

EAST AFR. PROT
6355

C.O.
6355
22 FEB 1913

Warrior 41
Field

DISTURBANCES IN SOTIA COUNTRY

1913

January

Previous Paper

6
4258

Two copies of corres between Mr Ainsworth and Mr H.R. Montgomery. Views as to the latter's action not materially modified. Has however decided that case will be met by a reproof for his error of judgment and a warning that his future dealing with natives must be more tactful.

Dr G. Fisher

Ack. not ?

H. J. R.
25/11

Alone (initials)

W. & A. G. & Co.
Printers
LONDON

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GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE

January 23rd, 1913.

No. 41.

C.O.
6355
RECEIVED
27 FEB 1913

Sir,

In continuation of my despatch No. 897 of the 28th ultimo respecting disturbances in the Sotik country I have the honour to transmit herewith copies of a letter addressed by Mr. Ainsworth to Mr. H. R. Montgomery at my request and of the latter's replies thereto.

Mr. Ainsworth
7-12-12

Mr. Montgomery
6-12-12

Mr. Montgomery
9-1-13

2. My opinion of Mr. Montgomery's action expressed in paragraph 4 of my previous despatch is not materially modified by perusal of his explanation. I consider that his estimate of the gravity of the situation was based on quite insufficient grounds and that he evinced a want of discretion which might in itself have been the means of causing trouble where none need have been anticipated.

3. However, notwithstanding his failure

to

THE RIGHT HONOURABLE

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

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

to grasp the real state of affairs I have no
reason to doubt that he acted in the manner
which appeared to him to be most correct and I
have therefore decided that the case will be
met by administering a reproof for his error of
judgment with a warning that his future dealings
with natives must be more tactful and that he is
expected to make an effort to deal effectively with
local complications and to resort to appeal for
outside assistance only when it is beyond doubt
that the emergency cannot be dealt with by the
means at his disposal.

I have the honour to be,

Sir,

Your humble, obedient servant,

H. Lowry Beppel

GOVERNOR.

Nyanza Province,

17th December, 1918.

C.O.
1455

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

1. On your joining Capt. Break and assuming the immediate conduct of affairs, you were, I think, aware that Capt. Break had recommended to the District Commissioner at Nairobi 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?

2. (i) You report that on the 10th November you proceeded to Nyaga Hill and met Chief Chokolei who was with him the police rifle and his cap. I understand, he handed over to you. Please say if you remembered that this set of Chokolei 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. Break or against yourself?

(iv) As regards Chokolei's failure to get more than 10 Elders to attend the barasa, please say if it has not been your experience elsewhere in native districts for barasas to be unsuccessful because the Elders refuse or fail to attend?

H.R. MONTGOMERY, Esq.,
Asst. Dist. Commissioner,
N. P. I. S.

176

Nyanza Province,

17th December, 1918.

6555

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

On your joining Capt. Break and shortly after the
immediate conduct of affairs, you were, I understand, aware
that Capt. Break had represented to the District Commis-
sioner 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?

(i) You report that on the 10th November you
proceeded to Nyaga Hill and met Chief Chepkoloi who had
with him the Police rifle and his cap. I understand,
he handed over to you. Please say if you considered that

this act of Chepkoloi 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. Break or against yourself?

(iv) As regards Chepkoloi's failure to get more than 10
Elders to attend the barasa, please say if it has not been
your experience elsewhere in native districts for barasas
to be unsuccessful because the Elders refuse or fail to

attend?

H.R. MONTGOMERY, ESQ.,
Asst. Dist. Commissioner,

S O I R

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 Chopkoloi 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 Chopkoloi and 10 others 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 them 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 wage had not come, as they should have done, to the baraza, you might have been able to have commanded the basis of some understanding you might even spoken

Confidential

No 2
Sotik Post

25th December, 1912
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Sir,

With reference to your letter No. 2845/3/12 of 17th instant received to-day.

2. On 18th November, while camped at the Tahisoni Swamp on the Kericho-Sotik Road, I heard from natives that the party sent by Capt: Prook to capture certain cattle had been aided by Sotik. On 19th November I proceeded to the Sotik Post and found Capt: Prook there. I was not aware that Capt: Prook had then written to District Commissioner, Kericho, asking for military assistance. I have not got copies of my letters but remember stating that the troops were not required to safeguard Capt: Prook and myself but to enforce any penalty imposed.

3. I. On 20th November I proceeded to Nyara Hill with Capt: Prook and met Arap Chopkollal with the Police Officer and Cox. On arrival at 10 a.m. I informed Chopkollal that I wished to meet all the wazee with a view to taking evidence about the matter. In the afternoon he returned and stated that no one would come except 10 wazee who actually lived by our camp; the following day he was also unable to bring any other people to Baraza. From evidence which I sent to the District Commissioner, Kericho, it is evident that Chopkollal knew all about the matter though he denied it before me. On 21st except people would not come to the Baraza, there were a large number congregated about 3 miles off: the message these people sent was a distinct threat, viz: that they would not come but that I might come and try and fetch them (Capt: Prook was informed likewise by another native). I consider this as a hostile demonstration.

II. It is quite possible that the people were afraid to come in to the Baraza, but our attitude was in no way hostile. I told

Arap Chopkollal and the few wazee I saw that I wanted was to
Provincial Commissioner.
I S U M U.

to meet the people and get at the truth of the matter - threats whatever were made but I wanted production of the people and the cattle taken from the Police.

III. We remained on that camp at Nyaga for 2 nights and practically saw no one, so I considered in the circumstances it was useless staying there.

IV. With reference to para 3 (VI) of your letter, I would again point out that I only asked for the Troops to enforce a collective fine - an offence had been committed and a collective punishment recommended, which I am certain could not have been collected without a show of force.

V. Referring to para 3 (VII) of your letter, I should have said that "the whole of the people of this location except Chopkollal and 10 Wazee refuse to come to my Paraza."

VI. Two men Arab Shemait and Arab Fera came from time to time to bring news and reported that any attempt to seize persons or cattle would meet with opposition.

VII. My reasons for thinking the matter serious were as follows

(1) An offence of assault on Police and forcible release of property and one prisoner had been committed.

(2) On my arrival to enquire into the matter only the Chief of the location and 10 wazee came to my Paraza (as far as I can remember there are about 2000 huts in the location). From this I inferred that the whole location knew of the offence and abetted it by not producing the offenders.

(3) Threatening messages as mentioned in paras 3(I) and 3(VI) were received.

VIII. Referring to the last part of your para 3(VII), of course I spoke at length to Chopkollal and the wazee who did come to the Paraza. I explained that they should go to the people and do their best to bring them to a proper frame of mind. I considered the offence most serious and demanded the production of the people who attacked the Police and the return of the cattle and prisoner; and told them that when this was done, the matter of the attack on the Police and the minor

offences

offences of people and cattle being out of their Reserve without permission would be gone into.

I do not consider this demand unreasonable, and it implied no threat, though I cannot say how the demand was delivered to the people by Chopkollei; if they had gone to the Faraza the matter would have been plain.

I may add that I have now tried the owners of the ponies the cattle were taken from and have found, after a personal visit to the spot, that they were in fact inside the boundary marked by Capt. Monckton; and the two men have been discharged.

IX. Referring to para 5 (IX) of your letter, no persons were molested.

X. The paras 8 (X, XI, XII). On leaving Nyaga on 23rd November we did not go to the Government Post but camped at Mr. Morgan's farm. Food supplies, e.g. Datura, etc., were obtained from the locations of Arap Nyasico, Arap Moita and Arap Mustanet.

My reasons for camping at this farm were as follows:- Though I did not anticipate any attack on ourselves, I considered it advisable to take no risks. The troops were asked not to enforce a penalty as the Police I had with me were insufficient and had only five rounds of ammunition each, which would have been little use in the event of trouble: if there had been trouble it would have been when the natives heard the troops were coming. Therefore, it was obviously better to be in a position to defend ourselves if necessary, which it was easier to do on Mr. Morgan's farm than here.

XI. I am aware that calling on the Military is a serious matter, but on the evidence I considered that the penalty recommended could not have been carried out without a show of force. My attempts to settle the matter ^{were useless} ~~unsuccessful~~ at first, but the attitude of the people changed considerably after the arrival of Mr. Wolsley-Bourne and a detachment of Police with ammunition on 25th November.

XII. On 26th November I heard a meeting of Chiefs was to be held. This was not an official Faraza but it was evident

that

that the Chief wanted to try to make
themselves, I had thought
ation decided not to - they
would be better if they talked

the

the
is not
the
action
to,

Sir,

Your obedient servant,

(Sd) H. R. MONTGOMERY

Asst. Dist. Commissioner.

3rd January, 1915.

Div. 3

41 Jan'y 23rd /15

Provincial Commissioner,

K i s u m u.

Thro' District Commissioner,

K e r i c h o.

Reference your 2845/3/12 of 30th December 1912,
Regarding affairs in Sotik.

I regret that in my reply to your letter of 17th December all your questions were not answered in the order asked, but more or less in narrative form.

The following is a list of your paragraphs with reference to my answers:-

Para 2: Answered in my para 2.

" 3 I, vide my para 5 I, Chopkollal was not actually disloyal, but he knew of the whole matter and was incapable or unwilling of doing any thing.

" 3 II, Vide my para 5 I. If we had attempted to do anything we would have been molested.

" 3 III, Vide my para 5 I. the message received was, considered, a hostile demonstration.

" 3 IV. I have experienced a small Baraza through the slackness of the people, but not through the people refusing to come and holding a rival and hostile meeting a few miles off.

" 3 V. Answered in my paras 5 II and 5 III.

" 3 VI. " " " para 5 IV.

" 3 VII, part 1: Answered in my para 5 V.

" 3 VIII, Answered in my para 5 VII.

" 3 VIII part 2, Answered in my para 5 VIII.

" 3 IX. Answered in my para 5 IX.

" 3 X. Answered in my para 5 X.

" 3 XI. Answered in my para 5 X.

" 3 XII. Rumours received by natives as mentioned in my para 5 VI.

" 3 XIII. Answered in para 5 XII.

" 3 XIII part 2: Answered in para 5 XIII.

" 3 XIII part 3. Answered in para 5 XI.

" 3. Answered in my para 4.

6355/1913

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EAP

3 March 1913

DRAFT

EAP

No 152

T. F. Fiddes

MINUTE

Mr. B. B. B. B.

Mr. B. B. B. B.

Mr. B. B. B. B.

Mr. B. B. B. B.

Mr. B. B. B. B.

Mr. B. B. B. B.

Mr. B. B. B. B.

Sir,

I have the honour to
 acknowledge the receipt of
 your despatch No. 41
 of the 28th of January, and to
 inform you that transmitting
 copies of further copies
 on the subject of the
 disturbances in the
 Lotik country.

[Signature]

(Signed) HARGREAVE