

EAST AFRICA

No. 36254

C. O.
36254

12 DEC 07

Invoice No.

392

(Subject.)

1907

In Comment of two Minutes at Meeting

previous Paper

What is intended under Removal of Native
in special Districts Ordinance Sec 3. of Native and
George enclosed papers showing same

(Minutes.)

Mr. Kealey

This seems all right.
But I'd be glad if you would
look at it in connection with the
minutes on 35044. It is
true that the two Orders
annexed 31 of 1902 are for
the purpose of the
to deal with the Native persons
which is simply preferable to
because under the Ord. C.
provided that the Native
meeting is a special district

Annex on 35044

Previous Paper

Previous Paper

under the Order, as to which I
cannot find any info

1870

~~to~~
Admiral

I am sorry that I have not been able
to find any further information
as to the date of

1870

Approval of Ad. Satter's action
in this matter, and upon
writing on 25th inst. notify
the Off in accordance with
the above instructions

1870

C O
36254

407

Governor's Office,
No. 12 OCT 07
Nairobi,

September 17th 1907.

~~SECRET~~

My Lord,

In accordance with the terms of Section 3 of the Removal of Natives in Special Districts Ordinance of 1904, I have the honour to report that I have issued orders for the internment of Ngathu and Njeroge, two Wakikuyu natives of Kyambu near Nairobi, for a period of five years at Kisumu.

2. The accompanying papers will show your Lordship the reasons for this step. I am advised that it would not have been possible to have obtained a conviction by a Court, but the presumptive evidence of their complicity in these cattle outrages is so strong, and the orders of their tribe so evidently consider their removal desirable that I feel sure it

was

H.M. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES,

ROSSING STREET,

LONDON, E.C. 4.

was the wisest course to pursue.

I have the honour to be,

With the highest respect,

My Lord,

Your Lordship's most obedient,

humble servant,

J. M. Miller

INCLOSURE

In Despatch No. 392 of Sept 17, 1907

C O C
36254
REC'D
12 OCT 07

MINUTE

409

In November last so many complaints were received concerning the small native reserve which borders on Park-lands that it was decided to remove natives from it. Mr. Baker complained that the Natives on this reserve were enticing his workmen away, they cleared out some 50 acres of Mr. Grogan's forest, and it was the resort of bad characters generally; some of these natives moved on to Mr. Baker's land, but eventually they were all sent to their various chiefs except those men Mr. Baker desired to keep.

In June one of Mr. Baker's cows was mutilated, arrests were made at his instigation but there being no evidence, the accused were released; ^{because} there was no trial but only a police enquiry. Mr. Baker seems to have thought that he was suffering from Official persecution, and that the officers at Kyamba were deliberately trying to hush up the nefarious practices of some unknown persons.

In July some of Mr. Baker's cattle were poisoned, and he jumped at the conclusion that the natives he supposed had mutilated his cattle were now poisoning them, and because I would not ~~do so~~ immediately and take by force a number of cattle ~~to~~ to one Kachina, the supposed culprit, he became extremely rude. A policeman sent to watch at Mr. Baker's farm eventually got hold of a quantity of poison, and a subsequent enquiry elicited the fact that the culprit is really Mr. Baker's own trusted servant, and apparently not one of the men who was moved from the native

INCLOSURE

COPY.

In Despatch No. 392 of S.M. 17. 1907.

M I N U T E

C O C
36254
REC ^d REC 12 OCT 07

409

In November last so many complaints were received concerning the small native reserve which borders on Parklands that it was decided to remove natives from it. Mr. Baker complained that the Natives on this reserve were enticing his workmen away, they cleared out some 50 acres of Mr. Grogan's forest, and it was the resort of bad characters generally; some of these natives moved on to Mr. Baker's land, but eventually they were all sent to their various chiefs except those men Mr. Baker desired to keep.

In June one of Mr. Baker's cows was mutilated, arrests were made at his instigation but there being no evidence, the accused were released; ^{because} there was no trial but only a police enquiry. Mr. Baker seems to have thought that he was suffering from official persecution, and that the officers at Kyamba were deliberately trying to hush up the nefarious practices of some unknown persons.

In July some of Mr. Baker's cattle were poisoned, and he jumped at the conclusion that the natives he supposed had mutilated his cattle were now poisoning them, and because I would not send out immediate warrants by force a number of cattle belonging to one K... supposed culprit, he became extremely rude. A police man sent to watch at Mr. Baker's farm eventually got hold of a quantity of poison, and a subsequent enquiry elicited the fact that the culprit is really Mr. Baker's own trusted servant, and apparently not one of the men who was moved from the Native

(2)

Reserve at all.

There is not sufficient evidence to convict the accused Ngathu and Njerōji under the Indian Penal Code, but I would strongly urge that they both be deported for five years.

Sd/- F. W. IGASB.

Nairobi,

Ag. Provincial Commissioner.

October 2nd 1907.

COPY. No. 227/308
No. 1094/3

District Commissioner's Office,
Kyambu,
August 23rd 1903

Sir,

I have the honor to forward herewith a report re the recent cases at Mr. Baker's farm and statements of various Elders.

The two men in question are I consider a danger to the tranquility of the district, and I strongly recommend their being deported. There is not sufficient evidence to take proceedings against Ngathu and the evidence against Njerogi is slight and I think it would be better to send him out of the district with his father.

I have etc.

Sd/- J.O.W. Hope,
District Commissioner.

The Acting Provincial Commissioner,

NAIROBI.

... lives were... cattle...
 ... a Veterinary Officer on seeing the animals
 in question, stated, that he thought they were suffering
 from poison. Previous to the examination of a party who
 ... lives on Mrs. Baker's land, took a bag said to
 contain poison to Mrs. Baker, and said that he knew Mrs. Baker's
 cattle had been poisoned by a man named Kahania (the brother
 of the man Kinshof formerly wrongly accused of causing the
 death of Mrs. Baker's cow) and that the bag he brought contained
 some of the poison which Kahania had used. He states that
 Kahania had bought the poison from an Mpanpa, by name Nguiny va
 Naineh. After a careful enquiry I find that it was Npathu
 himself that bought the poison from this man shortly before
 the cows in question were taken ill, and that Kahania had no
 dealings whatever with Nguiny va Naineh. It is evident that
 Npathu made an entirely false accusation against Kahania.
 There is a strong suspicion that Npathu himself poisoned the cows
 in question.

The people produced by Npathu to hear out his accusa-
 -tion against Kahania all confess that they were lying and
 were hoping that they

This man Npathu is well known by the Akikuyu as a
 wicked and a poisoner. His chiefs tell us that many deaths
 of Akikuyu are attributed to him. He is the brother of the
 Mpanpa who is at present in the land of Mrs. Baker's cattle.

In each case an intention can be ascribed of an
 atrocious offence; there is no doubt that both Npathu and
 his son Hooroch are extremely dangerous people, and it will be a
 great blessing to the Akikuyu people in this district if both
 of them are deported to a place where they will be unable to

carry out their atrocious practices.

Sd/- W.E.H. Barrett,
Asst. Dist. Commr.

10/28/1907

About six weeks ago, Mrs. Maudhael Baker of the Homestead, Nairobi, had one of her cows mutilated; one of its teats being cut clean off near the milk bag, and another teat also gashed with a knife, of other sharp instrument. On the evening on which this incident took place, one of the herdsmen Ngorogeh reported to Mr. Baker that the other herdsman Kinanjui had cut off this cows teat. The police were informed and the unfortunate Kinanjui was arrested on the report of his friend Ngorogeh. Kinanjui was eventually released for want of evidence against him. While camped near Mr. Baker's Estate I made a careful enquiry into the case, and find that the real culprit is Ngorogeh himself. Apparently this man must have had a grudge of some sort against the Baker's. I can find no other reason for his intentional mutilation of Mrs. Baker's cow. The report against Kinanjui was probably made to save himself from the consequences of his act.

Sd/- W.E.H. Barrett,
Asst. Dist. Commr.

10/27/1907

Mbaro wa Mburu. Chief Akikuyu living near Mbaro.

Mbaro wa Mburu states:- Mbaro is well known among the Akikuyu as a poisoner and a thoroughly bad man. Several deaths among the Akikuyu are attributed to him. It will be a good thing for all of us if this man is sent out of our country. I suggest however that he is sent to some place far away from where it will be impossible for him to return or to get his friends to come here and continue his practices.

Sd/- W. E. H. Barrett.

Asst. Dist. Commr.

Mimi wa Vavichu an important Akikuyu Chief states:-

Formerly Mbaro lived at Mbaro and was before the Government built at Mbaro. Mbaro was continually poisoning people and I sent him away. He is a very bad man, and if released now, none of our lives will be safe from him.

Sd/- W. E. H. Barrett.

Asst. Dist. Commr.

Aithumu wa Inopa an Akikuyu Chief states:- I know Mbaro well; he is a very dangerous man and many deaths are attributed to him, among the Akikuyu. No man is safe from him, from the night to the noon. If he is released he will be worse than ever. The only way to save him from poisoning people is to send him far away from the Akikuyu country.

Sd/- W. E. H. Barrett.

Asst. Dist. Commr.

MEMO
 Mr. S. Baker's cattle cases.

About the end of January last I received instructions from Mr. Hopley to hold a shauri with Kifanaji with a view to removing the natives from a small reserve at the back of Parklands in the Nairobi district. This neighbourhood was a shelter for all the bad characters round the place. These natives moved away and some moved over the stream into Mr. Baker's farm. I met Mr. Baker one day and told him this and advised him having them shifted and various other natives also living on his land who were bad characters and did not work for him. Mr. Baker agreed to this and told me that he would be very pleased to get rid of a lot of loafers on his farm they would work for no one but made a lot of money by sending their women into Nairobi to sell firewood which had been cut on his farm. I went to the farm one day and had a shauri and removed certain natives. Mrs. Baker asked that Kihania and his people might be allowed to stay on to which I agreed. Some time after Mrs. Baker reported to Nairobi that a cow had been mutilated. Inspector Bentley went out from Nairobi and started the investigation of the case and it was transferred to the police here. Inspector Bentley had arrested four men on suspicion, one of these was Kieragi about whom Mrs. Baker wrote two or three times asking that he might be released, as he was a good boy. He was released and also the three other men, as there was not sufficient evidence to warrant a prosecution. These men were Kihania and his people whom Mrs. Baker had asked might be allowed to stay on the farm.

After this case I told Kihania and his people that they must leave and come and live at Kyambu. Mrs. Baker after a little time reported again to Nairobi, that the natives were attempting to poison her cattle. I sent Mr. Barret to camp near by and to make enquiries.

enquiries. Mr. Moore also went to the farm, but was met in a hostile way by Mr. and Mrs. Baker, who refused to give him any information, that he was unable to carry on the investigation. Mr. Barrett eventually found that the cow of the name of the whole business, was an old cow called Ngathu and that it was apparently his own Hjeragi, when Mrs. Baker had asked to be released in the first case, she had mutilated the cow. Kihanda and his people had nothing to do with it. Ngathu is undoubtedly a dangerous character. I attach Mr. Barrett's report and statements, made by leading and reliable Kikera. The evidence against Hjeragi is very slight, but I consider he is a danger to the district. Ngathu is also a very dangerous man and I think the best way to deal with the two, is to deport them out of the district, and I strongly recommend that they should be sent to Kisumu.

25-2-07.

Sd/- J. G. V. Mayo,
District Commissioner.

Enquiry into poisoning of Mrs. Baker's cattle.

Nguing wa Ngineh from Fort Hall District, Chief Guts states:-
 A few days ago I was living with Moreu at Mr. Baker's Estate. Ngathu came to me and took me to his house on the same estate. Ngathu killed one male goat in the wood near the house of Kithendu and then gave me one rupee in pice. I then gave poison to Ngathu. This poison would kill a man or a cow, but Ngathu did not tell me whether he wanted to kill a person or an animal, I simply sold him the poison. Ngathu bought the poison from me at about five in the evening. That night I slept in Moreu's house. The next day I attended a man who was sick at Moreu's house. That night I slept at Moreu's house the next day I went to Nairobi. That night Moreu came and told me that the Police were looking for me and that I must escape. I then fled to the Fort Hall District. I did not sell or give any poison or medicine to Kehania. Last night in the Kyambu gael Ngathu told me not to give him away but to state that he had sold poison to Kehania.

Kyambu 8-8-07.

Sd/- W.H.H. Barrett.

Assistant Dist. Commissioner

Kithawa wa Kimani states:- A few days ago I went to get a goat from Kithendu who told me not to go but to wait and eat with him and he would return shortly. After waiting for a few minutes, I went out and followed Kithendu into the forest and found Ngathu had then killed a goat. When Ngathu looked round he saw me and asked me who told me to come there. He said I am making dawa in the forest and none of my children are here. I give you some meat, but if you tell anybody you I will kill you. Ngathu and Ngathu's wife told me if you tell anybody you I will kill you within eight days. Ngathu says this was just before Mr. Baker's cow fell ill.

Kyambu 8-8-07

Sd/- W.H.H. Barrett.

Assistant Dist. Commissioner

Kithendu wa Ngariah states:- A few days ago Ngathu went to get an ~~nganga~~ named Ruku. He then went with him into the forest behind my house and killed the goat, I then went to my house and saw Kithawa there. I told him to wait for me and that I would be back immediately. I then went back and remained with Ngathu. Kithawa then came up and Ngathu asked him why he came. Ngathu then said to Kithawa you have seen me here making dawa, if you tell anybody you will die. Kithawa was then given a leg of mutton and the stomach of the goat. When he had eaten the meat, Ruku said to him if you tell anybody you will be dead within eight days.

Kiambu 8-8-07.

Sd/- W.E.H.Barrett.

Assistant Dist. Commissioner.

Ndatu wa Kamu states:- A few days ago I was sent by Mr. Baker at seven o'clock at night to take milk to Nairobi. At about 7-30 I came back and got permission to go. I went to the forest near Kithendu's house and saw Ngathu, Ruku and Kithendu there, I joined them. They had killed a goat, Kithawa then came up and Ngathu then said to him, if you say you have seen me making dawa you will be killed. He then gave Kithawa the stomach and a leg of mutton. Ruku then said to him if you say anything you will be killed within eight days. The day following the next day Mr. Baker's cows were taken ill.

Kyambu 8-8-07.

Sd/- W.E.H.Barrett.

Asst. District Commissioner.

Ngathu states:- I have nothing to say. If you want me to compensate Mrs. Baker with cattle I will do so.

Sd/- W.E.H.Barrett.

Assistant Dist. Commissioner.

Kyambu 8-8-07.

Enquiry into the mutilation of Mrs. Baker's cows.

Wandi wa Kimani states:- A short time after Mrs. Baker's cow had had its teats cut, I fell sick and sent for Ngathu and gave him three goats to cure me. His medicine did me no good and I complained to him about it. He said, it is true I am unable to make good medicine these days, as my son Ngorogeh has cut the teats off a cow of Mrs. Baker and I am afraid he will be caught as all the Wakikuyu know this. I said to him the matter is nothing, take cattle and compensate Mrs. Baker and the matter is settled.

Kiambu 8-8-07.

Sd/- W.E.H.Barrett.

Assistant Dist. Commissioner.

Kinuthea wa Kubayi states:- Shortly after the teats of Mrs. Baker's cow had been cut, I was working in my Shamba near the stream Kinanjui and Ngorogeh came to water their cattle and I heard Ngorogeh tell Kinanjui that he himself had cut the teats of Mrs. Baker's cow. That evening I went to Ngorogeh's house and Kichama was also there. I was then told that Kinanjui had been arrested by the police and that Kohenia's goats had been handed over to Mr. Baker.

Kiambu 8-8-07.

Sd/- W.E.H.Barrett.

Assistant Dist. Commissioner.

Kinanjui bears out the statement that he was told by Ngorogeh that he had cut Mrs. Baker's cows teats.

Kiambu 8-8-07.

Sd/- W.E.H.Barrett.

Assistant Dist. Commissioner.

Ngorogeh states:- I am not going to say anything, but am willing to compensate Mrs. Baker with cattle. I know that Kinanjui has nothing to do with the cutting of Mrs. Baker's cows teats.

Kyambu 8-8-07.

Sd/- W.E.H.Barrett.

Assistant Dist. Commissioner.

For
3/254

C.H.P.

DRAFT

25 October 1808

E.A.P. No 586
For: Col. Sadler

MINUTE.

- Mr. White 20/10
- Mr. Read 121
- Mr. Just. 21
- Mr. Antrobus 25 of 50
- Mr. Cox.
- Mr. Lucas.
- Sir F. Hopwood.
- Mr. Churchill.
- The Earl of Elgin.

Pft on 35 of 100

Sir

I have the honor to acknowledge the receipt of your despatch No 392 of the 17th ult., & to inform you that I appear your action in advising the instrument of the 17th ult. for a period of 5 years at His Majesty in the circumstances mentioned in your despatch.

I have

under the removal of
 names in special
 districts