in Kavirondo under the auspices of the District Commissioner, and the Provincial Commissioner. The usual reply is "go and unite". In this case we have united and chosen our brave leader, Chief George Joseph Mwalama, who is also very sensible, in politics to be our paramount Chief. Mwalama has served the Government from the year 1908 up to 1935. His work is admired by many of the previous Government officials and Missionaries whom he helped a great deal. His work is known by Mr. H.R. Montgomery the late provincial Commissioner in Nyanza. The Government officials in Kavirondo have opposed, it greatly, we have also informed the Colonial Secretary who did the same. We therefore have written this memorandum to you that your British sympathisers may sympathise with us.

Is it lawful that if Natives appoint a man to an official high rank he should be degraded and completely destroyed? can six peoples beat twenty-six peoples in a vote? is it just that the people in Kavirondo through co-operated have no right to have their superior Chief.

In a book written by one of the philo-Africans we have quoted this fact. "The Native population is rapidly increasing. By contact and example we are altering their outlook on life. The present generation is not like their fathers, and the next will differ more widely. For a better adjustment in the interest of both races we propose to take away the present right of the Native to acquire Land where he will, and to strictly limit his opportunities within certain recommended areas.

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END

If the scope within such areas is not such to enable him to reasonably develop with the general progress of the country. Then we fear that our attempting will not result in that racial peace and satisfaction which we are attempting to secure".

We have etc.,

(Sgd.) Andrew Jumba President.

John Adala Secretary.