

EAST AFR. PROT.
ZANZIBAR

24945

C. O.
24945
REC'D
19 JUL 13

Field
Secret
1913
June
and profits Paper.
24945

ADMINISTRATION OF ZANZIBAR

Reports as to system at present in force and submit suggestions for the future. Recommends appt of Governor of the E.A.P. as High Commissioner for the Zanzibar Prot: All correspondence should pass through the High Commissioner. Suggests he should submit detailed recommendations when S. of S.'s views are more fully known. Requests reply may be addressed to him personally.

Mr. J. Anderson

para: 3. He seems to me to have covered the ground sufficiently

para: 4. Concern in the suggestion etc. the said J. H. O.

para: 10 Concern generally as to grouping of the S.A.P. into lines with those

With regard to the last sentence of the para, the F.O. told us in F.O. 12755 that the two V. Councils will be transferred to other posts as soon

after the 1st of July as possible, the physician is going to the Principal Judge

is retiring at the end of the year. I think that we shall have to let it pass that
(Council)
1002-71202

Amended on 3/1

1913
June
and profits Paper.
24945

F.O.

now V. Council Book, but a view
of Mr. Milfield's proposal for reorganization,
which is the

June 11. As I have said above, the Principal
Judge is retiring at the end of the year.

In the 1st of the 15th April (1875) the
7.0 order.

The 3 Judges who are in H. O.'s service will
of course be transferred from the 7.0 to
the Co. & Sir E. Gray trusts that their service
under the dep^t will be taken into full
of a considering their claims to promotion
--- I may observe that the cost of their
salary is ultimately borne by 3rd class funds

In these cases I do not think that it is
of any use to address a further committee to
the 7.0. So Sir E. Milfield & say that the salary
the Amitt. & 2nd Ass^t Judge must
remain as at present, until the present
holders are promoted or transferred.

When the necessary changes can be made.
When the necessary changes can be made?
When the necessary changes can be made?

June 12. When the necessary changes can be made?

June 13. See the Indian petition in H. O. 25499
& mounted on that paper
When?

June 14. When?

June 15. The deficiency of the Thorne small
business unpaired. See the
arrangement made by the 7.0. ($\frac{7.0}{1907}$ + p. p.)

(See next page).

June 17. James the Comm^r of 1897
appointed the for^r of the 5th 5th N.C.
for the 7.0. S. In choosing titles for Mr.
Milfield & the head of the new adminⁿ is
3rd class, we must bear in mind the last

June 18. Of the 7.0 C. of the 25th of June
($\frac{7.0}{2412}$ / 12) -- It is understood that Mr.
Hammont will communicate with Sir E. Gray

as to the titles to be given to the head of
the administⁿ, & that the title selected
will not be such as to suggest the annexⁿ
of the Prot^{ts} -- High Comm^r &
President seem to be all right from
the point of view, & Sir E. Gray
consult the 7.0. with refer^{ce} to 21412,
enclosing a copy of the Comm^r referred
to above

June 18. Comm^r in his proposal? J. H.

June 19. Now scales of salary. I think the
following attention should be
Chief Secretary made to bring them into
line with the standard scales for the
G. S. papers Part (a)

Chief Secretary £700 - 25 - £800 only allth 270
This is the scale in Uganda & will be the
Scale in N. land, when Major Pearce goes
Mr. Sicular, who is recommended for the post,
drawing at present £600 + £100 local allth
so that he will benefit, even by the revised scale
1st Ass^t Sec^y (should be Ass^t Chief Sec^y)

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following attention should be
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This is the scale in Uganda & will be the
Scale in N. land, when Major Pearce goes
Mr. Sicular, who is recommended for the post,
drawing at present £600 + £100 local allth
so that he will benefit, even by the revised scale
1st Ass^t Sec^y (should be Ass^t Chief Sec^y)

as a Deputy & as it will be in N. land)
£500 - 25 - £600

2nd Dist. Officer (should be Dist. Secy)
£300 - 15 - £400

Subst. Officer £500 - 25 - £600

Asst. Subst. Officer £300 - 15 - £400

These scales of course only to come into force for new app^{ts} or on promotion

para: 20. Capt. Baxton was born on the 4th of Jan 2/65, so that he is rather more than 48 1/2 years old. Officers have to get to 60 & may go at 50.

Capt. B. was appointed to 3rd class on the 26th Oct/06. ~~and he has~~ less than 5 years service (10 years is the minimum qualifying period for pension)

& will only get a gratuity, if he were promoted. Mr. Thurston says that he has no private means - also that he is a great personal friend of Sir S. Gray's

para: 21. The next point a senior as to Capt. Baxton but I see that Mr. Jelf is 57 & has only 4 years service. I sh^d have thought that there were other officers in the service with longer claims

Mr. Sheldon
Lancet 9th
home & m
- for pen
70
12755
Page 100
U

He is not
settled
anywhere
I think
I think

These are
very
important

This is one man who deserves consideration - Mr. Amcotts, Provincial Comm^r in the S.A.P. He is the ablest admin^{ve} officer in S. Africa, about 49, & has 18 years service under Govt. & 6 years previous service under the Dept. B.S. Africa Co^y. A great deal of the present prosperity of the S.A.P. is due to the way in which he has developed the Lake districts during the last 3 or 4 years & all through his career he has been essentially a man who has got things done. I attach his record.

para: 22. From what I saw & heard of Mr. Simons when I was at 3rd class, I think that this will be a very good app^{ty}.

para: 23. See app^{ty} sh^d come before the Pat^l Ct. U.

para: 24. Curran? U

para: 25. There will be no question of transferring the Principal Judge, as he wants to retire at the end of the year. The question of his successor sh^d come before the Pat^l Ct. U. who is aware of Mr. Smith's record.

para: 26. The salary of the 1st Dist. Judge must remain as at present until the present holder can be transferred - similarly in the case of the 2nd Dist. Judge. We may however in the proposed to incorporate the J. in with the Provincial Staff & place them under the Principal

Apr. 27. if we really are in a position
to leave?

Apr. 29. This question has never been raised
by the F.S. + I think that we should
leave it alone. The Govt. are going
to save a considerable amount here
in Comber salaries + they ought to be
very grateful to us for enabling them
to do so + to make no claim for buildings.

Apr. 30. The Agency is a fine building +
I do not think that it should be surrendered
except when the H.C. is on the Island
and no other arrangements are made.
Belfield's visit will probably be brief
+ infrequent + one to the time ought to
be spent in touring the islands. I do not
have thought that the Resident ought
occupy the Agency ordinarily + turn out
of it when the H.C. pays his visits.
Mr. Seabrook + his staff have their offices
on the ground floor of the building + I assume
that the future permanent will be lodged
there. It will be a great convenience for the
Resident to have his quarters in the same
building as himself.

Apr. 32-34. Comber?

Apr. 35-39. We had better have these papers
+ Mr. Comber's memo. registered
separately + considered by the legal
advisers - but just expenditure of the

Staple
in

Staple
in

attitude of France offering, does not lead
us to expect that anything can be
done at present.

Apr. 42. Comber personally + will have to
make inquiries + proposed in the last
sentence? J.M.

Apr. 43. The decision to return to the
agency by which 2 companies of the
K.R.R. were kept at 3 bars was taken as
the result of discussion in the O.D.C.
+ if this decision is to be reconsidered, I
take it that the matter will have to be
referred back to the C.C. You will,
I presume, see from U.O. that the
instructions for raising the second Co.
have already been issued.

Apr. 45. It will have returned before our
departure.

H. J. R.

24/07/13
This proposal generally as to post expenditure
in the same position towards Ed. as the
F.M.S. and other states except towards the
S.S. that arrangements would be very
well and Mr. Belfield is recommended to
it so I think it should be tried.
As regards Japh. Barton; I am

if we really see a objection?
Jan: 27 Council?

Jan: 29 This question has never been raised
by the F.S. + I think that we sh^d to
leave it alone. The Gov. put us forward
to save a considerable amount from
the Consular salaries + they ought to be
very grateful to us for settling them
to do so + to make no claim for buildings

Jan: 30 The agency is a fine building +
I do not think that it sh^d be unnecessarily
kept shut up, except when the C^o is in the Island
and only for a short time. Mr.
Belfield's visit will probably be brief
+ safe + some of the time ought to
be spent in touring the islands. I sh^d.
have thought that the Resident might
occupy the Agency ordinarily + turn out
of it when the C^o goes to visit
Mr. Simons + his staff have their offices
in the ground floor of the building + I assume
that the future permanent will be lodged
there. It sh^d be a great convenience for the
Resident to have his quarters in the same
building as himself.

Jan: 32-33 Council?

Jan: 35-39 We had better have three plans:
+ Mr. Comber's plans: registered
separately + considered by the legal
attorneys - but just reference of the

Jan 28
Jan 29

Jan 30
Jan 31

attitude of France opening, does not lead
us to expect that anything can be
done at present

Jan: 42 Council generally to ask him to
make inquiries proposed in the last
sentence? J.M.

Jan: 43 The decision to return to the
amount by which 2 companies of the
K.A.R. was kept at 3 bar was taken as
the result of discussion in the O.D.C.
+ if this decision is to be reconsidered, I
take it that the matter will have to be
referred back to the C^o. You will,
however, see from U.O. 18787 that the
instructions for raising the second Co^s
have already been issued.

Jan: 45 It will have returned before our
dear arrival
J.S.R.

Mr. Belfield
the present
the

26/1/13
This proposals generally are to put Jangha
in the same position toward Ed. as the
F.M.S. and other States occupy toward the
S.S. that arrangements with both being
well and Mr. Belfield is constructed to
if so I think it should be tried.
As regards Japha Barton; I am

upside he is rather a hopeless person
to place. He might manage in command
of St. Vincent, but he has had no
Civil training and should never have
been appointed. Sir E. Grey is much
interested in him, but I fear we
cannot keep him in Zanzibar where
he can miss the frustration of fifth
wheel & drag in the coach.

I would give him liberal
abolition terms, say five years which
with his five years service and
five years obsolete bonus would give
him $\$1200$ or $\$1300$ a year,
and note him for a W. Indian
Administration.

15.8.13

I agree - but it is clear that
Capt. Barton is entitled to any
pension?

17.8.13

Our suggestions by Capt. St. Quentin
for a separate administration of
the coast belt of the E. A. P. should
be considered in connection with
this matter.

to Paul

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As to the staff's minute,
Please see attached letter
from Mr Frazer about Capt.
Barton being prosecutable.

As to the separate administration
of the Coast Belt, you have
already dealt with this
on the paper on which Capt.
Guest raised it.

ALP

22/8/13

Mr G. Fidler

It is clear that Capt. Barton's
case will require further enquiry & I
think that we have better get off
a deep to Mr Belfield or do other
points & say that a further deep will
be sent with regard to Capt. Barton.

As Capt. B. has no private means
of deep from £1,200 to £300 a year will
of course be a serious matter for him
& in confirmation of what Mr Frazer
says in his letter, I understand from Mr
Tilley

holding that the 7.0 of the 15th of
April was intended to protect the existing
staff against any drastic change & that
h.i.s. pay will be most distressed if he
finds that Capt. B. has suffered to that
extent.

If our opponents, after my ordinary term
of service, are entitled to leave with full
pay for the first 3 months & after that
to ~~receive~~ ^{3/4} pay. Capt. B. returned to 3 bars
from the last leave & pay 1/2 & he will
probably have completed a year's service
before he leaves 3 bars again. If this is
a prospect of finding a colonial left
for long before the end of next year, we
might perhaps get him on full pay for
3 months & cover of his year's service &
then on 3/4 pay 10 months or 3/4 then
his pay would amount to £750 & we should
be well out of it for the amount.

My opinion is that rather than a prospect of
getting a colonial left before the end of
next year we had better think that we should
from the 7.0 to find a job for
him in the Colonial Service or elsewhere.

There is a further point which seems to
me to connect with the deep. The areas
of 3 bars are of course very different from
those of Uganda, but it seems absurd
that a man with 3 bars with a population
of 200,000 should require 5 judges, whereas
Uganda with a population of 4,000,000

can do with two. Judge Lindsay Smith
does not retire until the end of the year &
before filling the vacancy, I think that
it will be a good thing to ascertain
from the new Resident whether he
considers that 3 judges are actually
required.

J. R.
23/8/3

Mr. Bottomley
has read the report marked for
consideration in Mr. Read's verbal
minutes.
A.C.C.
29/8/3

~~Mr. Bottenley~~ Mr. Bottenley

See minute on No. 19 in File 2434 B.A.

? Now to General Department.

(A) To Gazette Mr. Belfield and Major Pearce as High Commissioner and Resident of Zanzibar, if necessary.

(B) To prepare instrument for creation of appointments of High Commissioner and British Resident (if an instrument is necessary for the latter at all).

I annex copy of Commission appointing the officer who for the time being is administering the Government of the Straits Settlements to be High Commissioner for the Malay States.

The Zanzibar Instrument will no doubt follow generally this model, but I understand that what Major Pearce wants is that the pukka Governor of the East Africa Protectorate only should be High Commissioner and that the Officer Administering the Government of the East Africa Protectorate in the Governor's absence should not be High Commissioner. If this is approved, the instrument must make the position clear. The reasons are (1) that Mr. Bowring's views as High Commissioner will be of no greater value than Major Pearce's own - in fact, less if anything.

(2) Major Pearce personally objects to having Mr. Bowring placed over his head.

The question then arises, what will happen when Mr. Belfield comes on leave?

Either (a) he will continue to be High Commissioner and continue to draw the allowance of £2000 which it is proposed to give him as High Commissioner or (b) the post will lapse and the allowance too; for it would be absurd to make the Resident acting

High Commissioner

A further point is as to procedure. We have told Major Pearce that in routine matters he will communicate direct with the Secretary of State. Mr. Belfield says in paragraph 18 of his report (herewith) that "all correspondence transmitted by the Officer administering the Government of Zanzibar will be sent direct to the Office of the High Commissioner."

Gov/24945/13

I understand that ~~Resident~~ ^{Chief Secy?} in the Malay States never does more than report illness by telegraph ~~direct~~ direct to the Secretary of State and even then the High Commissioner is informed too. It is clear that Major Pearce as Resident in Zanzibar is intended to have more direct correspondence than this. I suggest that the matter be carefully discussed with Major Pearce with a view to formulating suggestions as to

* The Res
are, as it
under the
is not really
to me then
in Zanzibar

- (1) subjects on which he will correspond direct with the Secretary of State;
- (2) procedure for keeping the High Commissioner informed of action taken under (1), whether the communication is from Resident to C.O. or from C.O. to Resident.

ALLP

27/11/13

by Resd.

As to Gazetteing & Instruments - if it is necessary to submit the H. Co. to the H. Co. it should be done at once, as a matter of course, authorizing Mr. Sinclair to examine the file for H. Co. for the time being till the H. Co. is placed in Zanzibar. I see no necessity for any further action for

I have to do
H. Co. to do

the President, but he should be gazetted?

As to who is to act as H.C. when the
Gov. G.A.P. is on leave, there are
difficulties.

395

(a) If he is leaving, his absence
will have no special value & Major Pearce
will object. On the other hand, the
present Lt. Secy., F.P.S., is 3 years
senior to the Lt. Secy., S.S., who acts
as High Comm. on occasion.

Further, the H.C.'s staff of 3 consist
of one Secretary, viz., the Gov.
Private Secretary, who will naturally
be on leave at the same time as the
Gov. The leaving would therefore leave
no experienced assistant.

(b) I do not think there is any good
reason why the President should not
act (the allowance might be lower),
though, unless he is to have a copy
of everything the H.C. writes or receives,
he may be seriously handicapped
through want of records.

(c) If the Gov. G.A.P. is to be H.C. on
leave, I think it is desirable
that he should, as above, act himself
& not be officiating H.C. I believe
that a categorical report of matters difficult
is indispensable in the case of Mr. Jones,
and Mr. Polfield, of course, cannot have

Yes
H.P.

such an intricate knowledge of local
circumstances as could compensate for
that difficulty in the case of Zanzibar.
His advice could be obtained on occasion
as it comes to within capacity of Gov. G.
E. H. P.

I think that the theoretical advantage
is in favour of making the Baring
& the practical is in favour of making
Major Pearce, Act. S. H. O., & that the
best thing we can do is to consult
Mr. Belfield by telegraph to get his
views on

As to correspondence, I would
advise Pearce to refer to & refer
his views at leisure to Mr. Belfield.
For conveying info. from Zanzibar to
London & back to the base before
I have home would be extremely
inconvenient in the case of another
letter & so long as the H. O. is fully
informed I see no harm in direct
correspondence on minor questions

W. G. S.

27/11/13

H. J. P.

27/11/13

Per J. Anderson

I have spoken to you

to have
in favour of
Pearce?

Yes

No

admission
to some
end
9/6/13

about the
I see no advantage in bringing
Mr. Baring into the business - rather
the contrary.

I would give Mr. Belfield a personal
Commission as High Comdr. When he
is no longer Major Pearce can very well
carry on by direct comm. with the S. G.
and instead of posting the copies of the
despatches to Mr. C., as he does when Mr
Belfield is in the East, he can send them
with the letters returning the post.

It is agreed to refer to Mr. Belfield
Commissioner of Mr. Belfield's proposal.
Mr. Niblett raises the question of
Commission to Major Pearce. I am
inclined to think that he will have one of
so he had better be satisfied in the
Commissioner.

W. G. S. 20. 11. 13

I agree
to Council
20. 11. 13

Langdon

28 June 1913

Dear Billy

I called on the 21st suggesting
 the advisability of postponing the transfer
 to the C.O. for a time & hope that
 I did not exceed my instructions in
 so doing. - Since I see I took charge
 I have been left pretty head a work
 getting things straightened out & would
 deal however necessary to be done in
 the direction of it. I do not know
 how many months I will have to be

able to clear up all sorts of outstanding
questions & hand over with a clean
slate.

I have reading by his hand at least of
an authorized statement for 1913 which
includes the list of maintenance of the
railway & which lists only runs into
some £10000 & when it is remembered that
another £10000 was sanctioned by
Parliament under special circumstances it is not
great wonder that we are not hard up.
However the figures are not now published
I must look up a list of your most recent

with admiration.
I have not just now the date is I
think of the time I must be to go is
I understand at the moment. I am not
through the arrangements but however
I shall have to refer them to the work
I am doing in my own hand as
that notice. My reason of my tolerance
of it I am actually full of the matter over
the country where a few men are not
even lost & Ray, who has been here
over a year, being a very intelligent
person as well as a good linguist. My
happiness as a lot of our correspondence is
I should be have been able to look up

and you only. but there is much more to
of other articles work to do & however
to take charge should be given

then this is the condition of things
to which with such assistance I have been
been working a good deal of attention &
life to send you the result of our
investigations in a week or two. There are
several points to be regarded to these which
kind of it to be as well to draw up
you please conduct -

Yr. sincerely
J. K. Sullivan

AINSWORTH, J. (C.M.E.)

Age 49 - Married - 1 child.

Education:- Collegiate School, Rhyl, 1872-8
St. Thomas's College, Rhyl, 1879-82. Employed in Land
Surveying and in Manchester home trade warehouse,
1883-4; trading on Congo, 1886-9; joined service of
I.B.E.A. Company, 1899; Superintendent of a district
in British East Africa, 1892.

Service:- Sub-Commissioner, East Africa
Protectorate, 1895: now Provincial Commissioner
(£750 + £60 duty allowance)

Reports Commissioner Sadler:- "Has rendered valuable
services to Government - strong and determined
character and resourceful and tactful with natives
and an indefatigable worker - active and strictly
temperate."

Governor Sadler:- "Of exceptional energy and
power of work, with great ability for Native adminis-
tration - devoted to his work and taken great interest
in development of the native races." I cannot speak
too highly of him."

Governor Girouard:- "Have only visited head
quarters of this Province and one out-station. My
experience leads me to belief that he is best officer
of Provincial Staff in the Protectorate and would do
well anywhere in the administration of native terri-
tories."

Governor Girouard:- "Undoubtedly head and
shoulders above all the others here as an Adminis-
trator, and I think, would have done exceedingly well
for

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Report
909.

Report
910.

for the service had he been chosen for Somaliland. Takes the keenest interest in natives and native governments, secures their confidence, and brings them forward in a remarkable manner; and for a native Colony in any high position he would not fail to give a very good account of himself". (Private letter to Mr Fiddes with 2711 E. Africa)

Governor Girouard:- "This officer's work continues to be of a very high order and he can be confidently recommended for special promotion in the Colonial service".

24245

GOVERNMENT HOUSE,
NAIROBI, 19 JUL 13
BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE.

24th June 1913.

SECRET.

491

Sir,

500
18149

I have the honour to report that, in compliance with the instructions conveyed to me in your cipher telegram received on June 1st., I left Mombasa for Zanzibar on June 10th, arriving there the following day. I had previously notified the Acting Agent and Consul General of the time of my arrival, and was received on landing by the Consular Staff and by the principal officers of the Government of His Highness the Sultan. After calling upon H.H. the Sultan, I made arrangements to fully discuss the objects of my visit with the Acting Agent, and with the First Minister of His Highness' Government, and was afforded opportunity of inspecting all Government Departments and other Institutions appurtenant to the administration of the Protectorate.

2. During a stay of five days on the Island I visited successively all departmental offices of the Administration, the Customs and Post Offices, the Government School, the Law Courts, the Prison, the

Lines

THE RIGHT HONOURABLE:

LEWIS HARCOURT, M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

Lines of the King's African Rifles and the Armed Constabulary, the Hospital, the Health Office and Museum, the Victoria Gardens, the Government Stables and Markets, the Zanzibar Water Supply, the Quarantine Island. I also motored across the Island to the district of Chuaka, and northwards to the station at Mkokotoni, and inspected the Government agricultural estate at Dunga and the clove gardens in the vicinity, in company with the Acting Agent and the Director of Agriculture.

3. In consequence of the necessity of paying my visit at the earliest date possible, I did not receive your confidential despatch of May 23rd until my return to Mombasa. My only guidance as to your wishes being your telegraphic instructions, I regret to find on perusal of your despatch that special inquiry was not made by me in respect of certain matters referred to in the correspondence. I do not think however that this omission will preclude me from offering observations of a general nature upon the points referred to.

4. I learned from the Acting Agent that he had received no detailed instructions from the Foreign Office as to the steps to be taken to effect the contemplated change in the administration, and he expected to find that I was furnished with full directions on the subject. The information in my possession was, however, limited as above stated, so I directed my attention to general examination of the system

3.

system of administration at present obtaining and to consideration of the changes by which that system might be most easily and efficiently remodelled so as to bring it into line with that adopted in other Protectorates under your control. I do not therefore propose to do more than indicate in general terms the nature of the changes which appear to me to be desirable, and I suggest that, when I am in possession of your views upon these proposals, I should again visit the Island and submit somewhat more detailed recommendations in conformity with such directions as I may receive from you at a later date.

5. The control which has been exercised over the Protectorate by the Foreign Office has necessitated the maintenance of a Consular staff in addition to the establishment of the Protectorate Government proper. This arrangement has materially augmented the amount expended upon personal emoluments beyond that which would be required for the remuneration of an administrative staff organised upon Colonial Office lines; but the finances of the Protectorate will not benefit by any change, as the amount expended upon the Consular staff has of course been supplied from Imperial funds. But, additionally, this system of dual control has been prejudicial to the efficiency of the administration. It has resulted in a division of responsibility, in consequent unnecessary reduplication of work, and in differences of opinion which have been fruitful causes of friction, none of which disadvantages would ever assume the proportions which

which they have done in the past were the control of the country vested in one central authority.

6. In addition to the objections abovementioned, which are inseparable from the system which has given rise to them, I find much that is open to criticism in the organisation of the Sultan's Government, which appears to have been arranged with a view to decentralisation rather than to cohesion. As an instance, I may mention that the First Minister, the Financial Member of Council, and the Legal Member of Council, who are adorned with these titles though no Council exists, are each in charge of a certain number of Departments, and that, while all correspondence from any Department must go to the member of Council who is supposed to control it, there is no route by which it can with certainty reach the hands of any superior authority if the superintending member of Council is disinclined to assist it in doing so. Under the Colonial Office system, all departmental machinery is pivoted upon the Secretariat, but no such arrangement exists in His Highness' Government. Official correspondence is filed in a Record Office which is in charge of a subordinate officer and regarding the management of which even the First Minister was unable to speak with certainty.

7. It was apparent to me therefore at the outset that the contemplated reorganisation must be effected in two stages :-

5.

- (1) the disposition of the present Consular Staff, and
- (2) a reconstruction of the central portion of the system of the Sultan's Government.

8. I observe from the correspondence enclosed in your despatch that the Secretary of State for Foreign Affairs has expressed a desire that certain officers of the Consular Staff should be transferred to the Colonial Government, and, as I apprehend that you have not yet finally determined to comply in all respects with this request, I think it desirable to acquaint you with my views regarding the extent to which such transfers should be agreed to.

9. In order to make the position as clear as possible, I append a list of the present strength of the Consular Staff, with emoluments, as follows :-

Appointment	Salary	Local Allowance
	£	£
Agent & Consul General	1,000	600
Consul	600	100
* 2 Vice-Consuls	300-500	100
Physician	400	- non-pensionable
Principal Judge	1,300	-
Assistant "	900	100
2nd Asst. "	700	100
Head Clerk	250 by 5 to 300	-
Second "	190 by 5 to 240	-
Third "	120 by 5 to 175	-
Arab Interpreter	150 by 5 to 175	-
Asst. "	80 by 5 to 140	-

6.

10. I would invite your attention to the fact that in many instances the salaries paid to officers of the Consular Staff and of the Zanzibar Government are in excess of those prescribed in the case of officers performing similar work in the East Africa Protectorate. I feel strongly that such inequality of remuneration should not be allowed to continue, and that efforts should be made as early as possible to reduce the Zanzibar salaries to East Africa rates. If therefore it is essential that the services of officers who draw such higher rates should be retained, it should be clearly laid down that the emoluments will be reduced on the occurrence of a vacancy. In the case of the Consular Staff at all events it will be more satisfactory if all such officers could be transferred to other posts at the time when the change of administration is effected.

11. I offer the following observations regarding each of the above Consular appointments :-

The post of H.M.'s Agent is vacant, so no action is required regarding it.

The appointment of Consul is held by Mr Sinclair, whose services I recommend be retained by the Colonial Government for reasons which I shall explain later.

The two Vice-Consuls are to be transferred, and the employment of the Physician is to be determined.

The salary of the Principal Judge is so much in excess of that which obtains in respect of similar appointments in the neighbouring Protectorates that I consider

consider it most advisable that he should be transferred. The salary of the First Assistant Judge is also open to similar objection. You will probably agree that it is desirable to address a further communication to the Secretary of State for Foreign Affairs regarding the holders of these two appointments.

The clerical staff is composed of Indians who would be of little use elsewhere. Their services can be utilised by the Colonial Government.

The same remark applies to the Arab interpreters.

12. Coming to the question of the system of administration which should be adopted in the future, and bearing in mind your expressed desire that it should be so organised as to conform, so far as local circumstances will permit, to that which obtains in other Protectorates administered by the Colonial Office, you will readily understand that my experience of official work in the Federated Malay States, and my conviction of the efficacy and simplicity of the methods there adopted, have made me eager to ascertain whether a similar system would prove suitable in the case of Zanzibar. To put the result of my inquiries as briefly as possible, I believe that government upon the lines which were in force in the Malay States prior to the date of their federation would admirably suit the conditions of Zanzibar. This opinion is shared by the local officers to whom I have explained the nature of the alteration which I have in contemplation, and the recommendations which I shall make

in the later paragraphs of this report will be formulated with the intention of assimilating the future administration of the Protectorate as nearly as possible to the pattern which I have selected.

13. I have dismissed as inadvisable the idea that the Protectorate should be incorporated with and absorbed in that of British East Africa. I have no reason to suppose that such an arrangement has been contemplated by yourself. I therefore refer to it only because I find that a general impression exists locally that that course may be followed - an impression which is so strongly implanted in the minds of the native community that a deputation of Indian gentlemen attended before me to express their grave apprehension lest the intended change of administration should involve the annexation or subjection of these islands to the British East Africa Protectorate, with the consequent introduction of laws and restrictions now in force in East Africa.

14. As I assume that it is improbable that such a course would be seriously considered, it is unnecessary to trouble you with enumeration of the objections which would be taken. Recognition of the Sultan as the titular head of his Dominions, and the widely different conditions obtaining in the two Protectorates, are alone sufficient to point the futility of such a proposal. It is clear to me therefore that it would be inexpedient to insist on any closer administrative relationship between the two countries

countries than that which exists between the Malay States and the Colony of the Strait Settlements.

15. The success or otherwise of a system of government such as I recommend depends so largely upon the capacity and attitude of the Sultan that I made the acquaintance of His Highness of Zanzibar with much interest and some anxiety. In addition to the formal visits paid on arrival and departure, I had two long conversations with His Highness, of a purely private character, each of which was sought by himself in order that he might learn as much as possible regarding my views and also ask my advice as to his future line of action. I may reasonably claim to have some personal experience of Oriental princes, and I am gratified to be able to say that His Highness impressed me most favorably. He speaks English with facility, so that our conversations were carried on without the intervention of an interpreter; and, when he learned that I had been long associated with Mahomedan princes elsewhere and was able to discuss with him subjects relating to the Mahomedan religion and customs, he evinced a cordiality towards myself and gratification at meeting me which I am informed that he has not very commonly exhibited. He was naturally anxious to know to what extent the change of administration would affect his position. With regard to this I was careful to make it clear to him that, in any event, the dignity of the Throne would remain unimpaired, adding that if he was

prepared

10.

prepared to render loyal assistance to the Government it was possible that he might become something more than a figure-head and have opportunity of aiding in the administration of his country. He expressed himself as being sincerely desirous of co-operating with the Government in every possible way, and of being assisted by advice as to the course he should pursue. I entirely believe that he spoke truthfully, and means what he said, and, so far as it is possible to form a reliable opinion after an acquaintance of a few days only, I regard him as an asset of much potential value to the country from whom really useful work may be expected when he has become accustomed to new methods and realised the opportunities attaching to his position.

16. In other respects the conditions which I noted in the Island are all such as will lend themselves to the formation of the new system of government with a minimum of trouble and expense. The office accommodation is substantial in quality and ample in quantity. The Departments will remain as at present constituted, and the district administration outside the township requires no immediate revision. All that is required is the substitution of a system of central control for the cumbersome and ineffective procedure which I have outlined above.

17. To commence with, I recommend that the Governor of British East Africa be appointed High Commissioner for the Zanzibar Protectorate, with

authority

authority similar in all respects to that vested in the High Commissioner for the Federated Malay States. Being without means of access to documentary records, I am unable to recollect with accuracy the terms in which that authority was conferred, but it is sufficient to say that jurisdiction similar to that prescribed when the appointment of High Commissioner of the Federated Malay States was first created will be suitable in the present case.

18. As all correspondence transmitted by the offices administering the government of Zanzibar will be sent direct to the office of the High Commissioner, the establishment of that office must be somewhat strengthened to enable it to deal with the additional work. I am anxious to limit these requirements as much as possible and to provide no more than is essential to the punctual despatch of business. I would therefore propose to entrust to my Private Secretary the additional duties of Secretary to the High Commissioner, with such additional emolument as will be indicated later, and to add to the office staff one First Class Clerk, one Typing Clerk, and two Messengers, to be provided at the cost of the Zanzibar Protectorate. The construction of some additional office accommodation will also be necessary.

19. To proceed to the more important question of the organisation of the local Administration, I set out here, in the first instance, the staff of the
Zanzibar

Zanzibar Government as it appears at present, exclusive of departmental and clerical appointments in respect of which no immediate observations appear to be necessary. The list is as follows :-

Appointment	Salary	Local Allowance	Entertainment Allowance
	£	£	£
First Minister	1,200	-	100
Collector, Zanzibar	600 by 20 to 700	200	-
Collector, Pemba	500	-	-
7 Asst. Collectors	300 by 20 to 400	-	-
Town Magistrate	600 by 20 to 700	-	-
do.	500 by 20 to 600	-	-
do.	500 by 20 to 600	-	-

In substitution of the above list, I recommend the following staff :-

Appointment	Salary	Duty Allee.	Enter'ment Allee.
	£	£	£
British Resident	1,200	200	100
Chief Secretary	700 by 25 to 900	100	-
1st Asst. Secretary	500 by 20 to 600	50	-
2nd do. do.	300 by 20 to 400	-	-
District Officer, Zanzibar	500 by 20 to 600	50	-
District Officer, Pemba	500 by 20 to 600	50	-
7 Asst. District Officers	300 by 20 to 400	-	-

(Conts.)

13.

Appointment	Salary £	Duty Allice. £	Em'ent Allice. £
Principal Judge	1,000	100	-
1st Puisne "	800	-	-
2nd " "	700	-	-
Town Magistrate	400 by 20 to 500	-	-
" "	400 by 20 to 500	-	-
" "	400 by 20 to 500	-	-
Secretary to the High Commissioner	150	-	-

In order that my views regarding the above appointments may be quite apparent to you, it appears necessary that I should supplement my list by an expression of opinion as to the extent to which it will be desirable to utilise the services of officers at present employed, and to indicate the manner in which vacancies may be filled which cannot advisedly be offered to officers at present in the service.

20. I regret that it is necessary for me to advise that the services of Captain Barton, C.M.G., the First Minister, be not retained. Having regard to his present position in the service, and the amount of his salary, the only post which he could occupy is that of British Resident, for which it is apparent to me that he is wholly unfitted. Whatever his qualifications may have been in former days, and in other countries, his administrative capacity at the present time is of a very rudimentary order. I have found him lamentably weak in matters of finance, while of other important

14.

important administrative duties - such as land settlement and registration of title - he acknowledges his entire ignorance and shows no desire to be better acquainted with them. He knows little or nothing of the characters and customs of the native communities, has no sympathy with them, and has made no effort to get into touch with native feeling. Personally he is naturally of a somewhat morose demeanour, of pessimistic tendencies and lethargic habits, wholly lacking in interest in his work, yet inclined to be dictatorial, also I am afraid I must add that he is generally unpopular. I consider him entirely unfitted to be vested with the charge of the local administration, and recommend that he be either transferred or retired on abolition of appointment.

21. In order to ensure that the new administration is commenced and continued upon the lines which I have advocated, I would ask that the appointment of British Resident may be bestowed upon an officer in whom I can place complete reliance, who has had some long acquaintance with administration as conducted in the Malay States, and is known to be tactful, sympathetic, and popular with natives. In this connexion I beg with deference to submit the name of Mr A. S. Jelf, recently serving in Johore and now on leave in England. The capacity of this promising officer is well known to Sir John Anderson. His work has been for many years under my personal direction, and I should feel that the interests of the Protectorate are in sympathetic and capable hands if you should

see fit to confer the appointment upon him.

22. I recommend that the appointment of Chief Secretary be given to Mr Sinclair. He is a painstaking and hardworking officer, with a long experience of the islands extending from May 1899, and he has a practical acquaintance with all classes of the population and all local problems. He is interested in his work and would like to stay on. He is not in his first youth, but, with the encouragement which an advance in position and salary would give him, a great deal of useful work may be expected from him, and he will adequately fulfil my requirement that the head of the Secretariat shall possess a thorough working knowledge of the departmental and district staffs and be accepted as persona grata by all shades of the population.

23. The appointments of 1st and 2nd Assistant Secretaries cannot be filled by promotion from the present staff. For the senior post an officer of some secretarial experience is required, while the junior post is an opportunity for a promising Assistant District Commissioner. The present attenuated condition of the staff in British East Africa precludes me from suggesting that either appointment be filled from this service, and I should prefer to leave the selection in your hands without recommendation.

24. The emolument at present attached to the office of the Collector of Mombasa appears to be

personal

16.

personal to the present holder, Dr Andrade. It must presumably remain unaltered during the continuance of his term of office, but should be reduced to the figure I have shown on the occurrence of a vacancy.

25. I have entered the salaries of the three Judges at the same rates as those ruling in British East Africa. The consequent reduction in the salary of the Principal Judge will, as I have already pointed out, render advisable the transfer of the present holder of the appointment, in which event I would submit for your favorable consideration the name of Mr Justice Barth, the senior Puisne Judge of this Protectorate. The work of this officer has given uniform satisfaction to my predecessors, and I believe him to have thoroughly merited the good opinions which have been recorded concerning him.

26. The present salary of the 1st Assistant Judge is also in excess of that which I have provided, and I do not advise his retention upon that pay. Similarly, I have reduced the salaries of the Town Magistrates to the East Africa rates, in order to secure uniformity, and propose to incorporate them with the judicial staff and place them under the control of the Principal Judge.

27. The last recommendation which I have to make on the subject of emoluments is that the Secretary to the High Commissioner, who now draws salary at the rate of £280 a year as my Private

Secretary,

17.

Secretary, should receive additional salary of £150 in respect of his new duties. As I have previously observed, he will have to deal with and be responsible for all correspondence passing between the Resident and the High Commissioner, and between the High Commissioner and the Colonial Office, and if the work is accurately performed it will be well worth the additional pay which I propose.

28. I do not propose to prolong my observations on this occasion by discussing the disposition and emoluments of the clerical and subordinate staffs. It will be time enough to elaborate proposals when the broad scheme of future administration has been decided and the basis for the preparation of such details has been agreed upon.

29. Passing from the question of personal emoluments, it appears desirable to say something regarding the accommodation required and available for occupation by the principal officers of the new administration, and this raises the question of the disposal of those buildings which are the property of the British Government. It seems clear that they must be taken over by the Zanzibar Protectorate, but I am not in a position to offer suggestion as to the terms on which the transfer should be effected, nor to state the number and description of the buildings, regarding which I have no accurate information. I mention the subject only in order that the necessity of coming to some arrangement with the Foreign Office

18.

may be brought to your notice.

30. Assuming that the Zanzibar Government is to enter into possession of all such buildings, the residence recently occupied by the British Agent is a suitable house for the use of the High Commissioner. It is, however, unfurnished, and I presume that you will be willing to approve the expenditure necessary to put it into habitable order. This question, however, together with others affecting the position of the High Commissioner, such as provision for travelling expenses and entertainment allowance, are points upon which I should prefer not to enlarge, unless you desire me to do so, and regarding which you will be able to form your judgment without expression of personal opinion from myself.

31. The house at present occupied by the First Minister will be available for the Resident, and the Consul's house for the Chief Secretary. The accommodation allotted to the Judges can, I understand, remain as at present.

32. The above paragraphs contain all the observations and suggestions that I am in a position to offer at the present time regarding the constitution of the executive establishment. As an important supplement to that establishment, I recommend that the example of the Malay States be followed yet further, and that the formation of a State Council be approved. I do not propose or desire that this body should be
invested

19.

invested with any legislative functions : its duties should be consultative and advisory only. It will afford opportunity to its members to discuss such matters of public interest as may be brought to its notice by the Resident. Its views may probably be taken as to the propriety of enacting proposed decrees, and as to the principles and provisions which should be included therein. Later, the draft of such decrees may be submitted for comment, which may possibly disclose need for amendment, and its views will be communicated by the Resident to the High Commissioner when submitting any measure for approval. In addition to such advisory work, it should be required to perform the duty of confirming or commuting sentences of death, which at the present time can only be revised by the exercise of the Royal prerogative on the advice of the First Minister.

33. I can say from personal experience that the existence of such a Council will materially strengthen the hands of the Resident, and it will be the most effectual means which can be devised of bringing H.H. the Sultan into close association with his Government and instilling into him a sense of his obligations towards his people and a comprehensive knowledge of their needs. I am in a position to state that His Highness will heartily welcome the formation of such a Council, and will be most gratified if he is permitted to take part in its proceedings.

34. I suggest that such Council be formed as

follows :-

Follows:

H.H. the Sultan, President.

The British Resident, Vice-President.

The Chief Secretary.

The Attorney General.

The Treasurer.

1 British Unofficial Member.

1 Arab Unofficial Member.

1 Indian Unofficial Member.

The last three to be nominated by the Resident with the approval of the High Commissioner.

35. It is hardly possible to consider the question of a change of administration in the Zanzibar Protectorate without being confronted with the intricacies arising from the existence of the Foreign Treaties. These agreements were originally entered into as a means of protecting the interests of resident European traders from the tyrannies and eccentricities of former rulers, and in proportion to the advance of British influence the necessity for such precautionary measures has diminished until, at the present time, there is no real justification for their continued existence. It would appear, however, that the Nations concerned are disinclined to abandon the privileges thus conceded, not because their interests are any longer in danger but because these privileges represent an asset to be held until redeemed by substantial consideration.

36. The present needs of the Protectorate

demand

demand that serious efforts shall be made to abate these annoying restrictions and to leave Government with a free hand to adjust the State revenues by revision of the present system of taxation. The only really important source of revenue is the clove crop, which is taxed at the rate of 25 per cent. ad valorem. The merchants complain with some force that in the present state of the market they cannot afford to pay at so high a rate, yet it is not possible to make reduction because it is doubtful whether Government has the power to raise revenue by any alternative form of taxation.

37. As I regard the present juncture as opportune for raising the question of the entire or partial abrogation of these Treaties, I have requested my Attorney General, in the soundness of whose views I have great confidence, to go carefully through these documents and to express an opinion. I attach his Memorandum to this report for the favor of your consideration.

38. It would appear that the provisions of the Treaty with the United States are most favorable to the subject of the Treaty Nation as regards exemption from taxation, and that there is nothing in the other Treaties to support claims to exemption in respect of land and buildings. It is possible that the Government of the United States may be willing to waive this clause, in which case we may hope to

over-rule

over-rules objections by other Powers to the imposition of such taxation. The restrictions relating to port and harbour dues on foreign vessels, and the limitation of rates of import duty, are not of equal importance; but the provision in the agreements with France and Portugal, which prohibits entry into houses of foreign subjects unless authorised by warrant of the British Court, would be a serious obstacle to the carrying out of health laws, and should, if possible, be withdrawn.

39. I have alluded thus cursorily to the effect of these Treaties because their continuance must inevitably be prejudicial to the future of the country and in the hope that the assistance of the Foreign Office may be invoked to effect some abatement of their restrictions.

40. With regard to other subjects mentioned in your despatch, and in the enclosures thereto, I observe that you have decided that the duties of agent in England shall be performed by the Crown Agents. I had already noted the point as one to which your attention should be invited.

41. I regret that I was unaware at the time of my visit that you are desirous that I should consider the question of the disposal of the force of Armed Constabulary. I did, however, discuss the question of the Zanzibar Forces with Mr Sinclair in general terms, and I am in entire agreement with the suggestion that it is desirable that the units composing

this force should, if possible, be utilised for other purposes. The wording of the final paragraph of your despatch, however, leaves me in some doubt as to whether you propose that these men should be enlisted in the Zanzibar Police only or whether it is anticipated that they might be advantageously distributed amongst the Police forces of the several Protectorates. Further, I am not aware at the time of writing whether the Police force in Zanzibar is in need of any substantial reinforcement.

42. I consider that it will not be practicable to arrange for any transfer of the force as a whole, because a considerable number of the men have already served in the Police and would not be willing to return to that work, which on account of the more onerous nature of its duties is much less attractive than regimental service. The best course to take will be to ascertain how many of the men are prepared to accept police service, and to arrange for the transfer to the Zanzibar Police of as many of them as are required by that Department, the remainder, if any, to be drafted into the Police forces of other Protectorates. As to those who may be unwilling to join a Police force, it may be possible to make use of them in other capacities. For instance, in British East Africa we are very short of prison warders, and there may be men who will be willing to accept this form of service. If you agree that such inquiry should be made, it will be possible to complete arrangements between the date of receipt of your reply and that proposed

proposed for the disbandment of the force,

43. While on the subject of the Zanzibar Forces, I consider it desirable to express my opinion that the requirements of the Protectorate will be adequately met by the presence of one company of the King's African Rifles, and that it will not be necessary to replace the Constabulary by a second company. In the case of attack by an enemy from outside, and possible interference with cable communication, the presence of a second company would be of no appreciable value in repelling a landing party, while the cable could, I am informed, be picked up at sea without difficulty. For the purpose of maintaining order within the Island, one company is ample. I am told that the native population is well under control and that no sort of resistance to Government need be anticipated.

44. In conclusion I would express the hope that, should deficiencies in this report be apparent to you, you will be so good as to condone them on the ground that the time at my disposal was very short, and that, in the absence of detailed instructions, it was necessary for me to rely upon my own impressions as to the lines which my inquiry should follow. I have endeavoured to present to you a general outline of the scheme of reorganisation as it commends itself to my own view and to that of the Acting Agent, but, should you desire that it be varied in principle or be supplemented by further details, I would ask that

25.

I may be fully instructed as to the nature of the procedure on which you decide, when I will pay another visit to the Protectorate for the purpose of carrying out your directions.

45. As the contents of this confidential report are known only to my confidential clerk and myself, and as I deem it inadvisable that the correspondence should pass through my Secretariat, I would request that your despatch in reply may be addressed to me by name in order that it may not be perused by others should it arrive prior to my return from the Masai Reserve about the 20th of August next.

I have the honour to be,

Sir,

Your most obedient humble servant,

H. K. B. B. B. B. B.

GOVERNOR.

ZANZIBAR TREATIES.

I have been requested to advise as to whether the Sultan's Government is prevented by the terms of the Zanzibar Treaties from enforcing as against the subjects of the treaty Nations laws which may be required for the purpose of raising revenue or for regulating any matter which in the interest of public health or order should be regulated.

2. The treaties before me are :-

- (1) The Commercial Treaty between the United States and Muscat, Sept. 21st 1833.
- (2) The Commercial Treaty between France and Muscat, Nov. 17th 1844.
- (3) The Treaty of Commerce between the Hanseatic Republics and Zanzibar, June 13th 1859.
- (4) Commercial Treaty between Portugal and Zanzibar.
- (5) Commercial Treaty between Italy and Zanzibar, May 28th 1885.
- (6) Commercial Convention, Belgium and Zanzibar, May 30th 1885.
- (7) Commercial Convention, Austria and Zanzibar, Aug. 11th 1887.
- (8) Convention, United States, Extra-Territorial Jurisdiction at Zanzibar, Feb. 25th 1905.

3. Of the above the United States Treaty of 1833

United States Treaty.

appears

United States Treaty.

appears to me to contain provisions which are the most favourable to the subjects of the Treaty Nations in so far as exemption from taxation is concerned.

4. Article 3 of the United States Treaty provides that "Vessels of the United States entering any Port within the Sultan's Dominions shall pay no more than 5 per cent. duties on the cargo landed; and this shall be in full consideration of all import and export duties, tonnage, licence to trade, pilotage, anchorage, or any other charge whatever, nor shall any charge be paid on that part of the cargo which may remain on board unsold and re-exported, nor shall any charge whatever be paid on any vessel of the United States which may enter any of the Ports of His Majesty for the purpose of refitting, or for refreshments, or to enquire the state of the market."

Provision to the same effect has been made in Article 10 of the French Treaty, in Article 3 of the Hanseatic Treaty, and in Article 6 of the Treaty with Portugal. Subjects of Italy, Belgium, and Austria enjoy similar privileges by virtue of the most favoured Nation condition in the Italian, Belgium, and Austrian Treaties.

5. The effect of Article 3. of the United States Treaty, and the corresponding provision in the French, German, and Portugese Treaties, is to prevent the Sultan's Government from imposing -

(a) any import duty in excess of the duty of

5 per cent. ad valorem (altered by virtue of

the

3.

the declaration of the signatories to the Brussels Act to 10 per cent.)

(b) any harbour charges other than charges for services rendered as for the use of any special facilities provided.

(c) any direct tax or charge, other than the agreed import duty, on goods imported.

(d) any indirect tax or charge on goods imported whether through the imposition of a fee for a trading licence or otherwise.

There is nothing in this Article on which the subjects of the Treaty Nations can have a claim to exemption from a Poll Tax or from any tax or rate on land or building whether imposed for general Government or Municipal purposes.

6. It has never been admitted, and, I believe, has never been contended, that the provisions of Article 3 of the United States Treaty, and of the corresponding Articles in the French Treaty, prevent the Sultan's Government from imposing an export duty on Zanzibar produce. In fact export duty has been, and is now, levied in East Africa, and, I believe, in Zanzibar, on all native produce enumerated in the Schedule to the expired German Treaty of 1885.

I read Article 3 of the United States Treaty, and the corresponding provisions in the other Treaties, the Sultan's Government is prohibited from imposing an export duty on foreign goods re-exported but is not prohibited from imposing an export duty on Zanzibar merchandise and produce. The Articles in

question

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question deal with foreign vessels and foreign merchandise, and the words "export duties" and "or any other charge whatever" must, I think, be read as referring to the foreign vessels and foreign merchandise.

7. Article VI of the United States Treaty reads as follows :- "The citizens of the United States resorting to the ports of the Sultan for the purpose of Trade shall have leave to land and reside in the said ports without paying any tax or imposition whatever for such liberty other than the general duties on imports which the most favoured Nation shall pay."

There is no similar provision in any of the other Treaties, but the subjects of the Treaty Nations can claim the privileges conferred by this Article under the most favoured Nation clause in the Treaties.

It may be contended that all persons entitled to the benefits of this Article are exempt from all taxation of whatever nature, whether in respect of themselves or their property, other than the agreed import duty. I do not read the Article as conferring exemption from all taxation, but I think that it is clear that the foreign merchants entitled to claim the privileges conferred would be exempt from Poll Tax or any taxation on their trade or trade goods. As it may be desired to raise revenue for either General Government or Municipal purposes by imposing a tax or rate on lands or houses it is of importance

to

to consider whether exemption from such taxation could be claimed under this Article.

The question is not free from difficulty, but I am inclined to the opinion that a merchant would be entitled to claim exemption under this Article from taxation in respect of the land and houses occupied by him for the purpose of residence or in connection with his business as a merchant.

If my reading of the Article is correct, it would be difficult to impose any of the ordinary taxation for Municipal purposes which would not fall unfairly on British subjects and the subjects of the Sultan.

8. It was suggested to me by the Acting British Consul General for Zanzibar, with whom I discussed the Treaties, that all the privileges conferred upon the citizens of the United States by the 1833 Treaty had been surrendered by virtue of the Convention of June 12th 1905 between Great Britain and the United States.

In the book of Zanzibar treaties printed for the Foreign Office in June 1910 the title of this Convention is given as a "Convention between Great Britain and the United States of America respecting extra-territorial Jurisdiction in Zanzibar."

I have always read the Convention as effecting a surrender of the extra-territorial Jurisdiction of the United States, but as not affecting exemption from Taxation; and I am unable to satisfy myself that the United States has, by virtue of the Convention, renounced

renounced all the privileges conferred upon the citizens of the United States by the Treaty of 1833

It would be advisable to ascertain from the Foreign Office whether the United States Treaty may be taken as surrendered in toto.

9. Except for the provisions of Article 6 of the United States Treaty, and subject to my remarks in para. 12 of this Memo, I can find nothing in the treaties before me which would prevent any substantial obstacle to the imposition of any ordinary form of taxation, whether for General Government or Municipal purposes, other than import duty in excess of the agreed percentage or other direct or indirect taxation on goods imported.

10. Article 3 of the French Treaty provides that no person shall have the right to enter under any pretext the houses, warehouses, or other property possessed or occupied by French subjects, or by persons in the service of French subjects, or to inspect the same, unless with the consent of the occupier, except with the intervention of the French Consul.

As the jurisdiction of the French Consular Court has been transferred to the British Courts, it is certain that an entry on the authority of the warrant or order of the latter Court can be justified. The provisions of this Article will, however, be found to be extremely inconvenient whenever it is desired to give legislative authority to the police or health officers to enter and inspect buildings and to enforce

police or sanitary regulations.

Provision similar to that of Article 3 of the French Treaty has been made in the Treaties with Portugal and Italy.

11. Article 11 of the French Treaty provides that no article whatever of commerce shall be prohibited either for export or import in the States of His Highness the Sultan of Muscat; commerce shall be perfectly free therein, and shall only be subject to the import duty authorized in the preceding Article and to no other; French subjects shall have full liberty to purchase and to sell to whomsoever they may choose upon the whole extent of the Dominions of His Highness, and such liberty shall not be affected by any monopoly or exclusive privilege either of sale or of purchase.

The Treaties with the United States, the Hanseatic Republics, Portugal, and Italy all contain provisions to the effect that no article of commerce shall be prohibited from export or import. I understand that the French Consul, relying on this Article, has protested against the enactment of a law prohibiting the importation of indecent literature or pictures. I would suggest that any such protest could be met by referring the Government protesting to Article 6 of the General Act of Berlin, under which the Sultan of Zanzibar has undertaken "to watch over the preservation of the Native Tribes, and to care for the improvement of the conditions of their moral and material wellbeing." It is submitted that that

Article of the Berlin Act can be called in aid to justify any law prohibiting or regulating the importation or sale of, or other dealings in, any article of commerce which might be harmful to the native population.

The same Article will be found to be useful as justifying an Immigration Restriction law, which, I understand, has been withheld owing to the protest of the French Consul.

12. A more difficult question which may arise out of Article 11 of the French Treaty is as to whether the French Government would not be justified in protesting against the imposition of an export duty on Zanzibar merchandise or produce exported by a French subject.

The wording of the Article would appear to be sufficiently wide to support a claim to exemption from all forms of taxation, other than import duty, in respect of all articles of commerce purchased by a French subject within the Sultan's Dominions.

French subjects have, however, paid without protest for many years an export duty in accordance with the tariff prescribed in the expired German Treaty, and it may be that, as the French Government has acquiesced in the imposition of that duty, it would not be open to that Government to now protest against the continuance of the imposition, notwithstanding that the Treaty which regulated the duty to be imposed has expired.

It would, however, be unwise for the Sultan's Government

Government to seek to impose any export duty which was not authorized by the German Treaty.

Treaties with Portugal and Italy.

13. So long as the French Treaty stands in its present terms the Treaties with Portugal and Italy do not present any obstacle to legitimate legislation which does not also arise out of the French Treaty. If there should be any chance of the French Treaty being modified it would be necessary to take steps to procure a modification of some of the stipulations of these Treaties.

Treaties with Belgium and Austria.

14. These Treaties do not in themselves contain any objectionable provisions, but they extend the most favoured Nation rights and privileges to the ships and subjects of these Nations.

R. M. COMBE.

21.6.13.

24 August 1913

Dear Mr. France

Would you kindly let me
know at an early date

whether Captain Barton
in Langston is on the

permanent unserviceable

list - if so, under

what pension reg^y

he comes.

Yours sincerely

W. L. Garrison

Certainly Capt. Barton is on
the permanent pensionable staff
and Gibraltar Regs apply to him.
Sir E. Grey was very anxious
that no detriment to his prospects
& position should arise from his
transfer to C.O. control. He will
have to put in the minimum of
pensionable service of course before
you recognize his claim.

Yours sincerely

Harold W. Gades

GM 24905

East
Zanzibar



430

DRAFT East Secret

Mr. Conway, Belfast, Co. Co.

3 Sept. 1913.

Sir,

I have the honor to acknowledge the receipt of your secret copy of the 2nd of June in which you have reported on your visit to Zanzibar and submitted recommendations for the future administration of the Protectorate.

I observe that you state that you did not propose to do more than indicate the general views the nature of the changes which appear to be desirable.

24/12/13
29.8.13
20.9.13
20.10.13

The envelope
The paper
The ink
The handwriting

be needed -

437

Paragraph 10.

I concur generally with your opinion that salaries in Zanzibar should be brought into line with those in the E.A., subject always to the proviso that no officer in Zanzibar shall suffer any reduction in the salary of his appt. so long as he holds that particular appt. The reduction in emoluments will therefore have to be effected as such vacancies occur.

Paragraph 11.

As regards the Principal Judge, whose salary is nearly expiring, I understand that the present rate of the post will

will be retiring at the
 end of the year. An
 opportunity, will thus
 be afforded of effecting
 a reduction in the number
 of posts of this office
 without however feel
 that I can approach
 the Gov. for Z.A. as you
 suggest as the first
 and second Assistant
 Judges, and feel
 that their salaries must
 remain at the present
 figures until the
 receipts of their
 judgements are promoted
 or transferred
 the necessary changes can
 be made

Paragraphs

I concur in your recⁿ
 that

DRAFT.

MINUTE.

- Mr.
- Mr.
- Sir G. Fiddes.
- Sir H. Just.
- Sir J. Anderson.
- Lord Emmott.
- Mr. Harecourt.

that there should be an closer
 administrative relations
 between the East Zanzibar
 Office that which exists
 between the Attorney General
 of the Straits Settlements &
 the Malay States, ~~with~~
 the system of administra-
 tion in the Malay States
 may well be tried in
 Zanzibar, where the
 conditions appear to be
 most suitable for its
 introduction.

Paragraph
 The titles "High Commissioner
 for the Zanzibar Provinces"
 and "British Resident
 in Zanzibar" seem to be
 suitable ~~but~~ before
 finally

that salaries not closer
harmony with those
of Army in the other
I appear p. 5. 5. 9.

(a) Chief Secretary

As in opinion and
regarding the Chief
Secretary's apt career

(or will carry as soon

as the present holder

of the post) Salary

£ 700. 15s. 2 500

with £ 700. 15s. 2 500

the 20. 15s. still should

be paid to the holder

of the post of Secretary of Land

in the most best

of the best benefit

of the best benefit

of the best benefit

of the best benefit

of the best benefit

this post.

(b) The First Assistant Secretary would better be styled Assistant Chief Secretary and the rate of increment should be £25 ~~the~~.

(c) The Second Assistant Secretary should then be styled Assistant Secretary and at the maximum of his scale of salary is £200 the rate of increment should be £15.

(d) Similarly the rate of increment for the District Officers should be £25 or that of the Assistant District Officers £15.

Paragraphs 20, 21.

Hobell give ~~careful~~ ^{careful} reasons for

the question of Captain Baird's further employment, but in the event of his ceasing to hold the post of First Minister, there

would be many officers in the Colonial Service

whose need is such as to entitle them to

consent for the post of British Resident

before the officer whom you ^{have} suggested. I shall address another note to you on this subject in due course. Paragraph 22.

Yours views as to the suitability of Mr. Sinclair for the post of Chief Secretary.

Paragraph 23.

I agree that the salary drawn

DRAFT

MINUTE.

Mr.

Mr.

Sir G. Fiddes.

Sir H. Kust.

Sir J. Anderson.

Lord Emmott.

Mr. Harcourt.

this post.

(b) The first Assistant Secretary would better be styled Assistant Chief Secretary, and the rate of increment should be £25 ~~per~~.

(c) The second Assistant Secretary should then be styled Assistant Secretary, and as the maximum of his scale of salary is £200 the rate of increment should be £15.

(d) Similarly the rate of increment for the District Officers should be £25 or that of the Assistant District Officers £15.

Paragraphs 20, 21.

It will give ~~the~~ ^{conform} ~~the~~ ^{conform} to

to the question of Captain Baiton's further employment, but in the event of his bearing to £10 both the appt of First Minister, there

would be many officers in the Colonial Service whose record is such as to entitle them to a commission for the post of British Resident before the office whom you ^{have} suggested. I shall address another ltr to you on this subject in due course. Paragraph 22

I share your views as to the suitability of the Swedish for the appt of Chief Secretary.

Paragraph 23.

I agree that the salary drawn

DRAFT

MINUTE

- Mr.
- Mr.
- Sir G. Fiddes.
- Sir H. Aust.
- Sir J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

~~The Principal Judge's~~
~~office vacant~~

As at present advised, I am
inclined to doubt the
need for retaining three
judges in the Pro

Paragraphs

111

I concur in your
recommendation ~~to~~ as to
the incorporation of the
Town magistrates with
the judicial staff, &
their being placed under
the control of the Principal
Judge. But as
mentioned above, the
existing salaries of
the legal officers must
not be reduced until
the present occupants
are purged & transferred.

Done

occupied by the British
Agent & Council General 412
shall be reserved for the use

of the H.C. & but I doubt
the advisability of this
arrangement & the rights

of the H.C. to the Island
and I am sure that
it is of importance to some

of the H.C. to be particularly
to be kept in France through
the H.C. & the rights of

the H.C. & the rights of
the H.C. & the rights of
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the H.C. & the rights of
the H.C. & the rights of

DRAFT.

MINUTE.

- Mr.
- Mr.
- Mr. G. Piddex.
- Sir H. Juss.
- Sir J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

the island. I understand
that Mr. Sinclair & his
staff have their offices
on the ground floor of the
agency. I assume that
the Police Substation will
be located there. It is that
case it wd. be a great
convenience for the Resident
to have the Secretariat in the
same building as himself.

Paragraphs 32-34.

I concur in your
views as to the functions
of a Council with an
advisory
functions of a similar
type. A. A. Sultan

Paragraphs 35-39.

I shall give further

consideration

of the East should be appointed
H.C. for the Zanzibar
post that there should
be a British Resident
in Zanzibar

from his Belfield's report
dealing with this question
are enclosed herewith, together
with a copy of the Commission
of 1847 appointing the Gov.

of the Straits Settlements, H.C.
for the Protectorate in the
British Possessions.

substantive has in
Mr. Belfield that he ~~was~~ with
his recommendation,
but that before deciding
mainly as to the title
of H.C. & British
Resident he desires to
15. For E. Dyer. W

It would appear that the
suggested title are the
most suitable which
could be adopted, but
we will be glad to ~~be~~
~~submit~~ for a final decision

in this matter, leaving
reference to the final part
of your letter No. 24310
of the 24th of June. 415

[21012/13]

I have to thank you
for the opportunity of bringing
to the notice of the
Government the point
with the future organization
of Zanzibar.
If it is decided to
appoint a British
Resident, it will be
difficult to supersede
o Captain

24/9/13 } 2 am 1/2 bar

Mr. Grants for
Mr. Bottrill's signature

Dr. G.

DRAFT.

1. a. c. 7 May, 13.

2 Sept 1913

MINUTE.

Dear Jellie.

- Mr. A. P. 25/8/13
- Mr. Bottrill 29.8.13
- Mr. G. Fiddes 30
- Mr. H. Just.
- Mr. J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

We are sending you an
 official letter about the future
 admin of Langdon in which
 two points are raised
 the total to be given to the
 committee for the future
 of Capt Carter.

20 of Mr. Bellfield's
 to the June (1913)

Bellfield's recommendation
 that there should be a British
 Resident in Langdon & that
 the Gov of Calcutta should be the
 Mr. 1/2 bar plus seems

Substitute for J

In the face of
that report it
could be impossible

in our official letter, he
~~It is hardly right to say~~

Law has a fair chance
& in the face of that ~~417~~

report it will be properly
~~unfair~~ to place the

control of the Administration
in Capt. Barton's

hands, even though the

subject seems a ~~little~~

general hypothesis, but

what is to be done? You

do not want us to make

any operative changes

in the ~~letter~~ such as

the retention of Capt.
Barton on abolition terms
before, but I understand that
that is the real meaning
of paragraph 4 of your ~~official~~
letter from the 20 of the

(12755)

15th of April

The F.O. which appointed
the present First Lieutenant
I we hope therefore that

the F.O. will do us out
of our difficulty. Of course,
the C.O. will also try to
please him if a chance

occurs. But you will
expect that he is ~~not~~
~~an~~ ~~able~~ ~~man~~ to ~~be~~

28th
a very difficult

the General Service
administration
of the
any