

EAST AFR. PROT.

C.O.  
2755

2755<sup>12</sup>/<sub>13</sub>

REC'D  
25 JAN 13

Governor  
Blfield 897

Date.  
1912  
6th December

at previous Paper.  
2583<sup>13</sup>/<sub>13</sub>

NATIVE DISTURBANCES IN SOTIK DISTRICT

Sends copies of telegrams as to. In consequence of apparent seriousness of situation K.A.R. and Police were despatched. The trouble as subsequently localised by Mr Ainsworth and situation is now normal. Whole affair arose from assault of two constables by Sotik and was exaggerated by MR H.R. MONTGOMERY. Criticises his conduct. He has been called upon for explanation. States as to fine of Sotik. Reports in press are totally unjustified.

Dr. J. Anderson

much ado about nothing.

Ask: + sanction in proposal contained in the 5th para: of the for? leap? ?

It might perhaps be argued that the hysterics of the D.C. + the Am. D.C. was some excuse for the hysterics of the S.A.P. Standard, but the article in that paper appeared on the 14th of Dec. when the facts of the case ought to have been generally known. Mr. Ainsworth's reassuring telegram was dated 27th + 28th of Nov.

Nov.

H - J.R.

25/1

Yours 15074<sup>13</sup>/<sub>13</sub>

at subsequent Paper

2583<sup>13</sup>/<sub>13</sub>

I do not at all like the passages marked  
by green slips. They give me an uncom-  
fortable impression that Europeans are  
being granted land irrespective of native  
claims, and that we may be sowing the  
seed of future trouble.

I should ask the Gov. to consider  
these passages and report whether the Hawaiians  
have sufficient land & whether they had  
any reasonable claim to any part of the  
land to which the Masai are being  
transferred or the land which is referred  
to in the letter of the two passages as  
having been alienated to Europeans.

Vol 25.1.13

25.1.13

777  
C.O.  
2755

Dec 2  
GOVERNMENT HOUSE  
NAIROBI,  
BRITISH EAST AFRICA.  
DEC JAN 13

EAST AFRICA PROTECTORATE.

No.897.

December 28th, 1912.

Sir,

13 -> I have the honour to report that on the 24th of November last I received a telegram from the Provincial Commissioner Nyanza stating that, owing to the proximity of the Masai, the warriors of the Sotik and Lumbwa districts were in a very excited state, and asking that one company of King's African Rifles might be immediately despatched. This telegram was within a few hours followed by a second, describing the condition of affairs as serious and reporting the impossibility of discussing the matter unaccompanied by a display of force.

2. Accordingly I deemed it advisable to act without loss of time and I despatched by the first available train 24 men of the 3rd Battalion, King's African Rifles, with a maxim gun, under the

THE RIGHT HONOURABLE

LEWIS HARCOURT, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

the command of Lieutenant J.F. Edwards. Instructions were also sent to Lieutenant Lloyd Jones, who with 45 men was en route to Nairobi after being relieved at Maragwet, to proceed with all speed to join Lieutenant Edwards at the Government Station at Kericho. These troops were further reinforced by the presence of as many police as could be spared from the various units in the Province. Meanwhile the Provincial Commissioner had left for the scene of operations, accompanied by Mr. Partington, a former District Commissioner of Kericho, who is intimately acquainted with the characteristics of the Lumbwa and possesses their full confidence.

3. On the 27th of November I received a telegram from Mr. Ainsworth reporting that the trouble had been localized and that the situation was apparently not one to give cause for alarm. Subsequent information has served to confirm this view.

4. The whole affair seems to have arisen from an assault by a section of the Sotik on two native constables sent by Captain Brook, Assistant District Commissioner, to seize some cattle belonging to the tribe which had strayed from the Reserve into the Chepalungu Forest. During the affray the rifle belonging to one of the constables was taken from him, but this was returned on the following day. It would have seemed natural for this action to have formed

the basis for a mutual understanding on the matter, but unfortunately Mr. H. R. Montgomery, Assistant District Commissioner, who arrived at this juncture and assumed control of affairs, entirely failed to realise the situation and at once reported the position as critical, and that he and his brother officer were entrenching themselves as best they could in anticipation of a general rising. In the light of subsequent information this statement can only be characterized as exaggerated and unjustified. A meeting of the elders was convened to discuss the situation, at which Mr. Montgomery was invited to attend, but he refused on the ground that several members were absentees, ~~where-~~ as his ~~presence~~, coupled with the exercise of a little tact and discretion, might well have been instrumental in bringing about an amicable settlement. In fact, rather than use every endeavour to maintain peace, he appears to have given credence to the numerous wild rumours that reached his ears and to have abruptly broken off relations leaving the people with the impression that all subsequent negotiations could only be backed up by force of arms. The result was that on the arrival of the troops the tribe was reported to be in a state of panic. I am at a loss to understand Mr. Montgomery's conduct throughout, and I have called upon him to furnish an explanation which I will transmit to you in due course.

5. For their attack on the police constables, the people of Sotik have been mulcted of 100 heifers. These animals have not yet been sold, but I consider that the proceeds of the sale should be utilized for the benefit of the district and I should be glad to receive your sanction to this proposal.

6. The whole occurrence has been most unfortunate, and has originated entirely from the hysterical wording of the telegrams from the Administrative officers on the spot, coupled with the casual and misleading use of the term "Lumbwa", whereas one single section of the Sotik only was involved. The latter moreover are a small and insignificant clan whereas the Lumbwa are a powerful tribe of warlike characteristics. I do not for a moment believe that there was ever any danger of an armed rising and I need hardly say that the reports which have recently appeared in the columns of the local press are absolutely devoid of foundation. The appearance of the patrol will, however, undoubtedly have a good effect by impressing upon the restless members of the tribe the intention and the ability of the Government to take immediate steps to repress all acts of lawlessness; and to ensure the future maintenance of peace I propose to station an Administrative officer

in

in the district with some 20 police. The state of affairs is once more normal, and the troops engaged on the patrol will shortly be available for other duties.

7. I transmit herewith for your information copies of the original telegrams, together with the subsequent reports on the situation.

I have the honour to be,

Sir,

Your humble, obedient servant,

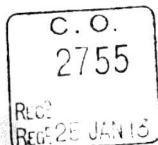
*A. Lawa Bajid.*

GOVERNOR.

785  
201  
397 Rec 24

TELEGRAM FROM KISUMU TO CHIEF SECRETARY, NAIROBI.

\_\_\_\_\_  
DATED NOVEMBER 24TH 1912.  
\_\_\_\_\_



DISTRICT COMMISSIONER, KERICHO, INFORMS ME  
YOUNG MEN OF SOTIK OUT OF HAND DUE TO PROXIMITY  
OF MASAI AND TO ACTION OF BROOK UNDER AN ORDER OF  
DISTRICT COMMISSIONER SOTIK HORNED CATTLE FROM  
CHEPULUNGU FOREST SOTIK, SAY WHAT MASAI SHALL NOT  
HAVE CHEPULUNGU. LUMBWA NATIVES REPORTED IN EXCITED  
STATE AND NOT RELIABLE. POLICE FORCE IN PROVINCE  
INSUFFICIENT TO MEET REQUIREMENTS MUST ASK FOR  
DESPATCH IMMEDIATELY COMPANY K.A.R. WITH MAXIMS  
WITH LEAST POSSIBLE DELAY. I AM SENDING ALL AVAILABLE  
ARMED POLICE FROM HERE AND MUMIAS. I PROPOSE PROCEED-  
ING LUMBWA FIRST TRAIN AND GOING ON TO KERICHO.

P.O., Kisumu.



RECEIVED  
FEB 2 1952

5752  
REC'D  
FEB 2 1952

DEPT OF JUSTICE

TO: FEDERAL COMMISSIONER, KANSAS  
FROM: CHIEF CLERK, KANSAS  
RE: [Illegible]

Kindly forward with the man and woman leave for  
Kansas to-morrow - stop - leave leave leave with  
to man and woman from Kansas about Tuesday  
and will be instructed to proceed Kansas  
immediately. Please arrange for 20 persons to  
be at Kansas station for him Wednesday. Also  
arrange for a sufficient number of persons with ration  
for themselves and 20 K. A. to be at Kansas  
as soon as possible to accompany them.  
to arrange persons and ration for police men  
necessity arrangements yourself. Report number of  
police who will be available at Kansas.

sent on air.  
S. J. R.

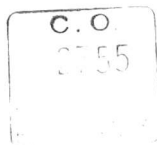
786  
d. 37

COPY TELEGRAM.

FROM F.O., Kisumu.

To Chief Secretary, Nairobi.

Dated 25th November 1912.



No. 2713/3/12 transport arrangements will be made for K.A.R. stop I intend proceeding Lumbwa tomorrow and accompanying Edwards to Kericho, am taking Partington who has intimate knowledge ~~Setia~~ and people and am arranging bring F. Watkins act for Partington meantime Horne who is here remains Kisumu pending arrival Watkins.

Provincial Commissioner

787

200

1912 Nov 25th

TELEGRAM FROM KISUMU TO CHIEF SECRETARY, NAIROBI.

Dated November 25th, 1912.

No. 2727/3/12. Your code telegram  
this date duly received, I will do as requested  
and keep you fully advised, every effort will  
be made arrive satisfactory conclusion.

Provincial Commissioner.

7-3

-907

200 Nov 20th

C.O.  
2755

TELEGRAM FROM KERICHO TO CHIEF SECRETARY, NAIROBI

Dated November 27th 1918.

Situation here apparently not alarming  
trouble localised and in Partington's hands,  
will not I think spread, will report more fully  
tomorrow.

Provincial Commissioner.

897 Dec 28th

Telegram from Kericho to Chief Secretary, Nairobi.

Dated November 28th, 1912.

Setik affairs appear to be considerably exaggerated, trouble involved confined to one native location the Chief of which is himself loyal but slack and has lost control of his men; Patrol will go all through location and if native location hostile they will be punished and cattle and sheep seized, if however they come in I propose it being closed on payment of fine. Sending detailed report in few days' time. Should all locations Setik become involved, which I much doubt being possible, it will be of little importance. On political grounds the important thing here is the attitude of the Lumbwa, so long as they loyal matters not serious. I am meeting some of the Lumbwa Chiefs To-day, I feel satisfied Lumbwa natives loyal and District Commissioner of same opinion.

Provincial Commissioner.

KISUMU,

30th November 1912.

My dear Mr. Bowring,

According to what I can make out of the Sotik affair, it has been exaggerated. The trouble such as it is, appears to be an assault on two policemen who were employed by Brock in carrying out a matter which as a matter of fact they should not have been employed upon without an officer had been present. The matter in question consisted in removing some cattle belonging to one of the Sotik locations from Chepulungu forest which has a great attraction for some of the Sotik people. Two police were sent with 24 moran of another location to remove the cattle. They took possession of the cattle, and on their way to the Sotik homa the owners took repossession of the stock and in doing so used force to restrain the police. If the natives had wished they could have killed the police; they, however, did not do so but took a rifle from one of them. This policeman lost his fez cap in the running away business. The Chief of the location concerned had the rifle and cap returned to the Asst. Dist. Commissioner almost immediately, and at the same time summoned his Elders to a barasa, but Montgomery, who had by this time joined Brock and being the senior man, took charge; refused to hold a meeting with the Chiefs and Elders saying that all the Elders were not present. The Chief "Chekelol" said he could not get more men at the moment to attend. Montgomery seems then to have broken off relations and so left the Sotik to think that we

intended

- 2 -

intended to punish them. Montgomery and Brook were then joined by Assistant Superintendent of Police Wolsley-Bourne and some four or five settlers, and they, with 23 police, built a boma and prepared for an attack by the natives which, I believe, was never intended. Then messages were sent to Kericho and Dobbs sent me telegrams which undoubtedly put forward a very serious state of affairs. I have just heard that Chepkolal and his people held a meeting three or four days ago and sent word to Montgomery that they wanted to discuss the situation; Montgomery, however, did not attend saying he was advised not to do so, instead he allowed Mr. Morgan, a settler, to attend and bring to him the result of the meeting at which the Elders agreed that they would hand ~~over~~ the cattle which had been seized in Chepulungu. The matter for the moment stands at this. Partington should be now in Setik with Edwards and word was sent to Chepkolal and other Setik Chiefs and Elders to meet him and discuss matters with a view to a settlement being arrived at, and now I await further developments. In communicating with me on Sunday Dobbs quoting from Montgomery used the word "Lumbwa" in referring to the natives concerned, and gave me rather to understand that the Lumbwa were involved; had such been the case, it would have been serious. I naturally took it that they/new that they were talking about. Dobbs on Sunday wired urgently saying "Send all available police with spare ammunition to Kericho". I naturally thought Kericho was in danger ~~to~~ attack. On my arrival at the Tugenon Camp (on the Lumbwa - Kericho Road) I received an urgent letter from Dobbs enclosing one from Montgomery again saying that the Lumbwa were going to attack

attack them immediately the natives heard that the K. A. Rs. were coming. All this information seems to have been supplied to them by Mr. Morgan's servants.

On my arrival at Kericho a totally different aspect came over the whole affair and I there learnt that the Lumbwa were not concerned and also that the whole affair was confined to a location of some 300 or 400 huts and that even these people did not want to fight. I asked Mr. Bobbs why he had used the word "Lumbwa" when he informed me that they had got used to describing the whole of the Lumbwa, Sotik and Buret as "Lumbwa". I pointed out to him that such a casual and general nomenclature was to say the least of it misleading and must not be repeated. He further stated that while he himself could not believe that the affair was as serious as represented by Mr. Montgomery, he did not feel in a position to say so and simply repeated what Montgomery said. And here the matter stands at present. If anything could incite a rising it would be the extraordinary procedure adopted by Montgomery. Of course, I cannot say what may result: I have, however, every reason to think that the whole affair will be finished within a few days' time. Partington knows the country and the people thoroughly, none so well, and he is known to the people, so I feel that in his hands the matter should be brought to a satisfactory conclusion. I have given him full instructions and these will be sent to you when I submit my report.

As regards the K. A. Rs. the men had arrived before I knew the facts of the case and I felt that



as they had come up they had better go on and show themselves. It can do no harm and must do good. There are some seventy K. A. Rs. and thirty police making a total of 100 armed men.

After this I feel it will be necessary for some months to come to have an officer with either SS police or SS K. A. Rs. stationed in Setik where there is apparently some unrest owing mainly to the proximity of the Masai; the Setik will attempt to steal Masai cattle and vice versa.

The point is can an officer be spared and can SS police be spared. We this Province might be able to ring 10 of the police for a time. I am short of officers but must, if necessary, make shift with the numbers I have.

Yours sincerely

Sd/- John Ainsworth

751  
Telegram from Lumwa to Chief Secretary, Nairobi.

Dated December 3rd. 1912.

Affairs at Sotik turn out to be as already reported me, I have just received message from Partington case as follows:

Brook originally sent two armed police with 24 Moran from other location to remove horned cattle from Chapulungu the owners took possession and in doing so one armed police assaulted and had Lee Enfield rifle and cap taken, these two articles recovered on following day. From this point Montgomery joined Brook and reported affairs more unsettled and most serious which not justified. Natives just reported demoralised by fright. Instructions have been given Partington in event of natives coming in and cases of assault being proved to demand one hundred head of cattle female as payment of fine when if fine has been paid affair to be closed while if they should resist locations concerned to be punished and natives armed. On reconsideration I am not clear whether question of payment of fine should not have referred you if so I regret accidental omission, matter was however one immediate action here hence my instructions If you disapprove telegraph at once.

Provincial Commissioner

Myanga.

Incl 795  
897 Dec 3rd

Kisumu,

Nyanza Province,

16th December, 1912.

Reference No.  
2837/3/12.

The Hon'ble The Chief Secretary,

N a i r o b i .

Reference your No. 4422, 9th December,  
Regarding Affairs in Sotik.

I have the honour to submit herewith a report giving details of the state of affairs reported which caused me to wire for Military assistance, the general situation as I found it on my arrival at Kericho, and my proposals for the future maintenance of peace and good order in the district.

On the evening of the 22nd November following telegram received from District Commissioner, Kericho:-

"You will get to-day report disclosing serious state affairs in Sotik. Arap Chopkolol's natives, Location 16, state they will fight rather than give up ~~cattle~~ found Chepulungu and recaptured by them from police. Natives refuse to attend Baraza and chief unable or unwilling bring them. Natives implicated in armed demonstration."

From Provl. Commissioner to District Commr., 23rd November.

"Your telegram 10 a.m. yesterday received 6. 40 p.m. Report not received. Wire particulars and say what is meant Chepulungu cattle. What is brook doing, I sent his patrol Amala, where is he now?"

From Dist. Commissioner to Provl. Commissioner, 23rd Novbr.

"Letter from Brook last night reports young men Chopkolol's location out of hand, rest of natives state that in event of trouble they will help neither side. Suggest Company of K. A. R. be stationed at Sotik for few months. Am getting up Bourne with what police and ammunition he has."

Provincial Commissioner to District Commissioner, 23, 11, 12.

"Partington suggests Sotik concerned are the outlaws living in Chepulungu forest and not natives living in Sotik, what

is your information".

District Commissioner to Provincial Commissioner, 24. 11. 12.

"Sotik Moran completely out of hand. Montgomery and Brook report matter as very serious and ask for troops at once, there should be no delay."

District Commissioner to Provincial Commissioner, 24. 11. 12.

"In view of reports sent me from me Sotik I cannot answer for the consequences unless a sufficient force is sent to keep natives in check. Montgomery fears an armed rising."

On the 25th November, I received a copy of the following letter from Capt. Brook to District Commissioner, Kericho:-

"Sotik, 17th November, 1912.

"Reference your memo. of 31st October, 1912, Arap Cheptalum assured me that the best way to get the cattle in question, was not to go myself but to send with him two police and 20 moran as, he said, he was quite certain there would be no resistance. I sent these men off yesterday.

"The two police have just returned and report that they reached two cattle bomas this morning where they found about 150 head of cattle. They got clear of the forest and were on their way here with the cattle when they were attacked by a party of Lumbwa presumably the owners and their friends. At this juncture Arap Cheptalum ran away and the 20 moran mixed up with the attacking force. One of the police was roughly mauled and has three slight wounds on his head and his rifle has been taken from him."

District Commissioner adds to the foregoing:-

"Captain Brook was instructed by Mr. Montgomery to try and get hold of some cattle from Arap Chopkolol's and Arap Persecuter's locations which were reported to be as usual out of the Reserve in Chepalungu".

Telegram from Dist. Commr., Kericho, to Provl. Commr. 24/11/12.

"Send what police can be spared from Kisumu with ammunition at once."

Mr. Montgomery under date 21st November (received by me 25th November) reported to the District Commissioner that he had arrived

arrived in Captain Brock's camp on the 19th. He states "a number of Lumbwa rescued the cattle and one prisoner after they had been taken by the Police. Mr. Montgomery told the Chief of the location concerned that he wished to meet the whole of his people, but as only the Chief and 10 elders turned up he considered they were far too few to allow of a representative meeting being held and so no baraza took place. When Mr. Montgomery met the Chief "Arap Chopkolol" on the 19th, the police rifle and cap lost at the time of the assault on the police were handed over by the Chief.

Mr. Montgomery added the following:-

"I can do nothing here as none of the people will come in and Arap Chopkolol is helpless. I also believe he is implicated.

"The situation is most serious and the people of this location intend to fight rather than lose their cattle.

"It is absolutely necessary that an armed force should be sent here without delay."

Captain Brock under date 22nd November sent to Dist. Commissioner, Kericho, an original letter from Mr. T. O. Morgan, a settler in Sotik in which the latter apparently at the invitation of Captain Brock, expressed himself as follows:-

"My father and I think that if you consider the situation serious enough to send for soldiers you should at least send for a full company with a maxim, as a half company would probably only aggravate the situation."

He also wrote

"Another man who has acted as guide for me said that he expected that if there should be any fighting that the Lumbwas would lose all self-control and would also attack the farmers, &c, and that he personally would not go out of his hut, as when the Lumbwa are excited with war talk their brains go wrong!"

Captain Brock added

"This voices the general opinion here and I believe is not at all exaggerated."

The District Commissioner, Kericho, in sending me the original letters said

"Of course I have no knowledge of the actual state of affairs in Sotik but it is obvious that both Mr. Montgomery and Capt. Brook regard the situation as serious." From what I knew of the people before I went home I should think it extremely likely that the young men would take the law into their own hands. They have continually acted in defiance of Government by taking their cattle into Chepalungu. The Masai movement has also, I think, made them angry, as the Masai are getting land which they think is theirs by right. Something will have to be done, as, of course, we cannot sit down and let them laugh at us as they seem to be doing now."

2. When I left Kisumu on Tuesday (26th November) I was under the impression that a somewhat serious state of affairs prevailed in the district concerned and that there was suspicion as to the attitude of some of the Lumbwa at least.

3. On my way to Kericho from Lumbwa Station I received from the District Commissioner, Kericho, two original notes from Mr. Montgomery: in the first he said

"At present there will be no need to apply to you for posho. We have an arrangement here. There are no further developments to report. There are ugly rumours about, but I do not think we will be attacked till the news of the K.A.Rs. departure is received. Then it is almost certain they will attack. We have fortified this place as well as possible, it is a far easier place to defend than the Sotik Post." (This means they had moved to Morgan's farm and left the Government post).

"We are continually getting protestations of loyalty from people."

The second note said

"I have just seen Arap Mustamet and Arap Heita who both profess their loyalty to Government. However, I think, there is some doubt about their being able to control

their

their young men."

I replied at once by special runner to District Commissioner, Kericho, as follows:-

"I fail to understand what Mr. Montgomery means. I cannot realize that he is correctly informed."

"I think that stories by Lumbwa boys and settlers' servants should be discouraged, and every effort must ~~be~~ be made to let the natives know that the Government has not the slightest intention of adopting punitive measures unless such are absolutely necessary. There is no intention whatsoever of doing more than showing law-breakers that they have to reckon with the Government."

4. I arrived at Kericho with Mr. Partington, Lieut. Edwards and 24 K. A. Rs. on the 27th November, on arrival ~~when~~ the District Commissioner handed to me a further letter from Mr. Montgomery dated the 26th. This letter reads as follows:-

"The situation here is very puzzling, and it is hard to know what to believe. We had information that ~~it was~~ almost certain there would be an attack here, and I warned the settlers that it would be better for them to go to Kericho or to come in here.

"To-day a large meeting was held in the Reserve by the Sotik Chiefs. We heard of this, but after some discussion it was agreed that I should not go as probably the people would not speak out if I did. Mr. T. O. Morgan went to this meeting and has reported that the Chiefs intend to collect the 150 head of cattle captured from the police and try and bring in the offenders. This afternoon a Lumbwa named Arap Boru came in and said that everything did not come out at the meeting but that the truth is that all the offenders and their cattle have retreated to the Chepulungu. At this meeting only a few old men of Arap Chepkolol's location were present. It is evident, therefore, that if 150 head of cattle are brought in they will not belong to the men that were captured in Chepulungu, and it will be impossible for them to bring in

the offenders."

The letter concludes

"We have received so many ugly rumours here that we have fortified ourselves but are certain now whether it was necessary."

5. From Mr. Morgan's letter and from Mr. Montgomery's later communications it seemed very apparent that wild stories told by house and other boys had been listened to and given undue credence. On further information obtained at Kericho it became evident that affairs in Sotik were in no way serious. Mr. Montgomery and Capt. Brook had evidently been influenced against, I should like to believe, their better judgment. There had certainly been a case of assault on the police; this, of course, could not be overlooked. But I think the Chief Chopkolol made certain efforts to allow of the matter being discussed; and it may be that had a little more patience been displayed in the first instance, we could have managed everything with a Police Officer and some additional police. The very essence of dealing with natives is to possess a good stock of patience. I certainly think Mr. ~~Montgomery~~ should have gone to the meeting held on the 26th. I do not think he was wise in allowing Mr. Morgan to stand; even allowing that this action was in any way excusable (which I do not), Mr. Montgomery totally discounts Mr. Morgan's version when he meets the Lumbwa "Arap Boru". I felt, therefore, that it was this tendency to listen to anything and everybody instead of his seeing things for himself that had caused all this trouble and unnecessary expense.

6. Apart from the police affair a Mr. Duirs and his son who hold a farm in the Sotik alienated location reported that on the 6th November they went to see whether any natives were "stealing grass on their farm" as they had warned the natives several times that if they wanted grass they must pay for it. The Europeans seized some sheep and goats, also some cattle. The owners are said to have re-obtained possession and to have driven the stock off the farm. This affair occurred some days before the Chepulungu business and there would appear to be no connection whatsoever between the two. I am afraid, however, that the "Duirs" affair was

allowed



allowed to influence the judgment of the officers dealing with the latter incident.

7. The District Commissioner now informed me that he himself had felt that there was some exaggeration or misunderstanding in connection with the reported trouble but that in face of the alarming reports and his confidence in Mr. Montgomery he felt he could not take the responsibility for saying so.

8. It became absolutely evident that the whole affair was an exaggeration. I do not mean that the officers concerned wilfully exaggerated; they had probably over-estimated the true importance of the matter, had failed to realize their real position as Administrative Officers, and it is possible had allowed their judgment to become influenced by both European and native gossip.

9. I decided, therefore, that Mr. Partington, who has very special knowledge of the country and people, should proceed with the troops to the location concerned, send for the Chief and his people and tell them that they could not be allowed to take the law into their own hands, and that for having done so they would be called upon to pay a fine of 100 head of female stock or in default have it collected by the Government, and in the event of the young men proving hostile that they, in addition to any stock taken, were to be disarmed. And that Mr. Partington should remain in Setik for some weeks while the whole area, including Cnepulungu, was patrolled by the troops. These instructions have been given effect to. I understand that the fine has been paid and that the natives have not been hostile.

10. The fact of the troops having arrived in the district induced me to decide that it might be as well to let them be seen in the locations before returning to Nairobi.

11. I expect that within a few days' time Lt. Edwards and the K. A. Rs. will be on their way back to Nairobi.

12. I trust that His Excellency will approve of what has been done in this matter.

13. The final reports have not yet been received from Setik; I, however, expect them in a few days' time when I will send you a further

further communication.

14. The predominating Political factor in the Lumbwa District is the Lumbwa natives themselves. <sup>alone</sup> ~~Sotik~~ is of no importance; and so long as the Lumbwa are properly controlled and contented, affairs in this district need give us no particular concern. I am sending you a separate report on the general position of the Lumbwa district and affairs connected therewith.

15. As regards the measures I propose for the maintenance of peace and good order in Sotik, I am of the opinion that owing to the Masai Movement and the occupation of land by the Masai along the Sotik borders and also to the more recent occupation of land by Europeans in the Sotik Allotment area, it will be necessary to maintain an officer permanently in Sotik. He will require for a time not less than 20 police to allow of his keeping the Sotik within their own boundaries and of watching Masai who have, so it is reported, been wandering into Sotik and Lumbwa. For the present the force of police should be maintained at twenty, later on they might be reduced. The ~~Headquarter~~ station would be Kericho and so my proposals will not involve any expense as regards clerical staff, &c. and as there is a small bungalow at Sotik post, there will be no expenditure necessary under this head. My proposal, however, means that three officers will require to be stationed in the Lumbwa District.

1 District Commissioner,	at Kericho.
1 Asst. Dist. Commisnr.,	
1 Asst. Dist. Commisnr.	at Sotik.

16. On Mr. Partington completing his duties in Sotik I propose leaving Mr. Montgomery to carry out the duties under the District Commissioner, Kericho. I think the experience and lesson Mr. Montgomery has already had will, with the explanations he is being asked to give, cause him to have a better idea of his duties in the future.

I have the honour to be, Sir,  
Your obedient servant,

*John A. ...*  
Provincial Commissioner.

forwarded to the Hon'ble The Chief Secretary, Nairobi, for his information. 803

ENCLOSURE No. 12

In Despatch No 897 of Dec. 28th 1912

JOHN AINSWORTH,  
Private Secretary,  
NATANGA.

Provy. Comr.

Kisumu.

Nyanza Province.

17th December, 1912.

CONFIDENTIAL

Reference No.

345/3/12.

Sir,

With reference to the recent events in Setik, I have to bring the following matters to your notice and to request you to give me full explanations as early as possible.

2. On your joining Capt: Brook and assuming the immediate conduct of affairs, you were, I assume, aware that Capt: Brook had represented to the District Commissioner at Kericho that a very serious state of affairs existed, and that he had stated Military help was necessary: did you ask him for his reasons for forming such conclusions?

3. (i) Your report that on the 19th November you proceeded to Nyaga hill and met Chief Chopkolol who had with him the Police rifle and fez cap which, I understand, he handed over to you. Please say if you considered that this act of Chopkolol was such as to allow you to conclude that he was hostile or disloyal?

(ii) Was there any evidence at this time that you or your party might be molested? (iii) Had any hostile demonstration been made up to this time against Capt: Brook or against yourself?

(iv) As regards Chopkolol's failure to get more than 10 Elders to attend the baraza, please say if it has not been your experience

experience

R. R. MONTGOMERY, ESQ.,

Asst. Dist. Commissioner.

S O T I K.

experience elsewhere in native districts for barazas to be unsuccessful because the Elders refuse or fail to attend?

(v) Did it not occur to you that the people might be shy or afraid of attending a baraza, and that consequently some tact and patience was necessary?

(vi) Considering that the natives concerned had, I believe, been summoned by cries raised by the owners of the cattle seized by the two Police and accompanying Moran and had rushed out to help their friends and in the excitement that must have been present they refrained from killing or really even hurting the Police, and as it was in every way possible that the rescuing party did not know any of the facts connected with the seizure by the Police, did it not occur to you that the matter might not be of the serious nature it has been represented to be?

(vii) After your interview with Chopkolol you remark that the situation is most serious; "the whole of the people of this location refuse to come to my baraza;" (this does not quite fit in with your statement that ~~Chopkolol~~ and 10 Elders did turn up); what do you consider was your justification for making these statements?

Up to this point the case would appear to have been one of assault on the Police and the forcible release of property and one prisoner in their possession. You do not, however, appear to have put up any evidence to show that the party concerned in the release knew of the real facts of the case, and that knowing that they took the law into their own hands. Considering these points,

(viii) what were the reasons that induced you to think that the natives were out of hand and ready to fight, and that a most serious state of affairs existed?

Granted the wazee had not come, as they should have done, to the baraza, you might have been able to have commenced the basis of some understanding had you even spoken to Chopkolol and the 10 Elders. You say have, of course, done so, but there is no evidence to this effect.

(ix) Apart from the police incident in question were any Government people such as porters, other police, messengers, etc., in any

any way interfered with?

(x) Please state what induced you to vacate the Government Station and retire to Mr. Morgan's farm. Was any hostile demonstration made against the station?

(xi) During all this time where did you obtain food supplies from?

(xii) You refer in certain correspondence to "ugly rumours", what did you mean, and who was responsible for them?

(xiii) You say in your letter of the 26th November that a large meeting was held by the Kotik Chiefs in the Reserve. You remark that after some discussion it was agreed that you should not go: Mr. T. O. Morgan appears to have gone instead. I cannot understand your action in this matter. You first of all report a serious state of affairs, because the Elders, &c., will not come to a baraza and then when there is a baraza you did not go to it. Surely such action on your part was more likely than anything else to cause the Chiefs and Elders to think that there really was a serious state of affairs but being caused more by the Government than by themselves. Please explain your attitude in this connection.

All through the case, in so far as I gather, you seem to have been influenced more by what people said or did not say than by what I should have expected, viz: your own judgment based on actual observation and contact. There is no evidence that you made any real attempt to get the position smoothed out and settled.

I assume you are quite aware that the calling upon the military to aid the civil power is a serious matter, and should only be resorted to when really vitally necessary.

4. As regards the Duirs' incident it would seem from the account given by Mr. Duirs himself that the affair was no evidence of hostility to the Government. The action of the natives in this case was apparently due to the fact that Mr. Duirs had seized their stock. Mr. Duir's land is not fenced. He has a large area which is totally unoccupied: he, therefore, has no remedy for any trespass, so called. His action, therefore, in rounding up native stock is very questionable, and might be calculated to lead to serious misunderstandings with the native owners. Mr. Duirs should

should have complained to the District Commissioner and not taken the law into his own hands.

I have the honour to be, Sir,  
Your obedient servant,

Sd. John Ainsworth

Provincial Commissioner.

forwarded to the Hon'ble the Chief Secretary for his information. 807

JOHN AINSWORTH,  
Prov. Commr.  
NYANZA  
Prov. Commr.

INCLOSURE No. 13

In Despatch No. 897 of Dec. 28th 1912

Kisumu,

Nyanza Province,

17th December, 1912.

Reference No.

2851/3/12.

Sir,

Re recent affairs in Sotik

As you are now aware, there never really existed, as stated by Mr. Montgomery, a serious state of affairs in Sotik. At the very outside the affair was purely a police matter and troops should never have been asked for. I cannot help but think that, if more judgment had been used by Mr. Montgomery, the true aspect of affairs would have been realized.

2. I think also that you should, in your capacity as District Commissioner, have taken particular measures to have made yourself conversant with the state of affairs, so as to have been in a position to have excluded the alarmists part from messages sent to this office. Had I at the start been aware of what Mr. Montgomery knew all the time and had I not been to an extent misled by the word "Lambwa" used in the both Capt. Brook's and Mr. Montgomery's communications and which you did not correct or comment upon, I should not have sent for Troops.

3. It is, as you are aware, a fairly serious matter sending for troops to support the civil power, and it behoves those applying for such aid to be fairly certain that the necessity

The District Commissioner,

K E R I C H O.

necessity exists; to arrive at such a decision calm and unprejudiced judgment is very necessary.

4. I fully realize that there may be times when it is most difficult to decide as to whether it is necessary to call in the aid of the Military power, and on such occasions it is, of course, the wisest course to put in the request accompanied by as full details as possible. Such procedure will clear your responsibility so long as you have taken reasonable measures to learn the true state of affairs.

5. Within my experience amongst the natives of East Africa, acts of aggression by natives have been usually confined to individual acts of no universal significance, and the initiative in connection with general punitive measures has rested with the Government: normally, therefore, there is usually time to enquire as to the real state of affairs. In the present case the demands for Military assistance appeared so real and urgent that to me <sup>clear</sup> ~~then~~ appeared an abnormal state of affairs to which the usual rule did not apply; but on investigation it turns out that the case was within the usual experience I have referred to.

I have the honour to be, Sir,

Your obedient servant,

Ed. JOHN AINSWORTH  
Provincial Commissioner.



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Governor H. Conway Belfield

30 Jan 1913.

MINUTE.

- Mr. Acliff 28/1/13
- Mr. Butt 28
- Mr. Read 28
- Sir G. Fiddes.
- Sir H. Just.
- Sir J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

Mr. Acliff has to acknowledge the receipt of your Rep. No. 197 of the 28<sup>th</sup> of Dec. reporting upon the native disturbances in the Solik & Lumbwa districts of the Nyanza Province.

2. In Mr. Acliff's report of the 16<sup>th</sup> of December I will refer to the occupation of land by the Masai &

by Europeans in these  
districts: thus, the District  
Commr., Kericho, says

(paragraph 1 of the report)

"~~that~~ The Masai movement  
has also, <sup>(I think,</sup> made them angry,  
as the Masai are getting  
land which they think is  
theirs by right"; and

again W. Arisworth says

(paragraph 15 of the report):

"As regards the measures I  
propose for the maintenance  
of peace & good order in  
Sotik, I am of the opinion  
that owing to the Masai  
movement & the occupation  
of land by the Masai  
along the Sotik borders  
also to the more recent  
occupation of land

by

by Europeans in the Sotik 810  
Allotment area, it will be  
necessary to maintain an  
office permanently in Sotik.

I therefore request that you will  
take these papers into con-  
sideration & report to me  
whether the Lumbwa  
and Sotik  
have sufficient land for  
their needs & whether

they had any reasonable  
claim to any part of the  
land to which the Masai  
are being transferred, or to  
the land which is referred  
to above as having been  
alienated to Europeans.

3. I approve of  
you having paid the  
people of Sotik 100  
keeps for their attack  
on

(I think this addition is  
unnecessary & would  
possibly confuse)  
W.S.

~~Police~~ constables,  
+ of the proceeds of  
the sale of these animals  
being utilized in some  
way for the benefit of  
the District.

2.