

1923

KENYA

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39883
RE 10 AUG 23

FROM *Dept. of State* DATE *July 1923*

FOR CIRCULATION —
Mr.
Mr.
Mr.
Asst. U.S. of S.
Lu. H. Field
14/8/23
Secty of State.

SUBJECT

*Fixing up on the
Search*

*Sends report of Board
of Enquiry explaining
circumsto also which
are associated — by the
K.A.B. in March, 1923*

Previous Paper

500
19410

MINUTES

*I do not think that any
comment need be made
in reply to this Dispatch.
The escort under a native
Corporal acted properly;
the deaths are regrettable,
but in the end none
save the Gurch are
to blame for what they
brought on themselves.*

ack receipt

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14.8.23*

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H. S. P.
14/8/23*

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Subsequent Paper

KENYA.

No. 598.

CONFIDENTIAL.



189
GOVERNMENT HOUSE,
NAIROBI,
KENYA.

9th July, 1928.

39983
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PL 10 AUG 28

My Lord Duke,

I have the honour to transmit for Your Grace's information a copy of the proceedings of a Board of Enquiry held in March last at Mandera, Northern Frontier District, to investigate and report upon an incident in connection with the collection of tribute in which an escort of the King's African Rifles was forced in self-defence to fire upon certain Gurreh causing nine deaths.

2. As Your Grace is aware, the policy of taxation adopted presently in the Northern Frontier District is to levy communal tribute instead of individual poll or hut tax from tribes who can be guaranteed protection from raiding. The obligations of the various tribes for this purpose are assessed in accordance with their paying capacity by the Administrative Officers. Prior to this year it was not considered that the degree of protection afforded to the Gurreh justified the imposition of tribute. It was possible, however, last year to effect settlement by agreement of the long standing feud between the Gurreh and Degodia tribes and this fact combined with the general peace on the border which has resulted from Ato Gabbra's presence at Gaidahuma influenced the Government in authorizing the collection of tribute

From

Proceedings of
Board of Enquiry.
20-3-28.

GRACE
DUKE OF DEVONSHIRE, K.G., P.C., G.C.M.G., G.C.V.O.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.

from the Gurreh during the current year. The settlement with the Degodia tribes involved handing over of considerable stock by the Gurreh to their neighbours. This demand was met but apparently tended somewhat to irritate the tribe. The Officer-in-Charge of the Northern Frontier District considered it in the circumstances to be advisable to send an escort with the Chiefs during the progress of collection to show both the Chiefs and their people that the Administration was determined to secure payment of the tribal contribution and was prepared to protect the Chiefs in the event of their encountering active opposition whilst carrying out their instructions. Unfortunately the establishment of European Officers in the Northern Frontier District was insufficient to allow of the posting of a European in charge of every escort sent out on duties of this nature.

3. On this particular occasion the Chief, Aden Wao, was assaulted and called for the assistance of his escort. The soldiers behaved admirably and confined their efforts in the first instance to an endeavour to disperse the assailants with blank fire and it was only when the latter returned to the attack and fired direct on the escort that the King's African Rifles were compelled to defend themselves with the result reported.

4. In the circumstances which attend upon administration of remote and less amenable tribes, there must exist the possibility of such an incident as the one which I now regret to have to report. Military support is necessary not only in protection of chiefs while performing unpopular duties but also for safeguarding the collected tribute

tribute from brigandage or double dealing.

I have the honour to be,

My Lord Duke,

Your Grace's most devoted
and most obedient servant,

J. A. S. Hathorn

GOVERNOR'S DEPUTY.

Proceedings of a Court of Enquiry, held at Mundera, Northern Frontier District, on March 20th, 1923, by order of Major T.S. Muirhead, Officer Commanding, 5th King's African Rifles, for the purpose of enquiring into, and reporting on, the circumstances under which certain Rhia of the Gurreh Tribe were fired upon, and killed, by a 5th K.A.R. Patrol, at or near Muddo Eyri, Northern Frontier, during the early part of March, 1923.

THE COURT:-

PRESIDENT.

Capt. P.F. Roberts, 5th K.A.R.,
O.C. Troops, Dawa River.

MEMBERS.

Capt. P.P. Legg, M.C., 5th K.A.R.,

O.C., Doio.

Lieut. Ryding, 5th K.A.R.,
O.C., Mundera.

The Court having assembled pursuant to Order, proceed to examine the witnesses.

No. 2167 Cpl. Jama Bidi, 5th K.A.R., having been duly sworn states:-

On the 22nd February I was ordered by the Officer in Charge, Gurreh District, to proceed with four R. & F. and collect one hundred camels from the Gurreh - part of the 1922 Tribute, which they had refused to pay. The warrant also informed me, that I was to be accompanied by one ADEN EDO, a Gurreh Chief, but that he, with all the other Chiefs, had refused to assist the Government in the collection of Tribute. After we left the Boma and this Chief (ADEN EDO) was free from the influence of GABABA (the paramount Chief) he rendered us every assistance.

We had been out about 23 days and were returning, having collected the 100 camels as authorized.

On the evening of the (approx) 15th March, we camped near a big Gurreh manyatta. We were sitting talking when three wazees approached and asked ADEN EDO to accompany them as they wanted to talk with him for moment on two. Shortly after that, we heard someone (apparently ADEN EDO) crying out that the people were going to "kamata" us - an abrupt pause, and then cries for "help". We advanced and saw a crowd of about 60 (sixty) Gurreh - these in the centre were struggling with someone on the ground. I called out to them to stop, they saw us but took no notice other than to adopt a most threatening attitude.

It was

It was impossible to safely approach nearer - they were about 80 and we were 5 - and, realising the seriousness of the situation, I gave the order to extend and blank ammunition to be fired - the rifles to be pointed at a high angle. We fired blank and the crowd scattered, leaving ADEN EDO to crawl back to us, but immediately after, and much to our surprise, the Gurreh fired at us and the bullet scattered the sand around us. I gave the order to raise the fire but the Gurreh kept advancing - those not armed with rifles had drawn their knives and also carried spears. We kept up the fire and they were quite close to us before they eventually ran and scattered in the bush - they left a number of dead and wounded, we had no casualties.

MARK OF No.2167 CPL. JAMA BIDI.

QUESTION 1 BY THE COURT:

What was your last fire order?

ANSWER:

Independent fire.

QUESTION 2 BY THE COURT:

What were the orders given you by the Officer in Charge, Gurreh District (Capt. F.F. Roberts)?

ANSWER: He fully explained the situation to me and the great importance of avoiding friction with the Gurreh, but could give me nothing definite other than discretionary powers which he knew I should not abuse. He explained that my actions were to be controlled entirely by the attitude of the Gurreh, and, in the event of attack to (1) Fire blank, (2) Fire high, (3) Fire ball, as the situation demanded.

II. ADEN EDO, a Chief of the Gurreh, having been duly sworn states:-

I am a Gurreh Chief, and although I, with all the Chiefs, had refused to pay Tributes to the Government, I was ordered by the Officer in Charge, Gurreh District, to proceed with a 5th K.A.R. patrol about 20th February to assist in the collection of Tribute. I protested, but the Officer in Charge (Capt. Roberts) informed me that he had instructions to enforce payment and so, after leaving the Boma, I realized that as further opposition was useless, it would perhaps be better to assist. This I have done.

We had collected the 100 camels as authorized and were returning to Mundera; we had been out about 23 days.

About the evening of the 13th March, we camped near a big Gurreh manyatta of mixed sections. We were sitting talking when three woces approached and asked me to accompany them as they wished to speak to me for a moment or two - I suspected nothing as I am a Chief and quite popular with the Tribe, but I also knew that the enforcement of Tribute and the rumour of Registration, had created discontent and disaffection was fast spreading through the Tribe, especially among the young men.

However,

However, I did as the Elders requested and when we were some distance from the askaris, I happened to glance over my shoulder and saw that I was being surrounded by young warriors. I called out a warning to the askaris, but before I could to more I was assailed from all sides and thrown to the ground. The Elders tried to interfere but the young men would not listen and continued beating me unmercifully, calling me a "Traitor to the Tribe" a "Friend of the Government", and I have no doubt of their intention of killing me. I had at first managed to call for help, but by this time I was too exhausted to clearly remember what happened. There were about 40 to 60 men round me. I heard a faint firing and, although no bullets reached us, my assailants immediately scattered and ran to the manyatta. I then managed to get back to the askaris, but had no sooner arrived than the Gurreh rushed out and fired rifles at us - they were advancing in a crowd and those without rifles had spears and knives drawn. The askaris then fired and I saw some Gurreh drop but they still came on and had almost reached us before they eventually ran away - during their advance the askaris were firing.

QUESTION 3 BY THE COURT:

Who fired the first shot?

ANSWER: I was too dazed and exhausted to clearly remember what happened, but I remember when I was being beaten to have heard a faint firing from the direction of the askaris, although as I said, we neither heard or saw any bullets.

QUESTION 4 BY THE COURT:

After that your assailants left you and ran away, did the askaris fire again?

ANSWER: Not until the Gurreh had fired at them and were advancing to attack.

MARK OF ADEN EDO.

QUESTION 5 BY THE COURT:

What are the casualties in your Tribe?

ANSWER: 6 killed and one or two wounded; I have since heard that another has succumbed, thus making 9.

FINDING.

Having duly considered the evidence placed before them, the Court are of the opinion that this most regrettable occurrence was due to an act of aggression on the part of certain persons of the Gurreh Tribe. Further, that the 5th K.A.R. Patrol is in no way to blame as the situation was sufficiently serious to warrant the action taken, which, if somewhat drastic, was certainly unavoidable.

(Ed) P.F. Roberts, President.
(Sd) W. R. Jones, Lieut. Member.
(Sd) P. F. Legg, Capt. Member.

MURDERA, N.F.D.,

20/5/23.

39983/23 Kenya

C. D.
R 16 AUG
D 17

DRAFT.

20 August 1923

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Old
MINUTE.

Sir,
I have re to echo the
text of your conf desp
No 398 of the 9th of July
reporting an incident in
connection with the collec-
tion of tribute, in which
an escort of the K.A.F.
found it necessary to

- Mr. *Brown Aug 15*
- Mr. *Parkeins*
- Mr.
- Mr. Davis.
- Sir G. Grindle.
- Sir H. Read.
- Sir J. Mauleston Smith.
- Mr. Ormsby-Gore.
- Duke of Devonshire.

fire upon ~~certain of the~~
tribesmen

Garrett in self-defense

Jr

(Signed) DEVONSHIRE