

EAST AFR. PROT.
39399

C.O
39399
Recd
4 DEC 08

Governor. No.
ward Conf. 90
1909
13 Nov
Previous Paper
402
34233

Mr. J. B. Stocker

Sends pp. resp. further ^{charges} against Mr. Stocker. Crown Advocate considers that evidence is not sufficient to justify prosecution & it has been decided not to pursue the matter further. Trust that you will agree.

Mr. Butler

Mr. Stocker has resigned his office. And in any case it would be hopeless to obtain a verdict of 'guilt' in relation to evidence which refers to an occurrence that took place ~~some~~ year ago. Agree to letting the matter drop.

ASB 9/11

~~Mr. Butler~~
W. R. ...

There appears to be nothing else for it. It seems pretty clear that ...

would not be convicted on the evidence,
though his record makes it highly probable
that the charge is true. An unsuccessful
trial would be worse than inaction.
Stocker would make great capital out of
it. Therefore acquiesce?

2013

Dec. 10

2JA 10/12

alone

Ph. 11

Government House,

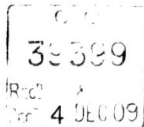
W a i r o o b i.

13th November 1909.

EAST AFRICA PROTECTORATE.

Confidential (90)

Encls. 6.



My Lord,

I have the honour to transmit herewith for Your Lordship's information copies of correspondence relating to a charge made against Mr. J. E. Stocker respecting his conduct when in temporary charge of Lumias Station last March.

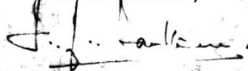
2. As Your Lordship is aware from my despatch confidential No. 82 of the 25th September this officer left the service immediately after my arrival and before the present case had come to the knowledge of Government.
3. As the charges rest almost entirely on native evidence, which in the Crown Advocate's opinion would not justify a prosecution I have decided not to pursue the matter further.
4. I trust Your Lordship will agree as to the advisability of this course of action.

I have the honour to be,

My Lord,

Your Lordship's obedient

humble servant,



In the absence of the Governor.

H. M. Principal Secretary of State

for the Colonies,

Downing Street. S.W.

C. K. Kizumu
11-10-09
and encls.

Mr. Bradley's
Statement

402
34233

INCLOSURE

In Despatch No. *48* of *13* / 190*9*

92

Statement made to Lieutenant Governor and Secretary
by Mr. Bradney.

39399

Recd &
Dec 4 1909

Mr. Bradney heard on return to Mumbias that Mr. Stocker had raped one girl and that his porters had raped others. He heard this from natives but does not remember the names.

On the occasion of the alleged rape Mr. Bradney had gone to bed soon after dinner. He was awakened at about one o'clock by Mr. Stocker who asked for whiskey and said he had had a woman.

Read over and agreed to by Mr. Bradney.

Signed. W.J. Monson.

~~CONFIDENTIAL~~

INCLOSURE 93

Despatch No. 4 of 1909

PROVINCIAL COMMISSIONER'S OFFICE,

K I S U M U,

11th, October, 1909.

D. 2916/179/10.

30339
4 DEC 09

Sir,

I have the honour to report, for the information of His Excellency, that during last month I received information from Mr. Dundas, who was then District Commissioner at Mumias, of a serious report affecting Mr. Stecker. Mr. Dundas forwarded me a written statement taken down by him of a complaint made by a native which, as will be seen, constitutes a charge of a criminal nature against Mr. Stecker. Upon receipt of this statement I sent a copy to the Honourable the Crown Advocate, and also wrote him. Copy of my letter is attached hereto as also is a copy of the complaint taken down by Mr. Dundas. On further enquiry I find that I have to correct my letter to the Crown Advocate to the following extent: In the complaint written down by Mr. Dundas the term "last year" means last financial year; I understood it to mean 1908; the period has since been definitely given by Police Inspector Bradney and by District Clerk D'Orus as the end of March. At that time Mr. Archer had left the district, and Mr. Stecker was in temporary charge awaiting the arrival of Mr. Dundas. It was during this interregnum that the acts complained of are supposed to have taken place. Subsequent to my writing to the Crown Advocate, I learnt that

SECRETARY

TO THE ADMINISTRATION,

MUMIAS

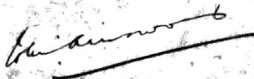
that Inspector Bradley and Mr. D'Oras were present in the camp at the time the offences reported were supposed to have happened. I called for sworn statements from Inspector Bradley and Mr. D'Oras; copies of these are enclosed. As will be seen, however, they prove nothing as regards the alleged offence of rape. Apart from these matters I have no reason to alter my letter to Mr. Combe.

2. The Honourable the Crown Advocate replied to my letter on the 15th September, and I enclose a copy of same. I understand that Mr. Stecker has now resigned the service; if this is so, I would suggest that there is nothing to gain by pushing this present matter against him unless it was to obtain a conviction for the crime, and, in my opinion, we would find that a most difficult procedure, if not an impossibility. In accordance with the recommendation of the Honourable the Crown Advocate I now forward the matter for the information and instructions of His Excellency.

I have the honour to be,

Sir,

Your most obedient servant,



PROVINCIAL COMMISSIONER.

95
20th Sept 1910
C. G. B. B. B.
Uganda.

as he read

I have received your
letter of the 12th ulto, and I
also had a letter from
Pennington on the
subject of meeting a
commissioner to his son.
The matter which is occupying
minds of many over here
is, the question of the
amalgamation of the two
territories. In some
of the despatches which I
had from Sir Percy
Lawford, he hinted that
amalgamation is
imminent, so I telegraphed
in last week asking

that I might be given
an opportunity of seeing
a report on the subject

All that is on record
is, that Boyle, who was
my adviser, a great

I have read and
report, and do not
to say that I do not
with the suggestions
by the Governor of the

There are two sides to
strong, and you have
situation from the
of view of the only
that given by one
perhaps is not
unbiased, and I

say, one who does not
know the local condition
by views have not been
held for, but I trust that
any serious step
taken in the direction of
a large nation, I will be
an opportunity of
pressing them for
most information and
consideration, I enclose a
memorandum of a few of the
points which have to be taken
into consideration, from the
material point of view,
I held the views expressed
absolutely in the
interests of a country which
have helped, during the last
years, to bring to its present
flourishing
condition. If I had
interests, and thought
of my own, I would advance

Enid Dr.

Uganda.

the amalgamation, for if
was brought into force,
would naturally expect
to be offered the appointment
of Lt. Governor, or Commis-
sioner of Uganda.

Sir Percy
admits that our adminis-
tration is better than that of S. A.
he argues that we are to learn
if a amalgamated, by their
experiences. He also talks
about our wanting to deal with the land
or really 'them' such things.

Our remarks are more applicable
to S. A. Our Land question
though difficult, cannot be
called serious, and I don't
to see how the amalgamated
would better matter. I
of the opinion that officers
who have studied the party
from the start, and as a
with all the intricacies

are far more likely
able to deal with the matter
the fact that those
know nothing of the
real conditions, native
customs, &c.

Allen is an able Land
man, and thoroughly competent
to deal with the land question.

The Report
of the Regent
of Buganda is much
thought difficult, cannot be
called serious, and I don't
to see how the amalgamated
I am glad to say this
is getting on
very nicely. Our revenues
who have studied the party
from the start, and as a
with all the intricacies

ago 1,119 tons of Lint - which
exported last year, and
these other figures will
doubtless this year. I
every officer in the British
takes a personal interest
in the welfare of the country
all working loyally and
well for the common good, and
the future certainly looks
bright. There is not for
slipping Dickens who will
be far ahead of our present
state. I am leaning yet
have decided to go against
my recommendations about
H. Goodliffe. The P.M.
inform me that he can
put him in charge of
Europeans, and if he

not for a sleeping Dickens
imp. where there would
no one to look after him,
would probably give way
traps again. Would it
I have been kinder to give
man a chance in a new
country? - With kind regards,
Yours sincerely
Stanley Tomkins

4
the CO.
H. J. R.

PROVINCIAL COMMISSIONER'S OFFICE,

K I S U M U,

10th, September, 1909.

No. 2085/10.

3-399

Recd
4 DEC 09

Sir,

I have the honour to inform you that the District Commissioner, Mumias, has reported to me that a native named Changanya S/o Wanyandi of the sub-district of Alego in the Ngon District has complained to him that Mr. Stecker, when engaged in collecting Hut Tax during 1908, came to his village, and amongst certain other reported illegal acts committed a rape upon his daughter and his men are said to have committed rapes upon other women at the same place.

8. Personally, from my experience of natives and especially of the Kavirondo, I cannot help but view such complaints as these with considerable suspicion, and especially so considering the following:-

- (a) At the time of the supposed outrage Mr. Archer was District Commissioner at Mumias: Mr. Archer never reported any such complaint, nor is there any record of any such complaint having been made.
- (b) Offences of the description complained of, especially when an European was concerned, would quickly spread over the country, and as Alego is in constant touch with the Kiama District and as a number of youths from the locality attend the Mission School,

at

at Nairobi, I can hardly believe that an offence of this description would remain hidden.

- (c) I visited Mumias in June last, and amongst others saw some of the Alago people. They attended two shamris on two separate days when anyone was invited to state any complaints if they had them, yet no such complaint was made. Now on the 1st September instant, which is getting on towards one year after the supposed occurrences, this complaint is recorded by Mr. Dundas.

3. Now in view of all this, I personally fail to see what benefit we are going to reap if we take any action and commencing everything, i.e. the long delay in making the complaint, the fact that the natives, who do not love Mr. Flecker, have heard of his being "run in" at Nairobi &c. and, native-like, aided by a few enquiries, have magnified other acts into criminal offences. I fail to see how a charge would lie. Any action now would, coming on top of the two recent Nairobi cases, look like persecution.

4. I do not for a moment consider that Mr. Flecker is or is incapable of committing such an offence as the one mentioned, and I do not pretend to think that he is a man who should be allowed to have anything to do with any district work; at the same time, however, I hardly see how the present case can be sustained against him, or as to how any proceedings will do any good to the district. In fact in so far as the latter is concerned, we should do a lot of harm in making up what at the best would be a lot of most unreliable evidence.

5. In submitting a copy of the complaint as laid before Mr. Dundas, and in giving you my views on the subject, I would be obliged if you would very kindly give

Do you advise as to whether you think we should proceed further with the matter with a view to commencing criminal proceedings against Mr. Stocker.

6. Your early reply will oblige, as I intend proceeding to Mexico as soon as possible.

I have &c, &c.,

Ed. JOHN ALBROW

Pres. Commissioner,

39399
4 DEC 09

INCL...
In Despatch No. of

Changanya s/o Wanyandi, chief of Usunga in Alego District, states:- Last year Chief Ngonga and Mr. Stecker came to collect my tax; I met them at my village with a bullock, but they returned it telling me it was not enough rations; so I brought an additional one; but they sent me back for a third; and finally I came back with three head and a very big sheep. The "Wasungu" killed two bullocks and Ngonga killed one. Later at 5 p.m. P. C. Okello came to me and said I was to bring "bamba" for the "Wasungu". So I brought three big "mitungi"; two of these were taken to Mr. Stecker's boys quarters and one to Ngonga. Then Mr. Stecker and Ngonga told me to go and get a "kinanda" and many people to dance. Afterwards Mr. Stecker told me to go to bed. I went towards Sergeant Abdalla's hut; and on getting there Ngonga called me, and said to me: "Changanya why did you one day abuse me? To-day I am 'walking with fire in my tail' and will burn the people, who abused me". Then Ngonga went away, but I answered him: "Have you come to collect the Hut Tax or to fight". I followed Ngonga up to Mr. Stecker's "bamba" and hid myself behind to hear what Ngonga would say of me. I heard Ngonga tell Mr. Stecker "wanyandi is very 'jauri'; I want him to bring his young daughter here; she is 'asuri sana'." When I heard them, I returned to Sergeant Abdalla's hut. Then Ngonga came to me and told me to run away. I answered him, that this was my country, and as I had done no wrong, I could not run away. Abdalla then told me I had better go home. When I got near my hut, Abdalla called to me to come back and told me the bwana wished to see me. On getting there, the bwana asked me: "Why are you 'jauri'?" I said I was not 'jauri' and would bring in my Hut Tax tomorrow, and the bwana then struck me below the ribs, and I fell

beans
Native
near
European
isic
lent
pretty
er
cker)

fell

fell down insensible. As I came to myself, he said: "To-day I am glad to see your blood"; and he called Sergeant Abdalla; and Abdalla took me to his place. Ngonga then ran off to Mr. Stecker and said I was "jauri" and to send for this maiden; and to tie me up. So I was tied up in the position of a person crucified, but with my feet touching the ground. Askaris were then sent and they brought six of my wives. Then they let me loose, and I was sent with more askaris to fetch my father's wives. The askaris went into the huts and pulled out the women, who were screaming. My father himself hid in his hut. This was at 10 p.m. We returned with thirteen of my father's women, and two of my brother Wangoni's wives, and two of my brother Odsare's wives. On our way back we met Ngonga and Mr. Stecker. It now commenced raining very heavily; and Ngonga took a little girl called Ogesse, my sister; but the child ran away and could not be found; and Ngonga then took another girl, a relative of mine, and he and Mr. Stecker went away. They took the girl to the tent of P. C. Okello and Ngonga's askaris took another young girl to their tent. Then Wangoni said to Ngonga: "why do you do this to our father's women; why don't you stop it; don't you know he is our chief?" Ngonga answered and said: "you are always "jauri" towards me; now I want you to get "adabu", and then you will fear me". Then Wangoni complained very bitterly to the askaris and said: "My wife is amongst these women, and she has a very small child, she is sucking, help me to get her away", and the police managed to get the woman out of the crowd and returned her to her home. The rain was now very heavy, and every body was driven away by it; and I do not know what happened, but the following day three of my father's women complained, that they had been raped in the grass by Mr. Stecker's porters; and that they were raped not by one porter each, but by many porters, who all assisted.

The girl taken to P. C. Okello's tent was called Nivulle.

was a child of Tallala, and was not yet married. Tallala is my uncle. The girl was raped by Mr. Stocker in the akharis tent; she is now pregnant, but whether from this occasion I do not know.

Ngonga's akharis raped one girl. After this I came to the boma and went to Mr. Stocker, and I tried to lay my complaint before you (Mr. Dundas) but Mr. Stocker prevented me.

Mr. Stocker gave me a cow and Rs. 10/-, and told me he had no quarrel with me, and if I wanted to complain about anyone, to complain about Ngonga.

Ed. H. DUNDAS

B. C.

Mumias, 1. 9. 09.

COPY

INCLOSURE 105

In Despatch No. 90 of 11/11/09

Nairobi,

September 15th, 1909.

3-339

4 Dec 09

Sir,

With reference to your No. 2685/10 of the 10th instant on the subject of certain serious charges made against Mr. Stocker by a chief of the sub-district of Alego, I entirely agree with you that, having regard to the fact that the charges are made some 12 months after the commission of the alleged offence and at a time when the natives of the district are aware that Mr. Stocker has been put on his trial for other offences, the complainant's story must be viewed with some suspicion. On the other hand having before me the information that charges of offences of a similar nature have been made against Mr. Stocker in another district one cannot overlook the possibility that there may be foundation for the charges and that the delay in making them may have been due to the fact that the natives feared to complain so long as he remained in authority and appeared to have the support of the Government. The question is what should be done under the circumstances.

To put Mr. Stocker on his trial to meet charges supported only by evidence, which, we must admit, is open to the gravest suspicion, would indeed appear like persecution.

Should you hold an enquiry into the matter the natives, who, as you state, dislike Mr. Stocker and are aware that he has been in trouble with the Government would look upon such an enquiry as an invitation to them to make charges against him with the result that you would receive endless complaints, either entirely without foundation or grossly exaggerated.

As

As you are doubtless aware H. E. has recommended that Mr. Stecker should be informed that his services are no longer required. If this recommendation is acted on, I think that no useful purpose would be served by your holding any further enquiry into the matter of these complaints. If, however, Mr. Stecker is permitted to remain in the Government service, I think that the charges be enquired into and Mr. Stecker cleared before he can be entrusted with District work. I would recommend that you should place this matter before H. E. so that you may receive his instructions as to the course which he desires to be taken.

I have &c. &c. &c.,

Ed. R. M. COOPER

Crown Advocate.

Statement made on oath by Mr. M. De Crause, District Clerk,
Mogila.

35399

REC'D

4 DEC 09

About the last week in March, 1909, I was asked by Mr. Stecker to go and help him in the collection of Hut Tax in Alege District. I met him at Osho Fingo. On the next day we went to Wanyandi's and after dinner I saw Changanya S/o Wanyandi tied to a tree in the position of a crucifix with his feet touching the ground. I heard that this was an attempt of an Ngoma, but did not know the real reason of it. I then went to bed. I heard nothing about it the next morning and we left camp early. I know nothing more except what I heard when I returned to Mogila.

Ed. Matthew D'Cruse

Sworn before me

Ed. M. P. Evans
Mag. 17. 9. 09.

Statement made on oath by Inspector Broadway, Muzina.

About the end of March I was sent for by Mr. Stecker to proceed to Alege on escort duty. I found him at Osho Fingo. I stopped one night there and on the next day proceeded to Wanyandi's, and I was there two nights. We got into camp about 5 o'clock in the evening and we had dinner about 7 o'clock, and after dinner there was an Ngoma. While the Ngoma was going on I was in the mess hut and the dance was taking place outside. I heard a big noise going on and I went outside and I saw that a man was lying on the ground; I asked what had happened, and people said that he had been hit by Mr. Stecker. I went back to the mess hut, and I was there about a quarter of an hour; I went out again and found that a man was tied up to a tree as a crucifix. It was

dark

dark at the time and I could not see the man distinctly, nor did I know his name. He was only in this position for a very short time, then he was let loose. I then went back to bed. This is all I know that happened at the time. I heard a good deal more when I returned to Miami.

Ed. P. H. BRADLEY

Seen below me

Ed. H. P. Evans

17. 9. 09.

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16 Dec 1899

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MINUTE.

- Mr. ~~Butler~~ 13/12
- Mr. Butler 14/12
- Mr. Fiddes.
- Mr. Just.
- Mr. Cox.
- Sir C. Lucas.
- Sir F. Hopwood.
- Col. Seely.
- Lord Crowe.

to ask the result of
 your Corp. despatch of
 the 13th of Nov.
 relative to a charge
 made against Sir J. St. John
 respecting his conduct
 when in temporary charge
 of Messines Station in
 March last, and to inform
 you that, in the case,
 I acquiesce in your
 decision not to pursue
 the matter further

Shan the same