



EAST AFR. PROT.

31205

3 OCT 1912

Division, A.

Date.  
1912

11 Sept

Previous Paper.

1105

RE: MARRIAGE

Further as to obstacles put in way of conducting the case of his clients. Has requested his friends at home to take the strongest action unless he is called that no further obstacles will be put in his way. Is proceeding to England to put the case in person.

Sir G. Fiddes.

I sent on a telegram from Mr Morrison two days ago.

It is impossible to deal with Mr Morrison like this. The correspondence which he sends is not even complete. His letter of the 30<sup>th</sup> of August & the 4<sup>th</sup> of Sept. deals with a letter, apparently a very important one, from the Acting Chief Secretary which he has not furnished us.

Send the Col. a copy of the covering letter, detailing the <sup>dates of the</sup> correspondence

Subsequent Paper

11229

enclosed in it, remark as to the incompleteness of the correspondence; ask for a copy of the missing letter or letters, for the Cpl's reasons & observations. The Cpl. should be instructed to tell Mr. Morrison that his letter has been received & has been referred back to the Cpl. for his report; Mr. Morrison should also be told that he did not send the whole correspondence.

As to par. 3 of Mr. Morrison's letter he evidently means the "Diseases of Animals Ordinance" & not the "Infectious Diseases Ordinance". The notice which he must have in mind will be found on pp. 602-605 of the Gazette of Sept. 1<sup>st</sup> 1904 (below). The notice is a very comprehensive one dealing in detail with the whole of the colony in ~~four~~ districts is trading in cattle absolutely prohibited. Two of these districts are Laikipia & the Southern Masai Reserve. In these cases no reason is assigned for the prohibition. In the other <sup>three</sup> ~~two~~ cases the prohibition is stated to be "owing to disease".

No.  
H.C.  
has  
any  
hand

Volume  
604  
of p.

The difference is curious & lends some colour to Mr. Morrison's suggestion. I think we ought to ~~arrange~~ <sup>arrange</sup> it in line with the Cpl.

Feb

Oct 4

P.M. 4

I would telegraph to Gov. send as soon as possible copies of all correspondence with Morrison as to Masai with full ~~copy~~ report. otherwise as proposed.  
Ch. 5.10

Yes, telegraph.

Colon's letter, the book of this.

Ch. 6.10

105  
A. MORRISON  
(England)  
Solicitor-at-Law  
High Court of  
East Africa.  
Solicitor-at-Law  
A. D. ROSE,  
REGISTERED AT-LAW  
(England)



C.O.  
205  
3 M

MOMBASA,  
BRITISH EAST AFRICA.

498

September 14th 1912.

To The Right Hon.  
The Secretary of State for the Colonies  
Whitehall. S.W.

Sir,

In re the Masai Move. I have the honour to

\*  
enclose herewith copies of correspondence between myself and  
the Acting Chief Secretary.

It clearly appears from the correspondence that the  
Local Government apparently dare not let the case come into  
Court in the ordinary way and are illegally obstructing my  
client in bringing their case before the Courts. Their  
purpose is to fully commit the Home Government to the policy  
of reversal, as the move will be very expensive.

I beg to draw your attention to the notice under the  
Infectious Diseases Ordinance in the Gazette of 1st September  
1912, and to inform you that my contention is that cattle  
trading is prohibited in Kaimosi solely to embarrass my clients  
in raising the necessary funds. You will observe that  
cattle trading is also forbidden in the Southern Masai Reserve.

\* (h) (l) (u) (v) in Encl. 1 in No 34681

105  
- 14834 - 12

A. MORRISON,  
 Barrister-at-Law (England),  
 Senior High Court of  
 East Africa,  
 Professor and Counsellor.  
 J. D. HOMER,  
 BARRISTER-AT-LAW  
 (England)

MOMBASA,

BRITISH EAST AFRICA.

My client Mulangit is chief of his age rank among the Northern Masai and has been three years in America, being educated, having returned on hearing of the grave troubles of his fellow tribesmen. As you will see he has been refused permission to return to his home. The High Court has refused to permit the Court fees on a Mandamus to be postponed and as my client is not allowed to go to realise his property some delay may arise. I am instructed, however, that the Masai working in Nairobi, who are few and poor, have subscribed very nearly the necessary amount.

I have requested my friends at Home to take the very strongest action over this unjust, if not illegal, refusal of a pass to this boy, unless I have received from you by cable satisfactory assurances that no similar obstacle will be put in my way in conducting the case in the future.

The clients who are out of the reserve and able to communicate with me have instructed me to go to Europe as soon as possible and that the Masai generally predictably support Mr. E. M. M. and are very willing to subscribe as many cattle as I require as soon as I can get into communication.

A. MORRISON,  
Solicitor-at-Law (England),  
Solicitor-at-Law of  
East Africa,  
Mombasa and Zanzibar,  
A.D. 1907  
SOLICITOR-AT-LAW  
(England)

MOMBASA,

BRITISH EAST AFRICA.

with them and they have permission to sell their cattle.  
I hope therefore to be very shortly in Europe so that I beg to  
request you to delay any decision hostile to my clients until I  
have the opportunity of putting their contentions before you  
in person.

*etc*  
I have the honour to be,

Sir,

Your most obedient and humble servant

*A. Morrison*

August 7th, 1922.

P.  
When replying please  
Quote No. S. 3231 and date.

C. 63.  
26  
3 OCT 12

Sir,

I have the honour to acknowledge the receipt of your letter of 31st ultimo.

Before issuing a pass to the person named Peter to enable him to proceed to the Masai Reserve and then to go to Kuaruti I request you to inform me of the nationality of the person in question and the object of his visit.

I regret that the political situation will not admit of Legation, Paramount, Messering and Engengess leaving the Masai Reserve at present, and I am therefore unable to supply you with the passes you ask for. If, however, you can satisfy the Government that it is necessary for you to meet your clients for the purposes of any legal action in the Courts I shall be happy to furnish you with a pass to proceed to the Masai Reserve.

I have the honour to be etc.

(Sd) A.C. Hollis,  
Acting Chief Secretary to the Govt.

A. Morrison Esq:

M. O. A. B. S. A.

OCT 3 1912

August 12th. 1912.

Sir,

I beg to acknowledge your No. S.3221 of the instant and postpone my comments on its terms.

"Peter" is a Swahili and the object of his visit to the Masai reserve is to communicate with my clients and witnesses.

"Juma" is a Masai boy whom I wish to send to the reserve on a similar errand. I shall be obliged by the receipt of passes for these boys.

With regard to passes for my clients to come to me I must point out that <sup>if</sup> they have to bring myself or Mr. [ ] out to them beyond the Mau it will cost them some £150 to £200 for each consultation whereas an ordinary attendance in my office in Mombasa would cost them from 5 to 10 rupees.

Your reference to the political situation I am at a loss to understand. If you mean the general relations between the Government and the Masai I am sure that if I had free access to my clients and could advise them against any rash hasty action it would tend to lighten the political situation whatever it may be more than the course you propose. However, by the political situation you mean the personal avoidance of the officials responsible for the more than doubtful refusal of passes to my clients may have some result or otherwise as I say none that I at present understand. Will you please ask you either to reconsider your decision or to point or to further explain it.

I am obliged by your offer of a pass to the Masai reserve  
 J. G. Chief Secretary

Nairobi.

which I presume includes Mr. Lane as well. I am not that  
neither Mr. Lane or myself have any other object in vi-  
sion or reserve other than our respective business.  
I presume no further stipulation will be made  
by the Government. I shall give you due notice when I re-  
quire the same.

I am, etc

Sir,

Your obedient servant

Wm. A. Morrison



G. O.  
205  
3 OCT 12

30th. August 1912.

Sir,

I have the honour to acknowledge of the receipt of your S. 8221 of the 26th. instant which deals with my applications for passes to the Northern and Southern Masai Reserves for Mulungit and Juma who are Masai boys with an absolute right to enter such reserves and for Peter—a Swahili in order to communicate with my client Legalishu, Engengess, Pamaat, Narsing and which deals also with other matters to which I shall reply separately.

My first application for a pass for Peter was made on the 31st. day of July 1912, my application for a pass for Mulungit was received by you on the 21st. instant. You now reply that pending my answering a string of interrogatories which you have been advised to administer to me (dealing with topics utterly irrelevant to this issue) you will deny the boy Mulungit a pass which depends as a right. This is a refusal.

I am accordingly instructed to move the High Court as mentioned in my letter.

I have the honour to be,

Sir,

Your obedient servant.

Ag. Chief Secretary,  
Nairobi.

August 7th. 1922.

When Replying Please

Quote No. S. 3221 and date.

C. 22

3 OCT 12

Sir,

I have the honour to acknowledge the receipt of your letter of 31st ultimo.

Before issuing a pass to the person named Peter to enable him to proceed to the Masai Reserve and then to go to Rumuruti I request you to inform me of the nationality of the person in question and the object of his visit.

I regret that the political situation will not admit of Legalism, Paramount, Gnessering and Engengess leaving the Masai Reserve at present, and I am therefore unable to supply you with the passes you ask for. If, however, you can satisfy the Government that it is necessary for you to meet your clients for the purposes of any legal action in the Courts I shall be happy to furnish you with a pass to proceed to the Masai Reserve.

etc.  
I have the honour to be etc.

(Sd) A.C. Hellis.  
Acting Chief Secretary to the Govt.

A. Morrison Esq.

205

3 OCT 1912

August 12th. 1912.

Sir,

I beg to acknowledge your No. S. 3221 of the instant and postpone my comments on its terms.

"Peter" is a Swahili and the object of his visit to the Masai reserve is to communicate with my clients and witnesses.

"Juma" is a Masai boy whom I wish to send to the reserve on a similar errand. I shall be obliged by the receipt of passes for these boys.

With regard to passes for my clients to come to me I must point out that they have to bring myself or Mr. ... out to them beyond the Mau it will cost them some £150 to £200 for each consultation whereas an ordinary attendance in my office in Mombasa would cost them from 5 to 10 rupees.

Your reference to the political situation I am at a loss to understand. If you mean the general relations between the Government and the Masai I am sure that if I had free access to my clients and could advise them against any rash hasty action it would tend to lighten the political situation whatever it may be more than the course you propose. If however, by the political situation you mean the personal grievances of the officials responsible for the more than usual refusal of passes to my clients, my only remedy would be to advise them to present their grievances to the appropriate authorities and therefore ask you either to reconsider your decision on the point or to suggest a course of action.

I am obliged by your offer of a pass to the Masai reserve

S. Chief Secretary  
Nairobi.

which I presume includes Mr. [unclear] as well. I am not sure  
 whether Mr. [unclear] or myself have any right or interest in the  
 [unclear] or reserve others than our respective [unclear].

I presume no further stipulation will be made  
 by the Government. I shall give you due notice when I re-  
 quire the same.

I am, etc

Sir,

Your obedient servant

Wm. C. Morrison

30th. August 1912.

CC 3 OCT 12

Sir,

I have the honour to acknowledge the receipt of your S.3221 of the 26th. instant which deals with my applications for passes to the Northern and Southern Masai Reserves for Mulungit and Wuma who are Masai boys with an absolute right to enter such reserves and for Peter—a Swahili in order to communicate with my client Legalishu, Engengess, Pamaat, Naringering and which deals also with other matters to which I shall reply separately.

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I am accordingly instructed to move the High Court as mentioned in my letter.

I have the honour to be,

Sir,

Your obedient servant,

Chief Secretary,  
Nairobi.

191

1911, September 1911

505

I have already advised you that I received a  
copy of the report of the committee which was  
submitted to the question of whether it was desired.

In answer to your query as to how my clients  
are I regret to state that some clients whose  
names have been disclosed to you have been subjected  
to such interference with their signature rights  
as citizens that it is not in the interests of my  
other clients to disclose their names to you and if  
the High Court has definitely prevented such  
interference for the future, for the present I shall  
do no more than state that the legal firm, Messrs  
and Messrs are not the only ones interested in.

As regards the suitability of my clients to the  
benefit of the tribe generally as individual members of  
the tribe they are entitled to bring their own views  
before the committee and to be heard by it.

It is not my duty to disclose the names of my clients  
generally to the proceedings for the tribe, but I  
will do so where a case arises of a nature which  
requires the disclosure of their statements to the  
tribe, however, in a final appeal, I shall  
disclose the names of my clients to the tribe  
and the names of my clients generally are being passed on to the  
tribe and never withdrawn from the tribe.  
I have no objection to your name being included in  
the list of names of my clients and I shall  
include your name in the list of names of my clients  
and the names of my clients generally.

You must remember that my client is in attendance before  
the court and excited a power of attorney in favour of  
his lordship's rights and confirmed their obligations of years  
past, and agreed to represent them.

Your telegram is a masterpiece of misstatement.  
From the beginning of the year I had been well known that  
Legalishu wished to have a lawyer to help him and his people  
and wanted to pay a yearly retainer of 1000 Rupees.

So far as I know Mr. Leys had nothing to do with this  
and the suggestion came from another and high placed official.  
Mr. Leys was called from me what I was willing to act for the  
Mandi on terms and I understand recommended me. Mr. Leys  
also approached Mr. Sneland. The details of my visit to Mandi  
were arranged by Mr. Sneland.

Immediately on my arrival at Mandi I met Mr. Sneland who  
presented me Legalishu's signet ring <sup>sent by Mr. Sneland from Legalishu</sup> who asked Mr. Sneland and  
myself to go to see Legalishu but with the strictest privacy  
as if you heard of his intention you would frustrate it. It is  
not the case that I sent to Legalishu before he asked me to  
do so.

I have since been informed that Legalishu when cross-examined  
quitted without justification <sup>by</sup> an administrative officer  
and that he then returned his arms to me.

On behalf of myself and the Hon'ble Government I am  
republishing your suggestion which is to issue a warrant for  
the seizure of equipment by the Mandi on the "premises" as  
the result of these proceedings.

His Honor the Judge I will prove shortly that  
the Government is not bound to issue a warrant as suggested  
in the way of a private citizen  
The Government's action will be to issue a warrant  
to the effect that the Government will be bound to issue a warrant  
to the effect that the Government will be bound to issue a warrant

Yours faithfully,  
Secretary,  
Mandi.

*Handwritten signature*

In East  
Sims

507

RECEIVED  
R. GOCH  
L. 10

RECEIVED  
1901

Sept 2 15 pm  
\$9.10

DRAFT.

Ans'd 3/4/51

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Crisoprass

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Annulatus  
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may I expect further  
undecade

details referred to in your

letter of 19 Sept.

W. Koller 8

G. Fiddle 8

Sir J. Anderson

W. Harcourt

Dr. H. H. ...



Confidential 10 Oct 1942

Sir [Signature]

With reference to my

letter of the 9<sup>th</sup> of Oct\*

I have the honour to

transmit to you two

accompanying copies of

a letter of the 7<sup>th</sup> of Oct

from a woman on the

subject of the Inca

Inc.

The woman's letter

is enclosed with this letter

of the 7<sup>th</sup> of August

and of the woman's letter

Lat. Cont.

Sir [Signature] (Dist. Limit)

1942 2/10

Mr. Tolson

Sir G. Fiddler

Sir J. Anderson

Mr. Harcourt

Woman 14 Oct  
(Cross)

Woman 16 Oct  
(Cross)

X No 31205  
T No 31205 and 31105

Doc 2817

of his 12<sup>th</sup> of 18<sup>th</sup> of August  
and 14<sup>th</sup> of September. It  
appears from these letters  
that further corr. has  
passed with his honours  
of which an copy is forwarded  
In reply under reference  
I request you to send  
some copies of all the  
bits a full report on the  
matter.

S. W. Honess should be  
informed that his letters have  
been seen and have been  
forwarded to the  
Hon. Secy. of the Board  
and that in his first letter

4. With reference to the  
3<sup>rd</sup> para of his letter  
of the 14<sup>th</sup> of Sept. \* No 31205

I have examined the  
Notice under the disease  
of Animals Act 1906  
published on pages 602  
-603 of the E. A. P.  
Gazette dated the 1<sup>st</sup>  
of Sept. I presume

DRAFT.

MINUTE.

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

that that is the Notice  
to which W. Morrison  
refers, and that it is  
by mistake that he  
speaks of it as having  
been issued under the  
Infectious Diseases  
Act. I observe that  
trading in cattle is  
prohibited by the Notice

five districts. In the  
case of three of the  
districts, the prohibition  
is stated to  
be owing to disease, but  
no ground for the  
prohibition is stated  
in the case of the two  
remaining districts,  
viz. Laikipia and the  
Southern Masai Reserve.

You will no doubt  
furnish me with your  
observations upon Mr.  
Whitman's allegation  
that trading in cattle  
in these two districts  
is prohibited in order

to embarrass his  
clients in raising the  
necessary funds

510

I have  
Yours  
Harcourt