

427  
DISPATCH

East Africa Post  
No 21714

60/1  
21714  
NOV 13 AM 07

1907

Affairs in Syria

Transmit please to report to command  
of the 1st Army Corps for information  
in relation to the situation in  
the various cities and the movements  
of the Turkish forces.

to Paris  
Affairs in Syria

628  
1000  
1100  
1200

11/13/07

~~48~~

Confidential No. 74

Treasury Office  
Homburg

May 29<sup>th</sup> 1907

My dear

Although I am not in a position to report fully on the circumstances incidentally reported to me in the papers, now under review in my office, it is not well to say in this case, I feel that I cannot justify a delay in placing the necessary facts before your Lordship more especially as it is evident from my receipt letter that the matter may be made the subject of agitation at home. The history of the case as given in the Honorable Judge Buchanan Cairns letter of the 30<sup>th</sup> April is correct.

After the resignation of Buchanan Cairns was deprecated to make only the company of the people of the East Spring to remain there of the same capital present concerned to have been impressed upon them there.

~~Confidential~~  
~~by the~~  
~~Confidential~~  
 April 29<sup>th</sup>

The Honorable Municipal Secretary, Homburg  
 for the Colonies - Homburg

Done at Homburg



had been given in the previous  
spring, we arrested the four com-  
plainants, one of them <sup>apparently</sup>  
being the wrong man and confused  
them in the same jail Mr Lewis  
a varrator newly arrived from And-  
over and of the matter where  
he came for the Government at  
once in another case and the  
petitioners put their case in his  
hands

As soon as it was ascertained  
that the petitioners really had cause  
for complaint, Mr Justice  
Brougham Charles was deputed by  
the King's Bench to proceed  
to inquire and he held a thorough  
investigation into the complaints,  
with the result shown in the letters  
above referred to.

I have not yet received Mr  
Macdonnell's explanation but from  
what has now transpired it is  
impossible to ignore the presumption  
that Mr Macdonnell's reports were  
misleading, that he never thoroughly

enquired

engaged into the complaints made to him, and that the Raja people, though troublesome to deal with and ever captious under the rule of these Wades, actually had succeeded against the late Wodey Bwana Maha Raja. The second complaint was of illegality and constraint obtained by this latter officer.

As regards the third complaint Mr. Macdonald's report is utterly indefensible - he does not even pretend to deny it - and I would record my acquiescence in the remarks made by their Honours the Principal Judge and Judge Graham Carter, as to his conduct in this respect.

As the result of Judge Graham Carter's report orders were issued by the meeting Commissioners to remove Bwana Maha from his jurisdiction as Wodey of Daga and Mr. Macdonald was directed to hand over charge of the Sub-Commissionership of Daga to Mr. Reddie, who was sent to relieve him, and to proceed to Mombasa.

10. The position now is this - Mr  
Lacey has given notice of filing a suit  
on behalf of the Suye complainants  
against Mr. Macdougall and the  
Secretary of State. He is however  
in no hurry to do so and would  
retire from the matter, if the com-  
pensation he claims on behalf of the  
claimants, including his own part, is  
paid to him. This he sets down at  
twelve hundred pounds, a sum  
which is considered to be excessive.

11. I can of course take no action  
to prevent this case coming into  
Court, if Mr Lacey chooses to proceed.  
But it would obviously be undesirable  
that it should do so, especially at  
the present time, when there is so  
much local feeling amongst the  
settlers at Nairobi. I am accor-  
dingly allowing Mr Macdougall to  
see if he can arrange through his  
solicitor Mr Tombs to satisfy the  
Lacey's demands. This will probably  
be difficult, as Mr Macdougall  
cannot afford to pay so large a  
sum, and it is not probable that

My Lady will please be assured to  
have practical relief  
I shall speak further on this  
case shortly.

I have the honor to be  
with the highest respect  
to your Ladyship  
My bonds

Your Ladyships most obedient  
servant

Walter Raleigh

I have received the enclosed  
and I return it accordingly

1663

Montreal,

2nd May 1909.

Your Excellency,

With reference to your confidential letter of yesterday's date directing my attention to certain remarks on the part of Judge Carter's report I have the honour to state in answer to you that I have considered the matter and the subject in connection therewith.

I regret to have to inform you that in my opinion Mr. MacDonnell's conduct in this matter is indefensible. In order to admit having allowed and permitted certain persons without trial, and at a subsequent date to have manufactured what appears to be records of the judicial trial as a result of which the hanging and imprisonment was apparently avoided. A formal report was made to me in his name representing that the case had been tried. I do not know what to compare more seriously the falsification of his original duties to the Director which he subsequently attempted to cover up under the title of "confidential".

It will be impossible for you to restore my confidence in Mr. MacDonnell as a subordinate.

I have etc.

Edw. A. Hamilton,

Principal Judge.

Edw. A. Hamilton



Mombasa, Kenya

1st May 1967.

Mr.

I take the liberty to inform you that you have been  
 advised to repatriate the matters I have taken herein.  
 In February last, I was interviewed two or three times  
 by Major Sir Marshall and Captain Sir Marshall as agents for the  
 above and required me to take a detainer on the ground of my  
 activities.

On 27th of February 1967 I submitted to the above  
 a statement and I advised the authorities that I was  
 a member of the Kenya African National Union (KANU).

On 28th of February 1967, His Honour the Principal Judge  
 intended to hold a hearing on application for habeas corpus  
 but which I did not attend.

On 29th of February 1967, I received a letter from the  
 above and a letter from the above to the effect that if  
 I did not voluntarily accept the offer of a conditional release  
 to leave the country and accept the matter for consideration  
 of the Government, I therefore took the matter into  
 consideration and advised the petitioners to the effect  
 that I was not prepared to accept the offer and I advised  
 the petitioners of my reasons and I advised the petitioners  
 of my reasons and I advised the petitioners of my reasons.

I have taken the liberty to inform you that you have been  
 advised to repatriate the matters I have taken herein.  
 In February last, I was interviewed two or three times  
 by Major Sir Marshall and Captain Sir Marshall as agents for the  
 above and required me to take a detainer on the ground of my  
 activities.

Incorrect





I am writing to you Sir, to point out that which must be obvious to every one who is acquainted with modern journalism viz that had I been a person who desired the exploitation of this matter for the private gain either of Harroworth or the associated press would have paid me 5000 or four hundred pounds for details that would have enabled the press to make a correct and complete record of the alleged maladministration. But the I have immediate obligations to the public of Harroworth and as such have been constrained to write a dispassionate and matter of fact article and I am I have been in a painful position as the publisher of papers to my former clients which cannot be considered without professional dishonour. On the other hand I have to express the Government of the Harroworth and the article I give for the same and expressed and approved by the distributer of the paper which was a record of the article of unprincipled politicians of the name of Mr. Sir Hardie.

I have endeavoured to take a legal action against the Harroworth's Secretary of State and Mr. Macmillan as joint authors of the article but I have delayed the making of actions as your request. I have unofficially made a statement to you that I will shortly resign my office - (whether or not I shall do so I know not) I will endeavour to think of some other possible yet legal I am not writing to you out to say that without it is impossible. I have endeavoured to serve the Government as well as I could consistently with my duty and I am very sorry to return the accompanying article that you have in your possession.

I have etc.

Wm. W. F. Lloyd.

453  
369

K O M B A S A .

April 30, 1907.

To, His Excellency

The Acting Commissioner

East Africa Protectorate.

Sir,

I have the honour to report that under your Excellency's instructions I have visited Lamu and Siyu to enquire into the complaints of the people of Siyu.

I commenced my enquiry at Siyu on April 8 and sat in Court there on April 9, 9, 10, 11 & 12, 13, 15, and 16 and then went to Lamu and sat there April 17 and 20.

I examined about eighty natives of a Siyu - H. M. the Sultan of Siyu, Mr. MacCowell the Sub-Commissioner of Lamu and Mr. MacCowell, who was Acting Sub-Commissioner during Mr. Sanderson's absence on leave, from 1 1906 to January 1907 - Mr. T. E. Morse, Acting Collector of Lamu and Messrs. the Livell of Siyu.

The main complaint was that four persons, namely, Daudi bin Isak - Muband bin Isak - Muband bin Isak - Muband bin Isak, were wrongfully apprehended or interned at Lamu for fifty days from (about) Jan 24 to April 15, 1907.

For the purpose of this enquiry, it is not necessary to go back further than April 1906. At that time some people of Siyu complained to the Commissioner and Mr.

MacCowell was sent to Siyu to enquire. Mr. MacCowell then returned three men to Lamu and intimated they there (their names appear to have been, Daudi Muband, Muband bin Isak and Muband bin Isak) and reported the matter to the Commissioner. His intimation "approved" and the men were released by Col. Sadler's order on the ground of illegality. The men were apparently in

in prison for some thirty six days.

July 15.  
McClellan.  
1900.  
Feb 5th.  
McClellan.

On July 14 the people of Siyu presented a petition to Mr. McClellan and he recommended the deportation of the ringleaders for this action; but H. E. the Commissioner did not consider that this action could be justified.

On December 5th Mr. McClellan wrote stating that on having complaints from the Liwall of Siyu he had visited that town and had been made the object of a demonstration against the Liwall. Mr. McClellan then recommended three alternative courses - the one he most strongly recommended being the removal of the Liwall and the appointment of an Assistant Collector over the district. He also stated that he considered some of the complaints of the people of Siyu were justified. A visit by the Deputy Commissioner recommending the temporary deportation of the four discontents and the later adoption of Mr. McClellan's proposal was approved of by the Commissioner and the action taken was to assuage the people of Siyu; but no one was either deported or imprisoned.

Despatch  
1907  
Jan Feb. 6  
McClellan

On the return of Mr. MacDonnell from leave in January 1907 he visited portions of his province including Siyu and at his request the Sultan went to Siyu and is stated to have made a settlement. Shortly after the Sultan left a Mr. MacDonnell went to Siyu and on or about the 24th of January 1907 the said four complainants to [sic] and imprisoned them; two were after some time stay with friends owing to ill health and a Sergeant was sent asking for certificates which were sent, having been signed on February 15.

[I regret that I have been forced to believe that the statements in the despatch of Mr. MacDonnell are not correct. I do not consider that he was justified in stating that the agitation was [sic] renewed with double energy when he left for England and] as bound to state that I fully believe the Sultan of Siyu when he informed me that he had [sic] the

the statements credited to him in the Despatch. The approval of the Khalifa, Sadra and Sathia was not of a very valuable nature. The statement of what happened before the Sultan I can hardly accept as true. When Mr. MacDougal states "of course" I can understand the inference is that he was acting in concert with the Sultan; whereas at that time he and the Sultan were not at all together.

As another example of Mr. MacDougal's inaccuracy I should note that in his Despatch No. 21 of 1904 he states that over 500 Civil suits were tried in December 1904; whereas the returns only show that the whole number tried in 1904 was 401.

I regret that I have to state that in my belief the Acting Commissioner was ill-faithfully misled by Mr. MacDougal's assertions. The allegations in all the above Despatches amount to very little more than reports of dissatisfaction against a Government servant and not for the kind of recommendations of Mr. MacDougal. It is not surprising that the Acting Commissioner would have been justified in acting upon them.

From my further investigations I find that the report of Acting Sub-Commissioner MacDougal was not advised as far as regards the alternative recommendation of keeping the Khalifa and his family and relatives; Mr. MacDougal has not himself expressed this opinion.

It is noticeable that while Mr. MacDougal requested in the Despatch the interests of the Khalifa and his family, the actual name taken from him was Abdullah bin Ahmad and Mr. MacDougal states that he does not know of a man called Abdullah. The name was in the name of Abdullah bin Ahmad but in a matter of this nature, with negligence is inexcusable.

The second writ complaint was without its whole work of the Khalifa of Sivas; and from my examination of the





and the men were illegally imprisoned and flogged.

There is however another incident connected with this matter which came to the notice of the Judicial Department in March last, further investigation into which was postponed until after this enquiry, and that is that there are records of these proceedings which do not set out in any way whatever the facts as they occurred. That is to say there is a file containing a copy of a letter from the [wall of] Sigu and three witnesses and also three Warrants of Commitment or Habeas. The file has charges, a record and a judgment and is quite inconsistent with itself and with the statements made before me at [see by Mr. [unclear]] "I speak on judicial" proceedings on that day and no evidence of such, I saw "holding of judicial proceedings at all what I condemned" these men.

It therefore appears that these documents were subsequently prepared for the purpose of covering an illegal act, a matter which is most seriously regarded by the Judicial Department and I think that the evidence taken by me on that matter, together with the file and the arrests, and this portion of my report should be laid before the principal Judge.

I requested that the [wall of] Sigu should be suspended pending this report and that the [wall of] Vincent should be temporarily placed in Sigu.

I should state that I have not seen [unclear] petitions from the people of Newswall requesting the return of their [unclear].

In my opinion it is absolutely necessary that an experienced European Officer should be placed in charge of a District which he will be able to [unclear] for some time

and  
Original  
Journals of  
1807  
and  
Warrants



375  
400

Norbana,  
May 29th, 1907.

Your Excellency,

With reference to the report submitted by His Honour Judge Carter I have the honour to draw attention to para 5 on page (1)

Three men named Sheik Mahmood, Buno Mahomed, All Kabeed of Siry had been imprisoned for 36 days.

I beg to point out that these men had been arrested on the 9th June and released on the 26th June 1906, only 17th days, and not 36 as stated above.

If the Acting Sub-Commissioner had requested them to stay in Larn with their friends a week after their release I had nothing to do with that as I was in England.

During my absence on leave my Arabic Clerk Salim bin Said kept me in touch with events at Siry, as he wrote weekly Arabic letters by every mail. I read weekly Arabic without difficulty.

On my return from leave I went to Wida where I had a long conversation with the Sultan on the trouble at Siry, he being a member of Siry himself and in direct and constant touch with the affairs of Siry. I asked for his advice and he told me that in his opinion the best remedy was

1. Send 500 men
2. All the Mahomed
3. Mahomed Khatib
4. HUSSEIN Khatib

were practically responsible for the whole trouble at Siyu and that he would recommend their deportation just for a few months, and then make them sign a bond of good behaviour to the Government and allow them to return to their homes. I had no reason to disagree with his views, so I decided to remove them for a certain period. This conversation took place at Witu Headquaters on the 10th of January last. Then I requested him to visit Sere Witu, the double object of seeing his 2 aged sisters and also impossible to bring the people and the Livalli to an amicable settlement. He went and after a period of 5 days returned and reported that he had succeeded in effecting an amicable settlement of all the troubles between the Livalli and the Siyu people.

The Sultan failed to tell me what the true state of affairs were, he did not inform me for instance, that his 2 sisters had been ill treated by the Livalli, nor did he tell me that as long as the Livalli was left in charge of Siyu there would always be trouble. The Sultan only told me what he thought would please me.

At the investigation I was ordered to obtain special expert when evidence was required. The Sultan and the Acting Commissioner were ordered to be present during the whole enquiry.

I much regret to have to state in connection with this event, that the Sultan had apparently forgotten his duty as an adviser to me as Sultan at Witu, on the 10th January last, for he gave expression to his true attitude towards the Livalli and had actually broken down in Court twice whilst giving evidence.

The Sultan of Witu as well as the Chiefs of Lamu and Pasa, in suggesting views on the Siyu affair,

were in one accord in vigorously upholding the Livali against the mal-contente in Siyu and always reminding me that if the Livali would be removed from Siyu just in order to satisfy the mal-contente the disaffection would assuredly spread to other vilayets.

I visited Siyu after the Sultan's visit, and the Livali informed me that although <sup>SC</sup> Ali was quite then, that he was afraid that his position would be untenable unless the 4 principal ringleaders were removed for a few months, and then make them enter into a bond of good behaviour to Government.

I had no doubt in my own mind that this course would be the best means to be adopted and in absolute good faith I had acted accordingly, as I thought by removing them it would put an end to the agitation once for all.

I most emphatically deny having wilfully misled the Acting Commissioner in my recommendations to remove the 4 men above named from Siyu. It does not stand to reason that I should have purposely misled my official Chief. It would neither be to my own personal interest nor to that of the Government to do so.

I had urged their removal in the whole-hearted desire to benefit the people of Siyu and the state.

It is alleged that in my despatch No. 36 of 1904 I gave the figures 500 civil suits were tried in December 1904.

When writing the despatch referred to I had requested the Clerk of the Registrar's office to supply me with these statistics, and I had honestly state that he had exactly furnished them as I had written them in the despatch referred to, so this is due to a clerical error which I much regret.

It is alleged that in my despatch re the

interment of one Sheikh Abdalla, the actual man taken from Siyu was Mahmud bin Mansab. I wrote in my despatch Sheriff Abdalla instead of Sheriff Mansab. This man is a descendant of the prophet, and therefore entitled to be addressed as "Sheriff" I had always addressed him a Sheriff only. It is true that he is commonly known and called Sheriff Mansab but I was under the impression that his second name was Abdalla hence the mistake in the despatch. His name was correct in the narrative.

In reference to the whipping case I deeply deplore the act, as it was illegal and unjustifiable, and I desire to have no reference in the matter.

A word about the people of Siyu - These people appear to be quite different in character and disposition to my other tribes in Tawaland. They are extremely turbulent and have always been against any form of Government. Even so-called affairs that they have had given them worry and trouble to the various administrations since the days of the late I.N.A. Company until the present day, than the rest of the inhabitants of Tawaland put together. Some of them had joined the Witu people and fought against the authority of the Sultan of Swahili and the I.N.A. Company for years, and kept it up until the Navy assisted by our Police, took their power.

The recent troubles at Siyu may be said to have commenced with the opening of the Limali's Court at Siyu in the beginning of 1906.

The Limali had passed up a notice containing Court Rules etc. This notice was too revolting to the elders who lost no time in getting up a strong faction in order to show their contempt for the young Limali. The Limali overestimated his own importance and

insisted on all matter of litigation being tried in Court, and not as if had previously been conducted in the stables, or in the houses of the various elders, at the elders pleasure.

The result was that the Livali was systematically prevented from visiting the Toon or even his mosque, for a period of 6 months.

The faction, went round the Toon carrying an empty coffin in which the Livalis body was supposed to have been, shouting verses of the koran - This was done just to annoy himself and his wife when I was in leave.

I took charge of Tavaland in 1902, and carried on its administration with only 2 assistants, one in Lams and one at Elipini (at intervals only) since Mr. Andersen's resignation, thus I had been understaffed and unable to travel much in my Province. I had to rely on my subordinates to a considerable extent.

The position of Sira geographically speaking, rendered it most inaccessible except on spring tides - the result was that I could only afford to visit Sira at rare intervals, and that only for a day or two. The result was unfortunately that Sira had been left very long without being under the control of the young Livali without European supervision, and I regret to say that the Livali had too often exceeded his instructions and powers, without my knowledge or authority.

I looked him up in ignorance of the real state of feeling existing between the people of Sira and himself, which I shall always regret.

Any errors of judgment that I may have committed in connection with the Sira affairs have been committed in absolute good faith for the good of the people.

people and Government, and I most earnestly trust that your Excellency will consider them under the most extenuating circumstances.

In conclusion I hope it will not be out of order to mention here that I have served 18 years continuous service in the Governments of East Africa on the 19th of March last i.e. counting my services with the late Imperial British East Africa Company.

I have received the medal of the I.B.E.A. Company the Ashanti medal and class, the E. African General medal, and the second order of the star of Excellence, and various letters of thanks from home.

I have the honour to be,

Your Excellency's most obedient,

humble servant,

*Amantol*