

EAST AFR. PROT.  
No. 3 11 2005

34201  
R. H.  
R. S. J. E.

No. 464  
1906  
Paper.

(Subject)

Petition of Mr. Zuzarte

Points further on which led to  
termination of the annuities

(Minutes)

Mr. Read

All these proceedings are very  
unsatisfactory & slipshod.

We have no statement from the  
Govt as to how & when the  
annuities were missed. Mr.

Document  
H 19294

Z.'s own statement on the subject  
is that he & Mr. Under the Govt  
Collector discussed the loss in going  
through the stores before the Auditor's  
arrival; but he adds that the  
Auditor found his books quite  
correct - which I do not under-  
stand.

We are not told who had access  
to the annuities - a how it was  
kept.

The only evidence against Govt

Subsequent Paper.

1906

is that on some previous occasion (date  
not stated) some natives said they  
saw men in the morning, unrecalled  
in the Police's house, and that  
he was an intimate friend with certain  
traders who had been caught, you  
knowing in the morning.

I think we should ask now for a  
statement showing how the commission  
was kept, who held copies of it, how  
or when the copy was destroyed, & at  
what persons time the statement  
has been ascertained to be in fact. drawing  
attention to Mr. 2's statement  
that the Auditor found his books  
correct. M.B. 18/9

Mr. 2's Mr. Browley, the Auditor refused  
to give me a minute copy of his copy & before  
writing to the Auditor again. I think that  
it would be well to hear what reason he  
gives for the matter. asked to  
sell M.B. 18/9

Mr. Read please from Mr. Browley  
father that he is detained in the  
house by various other things. M.B. 25/9

Mr. Browley  
Proceed as proposed & get Mr. 2's  
first minute & tell him to return  
with the papers to Mr. Browley for his  
files. If the latter has not left  
the Port then an early answer.

H. J. R.  
27/9

M.B. 18/9  
at once

Commissioner's Office,

Nairobi,

August 21st 1906.

AFRICA PROTECTORATE.

No. 464

(Incl. 8.)

34204  
REC'D  
RECEIVED

My Lord,

6.  
1904

In obedience to the instructions contained in paragraph 5 of Your Lordship's despatch No. 351 of June 21st, I have the honour to submit herewith a report by Mr. Hobbly giving further particulars of the reasons for connecting Mr. Zuzarte with the loss of ammunition from Baringo Station.

2. Owing to our being understaffed, the Clerk, Mr. Zuzarte, had frequently to be left in sole charge of the Station; he therefore had every opportunity of making away with the ammunition. Mr. Zuzarte had not a good reputation himself; he was on intimate terms with low-class traders who

have

Principal Secretary of State

for the Colonies,

Downing Street,

LONDON; S.W.

- Mr. Hobbly  
August 7th 1906.
- Letter to Mr. Zuzarte  
January 6th 1906.
- Zuzarte to Treasurer  
February 7th 1906.
- Zuzarte to Treasurer  
February 7th 1906.
- Letter to Mr. Zuzarte  
January 7th 1906.
- Letter to Treasurer  
January 3th 1906.
- Mr. Burn  
March 19th '06.
- Mr. Burn  
April 23rd '06.

have lately been caught gun-running in Karamojo; he was on a former occasion seen burying ammunition in the store of one of these men; and the ammunition found in Karamojo has been traced from the direction of Baringo, whence it could only have been transported by pack-donkeys owned by one of the traders.

3. Although the case which was brought against Mr. Zuzarte fell through owing to want of evidence, and the departmental enquiry which was subsequently held failed to elicit direct proof of his guilt, I am of opinion that there is no doubt that Mr. Zuzarte was connected with the theft; and as I considered it a dangerous precedent to allow him to remain in government employ; I instructed the Treasurer to grant him such leave and leave pay as were due to him and to inform him that at the expiration of his leave his services would no longer be required. I regret that the grounds for dismissal were not given to Mr. Zuzarte in accordance with Colonial Legislation No. 95<sup>b</sup>. As Mr. Zuzarte was engaged locally on a monthly salary and his services might at any time have been dispensed with on a month's notice, I was of opinion that he was being very leniently dealt with. That

the

forwarding Mr. Luzarte's petition.

I have the honour to be,

With the highest respect,

My Lord,

Your Lordship's most obedient,

humble servant,

A handwritten signature in dark ink, appearing to be 'J. M. ...' with a flourish at the end.

In the absence of H. M. Commissioner.

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0664. 200 31 1. 1.

520

COPY.

C O O  
34294  
RE...

MINUTE

In obedience to your instructions I have the honour to report as follows regarding Mr. Zuzarte and the loss of ammunition at Baringo.

The case for the prosecution failed to elicit direct proof of Mr. Zuzarte's connection with this theft but there is native evidence to show that he and another called Zuzarte was seen burying ammunition in the store of de Silva, a Portuguese trader of Baringo, with whom he was on very intimate terms. The native evidence in point was disinterested in that it was given by a Niamul and connected in any way with the Station and of a Maasai woman so that the point of malice borne him by the Police and Station staff of Baringo, as put forward by Mr. Zuzarte, does not in this case at all events, apply. I might point out that the name of de Silva, the trader above referred to, has been connected with Coullis, a Greek, and other traders who were later found to have been gun running in Karatoto, an outlying part of the Uganda Protectorate, and that in cases of similar thefts which have taken place elsewhere in the Protectorate the stolen ammunition has been traced in this direction where it would be of much enhanced value to the various traders there assembled. Motive for the theft is thus not wanting and in the opinion of the Assistant Collector, Baringo, the ammunition could have left Baringo, fifty miles and more from another Government Station and the line, in no other way than

on

on the transport donkeys or one of the two traders at that time at Baringo.

It has been found up to the present impossible to appoint two officers to Baringo on account of the general understaffing of the Protectorate, and the Goanese has had to be continually left in absolute charge of the Station. During these periods opportunity can scarcely have been wanting for him to do away with the ammunition if he so wished.

With regard to Mr. Zuzarte's character it is now pointed out by the former Assistant Collector, Mr. Collyer, that he also had reasons to distrust him though he had nothing definite to act upon and I need scarcely say how very undesirable it is to have a man in this position on whom absolute reliance cannot be placed.

It should also be mentioned that as a result of other troubles at Baringo some three years ago Mr. Zuzarte's dismissal was recommended by <sup>the</sup> then Assistant Collector and supported by the late Sub-Commissioner of the Province, Mr. Bagge; but owing to a representation from the Treasury shewing the great difficulty at that time of securing suitable clerks up country the matter was eventually dropped.

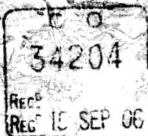
Sd/- C. W. Hobley.

Naiyasha,

August 7th 1906.

F.G.No. 250/22

The Secretary,  
Bombay,  
February 2th 1906.



Mr. P. N. Zuzarte,

M o m b a s a .

I am directed by His Majesty's Commissioner to inform you that you may be granted the leave due to you i.e. four months, but that at the expiry of your leave your services will be no longer required.

Please inform me by what Steamer you intend to leave for India so that I may take the necessary steps to secure the passage for you.

Sd/- H. P. Espie

for TREASURER.



ENCLOSURE

523

164 By 21 1906

Mombasa,

February 7th 1906

To the Treasurer,  
M o m b a s a .

Sir,

I have the honour to acknowledge your letter No.F.G.226/12 dated 6th February 1906 and in reply beg to point out that under the leave Regulations I am entitled to four months leave on half pay after service of three years and 8 months and my passage to and from India.

If the Government wishes to dispense with my services they can do so by proper notice after my return.

I wish to leave by the German boat of 8th instant. The ticket should be to Karachi and back to East Africa.

I have &c.,

Sd/- P. N. Zuzarte.

Mombasa,  
February 7th 1906.

COPY.

To

The Treasurer,  
Mombasa.

Sir,

Upon enquiry I find that the German Steamer  
"Somali" is expected to be in here to-morrow and I  
shall feel obliged if you will kindly let me know if  
my passage has been booked or not.

I have &c.,

Sd/- P. N. Zuzante.

2005  
In Office  
COPY.

L.G.No.227/14

The Treasury

Mombasa

February 7th 1908.

I have to acknowledge the receipt of your two letters of this date.

I have to point out that my letter No.286/12 of yesterday was quite "proper notice" that your services would no longer be required after the expiry of the four months' leave which His Majesty's Commissioner has sanctioned.

During these four months you will be an official on leave of absence. On their expiry you will no longer be an official of the Protectorate and will have no further claim either for passage or anything else.

I may point out to you that you were engaged locally on a monthly salary and that your services could be dispensed with by a month's notice or a month's pay in lieu of notice without passage. In your case the granting of leave is entirely at the option of the Government.

If you agree to these conditions I shall cause a second class passage to Bombay to be taken for you by the Steamer "Somali" due to sail to-morrow.

Sd/- H. P. Eople  
for Treasurer.

P. N. Zuzarte,

Mombasa

526  
COPY

Mombasa,

February 8th 1906.

To

The Treasurer,

M o m b a s a .

Sir,

With reference to your letter of yesterday's date I beg to inform you that I am willing to take the passage to Bombay and half pay for four months on conditions mentioned in your letter.

I beg &c.,

Sd/- P. N. Zuzarte.

COPY.

Nairobi.

March 14, 1906.

To

A. C. Hollis, Esq.,  
Secretary to the Administration,  
N A I R O B I .

Sir,

I have the honour to acknowledge receipt of your letter of 2nd instant informing me that by paragraph VI 218 of Colonial Regulations communications intended for the Secretary of State must be sent in an triplicate.

Not being aware of the rule, I have sent several communications singly. I should be obliged if you would inform which (if any) of the communications for the Secretary of State which I have forwarded to His Majesty's Commissioner you require further copies of.

I will take care to comply with the Regulations in future communications.

I have &c., &c.,

Sd/- W. A. BURN.

In Despatch No. 464 of July 21 1906

COPI.

Nairobi.

April 23rd 1906.

To

Lt. Colonel J. Hayes Sadler, C.B.,

His Majesty's Commissioner,

NAIROBI.

Sir,

Mr. F. N. Zuzarte.

I have the honour to send herewith two further copies re the above as requested in your letter dated 2nd March last.

I have &c., &c.

Sd/- W. A. BURN.



DRAFT.

East Africa Prof.  
No. 631.

ansd 44931  
J May ✓

5 October 06

Sir,

Comms.

I have to ask

MINUTE:

- Mr. Scoffham 4/10.
- Mr. Read 5
- Mr. Antrobus.
- Mr. Cox.
- Mr. Lucas.
- Mr. Graham.
- Sr. M. Ommanney
- Mr. Churchill
- The Earl of Elgin

M. J. P.

the receipt of Mr Jackson's  
despatch No 464 of the  
21st of August on the  
subject of the dismissal of  
Mr P. N. Zugate Station Clerk  
in the P.O.P.  
at Barrigo and to request

that you will furnish me  
with a statement showing  
how the annulment at  
the station was kept, how  
and when the loss was  
discovered, and what persons  
had access to the

I regret to have to say  
that the evidence against  
Mr Zugate is not now  
satisfactory from a  
P.O. point of view.