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at previous Pa  
H 4169/13

Status of E. African Protectorates.

\*99. Sir J. D. Rees. — To ask the Secretary of State for the Colonies, whether the effect of the recent judgment of the Appeal Court at Mombasa in the Masai case is that the East Africa, Uganda, and Nyasaland Protectorates are not British territory, but Foreign-protected States; and whether His Majesty's Government proposes, by proclamation or other instrument, formally to annex these Protectorates and assume over them territorial sovereignty. [Thursday 26th March.]

Mr. Purley

Would you kindly minute in the first instance?

H. J. R.  
20/III/14

Mr. Read

I shall be disposed to answer the first part of this question as fully as possible on the following lines:—

In any event the judgment of the Appeal Court <sup>in the Masai case</sup> could have no effect with regard to the Uganda & Nyasaland Protectorates. The E. A. P., of which the Masai form a part of the population, is a foreign country in which H.M. possesses jurisdiction

Put by

next subsequent Paper.  
of 6/11/14

and exercises it under the Foreign  
Jurisdiction Act 1890. It is what is

commonly termed a British Protectorate

and I am not aware that <sup>the states of these Protectorates</sup> ~~its states~~  
has been affected by the guides referred to by the Hon. member.

[When there is a ruler possessing some  
of the attributes of sovereignty, there may  
be a "protector state" within a British  
Protectorate - e.g. the Kingdom of Uganda  
in the Uganda Protectorate and England  
in Nigeria - so that even if the  
Masai did constitute a protector  
state, their "sovereignty" not extending  
to the whole of the territory comprised  
in E.A.P., the states of the Protectorate  
as a whole w<sup>d</sup> remain  
unaffected - But I w<sup>d</sup> confine  
the answer to the smallest  
dimensions on the lines  
suggested above]

J.S.R.  
20/3/14

Sir G. Fisher

Reply as proposed by Mr. Ridley,

adding:-

"The reply to the second part of the  
Hon. member's question is in the negative"

H. L. R.  
20/III/14

I think it w<sup>d</sup> be quite sufficient  
briefly on sub. A & not (substituting  
"the status of these Protcs" for "its status")  
and B above

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**Official Report** 26 Feb. 1914

The SECRETARY of STATE for the COLONIES (Mr. Harcourt): I am not aware that the status of these Protectorates has been affected by the judgment referred to by the hon. Member. The reply to the second part of the question is in the negative.

Sir J. D. REES: Does not this judgment indicate such a weakness in title as was shown in the case of the Tartar territory?

Mr. HARCOURT: I do not think it indicates any weakness. If the hon. Member wants a legal interpretation I must ask for notice.

Sir G. PARKER: Is the position of these Protectorates the same as Basutoland and Bechuanaland?

Mr. HARCOURT: I do not think Basutoland and Bechuanaland arise out of the question, and I must ask for notice.