

1923

KENYA

46523

REC  
REL 2 SEP 23

FROM  
O.A.G. BOWRING

CONF  
454

DATE

16TH AUGUST 1923

FOR CIRCULATION :-

SUBJECT

554

Mr.

Mr.

Mr.

Asst. U.S. of S.

SULTANATE OF WITU

Reviews history of and submits for approval proposal to absorb into the LANU Dist. without any distinguishing boundary of its own and without a Sultan.

Perm' U.S. of S

Part' U.S. of S

Secretary of State

Previous File

So.

24222

MINUTES

I do not understand the words  
... of Witu, which was  
included in the Protectorate by  
Killey's Amalgamated Order in  
Council, 1920

We did not report it as part

of the 2<sup>nd</sup> Dominion (see

in F. Butler's memo. in <sup>CO</sup>  
33858/17)

in his despatch 41444/18 in

C. Bowering "gathered" without protest

that Witu was regarded as a part

of the "rest" - i.e. the Tanganyika

... 70/10460/11 bears Witu

as a fully separate problem for Tanganyika

being up on Sir C. Bowering's

arrival.   
 W.S. 11/10/23 at ...

*Ann. Conf. (6) 12 Aug 23*  
*W.S.*  
*SP/11*

Subsequent Paper

*Not on file*

## MINUTES

MINUTES NOT TO BE WRITTEN  
ON THIS SIDE.

*Sir C. B. B. B.*  
I have discussed with Sir Charles Bowring the question as to whether Witu is in the Protectorate (i.e., in the Dominions of the Sultan of Zanzibar) or in the Colony of Kenya. The extracts from Ball's Zanzibar Treaties, 1910, which I use in the draft annexed, convinced Sir C. Bowring that he was mistaken. He appears to have been misled by the fact that the E.A.P. Government took over the administration of Witu from the I.B.C.A. Company; but it does not follow that everything administered by that Company was held by them from the Sultan of Zanzibar.

On the general question of the administration of Witu, I entirely agree with Sir C. Bowring, that the appointment of a nominal Sultan of Witu, rendered necessary by the pressure of Germany, would in present circumstances be unnecessary and superfluous.

*W.C.B.*  
7.8.23

*at me*  
H. J. O. L.

8/21/23

KENYA

No. 454.

CONFIDENTIAL.



555

46523

GOVERNMENT HOUSE  
NAIROBI,  
KENYA.

REC'D  
RECEIVED 20 SEP 23

18th August, 1923.

My Lord Duke,

I have the honour to refer to Your Grace's despatch No. 775 of the 5th June, 1923, in reply to my despatch No. 617 of the 18th April, 1923, in which the death of Omar bin Mahomed, Sultan of Witu, an Honorary Commander of the British Empire, was reported.

2. The death of this loyal servant of the British Crown closes an interesting chapter in East African history, the facts of which I will briefly set forth for convenience of reference by Your Grace.

3. In 1866 the Island of Patta, after repudiating the somewhat nebulous overlordship of the Sultan of Zanzibar, was subdued and formally annexed by him. Its last ruler, Ahmed bin Fumo Loto Simba Balla of the Nabahan family, migrated to Mau, on the Osi, with many of his followers and continued in his contumacy. Being again driven out he migrated to Witu, some 25 miles from the Coast, from which place he waged war and levied toll on the subjects of Zanzibar, and on the Pokomo and Galla tribes, collecting round him fugitives from justice till he was able to place in the field 3000 fighting men, besides large numbers of slaves. (Vice-Consul Haggard's report 25th August, 1884. Africa No. 1, 1886).

4. In 1885 when the Sultan of Zanzibar at last sent troops to punish his depredations, Prince Bismarck took

YOUR GRACE  
THE DUK 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.

took advantage of the presence of a few German subjects at Witu to declare a German Protectorate and to forbid any punitive action by the Government of Zanzibar.

5. Under German protection the aggressions and exactions of the now recognised Sultan of Witu rapidly increased till he laid claim to the Islands of Manda, Patta and Lamu, the revenues of which were essential to the continued existence of the German Witu Company which had been formed in 1887. This claim was referred in 1889 by Great Britain and Germany to the arbitration of Baron Lambert, Minister of State to His Majesty the King of the Belgians, who on August 17th, 1889, decided against Germany.

6. With the loss of the Coastal outlet, Witu became valueless to Germany and by an agreement dated July 1st, 1890, Germany withdrew her protectorate, stipulating only that Great Britain should continue to recognise the sovereignty of the Sultan of Witu within the boundaries fixed in 1887.

7. Two months after the signature of the treaty, but before the actual transfer of the territory had taken place, certain German subjects at Witu were massacred. Great Britain and Zanzibar sent a joint punitive expedition under Admiral Fremantle, which razed Witu to the ground. Sultan Fumo Bakari, son of the original ruler, fled to Songeni in the interior, where some 3 months later he died. His two brothers were successively declared sultans by his followers, but were never recognised by the British Government, and in January 1891 sued for and signed a peace, which practically terminated the Sultanate.

8. In March 1891, the country was handed over to the Imperial

Imperial British East Africa Company, which however withdrew in 1893 and ceded the territory to the Sultan of Zanzibar, in whose name it was administered till 1895 when the German Government, in spite of the fact that the abolition of the Sultanate had been a measure punishing aggression on German subjects, insisted that the appointment of a Sultan was essential under the Treaty of 1890. The British Government gave way, and the ruler, whose death is referred to in this despatch, was appointed.

9. With his death the position of 1893 would seem to have recurred, except in so far as it has been modified by recent events. I am advised that since in recent negotiations with the German Government no mention has been made of the Treaty of July 1st, 1890, its provisions can be regarded as abrogated. I propose, therefore, that the Sultanate of Witu, which was included in the Protectorate by the Kenya Annexation Order-in-Council 1920, should now be absorbed in the Lamu District, without any distinguishing boundary of its own, and without a Sultan. Since, however, a somewhat similar decision made by a predecessor in 1893 was disallowed by the Earl of Kimberley for diplomatic reasons, I have thought it better, before taking any final steps, to obtain Your Grace's approbation.

10. I have endeavoured in this despatch to set forth the facts with sufficient fulness to enable Your Grace to reconstruct the whole episode, since the earlier records will be in the Foreign Office. For this reason too, I attach a copy of the Earl of Kimberley's telegram, to which reference is made in the preceding paragraph. I would also invite Your Grace's attention to Mr. A. Hardinge's Confidential report No. 21 of February 9th, 1895, with particular

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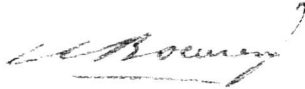
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particular reference to his remarks on the necessity of a steady and consistent policy in dealing with an area so long upset by internal feuds and would ask for Your Grace's support of my proposals, which will finally do away with the existence of a territorial sub-division called into being only by the commercial rivalries of Great Britain and Germany.

I have the honour to be,

My Lord Duke,

Your Grace's most devoted  
and most obedient servant,



ARTHUR BUNSEN

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Your Grace's most devoted  
and most obedient servant,

*W. B. Boon*

ACTING GOVERNOR.



Decypher telegram from Foreign Office

Dated 7.55 p.m. 14th June, 1895

Recd. 8.25 a.m. 15th June, 1895.

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As Sultan's personal connection with Witu will be severed, you must find someone to act nominally as Sultan, but natives must understand that the country is directly under the protection and control of Great Britain. This cannot be avoided, as we have given the assurance to the German Government.

KIMBERLEY. 1

Downing Street,

12 November, 1923.



Sir,

I have the honour to ack. th receipt of Sir Charles Bowring's confidential despatch No. 454 of the 18th of August, and to inform you that I agree to the absorption of Witu into the Lamu District, and to the proposal that <sup>no</sup> steps should be taken to appoint a Sultan of Witu in the place of the late Omar bin Mahomed.

Although the point is not material to the administrative arrangements to be adopted in regard to Witu, I consider it desirable to put on record the fact that the statement in para. 9 of Sir Charles Bowring's despatch, that the Sultanate of Witu was included in the Protectorate by the Kenya Annexation Order in Council, 1920, is not in accordance with my understanding of the position.

DRAFT.

VA

Confidential (6)

MINUTE.

Mr. Bottomley 7.11.23

Mr.

Mr.

Sir C. Davis.

Sir G. Grindle.

Sir H. Read.

Sir J. Masterton Smith.

Mr. Ormsby-Gore.

Duke of Devonshire.

*[Handwritten signatures and initials]*  
 2/11/23  
 K.S.H.

3. In para 5 of the note from the Sultan of Zanzibar to Acting Consul-General Holmwood, dated the 4th of December, 1886, Sultan Barghash definitely agreed that Witu should be withdrawn from his Dominions. In Article 11 of the Anglo-German Agreement of the 1st of July, 1890, Germany expressly engaged to recognise the protectorate of Great Britain over the mainland Dominions of the Sultan of Zanzibar, as well as over the Dominions of the Sultan of Witu. I would also call attention to the

*Bar. Trustee*  
*No 77-8*

*Barghash*

*Sell*  
*p. 84*

4. It appears clear that from 1886 onwards, there was no ground for regarding Witu as part of Zanzibar, and that view was definitely adopted in this Department when the question of the annexation of ~~the~~ <sup>this</sup> part of the East Africa Protectorate was under consideration. In my opinion, Witu forms part of the Colony of Kenya, and not of the Protectorate.

*3/10*  
*British Proclamation of*  
*3/10 of July 1895*  
*by Her Majesty's*  
*Acting Agent & Consul*  
*General at Zanzibar*  
*This Proclamation*  
*printed as No 75*  
*of Her Majesty's*  
*of Africa by*

I have, etc.

(Signed) DEVONSHIRE

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(Signed) DEVONSHIRE

Balls' Trustees

Ms 77-8

Barghash

Ball

p. 84

I would also call attention to the British Proclamation of 31<sup>st</sup> of July 1893 issued by Her Britannic Majesty's Acting Agent & Consul General at Zanzibar. This Proclamation is printed as No. 75 of Her Majesty's Orders in Council of Africa by the