

EAST AFR. PROT.

11968

REC-23 APR 10

11968

STITCH DOCTOR KILLING

by various clans of the Hamar tribe.

Reports imposition of penalties under the Collective Punishment Ordinance. The punishment is to take the form of road making. States reasons for derogation of Arap Kuno headman of Kaptalam section.

Serial 172

1910

April

Previous Paper

5th Coll. Kaptalam
Kuno

W. Pringle
W. Butler

See Collective Punishment Ordinance
in file 76569/09 herewith. The punishment in
the clause is taken under § 3,
but in this Ordⁿ I find no
provision for imposing punishment
other than a fine. At the same
time the Governor's action seems
reasonable - a road is of more
permanent use, probably than
a fine. If the Gov's action is
strictly correct, we may ~~approve~~
approve. If, however, he has
gone outside his powers, we

Serial 172

Subsequent Paper

2354

It is presumably call attention
 to the fact that it be agreed
 that the substitution of labour for
 fire is desirable. ~~have?~~ the
 right course is to have an
 amending Ordinance - in which
 case Uganda might be directed
 to do likewise. (See ~~Govt~~ ~~1909~~ ~~Uganda~~)
 recd.
 29/4

Let the
 the Govt
 have in time to some other (as a ~~Govt~~ ~~1909~~ ~~Uganda~~)
 the course which permits the reaction of a fire
 and you (see labour) or other, what is a seal
 of publicists in which a few has, according
 to its account, an attraction equivalent to
 labour improvement. I should say that
 the making of a law for certain things
 is a

29/4

W. Reed

? Pt to the Govt the doubt expressed
 in Mr. Busley's minute ^{say that it is}
~~that the~~ ~~deportation~~ of
 Arab Runners was ordered under the Removal
 of Natives Ordinance 1909. No doubt
 Arab Runners could be held to come
 within the description of a native

1. suggest
 Amendment
 of 1909
 section 4

conducting himself so as to be
 dangerous to peace and order.

Pass -
 May 2
 4 3/4
 2/5

Col Seely
 Lord Curzon
 Rs 3/5
 2
 3/5

Yes the work is a good
 disclosure in itself, & if any person
 would write it should be done
 E. S. T.

C. O.
1108

REG 23

GOVERNMENT HOUSE
NAIROBI.
BRITISH EAST AFRICA

EAST AFRICA PROTECTORATE.

April 2nd 1916.

No. 172

My Lord,

I have the honour to report that two cases of witch doctor killing by various clans of the Wandi tribe have recently been brought to my notice.

2. It has proved impossible to fix the blame in the matter on any individuals and I have therefore sanctioned the imposition of penalties under the Collective Punishment Ordinances.

3. I am unwilling that the clans in question should imagine that the Administration derives any direct pecuniary benefit from the imposition of penalties in cases of this sort and I have accordingly directed that the punishment shall take the form of road making.

4. In the first case the following clans were involved:-

- Kakapoch
- Kollege
- Kapchekundi
- Kaptameis
- Kupainndel
- Kaptagan

and I have directed that they shall make a road from
Kaptameis

THE RIGHT HONOURABLE
THE EARL OF CREWE, K.G.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.

copy attached

kept in the foot of the Nandi Encampment, a distance of about seven miles, and find security till the work is finished. This road is entirely in their own reserve and will benefit the Nandi themselves.

5. In the 2nd case a section of the Kaptalam clan is alone involved and a similar and slightly more severe punishment has been inflicted but in this case the headman of this section, Arab Kuno, is implicated in that he knew of his people's designs on the life of the witch doctor but took no steps to bring the matter to the District Commissioner's notice.

6. I have no reason for thinking Arab Kuno disloyal and it would have required a certain amount of courage to oppose the wish of his people but the time has arrived to make clear to the Nandis that witch doctor killing will not be tolerated and that it is the duty of headmen to report, and if possible prevent cases of this sort.

7. Arab Kuno is of a doubtful reputation and has in the past proved unreliable and I have accordingly sanctioned his deportation from Nandi to Machakos for a time.

8. I trust Your Lordship will approve my action in the matter.

I have the honour to be
Your Lordship's humble,
obedient servant,


GOVERNOR.

gmj 11968

Sal.

~~Handwritten scribble~~

DRAFT.

Sal N^o 260

MS 2357

gmj

Zooki P. G. ...

magister.

MINUTE.

Li.

- Mr. Anderson 9/5
- Mr. Seal 2/8
- Mr. Fiddes
- Mr. Just
- Mr. Cox
- Sir C. Lucas
- Sir F. Hopwood
- Col. Seely
- Lord Crewe

I have the honor to ack: the receipt of your letter N^o 172 of the 2^d of April reporting the action, which you have taken in connection with the two cases of witch-doctor killing by various tribes of the Nandi.

I observe that you have directed that the punishment shall take the form of ~~the~~ road-making instead

