

1924

KENYA

C.O.
50107
24 OCT 24

W. Bayndon 1250

Date

10th September 1924

REGULATION :-
11/11/24
S. S. of S.
S. S. of S.
S. S. of S.
Secretary of State

Alleged Deportation of three persons without trial

Presumes that question in S. S. of S. arose from an inaccurate account of the deportation of one handi native named Vanserson. (Name to change the story of which we possess)

Previous Paper
S. S. of S.
3159

MINUTES

Although a redraft of the Ordinance of 1923 has been sent to the Governor with a view to amendment, the Ord. as it stands is so far from the mark, & still in force, and it was under that Ord. and its provisions that the deportations reported were carried out. In this case the Governor would be considered to have failed to report the deportation to the S.S. in accordance with § 10 of the Ord. The names of the persons so deported are as follows:

The names of the persons so deported are as follows:

Substance of first page, also part para. of 2nd page to Mr. L. Field (on return from E.A.) & say that by consequence of the activities of Kenyan the D.C. Handi, & the Hq. Senior Commissioners, ...

Subsequent Paper
Lyn 9/11/24

upon affidavits before the
 C. J. that he had been so
 conducting himself as to be
 dangerous to peace and good
 order and had been in decisions
 hostile animosity between
 various sections of the people of the
 State. That the A. S. J.
 recommended deportation
 in order for ~~deportation~~
 was signed after approval
 by the local board.

In reply to God's gift
 deep respect is that under
 the order (under the proceedings
 were taken) the order for
 deportation should have been
 not as a S. J. with an
 explanation as to the failure
 to observe the requirement of the

28/2/24

seem unnecessary to
 communicate further with
 the local board as regards
 the matter.

he will call the local
 attention to his failure
 to report the deportation
 as proposed.

28/2/24

Mr. Kniffeld is an F. A. (with
 the Commission) and will be
 sought for as to facts for
 himself.

The deportation was clearly
 justified and regular.

to you in perfect

C. J. 28/2/24

alms

KENYA/
No. 1250.



299
J.
GOVERNMENT HOUSE,
NAIROBI,
KENYA.

18th September, 1924.
50107
24 001 2+

Sir,

18
094
With reference to your despatch No. 714 of 10th July transmitting a copy of a question and answer in the House of Commons on the subject of the deportation of three Laibon without trial, I have the honour to inform you that no force of armed police has been sent into the Nandi district during the present year nor have three Laibon been deported without trial.

2. It is the case that there is no European Police Officer stationed in Nandi District, the police unit being in charge of the District Commissioner at Kapsabet, and it is presumed that Mr. Linfield's question arose from an inaccurate account of the deportation of a Nandi native named Basserion Arap Kimanyi, son of the former Chief Laibon who was killed in the Nandi War of 1905.

3. The circumstances of Arap Kimanyi's deportation were as follows:-

Among the Laibon - as among many other of the tribes in Kenya there is a tribal ceremony at which the "ruling" generation surrenders its "right" over the territory to the young generation. An essential feature of this ceremony is usually a sham fight of some sort which is not uncommonly attended by a certain amount of disorder.

ARAP -

RIGHT HONOURABLE

H. THOMAS, F.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S. W.,

Arap Kimanyi either revived this ceremony deliberately or took advantage of its approaching celebration to disseminate seditious teachings and, inter alia, to proclaim the impending end of the white man's rule. He went so far as to threaten with death any of the people who should refuse to attend the ceremony.

Information of his activities was given to the Acting District Commissioner, Nandi, who in accordance with the provisions of Section 2 of the Deportation Ordinance 2/1923, swore an affidavit on the 12th November, 1923, before the Acting Chief Justice to the effect that Barserion Arap Kimanyi had been so conducting himself as to be dangerous to peace and good order and had been endeavouring to excite enmity between various sections of the people and the Government.

A similar affidavit was sworn by the Acting Senior Commissioner, Nyanza, and the Acting Chief Justice, under Section 2 of the Deportation Ordinance ordered the immediate arrest of Arap Kimanyi and under Section 3 recommended his deportation. This recommendation was supported by the Chief Native Commissioner and approved in Executive Council on 15th December, 1923, the necessary order of Arap Kimanyi to Mera being signed on the 16th December.

I have the honor

Sir,

Your most obedient, humble servant,

R. J. Cousins
GOVERNOR.

COO 30107/25

Kenya

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Amos
2254/25

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DRAFT

- 3 NOV 1924 1924

and
Shi

Mr. Lloyd
MINUTE

I have to wish the rest

Bro. Col 30
Mack
30/10/24

of your despatch No 1250 of
the 18th of Sept, regarding

~~the question in the draft~~

- 1. Davis.
- 2. Grindle.
- 3. Reid.
- 4. Masterton Smith.
- 5. Arnold.
- 6. Thomas.

~~as to the alleged deposition~~
~~to have been of a Mandi chief~~

~~of three Libon without~~

~~fact, and reporting the~~

~~deposition of a Mandi~~

native, Barserin Trap

Kimanyi. It is necessary
to call your attention ~~not to the fact that~~

~~I would point out~~
in accordance with the terms of

~~that under the Regulations~~
of 1928 ~~in which case was taken in that case~~

Order of the Order for deportation

of Barserin Trap Kimanyi

should have been reported

to me ^{by} ~~me~~ ²⁰ * shall be glad to

learn the circumstances in which

this requirement of the Order

was ^{omitted} ~~not observed~~ in ^{the present} ~~this~~ case

Signed J. H. THO