



ZANZIBAR PROTECTORATE

COMMISSION OF INQUIRY INTO CIVIL DISTURBANCES
ON 1ST JUNE, 1961 AND SUCCEEDING DAYS

held at

The Legislative Council Chamber, Zanzibar

before

SIR STAFFORD FOSTER-SUTTON, K.B.E., C.M.G., Q.C. (Chairman)

SIR VINCENT TEWSON, C.B.E., M.C.

C.A. GROSSMITH, ESQ., C.M.G., O.B.E.

Commencing on Monday, 25th September, 1961

F I F T H D A Y

Friday, 29th September, 1961.

of proceedings
Note taken by Treasury Reporter

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APPEARANCES

For the Government:

The Attorney General (Mr. P. N. Dalton)
Mr. B.A.G. Target (Crown Counsel)
Mr. W. Dourado (Crown Counsel)

For the Zanzibar Nationalist Party and the Zanzibar and Pemba Peoples' Party:

Mr. Fraser-Murray
Mr. S.H.M. Kanji

For the Afro-Shirazi Party:

Mr. K.S. Talati
Mr. B. E. Kwaw-Swanzy.

ON RESUMPTION

Continuation of Cross-examination of Mr. R.H.V. BILES
by MR. KANJI

MR. KANJI: Mr. Biles, are you familiar with the Constitution of the Z.N.P.?

A. I would not say I am familiar with it. I have seen a document purporting to be the Constitution of the Z.N.P. and I have read it but I am by no means familiar with it.

Q. Would you agree that that Constitution is in writing?

A. Yes.

Q. I will now read to you one or two objectives contained in the Constitution and ask you to agree whether in fact the Party follows its objectives.

Objective 4 under Clause 2 of the Constitution :

"To strive for the abolition of racial representation in all political bodies and to work for the establishment of a democratic government."

Does the Party in practice act on its objective?

A. May I just have that again?

MR. KANJI : "To strive for the abolition of racial representation in all political bodies and to work for the establishment of a democratic government."

CHAIRMAN : Is that not a difficult question? He is not a member of the Party, and was not present at their meetings.

MR. KANJI : He does receive intelligence reports about all political activities in Zanzibar and from that he would be able to answer the question.

A. That is not strictly correct. I do not receive intelligence reports regarding all political activities. I merely receive intelligence reports regarding political activities which are of a security interest, of a subversive nature.

CHAIRMAN : That is what I would have supposed.

MR. KANJI : In order to extract that part of report you would have to take the whole matter and then consider what is of interest to you. You cannot pick and choose beforehand. You have to have all the material first and then you pick and choose from it what is beneficial to you for security purposes.

CHAIRMAN : It is suggested that you receive reports of all their meetings.

MR. KANJI: And activities.

CHAIRMAN : And activities. Is that correct or not ?

A. I receive reports of the majority of their activities, Sir, yes.

MR. KANJI : May I ask you this question again, Mr. Biles? Would you agree that the Z.N.P. in practice acts on their objective which reads : "To strive for the abolition of racial representation in all political bodies".

A. Yes, I agree with that part of it, yes.

Q. "And to work for the establishment of a democratic government" ?

A. Yes, I think so, Sir.

Q. Would you agree with me that more than 70 per cent of the members of the Z.N.P. are Africans ?

A. There must obviously be a very large body of African and Shirazi support for the Z.N.P. but whether it is 70 per cent or not I do not know. It is certainly substantial.

Q. You used the word "support", Mr. Biles. I am asking you that the members of the Z.N.P. are Africans in majority, would you agree?

A. Yes, I think so.

Q. Would you say that on the election day it was known that Zanzibar Nationalist Party would emerge victorious ?

A. It was certainly not known, no.

Q. Was that the feeling among the people ?

A. No. I think there was a feeling of uncertainty in the minds of the majority of the populace and that was one of the reasons why the tension built up. Although both parties openly stated that they were confident that they would win the elections, I think the true probability is that both Parties were a little apprehensive about the result.

Q. Do you know Mr. Moore ?

A. Yes, the Supervisor of Elections.

Q. Do you know that he expressed his opinion on 1st June at about four o'clock in the afternoon that people expected that Z.N.P. would win the elections?

A. I do not know that but I would not suggest that he did not say that.

Q. Would you please look at the police diary of events, 1st. June, page 19, Item No. 436. I will read out the passage which is relevant.

A. At 16.18 ?

Q. At 16.18.

(Item 436, page 19, 1st June,
Police Diary of Events read).

This was at four o'clock in the afternoon. An opinion was expressed that Nationalists would win the election. Was that a consensus of opinion amongst people ?

A. I am sorry, I do not know, Sir.

CHAIRMAN : That is your answer.

MR. KANJI: When you received this report from Mr. Moore did you think that there was likelihood that the Nationalists may win the elections ?

A. If what you are asking for is my own view from before the elections it has been that it would be a very close run thing and that the Nationalists might win and the Afro-Shirazis might equally win; the whole balanced upon two constituencies : Chake Chake, if there would be a change in the Chake Chake constituency which had been won and lost by one one vote in January, and the second was the result of the balloting in the new constituency at Mtambile, and everything depended upon them, and I was in no position to prognosticate which way it would go.

MR. KANJI : You have still not answered my question. The question was when you received the report from Mr. Moore if you decided on that it was more likely for the Nationalists ?

CHAIRMAN: He has answered you. He said he did not know. He did not form any definite opinion.

MR. KANJI: I agree that was his own opinion which he formed independent of any material supplied to him. I am now asking him a question on the material supplied to him.

CHAIRMAN: He has given you his opinion on what he knew.

MR. KANJI : What he himself knew ?

CHAIRMAN : What came to him from various sources and his own reasoning.

MR. KANJI : This was, I think, prior to the election or at the time.

CHAIRMAN : Are you asking him about the time he received this report ?

MR. KANJI : At the time when this report was received.

CHAIRMAN : Yes, that is what I understood.

A. I think I can possibly answer Counsel's questions by a reference to my personal diary. 2nd June.

Q. No, you are being asked about what your impression was at 16.18 hours on June 1st. Not the impression you formed after that. That is what he is asking. Had you formed any opinion ?

A. No, Sir. I was in a security committee meeting 2.15 that day and I was thinking about other things than election results.

CHAIRMAN : I think that is a fair answer.

MR. KANJI: I am much obliged. Mr. Biles, could you describe what Manga Arabs are ? You might have described this before but I want this for the purpose of a continuous chain of thoughts.

A. As I know them Manga describes someone who comes from overseas and is usually applied to the visiting Arabs from Oman rather than the Omani Arabs who have been resident for a long time in Zanzibar and are now accepted as Arab Zanzibaris.

Q. Would you agree with me that Mangas are poor people, pedlars, coffee sellers and at the most they may have a small shop ?

A. That describes a very large number of them.

Q. And how would you describe the term "Africans" used in Zanzibar ?

A. African is used in different ways in Zanzibar. Counsel asking me questions yesterday applied it to everyone practically who is non-Arab and non-Asian and non-European but at one time there was quite a lot of offence taken among certain sections of the populace at being described as African. They prefer to describe themselves as Shirazis. So far as I am concerned when a person is referred to as an African I understand it to mean a person either who comes from the mainland or who has very close ties with the mainland, that is to say, probably his father was born in the mainland and came over here and the African who is indigenous to Zanzibar normally calls himself a Shirazi rather than African.

Q. Are Manga Arabs generally thought to be poor ? Is it true that they do not plant any plantations ? I am generalising these things.

A. There are a number. I am under the impression that there are a number of the people who come within the category of Manga Arabs who do own plantations but they might not refer to themselves as Manga Arabs.

Q. Do you say that they own plantations or do they work on plantations as workers ?

A. Most of the ones that I am thinking of own plantations and have copra sheds on plantations where work is taking place.

Q. The various communities of Zanzibar are described at some length in a report by John Middleton on Land Tenure in Zanzibar, page 7. May I read this out so the witness may know what I am talking about and then I will ask him whether he accepts the description.

(Page 7, paragraphs 2, 3 and 4 of Land Tenure in Zanzibar read to the witness).

Would you agree with me the passages which I read out described the various communities - is that a correct description ?

A. I think that is a fairly accurate and well written description.

Q. Mr. Biles, there is a third Party in Zanzibar known as Zanzibar and Pemba People's Party. Would you agree with me that a very large majority of the members of this Party consist of Shirazis ?

A. Yes, I agree.

Q. Would you agree that as far as the June election is concerned the Z.N.P. and Z.P.P.P. had electoral alliance ?

A. Yes.

CHAIRMAN: Before the election.

A. Before the June election, Sir ?

Q. Yes.

A. Yes, they did, Sir.

MR. KANJI: Do you know, Mr. Biles, that the Sultan of Zanzibar used to own large plantations personally which are now taken over by the Government and managed and run by the Government ?

A. I know that His Highness had land which was owned personally by him but whether any of it has been taken over by Government or not I do not know. I know that a former Sultan did bequeath various pieces of land for recreational purposes such as Mnazi Moja which was bequeathed by a former Sultan for use as a recreational part by all communities in Zanzibar.

Q. Do you know that there are Government plantations in Zanzibar ?

A. Yes, there are.

Q. In this very fertile region which you have already described, let us call it highland ?

A. Certainly not highland, Sir. There is quite a large Government plantation right in the middle. It is the Government Agricultural Farm at a place called Kizimbani which is just north of Dole, as Counsel says, right in the middle of the most fertile area.

CHAIRMAN: What sort of acreage ?

A. I have no idea, Sir.

MR. KANJI: Would you agree with me that a considerable amount of land at Dole is Government plantation ?

A. I have referred to Kizimbani. I do not know how far the Government land extends to Dole but I know there is a large acreage there which belongs to the Government.

MR. KANJI: Would you agree with me that the Government Farm is of about 6,000 acres ?

CHAIRMAN: I have just asked him the question and he says he does not know.

MR. KANJI: I apologise.

CHAIRMAN: You say it is about 6,000 acres ?

MR. KANJI: Yes.

CHAIRMAN: We will accept that. Counsel states that the farm in question is approximately 6,000 acres.

MR. KANJI: Are there any squatters on the Government plantation ?

A. I do not know whether there are any at Kizimbani. The only place where there are squatters to my knowledge on Government land is at Mtoni and I merely happen to know that because that is where some police buildings are being put up.

Q. Do you know that the Government does not allow squatters to settle on its plantation ?

A. That may be the policy but I do know of actual squatters who are on this piece of land on which I am building at the moment.

MR. KANJI: Would you agree with me that in about 1958 the relationship between squatters and the landlords was being transformed in that the squatter system was disappearing.

CHAIRMAN: In what way disappearing? We have heard they were being turned off but in what way disappearing.

MR. KANJI: For economic reasons.

A. I know that squatters were being put off the land and one of the reasons given by the landlords was that it was for economic reasons.

Q. But prior to politics entering into the relationship of the landlord and tenant, would you agree that the squatter system was on the verge of disappearance ?

A. I do not think it was. But I had only been in Zanzibar for a short time then. I had only been in Zanzibar for about eighteen months and I had not very much background knowledge of the squatter system.

MR. KANJI: Perhaps I can assist you. I can read some passages.

CHAIRMAN: Could not you get this better from some other witness ?

ATTORNEY GENERAL: I am going to call the Senior District Commissioner.

MR. KANJI: That may be so. Would you agree with me that the principal ground on which there was trouble between landlord and squatter was not political but economic?

A. No, I would not agree with that.

Q. Would you agree with me that a large number of so-called squatters were in fact not residing on the land but used to reside in Zanzibar city and went over once in a while to cultivate their land?

A. Yes, I agree with that. That is quite true.

Q. And that these squatters used to do other work in Zanzibar city? They were employed, for instance, on full time jobs?

A. My own servants have small plots of land in different places they go to during holidays. That is quite true.

CHAIRMAN: Are they squatters necessarily?

A. I do not know, Sir. I know that they have a small plot of land and they would not be able to buy the land. I assume they are squatting on someone's land with the landlord's permission.

MR. KANJI: In other words, so-called squatters

do not rely for their subsistence on this land in plantation?

CHAIRMAN: Is that a fair assumption to draw even from your own question?

MR. KANJI: Let me confine myself to those people. Would you agree with me that as far as squatters who reside in Zanzibar town and who work full time on work other than land are concerned, they do not rely for their subsistence on the land in the plantations?

A. Not the whole time.

CHAIRMAN: Not exclusively?

A. Not exclusively, Sir.

MR. KANJI: Would you agree that the income which the squatters who reside in the town get from land is only an additional income?

A. Yes.

Q. Was there any report to you by the landlords that the squatters were not performing their traditional duties which they had towards the landlords, weeding for instance?

A. I do not recall any reports of that nature. There were an enormous number of complaints and counter-complaints in relation to squatting on the land. Landlords were complaining that squatters were extending their plots without authority and were cultivating where they were not allowed to cultivate and squatters were coming to the police stations and complaining that the overseers and the landlords were tearing up their crops or destroying their huts but I do not recall any complaint of the nature that Counsel has just mentioned.

Q. As a result of disputes which arose between landlords and squatters you said some legislation was enacted to deal with the matter?

A. Yes Sir.

Q. Under that legislation was a form provided for original contract between landord and squatters?

A. I cannot remember whether it was or not, Sir.

Q. Perhaps I can refresh your memory here.

(Document passed to witness) Would you now agree with me that this was the form?

A. This is a pro forma of some sort of contract, but I do not know whether it is provided for in the law.

Q. What does it mean by what it says at the top?

A. I assume it is a reference to the provincial administration. It was an order made by the District Commissioner.

CHAIRMAN: The witness does not know. If it is provided for by legislation you can refer to it and we can take judicial notice of it. Ask him if that is so and then you can ask him a question on it if you want to.

MR. KANJI: Do you know if landlords and squatters entered into original contracts?

A. I know very little about the landlord and squatter disputes except for the oriminal side which I had to deal with.

Q. So you cannot really give us a full picture of the situation so far as the position between landlord and squatters is concerned?

A. The provincial administration are the people who can give the clearest picture of the squatter disputes.

Q. Do you know, Mr. Biles, that in early 1958 Abeid

Karume made a speech at Machui in connection with land?

A. He may well have made a speech; he made lots of speeches in 1958.

CHAIRMAN: I have just looked at the Administrative Authority Decree, the Zanzibar Rural District Administrative Authority Order, 1959, which is made under the Administrative Authorities Decree, 1958. I do not see any provision for any agreement. I see in clause 3 that a person is required to have written permission, but it does not provide for any form of contract.

MR. KANJI: No.

CHAIRMAN: That is what you were putting.

MR. KANJI: I was putting that to the witness and saying was this the form in which generally people entered.

CHAIRMAN: He does not know.

MR. KANJI: I will not pursue the matter further, Sir. We were talking about Mr. Karume's speech, Mr. Biles; would you agree with me that early in 1958 Mr. Karume made a speech at Machui in which he said that the land belongs to the Africans?

A. There have been so many speeches made, Sir, during the past few years.

CHAIRMAN: If you do not remember, say so.

A. I am sorry, I do not remember.

MR. KANJI: Is it possible, Mr. Biles, that it was that speech?

CHAIRMAN: He does not know that one was made; now you are going to base your question on the assumption that one was made.

He says he does not know.

MR. KANJI: Would you like to refresh your memory in this respect? There were records at some other stage.

A. I will endeavour to do so, Sir, if you wish, but I am not sure that it will be on record ^{now} if it was made early in 1958. Unless there was something in the speech which might have called for investigation as to the possibility of criminal proceedings it would not be on record, Sir.

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Q. Mr. Biles, I will read to you two short passages from the Report of the Select Committee to Inquire into the Public Order Bill, Sessional Paper No. 7, 1959, page 40, (Mr. Kanji read two passages, the first beginning "By August YASU began" down to "..... directing the traffic", and the second beginning "At the same time it was noticed" down to ".... strong feeling".) Let us deal with the first statement first. Will you tell us what is YASU?

A. It is the Young Afro-Shirazi Social Union, a non-political organisation to which quite a number of civil servants belong. At the time in question it was causing Government a certain amount of concern because its members were becoming more interested in politics than in their social activities, and it could then have been described as being more of a political body than a social one.

Q. Was YASU a supporter of the ASP?

A. Yes Sir.

Q. Would you agree with the statement contained in the Sessional Paper about YASU which I have read out to you?

A. That they were organising traffic?

Q. (Mr. Kanji repeated first extract).

A. I have no personal knowledge of that, but I do not dispute it.

Q. I will deal with the second passage I have read out to you - "Young members of the Afro-Shirazi Party who are insulting Arab ladies".

A. I did receive quite a number of complaints at about that time of hooliganism. I do not know which party they belonged to though; they were described to me as young Africans, young Asians among them too.

Q. The words used in this report are - "members of the Afro-Shirazi Party were insulting Arab ladies". Would you agree that these people who insulted Arab ladies were members of the Afro-Shirazi party?

A. They may well have been but, as I say, I have no personal knowledge of the matter.

Q. From the facts that you know about Zanzibar generally, namely that the majority of Arabs belong to the ZNP, do you agree with me that this statement about Afro-Shirazi members insulting Arab ladies is reasonably true?

A. I think it would be truer to say that there was a certain amount of hooliganism going on there still. There is a large number of hooligans in Zanzibar town resident in Ngambo, and the majority of them undoubtedly support the Afro-Shirazi Party.

Q. Do you think that these hooligans are the people who insulted Arab ladies?

A. It is probable.

CHAIRMAN: Since you read only the penultimate sentence there I think I ought, just to keep the matter in the right perspective, to draw attention to the fact that the paragraph is dealing with both these youth or organisations; in other words it is also dealing with the Y.O.U.

MR. KANJI: I agree, but the only reason I did it this way was because my learned friend had put to Mr. Robertson only those passages which were convenient to him.

CHAIRMAN: I am not criticising you; I am only pointing it out.

MR. KANJI: Mr. Biles, do you know there is an organisation in Zanzibar known as the Makonde Union?

A. Yes, there is.

Q. Does this dabble in politics?

A. Not a great deal. It is a tribal union and, as far as I know, it supports the Afro-Shirazi Party, but its activities, as far as I know, have not been in any way subversive.

Q. Do you know where their office is?

A. I do not, Sir.

Q. Would you be surprised if I told you that the office of the Makonde Union is in the office of the Afro-Shirazi Party ?

A. No Sir.

Q. Would you agree with me on that that the Makonde Union is very much interested in politics ?

A. Yes Sir.

CHAIRMAN: Is it a trade union ?

MR. KANJI: It is not a trade union.

CHAIRMAN: What is the Makonde Union ?

MR. KANJI: It is a political body as far as I know, Mr. Chairman. Do you know that certain correspondence was exchanged between certain groups of Makondes and leaders of the Afro-Shirazi Party before the election ?

A. On what specific subjects ?

Q. On the subject of the election.

A. I have no knowledge of any particular correspondence between the Afro-Shirazi Party and the Makonde Union.

Q. Do you know Mtoro Rehani ?

A. Yes, I know Mtoro Rehani.

Q. Who is he ?

A. He is a prominent member of the Afro-Shirazi Party; I do not know what office he holds at the moment, or even if he does hold an office, because quite recently the Afro-Shirazi Party has been reorganised. He was also until recently - and he may still be - a member of the Zanzibar Township Council.

Q. Until 1st June 1961 was he one of the prominent leaders of the Afro-Shirazi Party ?

A. I have said he was and he still is one of the leaders of the Afro-Shirazi Party.

Q. You do not by any chance know his handwriting, do you ?

A. No.

MR. KANJI: I think at this stage, Mr. Chairman, I can only put this letter in for the purpose of identity because I hope to prove it later.

CHAIRMAN: Can you put it in at all if this witness does not know the handwriting ? Would it not be better to reserve it and put it in through a witness who does, unless you wish to ask this witness any questions on it ?

MR. KANJI: Yes Sir, I will just ask the witness some more questions. Do you know that there was an arrangement for a number of the Makondes to act as bodyguards or soldiers for Afro-Shirazi candidates at the time of the election ?

A. It was not reported to me, but I do know that both parties had their bodyguards moving around with their leaders; I was not aware that the Makonde were specifically engaged in this activity.

Q. If both parties had bodyguards for their candidates and agents on election day, would you expect any candidate or his agent to be assaulted or treated badly ?

A. I should say that would be one of the best ways of provoking violence at a polling station, for an agent or a candidate to turn up with a bodyguard of people who had no authority to be at the polling station.

Q. In that case if anyone touched the agent there would be a big fight ?

A. Yes.

Q. Not just an assault on the agent himself and no further scuffle ? If the agent and his candidate had a bodyguard and if the agent were assaulted by the members of the opposite party, there would be a general fight, there would not be just an assault on the agent ?

A. Yes, I agree.

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Q. Would you please look at this photograph. Do you recognise the man in that photograph who is naked ?

A. No, I do not. He is not naked anyhow, he is wearing a shirt.

Q. Let us say almost naked. Is that man held by the police, and is there a large crowd near him ?

A. There are two police constables holding him; one of the constables has a whistle in his mouth. There is obviously some sort of fight going on in the background from which they are removing this man.

Q. Would you say this man is being rescued by the police constables ?

A. He is either being rescued or arrested, but it is not clear from the photograph which it is.

CHAIRMAN: It does look to me as if he is being arrested by the two constables, and one is blowing a whistle, apparently calling for further help.

A. Further help, Sir, yes.

CHAIRMAN: It does not look as if they are being violent, but of course it is very difficult to tell from a still photograph.

MR. KANJI: May I ask you to refresh your memory from the records and then answer some questions ?

CHAIRMAN: The witness does not know who it is. It

is just a picture of a man being arrested.

MR. KANJI: Would you look at the diary of events on 1st June, page 1, item 20, 0750 hours - "At Gulioni. Someone has a Nationalist and will not let him go. Africans are holding him. He tried to vote at Gulioni and it was not his polling station. Now taking him to Ngambo." Could you say from the record what was the name of the person who was taken to Ngambo ?

A. I cannot say from this record, Sir. There will be a record at Ngambo police station, but I do not think I can help.

Q. Can you get this information for me, please ?

A. Yes, I may have an extract from the Ngambo log book. There is an entry No. 18, time 0805 in the occurrence book of Ngambo police station which states - "Zanzibari reported having been assaulted at Gulioni. Sent to hospital." That is the only record available to me. There will be a case file in the police station and a medical report form, no doubt, which will identify this man, but I have not those immediately available. There will no doubt be other police witnesses who may be able to deal with this.

CHAIRMAN: Would it help counsel if the next police witness is asked to come here armed with that information ?

MR. KANJI: If you please, Sir.

CHAIRMAN: Mr. Attorney, would you arrange that please ?

ATTORNEY GENERAL: Yes Sir.

MR. KANJI: Let us assume for the purpose of my next question that this man you saw in the photograph is a member of the ZNP, he is an agent at Gulioni.

A. Yes.

Q. He was beaten by the ASP crowd. If he had had a bodyguard would you agree with me that a big fight would have developed at Gulioni ?

A. Yes Sir.

CHAIRMAN: Can the witness say "would"? He can say it might have done.

A. I think, Sir, I may have misled the Commission when I referred to bodyguards. When I said that each party leader had his own bodyguard I did not intend it to be inferred that they were at the polling stations. I was referring to when they moved around and at the houses. There were usually a number of bodyguards at the houses, but I was not intending to suggest they were at the polling station.

Q. Necessarily ?

A. Not necessarily, Sir, no.

MR. KANJI: In view of the further light which you have thrown on the subject, Mr. Biles, I would like to read out two sentences to you and then ask you a question on that.

CHAIRMAN: From where?

MR. KANJI: This is from a letter which I will be putting in at a later stage. I just want this witness's opinion as to what they would have liked. - "We have arranged as follows. Every honourable (I think meaning candidate) should have 21 soldiers according to our idea, and the soldiers will be ourselves. We want a reply in a hurry." What does this indicate - "Every honourable should have 21 soldiers according to our idea" - "honourable" meaning candidate ?

CHAIRMAN: It indicates what it says presumably. What is the question you want to ask the witness ?

MR. KANJI: I want to ask him whether this means the candidate would have these 21 men around him all the time or only for the purpose of travelling from one place to another.

CHAIRMAN: I do not see how he can possibly answer such a question. If you can, Commissioner, please do so ?

A. I have no knowledge of the letter, of when it was written or to what it refers, Sir.

CHAIRMAN: I am not trying to make it difficult for you, but I really do not see how the witness could have answered that question. It indicates what it says presumably, the writer's opinion as to what should happen; you cannot go beyond that.

MR. KANJI: You agree that it is true that a number of Makondes attacked members of the ZNP during the election time disturbances ?

A. Yes.

Q. Coming to the signs which were used as passwords on election day by the members of the ASP, was there any instance in Zanzibar when a sign was used for a password ?

A. I did say yesterday that passengers in vehicles passing road blocks at Mkunguni and elsewhere in the rural areas were making signs. One was a "V" sign which indicated one was an Afro-Shirazi supporter. I did not mention that there was another sign (tapping the top of the head) which indicated one was a Nationalist supporter, because I had not seen that sign myself. I had seen people doing the "V" sign but not the other one, so I do not know whether that is true or not.

Q. Were there reports, Mr. Biles, that these signs were used in various parts of the country ?

A. Yes, there were reports from the road blocks, and I also myself saw the sign in the rural areas when I drove around. When I was around the northern route on the 5th I did see one or two people making the victory sign.

Q. Would you agree with me that generally the members of the ZNP did not retaliate when they were attacked?

A. After the first day there was very little retaliation by members of the ZNP.

Q. Do you agree with me that if the members of the ZNP had retaliated civil war in its real sense would have resulted in Zanzibar?

A. Yes, I think that probably would have happened. Perhaps "civil war" is not the correct term - I think I know what counsel means. Civil war does suggest someone trying to upset the government. There would have been racial war in Zanzibar, I am quite sure.

Q. Would you say racial war or war between political parties?

A. I think it would probably have developed along racial lines which do tend to follow the political lines.

Q. Do you know whether any leader of the Afro-Shirazi Party has visited communist countries?

A. It depends largely on what you mean by "leader".

Q. In the first half of 1961.

A. I do know a number of prominent supporters of the ASP have visited communist countries, yes, but I do not think any of the present acknowledged leaders has.

Q. Do you know they have a branch office in Moscow?

A. I do yes; that is of the Afro-Shirazi Youth League.

Q. Would you say that in 1959 the parties were beginning to be more and more co-operative with each other and there was more harmony ?

A. It ebbed and it flowed. There was growing harmony and then suddenly there would be a break-down. I am sorry I cannot remember by dates, Sir. I can remember vaguely the sequence of events, but as far as the dates are concerned I cannot remember exactly how the relations between the two, and latterly three, parties progressed over the past three years.

Q. Now, Mr. Biles, you have said in your evidence that there was some labour dispute at the docks.

A. That was towards the end of 1958.

Q. Then there were large-scale squatter and landlord troubles.

A. Yes.

Q. According to your views due to political differences ?

A. Yes, but not entirely.

Q. I did not say entirely political. And that was again on a large-scale in 1958-59 ?

A. It started in 1958.

Q. And crimes ended in 1959 ?

A. Yes.

Q. What was the situation in Zanzibar at the end of 1959 ?

A. At the end of 1959, as far as I can remember, it was a little troublesome. It was about that time that I prosecuted some of the members of the Nationalist Party for unlawfully wearing political uniforms, I think. If I can refer to my Annual Report, Sir.

CHAIRMAN: I think the question being asked by Counsel is, generally speaking, what was the situation.

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CHAIRMAN: I think the question being asked by Counsel is, generally speaking, what was the situation.

MR. KANJI: That is so, Mr. Chairman. You see you have stated just now that there was labour trouble in 1958.

CHAIRMAN: The Commissioner of Police did reply that it ebbed and flowed. Sometimes it was quite normal and at other times it would start getting tricky.

COMMISSIONER OF POLICE: The situation, Sir, over the past three years has been that the Administration have been bringing the people together, calming the situation down. First, by holding a round-table conference and then suddenly something would happen and there would be a split again and there would be recriminations and attack and counter-attack in the press and public speeches and then the Administration would gradually bring the people together again and get them to agree to tone things down, and then something would spark off a further outburst, and that has been going on for the past three years. The ebb and flow seems to bear some relation to the return to Zanzibar of the political leaders who pay visits to Moscow, Peking and places like that.

MR. KANJI: Would you agree with me that at the end of 1959, after a number of these round-table conferences which you describe had been held in various manners, leaders of the parties were brought together? Finally, the result of all that was the establishing of good relationships on some proper basis?

A. I did make reference to it in my Annual Report of 1959, Sir, where I was referring to irresponsible talk of civil disturbance and political martyrdom and said that this subsided following the visit in December of the Secretary of State for the Colonies. According to my recollection, things were much quieter after the Secretary of State had been here. That was in December.

Q. I would draw your attention in this regard to Sessional Paper No. 19 of 1959 which is headed "Review of the Year 1959", and the passage to which I refer is on page 106 of a booklet with the heading "Papers Laid before the Legislative Council during the Year 1959". This is how it reads:

"None of these measures would have, of their own, restored the former happy relationships which had existed in Zanzibar. Happily the political leaders were also alive to the dangers which existed and they co-operated in reducing the tension. Good relations have been re-established and the difficulties such as boycotts have almost disappeared. This happy result was epitomised during the celebrations for His Highness's birthday, when one and all joined hands in showing their loyalty towards His Highness."

Would you say that that reflects a good picture of Zanzibar at the end of 1959 ?

A. Yes, I think so. In my Report for 1959, paragraph 30, I said that there were no serious offences against public order during the year. The political tension which arose following the 1957 elections and continued throughout 1958 subsided during the latter part of 1959, during which time political leaders endeavoured to present a united front to Government. However, considerable intrigue continued behind the facade of unity and the ever-present danger of racial feelings being excited necessitated constant vigilance on the part of the Police. The Zanzibar Rural District Administration Order 1959 enabled officers of the Provincial Administration to take action in disputes between landlords and squatters which had previously given rise to complaint of criminal trespass, and reduced the danger of breaches of the peace arising out of these disputes, the basis of which, in most cases, had been alleged to be either political or racial.

Q. You said that at the end of 1959 the effect of the dock dispute had more or less disappeared from the scene.

A. I have already said "tension had subsided".

Q. Since the relationship between the political parties was re-established, would you say that there was no effect at all of the dock dispute in 1958 on the parties ?

A. No, I would not say that, Sir. Memories, particularly of grievances, are long in Zanzibar and although the effect might not have been immediately apparent, in the event of any disagreement between ourselves and the parties, I am quite sure that thoughts of the dock disputes, squatter disputes and other disputes between ourselves and the parties would be brought back to mind.

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Q. If a person who was not living in Zanzibar read this Sessional Paper, then the effect which it would create on the mind of that person would not be a right one.

A. I am sorry, I cannot answer that question. I have lived in Zanzibar and I cannot assess what the effect would be on the mind of someone living outside Zanzibar.

Q. Would you agree that the political emblems of the A.S.P. are the woli and the pakacha ?

A. Yes, the basket: I don't know if it is a political emblem or for political parties, but the pakacha, which is a woven basket, is taken as a sign which does represent the Afro-Shirazi Party. In fact during the boycotts, vehicles were identified by these pakachas strapped somewhere on the bonnet or side of the vehicle, which indicated that they were A.S.P. vehicles.

Q. Would you agree that clothes, particularly khangas, worn by women, are sold in Zanzibar bearing these emblems ?

A. I know that they were imported. I do know one lady that bought one, but I do not know whether it has been confined only to the A.S.P.

Q. Anyone can buy it ?

A. As far as I am aware anyone can buy it and they are sold in open market. As far as I am aware, yes.

Q. Would you agree that it is generally only the supporters of the Afro-Shirazi Party who would buy and wear these clothes, khangas, and other emblems ?

A. We have been watching for that and I haven't noticed or had drawn to my attention that a large number of persons have been wearing these. Had I received reports that any groups of persons were wearing a garment fashioned of this cloth, then I would have considered whether or not it came within the definition of a political uniform. But at the moment I do not think it could be defined as a political uniform, although it could become one quite easily.

Q. In other words, a number of them wear it at scattered places ?

A. Yes.

Q. Mr. Biles, do you know that an organisation called YASU, to which reference has already been made, was formed before the Youths Own Union ?

A. It may well have been. Yes, Sir, I beg your pardon, it was formed before the Youths Own Union.

Q. In fact, it was a considerable time before YOU was formed ?

A. As far as I can remember, there YASU resulted out of the amalgamation of two social units. The Young African Social Union and the Young Shirazi Social Union. They joined together to form this allegedly non-political organisation known as YASU sometime before the YOU was formed.

Q. They are definitely political bodies ?

A. They are not supposed to be a political body. They were undoubtedly dabbling in politics and it was when Government issued a warning to civil servants that YASU ceased to be very active and people who had belonged, shall I say the more troublesome element in YASU, formed the Afro-Shirazi Youth League early in 1959.

CHAIRMAN: What was this organisation ?

COMMISSIONER OF POLICE: It is a social union, Sir. It has an office in Miembeni and it is where people get together and they used to discuss politics most of the time. There are a large number of civil servants belonging to it. It is just a form of club, Sir, but very politically-minded.

CHAIRMAN: But not a similar thing to the Youth Organisation which came into being at a later stage ?

A. No, Sir, although there was this report which I have not disputed that on one occasion, not YASU, but people who belong to YASU, acted as ushers in an attempt to usurp the functions of the Police.

MR. KANJI: Would you agree with me that Othman Shariff is the President of YASU ?

A. He is a very prominent figure in YASU. I am not sure whether he is the President.

Q. At the moment Othman Shariff.....

A. Is the leader of the Opposition, that is, the Afro-Shirazi Party.

Q. Do you know in what other activities YOU participate ?

A. I think they were connected in some way with the Nationalist Party Welfare Organisation and I would like to say now, Sir, that when I answered a question from memory two days ago about the formation of the YOU, I think that I said that it was formed in 1958 or 1959. I was wrong. Reference to my records shows that it was

formed on the 29th of July or about the 29th July, 1957 by Shoikh Ali Muhsin and Abdul Rahman Ahamed Babu, with the stated objects and aims of getting the children of the soil together over a better understanding of one another, and it was in June, 1958 that they first - or round about 1st June, 1958, that they started their drilling and wearing of uniforms.

Q. Do you know that a person called Ali Ismail is the President of YOU ?

A. He may well be. I am not sure.

Q. But you are sure that Ali Muhsin is not the President ?

A. I cannot answer from my memory regarding any of the members.

Q. I would say something about the activity of the YOU and the Welfare Association. Do you know any detail of that aspect of the matter ?

A. I know that the Nationalist Party has quite recently acquired a van which they use for bringing sick people into hospital. In fact there was a complaint from the Medical Superintendent about nine months ago about the aged and infirm and incurables being brought in vast quantities into the hospital.

Q. Would you agree with me that in fact that ambulance is not operated by the A.S.P. It is part of the organisation of YOU.

A. It may be. I do not know that as a fact, but it may well.

Q. Do you know of any other activity of YOU ?

A. They carry out surveillance exercises for the Nationalist Party. Following my officers about and keeping observation on other Government officers.

Q. I think you are now talking about the welfare side of the YOU.

A. I do not recall specifically.

Q. May I remind you that they organised blood-donorship ?

A. Yes, they did organise a scheme of blood-donorship.

Q. Do they run a rest house for accommodating people coming from the country areas for medical attention in Zanzibar ?

A. They have some connection with that but I do not know the details.

Q. And further, do they indulge in cultural activities comprising debates, dramatics, film shows, music and sports ?

A. I know that they hold meetings. I was under the impression that they were being lectured by Abdul Rahman Ahmed Babu on the subject of Communism !

Q. Do you generally agree ?

A. I agree that there are some cultural activities connected with YOU.

Q. And do you agree with me that YOU raises money to carry out its functions by cinema shows and dramatics, etc. ?

A. I am aware that the YOU has put on plays. It did import a film from China which was shown in the cinema and I do not know what they do with the funds, though.

Q. It appears, Mr. Biles, that Mr. Babu has taken offence that he has made Communistic speeches to YOU. Have you recorded any circumstances ?

A. I am reliably informed that he is in the habit of delivering lectures on Communism.

Q. To the YOU ?

A. Not specifically to the YOU, but to the Federation of Progressive Trade Unions and anyone else who would listen to him.

Q. But you did not have confirmed reports about speeches of a Communist nature by Mr. Babu ?

A. I have confirmed reports but no evidence which I could produce in a court of law.

Q. Are these meetings, Sir, in which speeches of a Communist nature are delivered in public ?

A. No, Sir.

Q. Would you agree that the Federation of Progressive Trade Union was formed by a group of Zanzibaris led by a person called Daud Khamisi and some others ?

A. He may well be the leader, but there are other members of the Federation of Progressive Trade Unions better known to me. I can think of Sheikh Ali Muhsin (?) as having more influence than Daud Khamisi.

Q. Would you agree that this trade union advocates an idea that only Zanzibaris should be employed in Zanzibar ?

A. It does.

Q. And tries to carry out this objective in practice ?

A. It does. It has been sending its members round to various persons trying to get them to dismiss mainland labour and take on Zanzibaris.

Q. Would you describe the Zanzibar and Pemba Federation of Labour as Communist ?

A. It certainly publishes a broadsheet which is certainly couched in Communist terms and a number of persons connected with the organisation had very strong Communist tendencies themselves.

Q. Do you know that the General Secretary of the Zanzibar and Pemba Federation of Labour has recently visited the Soviet Union, Communist China and other Communist countries ?

A. I am not sure whether the General Secretary has, but I know that some persons connected with the Federation have. I am not

even sure who the General Secretary is at the moment, as it is not a registered trade union. It is an entirely unregistered body calling itself the Zanzibar and Pemba Federation of Labour.

I am sorry, Sir. My answer was in relation to the Federation of Progressive Trade Unions. Counsel has now gone to the opposition which is the Zanzibar & Pemba Federation of Labour and the answer to his question as to whether the General Secretary had visited Communist countries is, yes.

Q. And in fact was it a group of persons belonging to the Zanzibar and Pemba Federation of Labour who visited Communist countries? More or less a delegation?

A. A number did. I do not know exactly how many. I have a record of two or three. But they do not always announce their destination when they leave here.

CHAIRMAN : Do you mind if I intervene? Could you tell us to which, in your opinion, political party these two bodies are sympathetic?

A. Yes, Sir. The Federation of Progressive Trade Unions is connected with the Zanzibar Nationalist Party. The Zanzibar and Pemba Federation of Labour consists mainly of Afro Shirazi supporters.

SIR VINCENT TEWSON : These two organisations : are there any statistics at all in regard to membership of these two federations? I presume that they have unions affiliated to them and that they are central bodies.

A. That is so, Sir. The law of Zanzibar does not provide for a federation of labour of any sort, it only provides for the registration of certain unions. The Federation of Labour consists of a number of unions such as the Dockworkers' Union; the Carpenters Union,

the Building and Construction Workers Union, two Builders Unions, the Medical Workers Union, the Oil and Factory Workers Union, with some others, are joined together in this unofficial body known as the Federation of Labour. On the other side, Sir, is the Federation of Progressive Trade Unions which has been working for some months to form an opposing trade union in the docks and elsewhere and get them to federate in the Federation of Progressive Trade Unions. I could probably obtain approximate figures of the membership if the Commission required them, Sir.

MR. KANJI : I do not know whether you know the technical terms used in trade union matters, but I will ask you a question : if you answer it, well and good, and if you cannot, never mind. Would you say that the Federation of Progressive Trade Unions works on an industrial basis ? Do you know the term "industrial" in this particular context ?

A. I am not sure what Counsel means.

CHAIRMAN : Do you mean it concentrates on industrial matters as distinct from political ?

MR. KANJI : No, Mr. Chairman, I am told the word "industrial" is used to denote that large numbers of people get together in industry to form a union as opposed to a craft basis when very small groups of people get together and who are not really employed in large scale industries.

CHAIRMAN : Do you understand that now ?

A. Is Counsel suggesting that rather than a federation of some small groups it chiefly consists of industrial workers ? I do not know the answer to that, Sir.

MR. KANJI : Would you agree with me that it is the policy of the Zanzibar & Pemba Federation of Labour to promote the employment of the labour coming from the mainland ?

A. I did not know that it was part of their policy, but I know that they represent a very large number of labourers from the mainland.

Q. Would you agree that these two Federations, namely the Zanzibar & Pemba Federation of Labour and the Federation of Progressive Trade Unions do not have the same policy in connection with employment of Zanzibar labour ?

A. They have entirely conflicting policies on that subject.

Q. Which one has which policy ?

A. The point of conflict arises out of the Federation of Progressive Trade Unions' insistence that only Zanzibaris should be employed. That is the point of conflict.

Q. When they are available?

A. No, not when they are available. Their representatives have been reported to be going around to officers and employers saying "get rid of your mainland men. You must only employ Zanzibaris". I have been investigating cases of intimidation.

Q. Did you say that they were urging that Zanzibaris should be given preference when posts were being filled ?

A. No, that is not so.

CHAIRMAN : He has just told you what his opinion is. I gather from the witness that willy-nilly they are to employ Zanzibaris.

A. That is what I intended to convey, Sir.

CHAIRMAN : Counsel suggested that there was a qualification to that, being : "Zanzibaris should be employed if available." In other words, preference should be given to them.

MR. KANJI : Did the employers listen to the Federation of Progressive Trade Unions when they asked them to employ their members ?

A. They listened to them, yes.

Q. And did they follow their advice ?

A. I cannot recall any case where they have actually followed the advice. No, I cannot recall any case.

CHAIRMAN : I think the witness means, Mr. Kanji, that he cannot recall any cases where they got rid of non-Zanzibaris and employed Zanzibaris in their stead.

A. That is so, Sir.

MR. KANJI: Thank you. Would you agree that most of the people killed during the disturbances were very small shopkeepers and their families ?

A. Generally speaking, yes, I think that is correct. I now have the statistics which the Commission asked me to prepare regarding casualties.

CHAIRMAN : Thank you.

MR. KANJI: You told us about the incident at Darajani, where Mr. Kharusi was in control of the situation?

A. Yes.

Q. What is he by race ?

A. Suleiman Said Kharusi is an Arab.

Q. Did you say in your examination in chief that he gave you a report of all that happened at Darajani, beginning from the time when he was called there to the time he arrived and the crowd dispersed?

A. He has made a report, yes.

MR DOURADO : Suleiman Said Kharusi will be called as a witness.

MR. KANJI : You have no personal knowledge of the matter ?

A. What happened at Darajani ? I have no personal knowledge of what happened there after 11 o'clock on the morning of the 1st.

Q. Before Kharusi was sent to Darajani, was there any crowd there armed with sticks ?

A. I do not recall having received any report of it. He was there before I arrived; in fact I saw him there when I arrived at Darajani - which must have been about 10.15 - and he had been there some time then. I personally saw no persons carrying sticks then, and I was not aware of any report other than the one mentioned in the control room log, of a party of Arabs moving towards Darajani with sticks. Apart from that, I have no information regarding sticks.

Q. Your report was that there were Arabs proceeding towards Darajani with sticks ?

A. Yes.

Q. Would you look at the diary of events for 1st June, item 143, page 5. It says, "Darajani, many armed with sticks".

A. Yes, that is the extract I am referring to.

Q. That extract appears to convey the meaning that these people are already there, does it not ?

A. Well, it says "Heading to Darajani". The report comes from Mr. Mohammed Idi, an assistant superintendent of police attached to Special Branch, who was at Draajani at the time, telephoning from there; and as I read the report it was to the effect that there were a number of persons armed with sticks, including Seyyid Seif bin Hamoud, and they were moving towards Darajani.

Q. But the report only says "many armed with sticks" - that is all.

A. Yes, and then it says "Seyyid Majid heading to Darajani".

Q. And that is how you interpret it ?

A. That is how I personally interpreted that.

Q. But you do not know whether that is the truth or not ?

A. I do not know: it was merely a report which was made to me. I do not know where the report came from: the record does not say.

Q. A riot party went to Darajani with Kharusi ?

A. Sheikh Suleiman Said Kharusi went originally with half a riot unit, that is 25 men. He was joined there later by Seyyid Majid and a further 25 men from Gulioni.

Q. Am I correct in saying that the riot squad went towards Darajani at about 12 hours ? Would you look at the diary, 1st June, page 9, item 256 (Exhibit 9A) ?

A. There was half a riot squad at Darajani long before that.

Q. But would you look at this item 256 ?

A. Yes - "riot squad marching up now".

Q. Was this riot squad equipped with rifles ?

A. Not at that time, no.

Q. What time was it equipped with rifles, Mr. Biles ?

A. At 12.37 there was a report from vehicle Kima asking for a rifle squad - I beg pardon, there was an earlier report than that : at 12.22 there was a report conveyed by a radio vehicle from Sheikh Suleiman Said Kharusi, asking for a rifle party of five men immediately.

Q. What time was the rifle party sent to Darajani ?

A. It arrived at Darajani at 12.55.

Q. How far is Darajani from the place where the rifle party was stationed ?

A. I should say about two miles from Ziwani possibly.

Q. What is where the rifle party was stationed ?

A. Yes.

Q. Am I right in assuming from your diary that it does not appear the rifle party met with any mishap on the way?

A. No, I gather there was a mistake in the message which was received at Ziwani. It was misunderstood at Ziwani, and initially five men without rifles were sent to Darajani, and subsequently the mistake was rectified. Five more men had to be found, issued with rifles, and they were sent down to Ziwani.

Q. Do you know at the time when you asked Sheikh Kharusi if he thought he should read the Riot Act that he had no rifle party ?

A. I did not.

Q. When you got to Darajani at about 10.50 - was it ? Or was it 10.15 ?

A. I left HQ at 9.30 and went to Raha Leo and Ngambo police station, the Trade School, Gulioni, and then to Darajani. I arrived back at my HQ. at about 11.15. I have no accurate record of the time I arrived and left Darajani.

Q. Can you give the approximate time ? I am not trying to pinpoint it.

A. It should be 10.15 or 10.30. I should say, possibly nearer 10.30, possibly a little later.

Q. At that time you did not see any Arabs there armed with sticks ?

A. I did not see anyone armed with sticks.

Q. There was a report on immigration by a Committee of which you were a member ?

A. Yes.

Q. The Committee made a report ?

A. I have a copy of it here.

Q. Did the Committee consider whether Zanzibar could absorb any more mainlanders as permanent settlers here ?

A. I have here the report of the Committee. I cannot remember offhand exactly what the conclusions were. In general it was recommended that the time had come to impose some form of immigration control on mainlanders. I think it was accepted that there was sufficient labour available in Zanzibar to deal with the normal work in the plantations in an average clove crop.

Q. Do you produce this report ?

A. Yes.

Q. I would like to refer you to certain passages - will you look at page 5, item 6, and then I think 11 and 12 are relevant. Would you agree with what is stated in 6, 10 and 11 ?

A. I agree there had been a rise in crime in Pemba. I do not agree it is easier for a stranger to commit an offence in a place where he is not well known than for a local person who has some standing to preserve.

Q. How about 10?

A. I agree that many people from the mainland do come over to the Protectorate to avoid the payment of poll tax.

Q. That is poll tax from Tanganyika ?

A. Yes, from Tanganyika; and that they share the facilities intended for local inhabitants, such as medical treatment and education.

Q. So in other words, Zanzibar forms a sanctuary for people who do not wish to pay poll tax in Tanganyika ?

A. To a certain extent, yes.

Q. How about 11 ?

A. I do not agree that the majority of convicted prisoners were mainlanders. I have been carefully maintaining statistics on this very point, and they show over the past three years that for every mainlander convicted there are two Zanzibaris. I do agree that by

controlling immigration there would be fewer mainland criminals in the Protectorate.

Q. Are there many mainland criminals in the Protectorate ?

A. There is quite a large number of habitual criminals in Zanzibar, either born in the mainland or descended from persons of mainland origin, but most of them have been here for a very long time, some of them for as much as 25 years, during which time they have had up to 30 convictions.

Q. You dealt with the question of criminals who have resided in Zanzibar for a number of years. Have there been criminals arriving from the mainland while you have been in Zanzibar ?

A. There have been quite a number of criminals coming over from the mainland. There was a slight increase in crime in Ngambo - there was a heavy increase in crime in Ngambo in the first quarter of this year, which was partly attributable to two habitual criminals who came over from Dar-es-Salaam and partly attributable to a number of recidivists - three or four, I think - who had been released from jail; but that was cleared up in May when they were all arrested.

CHAIRMAN : Were they incarcerated during the disturbances ?

A. Three were in jail : yes, they were all inside - either inside or out of the Protectorate. I think one of the mainlanders escaped from the Protectorate, but the others, as far as I am aware, were all in jail.

MR. KANJI : Would you please look at page 9 of the report, which consists of recommendations of the Committee, and I refer you particularly to paragraph 8 of that page (Exhibit 20). Did this Committee on immigration realise that by allowing mainlanders to come, Zanzibaris were being deprived of work ?

A. That is so.

Q. And it appears that was the position existing in Zanzibar at the time when this report was made.

A. It was not so much that they were actually depriving Zanzibaris of work, but that they were doing work which some Zanzibaris, if they had not been so idle, could have done. That point was actually made by one of the witnesses who appeared before the Immigration Committee. He suggested that part of the reason for the mainlanders coming here was that the Zanzibari would not do manual work and was too lazy to do hard work in the plantations; so it is not really true to say mainlanders were depriving the Zanzibaris of anything: they were merely doing something which the Zanzibaris would not themselves do.

MR. KANJI: Then you say the implication in this report that Zanzibaris were being deprived of work because of mainlanders is not correct ?

CHAIRMAN: The witness has just told you what some of the evidence was before the Committee.

A. The reason for the recommendation, Sir, was that it was considered among a number of persons who gave evidence before the Commission that if mainlanders were stopped from coming over here, the Zanzibaris would have to do the job themselves; and the control of immigration was considered necessary to prevent mainlanders in very large numbers from coming over here and not depriving Zanzibaris of their actual work, but depriving them of the opportunity of working. It was actually intended as a form of encouragement to Zanzibaris to get down and do the job themselves.

Q. Do you agree that 98 per cent of mainlanders are employed in Zanzibar during the clove season ?

A. I do not think that is correct, because I know there are a large number of persons normally resident in Zanzibar who move

around the Island during the clove season.

Q. I am not talking about them, I am talking about people who freshly come from the mainland.

A. They would be 100 per cent.

Q. Would you agree with me that about 98 per cent of the fresh mainlanders who come to Zanzibar work on picking cloves during the seasonal time ?

A. I think they are agricultural workers, yes, not only picking cloves but weeding the plantations. A very high proportion of immigrants are agricultural labour.

Q. How much work do Zanzibaris do in picking cloves - is it true the cloves are picked entirely by mainlanders, or is there a different ratio ?

A. They are not picked entirely by mainlanders. As I said a few minutes ago, there is quite a large section of the populace - I believe a lot of them live in the south of this island - engaged annually in clove picking, and a number travel over to Pemba each year.

CHAIRMAN: These are residents of Zanzibar, as distinct from recent immigrants ?

A. That is correct, Sir.

MR. KANJI: Let us confine ourselves to the recent immigrants who come to pick cloves. These immigrants come in very great numbers to pick cloves during the season, is that correct ?

A. It depends entirely upon the season, We had the bumper crop a few years ago, and I think as many as 30,000 mainlanders came across to Zanzibar and Pemba to pick the cloves.

Q. Could you say in round figures as to the percentage of cloves which would be picked by Zanzibaris, as distinct from mainlanders ?

A. I should think - I cannot give any idea of the percentage, but I should think the mainlanders pick more cloves than the Zanzibaris; but that is only a guess.

MR. KANJI: Would you say 50 per cent of the crop would be picked by mainlanders and 50 per cent by Zanzibaris ?

CHAIRMAN: You see, the witness has just expressed the view that he could not give any exact figures but he thinks more cloves are picked by mainlanders than by Zanzibaris. By Zanzibaris, do you include in that not necessarily people who were born here but who are resident, domiciled here ?

A. When I said Zanzibaris, I meant persons normally resident here.

Q. Who you would regard as domiciled here ?

A. Yes.

MR. KANJI: Was any economical reason suggested for not getting labourers from the mainland during 1959 ?

A. An economic reason ? It is that mainland labour would accept lower wages.

Q. Was there any other reason besides that ?

A. I do not recall one, Sir.

Q. Would you please look at page 16 of the report - an extract from Mr. Wiltmot's report, headed "Description of the main factors bearing on the proper utilisation of indigenous labour in the clove industry", etc. Would you say that report had been made by a completely independent person, who was not really interested in politics ?

A. Yes, I would say so.

Q. Would you look at the paragraph marked (1) starting at page 20, headed "Prospects of Regular Clove Production". That

gives a purely economical reason for not getting labourers from the mainland ?

A. That is correct.

CHAIRMAN: Mr. Kanji, I do not want to stop you, but I think this is getting a little away from the terms of reference: I think you ought to keep as closely as possible to them.

MR. KANJI: If you please, Sir: and further, will you look at page 17, paragraph 13, the last sentence ?

A. Yes.

Q. Does the Zanzibar Chamber of Commerce support the introduction of labourers from the mainland ?

A. I have no idea, Sir.

Q. Would you agree the majority of Makondes do their own cultivation - in fact they have become squatters ?

A. Yes, I think that is correct.

Q. You said in your cross-examination by my learned friend, Mr. Talati, that 80 percent of arable land in Zanzibar is owned by Arabs. Where did you get that figure ?

A. I was answering a question from Mr. Talati in which he quoted the figure; and so far as I am aware I said it could well be so.

Q. You do not know ?

A. I do not know: if Mr. Talati can produce evidence of that, then I would not attempt to dispute it.

Q. You were also asked a question in cross-examination by Mr. Talati that as and when members of the ZNP returned to Zanzibar from Communist countries, the political atmosphere became tense ?

A. Yes.

Q. Is that also true of the political leaders of the ASP - would you agree that when they went to Communist countries and

returned ?

A. There was excitement on the return, yes. It was not an exception.

Q. There is some difference in Zanzibar about this Project Mercury ?

A. Yes.

Q. And apparently the ZNP does not seem to support the idea of having it in Zanzibar ?

A. It has actively opposed it.

Q. You said in your evidence there was an incident in which the door of the American Consulate in Zanzibar was scorched by Fire ?

A. Yes, I think it was on the 31st of last month.

Q. And you attempted to associate the ZNP with that incident ?

A. I do not know that I attempted to associate the ZNP: I mentioned, I think, the Federation of Progressive Trade Unions, which is very closely associated with the ZNP, and I may have mentioned the Action Group of the Youths' Own Union, which is the organisation I believe to have been responsible for the attack upon the American Consulate.

Q. Do you base your supposition on the fact that the ZNP are against Project Mercury, and therefore against Americans generally ?

A. No, I do not.

Q. You also say in your cross-examination by Mr. Talati that the ZNP received money by post from Communist countries.

A. I do not remember saying they received it by post.

MR. KANJI: Are you now saying that they did not receive any money by post from Communist countries ?

CHAIRMAN: I do not think he said by post, but he said he had information they had received money from Communist countries.

A. I do not think I specified "by post", but if I did it was wrong: if I did say it, it was a mistake.

CHAIRMAN: We can always check the record.

MR. KANJI: And you also said that when people went to Communist countries and came back, they brought money with them ?

A. Yes.

Q. Can you remember any cases ?

A. I can recall one case: Rutti Bulsara arrived with some dollars which he had obtained in Peking or Cairo, or somewhere outside Zanzibar.

Q. But that does not necessarily mean Communist money ?

A. Well, if he brought it from Peking, the inference is that he obtained it from a Communist country, because he was not a very rich man.

Q. He was a newspaper man ?

A. Yes, I think he still is.

SIR VINCENT TEWSON: Does that mean a journalist ?

A. A journalist, a publisher and printer: he runs his own machine.

MR. KANJI: Is it not possible money which would have been paid to him for news supplied ?

CHAIRMAN: Of course, it is possible, but the witness

has expressed the opinion that it was paid for other purposes,
I think you can put the question "do you think it is possible"?

A. It is possible, Sir.

Q. But your opinion is that ?

A. My opinion is that the value of the news supplied by
Mr. Bulsara would not produce very much in cash.

ON RESUMPTION

Continuation of cross-examination of Mr. R.H.V. Bilos

by Mr. Kanji

Q. Mr. Bilos, did you get any report that the people who spoke at the meetings of A.S.P. often made references to the fact that they did no longer wish to be ruled by a person who wore a turban ?

A. I did receive reports of that nature, Sir, yes.

Q. Would you say that reference was in fact to the Sultan ?

A. One could draw an inference that it was directed against His Highness but it would have been a very difficult thing to prove that the inference was intended.

Q. Is there any other person in Zanzibar in a position of the ruler other than the Sultan who wears a turban ?

A. His Highness is the sovereign, the ruler of Zanzibar, but as far as I remember they did not say the ruler. They said the rulers, the plural, and it applied, as I read it, to the Arabs as a whole rather than specifically to His Highness.

Q. Would you say that in fact Arabs ruled Zanzibar or is it British administration and the people who spoke at these meetings know that in fact British administration existed in Zanzibar ?

A. Zanzibar is ruled by His Highness who has an adviser appointed by Her Majesty. There have been references in the Press of both Parties to rulers. When the Nationalists talk about rulers they are referring to the British and the Afro-Shirazis when they have referred to rulers have been referring mainly to the Arabs. They have adopted the line that whereas the Nationalists want to get the British Imperialists out of Zanzibar, they want to get all Imperialists out, including the Arab Imperialists.

Q. You said in your examination in chief, I think, and also in your cross-examination that at Pemba there was a blacksmith who was manufacturing swords for a Nationalist ?

A. That was my information.

Q. Was that report confirmed ?

A. It was confirmed. In fact I had photographs of the weapons which were actually made by him but I would like to make it quite clear that not a large number of weapons were made, only a very small number had actually been made but my information was that orders had been placed for quite a large quantity, several hundred.

Q. Would it surprise you if I told you that no swords are manufactured either in Zanzibar or Pemba ?

A. At this moment or ?

Q. At any time ?

A. It would surprise me very much because I had photographs of the implements in question.

MR. TALATI: If they are available would they not assist the Commission ?

CHAIRMAN: Are they available ?

A. They are not immediately available. I will try to get them, Sir, but I can add to that by saying that I had in my possession until quite recently a sword stick which was actually made here in Zanzibar Island. It was a locally made strip of sharp metal with a wooden handle and wooden sheath which looked like an ordinary walking stick and they were being made at about the time that the Government introduced the legislation relating to offensive weapons. I can produce a specimen if necessary.

MR. KANJI: Would you agree with me that there are a number of people in Zanzibar who have small shops in which they do the work of decorating swords and cleaning them ?

A. Yes.

Q. I put it to you that the swords which you say were seen in Pomba were in fact collected from a number of people who do the work of cleaning swords and they were there for cleaning them and not manufacture ?

A. No, Sir. They were a different type of weapon from the sword which is normally cleaned and decorated here in Zanzibar. They were a more primitive instrument altogether.

Q. Would you give us the name of the person who manufactured those swords or said that he had received an order from a Nationalist that he should manufacture those swords ?

A. I do not know the name myself and I am not sure whether or not the name is on record.

Q. Is it not surprising that when you investigate a matter of serious character such as this you do not keep a record of any person who was manufacturing swords which was reported to you ?

A. It was not a criminal offence to manufacture swords.

CHAIRMAN: At that time ?

A. At that time, and this was a piece of information which was passed to me. It was not a criminal investigation which necessitated the making up of a case file. If the man was known then his name would probably be somewhere in my records but it would probably be a little difficult to find.

Q. You do not recollect the name ?

A. I do not remember the name myself.

MR. KANJI: Do you think you could try and get the name ?

A. I will endeavour to do so.

Q. Would you be surprised that the leaders of the Nationalist Party knew nothing whatever about this report of 200 swords ?

A. I would not be at all surprised to find that certain leaders knew nothing about it but I feel quite sure that some of the leaders, the more extremist leaders, shall I say, probably know something about it.

Q. A person such as Mr. Babu ?

A. Possibly. But this was in Pomba, not in Zanzibar. I am not suggesting for one moment that Mr. Babu did know about it but he might have.

CHAIRMAN: You would not be surprised if he did ?

A. No, Sir.

MR. KANJI: You said that there was a meeting at the house of Soyid Scif bin Hamoud, the son-in-law of the Sultan, when the Parties were negotiating a coalition to form a Government in January, 1961. Have you got any other details of the meeting except that a meeting was held ?

A. There were several meetings so far as I remember, either at the end of January or early February. It was during the period between the January elections and the formation of the caretaker Government.

Q. Can you say who participated in these meetings ?
Did Shoikh Ali Muhsin participate ?

A. I do not know. I think the present Chief Minister did but I cannot be sure whether Shoikh Ali Muhsin participated.

Q. Do you know if any member of the Nationalist Party participated in this meeting ?

A. I am not sure, Sir. I cannot say definitely.

Q. Would you agree with me that Z.N.P. is generally very co-operative with authority ?

A. It has been in general, yes, extremely co-operative.

Q. You remember you were asked a question in the cross-examination about the murder of Sultan Ahmed Mugheiry ?

A. Yes.

Q. Do you know that the person who assassinated Mugheiry is now in a mental asylum ?

A. I know that one of them is.

Q. Was there more than one convicted of murder ?

A. There was one person convicted of murder and that is the man who is now in the mental asylum. There were other persons connected with the murder who took part in the murder but they were not convicted.

Q. They were not convicted ?

A. No.

Q. Is it not customary for Manga Arabs to carry sticks when they move around in the town ?

A. Yes, they normally carry a thin stick, a sort of walking cane.

CHAIRMAN: The same type of canes that were being carried during the trouble ?

A. During the trouble there were some who carried these thin canes but I was not present at Darajani, Sir, and I did not see any of the weapons which were being used.

CHAIRMAN: From reports you received ?

A. From reports I received the weapons that were being carried at Darajani were more in the nature of cudgels than walking sticks. In fact one report said they dismantled a banda, that is a little wooden structure with a metal roof, and used the wood from that.

MR. KANJI: But there is no report about Mangas carrying those large sticks?

A. Yes. There is a report that Manga Arabs were in a car or a lorry armed with sticks and swords.

Q. That is all - sticks - you do not know what kind of sticks?

A. I do not know what kind of sticks.

Q. You have told us that you received a report from Kharusi that Z.N.P. members and supporters at Darajani were on the defensive?

A. That was so, yes.

Q. And in cross-examination you said that you did not accept that explanation as a good explanation?

A. I said that I would not accept that as a good explanation for failing to make attempts to disarm them, yes.

Q. Did you know about this at the time?

A. The first information I had regarding weapons other than sticks was in the message which came in saying that knives were being flashed and it was then at the mention of the word "knives" that I got on to the radio to check with Shoikh Kharusi and advised him that the time had come to consider reading the Riot Act. Before that so far as I recall other than these odd reports of Arabs with swords going here or going there I do not think I had received any report of Arabs or Nationalists with swords at Darajani.

Q. If in fact the Z.N.P. supporters were armed at the time when you were receiving the regular radio reports would you not expect that it would be reported to you that there were Arabs or Z.N.P. members or followers who were armed ?

A. It would almost undoubtedly have been reported by one of my cars.

Q. Does there appear to be any entry in your diary ?

A. Up to what time, Sir ?

Q. This is the explanation you gave about Darajani.

A. At 12 O'clock. There was a report at 12.18 saying that Zanzibar Nationalist headquarters has a crowd outside waiting to attack but it does not say whether or not they are armed. That was entry No. 265. There is no mention of swords at Darajani so far as I can see up to that time, Sir.

Document
RHVB. 9

CHAIRMAN: Immediately after that 1218 - proceeding with injured man to CPS.

A. That is Kima.

Q. That is another one?

A. That was a vehicle which had been recalled from the patrol in the rural areas. It does not bear relation to the other.

MR. KANJI: The record, in fact, speaks for itself about these people being armed, does it not, Mr. Biles?

A. The record and the reports of officers who were on the spot.

Q. The report does not say in fact that anyone was armed?

A. The report does not say that anyone was carrying a sword at that time at Darajani if that is what you mean.

MR. KANJI: What I am asking you is the report does not say that anyone was armed at Darajani at that time?

CHAIRMAN: What time are you speaking of?

MR. KANJI: About 12 o'clock.

CHAIRMAN: At 12.35 there is a report "Knives being shown at Darajani".

MR. KANJI: We have been told about that and in fact there is other evidence about that.

A. As I said earlier the first definite report that I got regarding any weapon other than a stick at Darajani was just after 12 o'clock when I received this report which Mr. Bott also made that knives were being flashed - flashed was the word which was used - at Darajani. The sentence sticks in my mind because it was then that I decided the time had come to take further action.

Q. Let us confine ourselves to the question which I am putting and if you answer yes or no we can go further. There is no report here at all that there were people armed at Darajani except for this report of knives flashing?

A. Not so far as I recall.

Q. Would you agree with me that the reading of the Riot Act is something very serious?

A. It is indeed.

Q. Particularly when the police are not even armed to deal with the situation after the reading of the Riot Act?

A. The police do not customarily read the Riot Act until they are armed.

CHAIRMAN: Were they in fact armed?

A. When I issued this instruction to Sheikh Suleiman Said Kharusi I was not aware that he did not have an armed party at Darajani.

Q. But did you not send five rifles?

A. Five rifles were subsequently sent as soon as I discovered he had not an armed party.

CHAIRMAN: They were not armed. He thought they were but as soon as he discovered they were not he sent five rifles.

MR. KANJI: Thank you, Sir. Mr. Kharusi did ask for an armed party?

A. That is correct.

Q. And he got it after about forty minutes?

A. Yes, that is so.

MR. KANJI: Meanwhile he read the Riot Act before receiving the rifle party?

CHAIRMAN: Yes, I think the Riot Act was read at 12.34.

A. The Riot Act was read at 12.34 and the rifle squad arrived at 12.55, Sir.

MR. KANJI: Would you agree with me on the election day, 1st June, the shops were open in the Stone Town and things were as if normal?

A. I think they were. I did not go into Stone Town myself but as far as I am aware they were perfectly normal.

CHAIRMAN: Would that apply to the whole day?

MR. KANJI: I am only asking about the Stone Town situation.

CHAIRMAN : The whole of the 1st June ?

MR. KANJI : At the beginning - early morning.

Would you agree that as soon as the reports of riots came to the Stone Town shops began to close, people came to know that there

were disturbances ?

A. I do not know, Sir. I was fully preoccupied in police headquarters at the time and I do not know what went on.

Q. Would you expect the news to get round about four or five in the afternoon ?

A. It would be a thing which I would expect to happen.

Q. You remember it was suggested to you in cross-examination, Mr. Biles, that house boys who work in the Stone Town would go home via Darajani and Ngambo ?

A. I do not think it was suggested they would all go via Darajani. I think the place that was mentioned as far as I recall was Kisiwandui by the fire station or rather they would all go through by Stone Town and make their way through to Kisiwandui on their way back to Mwembeladu and other places in Ngambo.

Q. Let us confine ourselves to Kisiwandui. Generally at what time would house boys go home ?

A. My own go at about half past two or three o'clock.

Q. And others ?

A. Others might go earlier, dependent on whether they were employed by people working Government office hours or working commercial office hours. If they were employed by people working commercial hours they would be more likely to go off duty at about one o'clock but if they were employed by Government servants then it would be much more likely for them to go off duty sometime after two o'clock, between two and three o'clock.

Q. This applies to house boys ?

A. Yes.

Q. They do not work until about six in the evening ?

A. I cannot say what other people's boys do but I know that mine go off duty after lunch and they come back in the evening.

Q. But you know there is a practice in this town that the boys at times eat at their employers' house ?

A. That may be so. I have no knowledge of it.

Q. You would not know about that ?

A. I would not know.

Q. About the time when these house boys would be going home they would know there is trouble, rioting, would they not ?

A. They would very quickly learn as soon as they got to Creek Road. They would very quickly see that there was something unusual occurring.

Q. And they would not allow themselves to be beaten when they know they are near the Z.N.P. headquarters if they belong to ASP ?

A. It is difficult for me to answer that.

Q. Do you know then that the crowd which moved from Darajani and which was in fact an ASP crowd broke a number of shops on the way whilst getting towards Creek Road ?

A. The crowd was at Darajani. Where is it suggested that they were breaking shops ?

Q. On their way. The crowd which was moving from Darajani I think you said moved first to Mtendeni ?

A. It moved back through Ngambo. The pattern as it appeared to me from reports has been that the crowds moved away from here and gradually dispersed through Mtendeni and Msufini back towards Mwembeladu and the predominantly African part of the Ngambo.

Q. Would you agree with me it was found that a number of shops in that direction were broken ?

A. I think the person to answer that question would be Mr. Wright who is giving evidence at a later date. He is responsible for the investigation of all these cases of murder, breaking and looting.

Q. You have told us that curfew was imposed on 1st June 1961 in respect of Zanzibar town only, starting at 7 p.m. ?

A. Yes.

Q. Why was the curfew not continued the next day ?

A. It was a night curfew, not a day curfew.

Q. Did you not think fit to continue the curfew next day ?

A. I was merely one of the security committee, and we considered that once we had succeeded in getting people into their houses there would be a reasonable chance of keeping them quiet the following morning, and it would not be necessary to extend the curfew throughout the day and seriously inconvenience trade and business.

Q. But you knew on 1st June that disturbances had broken out which you did not expect ?

A. That is true.

Q. Did you not think it would have been the proper thing to do to continue the curfew ?

A. Given the benefit of hindsight which I now have, yes, but at the time it did not appear to be necessary.

Q. Would you agree with me that if you impose a curfew then you can control the situation with relatively few policemen ?

A. I would not agree with that.

Q. Once the people are in the house ?

A. It makes the situation easier for the police to control, but one still needs a large number of policemen.

CHAIRMAN: If you are going to have an overall curfew you would need a large number of people to enforce it ?

A. That is exactly what I am saying, Sir, yes.

MR. KANJI: Would you say you need more policemen to see the curfew is obeyed than to control the crowds ?

A. It depends of course on the size of the crowd.

Q. Having regard to the disturbances on 1st June ?

A. I think one could manage to enforce the curfew with less police than would be needed to deal with a series of riots going on throughout the town. It would certainly be a simpler task for the same number of police to enforce a curfew.

Q. Am I right in saying that nearly the whole of your police force was on duty on 1st June, 1961 ?

A. Not nearly, but the whole of the police force which was available at the time.

Q. Including the Band ?

A. Including the Band. The Band were carrying out duty as orderlies, messengers and eventually were used for guarding prisoners.

Q. You knew that this police force would have to be relieved at some time or other ?

A. I did.

Q. When did you think you would have to relieve them ?

A. I realised that if there was trouble it would be necessary to relieve the men after about 24 hours, and it was for that very reason that I made arrangements for reserves to be standing by at four hours' notice in Kenya, because I knew my men would not be able to go on indefinitely.

Q. Would you agree with me that a fair number of policemen went off duty, say, at about six or seven in the evening of 1st June, 1961 :

A. I would not say that they went off duty, because no police constable went off duty for many days.

Q. Perhaps I am not using the right technical term.

A. I would say a certain number of men were sent to rest at about 6 p.m. I do not know the details of it, but it would be a natural thing to do.

Q. How many policemen did you ask Kenya to send you on the evening of 1st June ?

A. I asked for one company, which is approximately 110 men, to come immediately, and for a further company to be sent as soon as possible after that first company.

Q. Do you think you should have asked for more at the same time ?

A. I could have asked for more at the same time.

Q. Incidentally, Mr. Biles, was any member of the police force injured during these disturbances ?

A. I think there was only one member of the police force injured during the disturbances.

Q. Seriously injured ?

A. Not very seriously.

Q. Did the election supervisor ever report to you that, at a meeting held a month or so before the election, views had been expressed about taking some strong security measures at certain constituencies ?

A. The Supervisor of elections was in Police Headquarters on frequent occasions between the two elections, and in March or April he did tell me that members of the political parties were a little concerned about the number of police at certain of the polling stations; and it was on the strength of that and my subsequent discussions with the Civil Secretary and some correspondence with the Permanent Secretary to the Chief Minister, who was formerly the Senior District Commissioner, that the Civil Secretary called a meeting on, I think it was, 19th May, when political leaders were invited to come forward and state their views, and I personally attended that meeting.

Q. How many police constables were stationed at each polling station?

A. The number varied according to the situation of the polling station. I have here the complete disposition of the Force as they were planned for the 1st June. There was some variation which had to be made as events progressed. I am prepared to tender this in evidence if it is of any value to the Commission.

Document
RHVB. 20

CHAIRMAN : It would be useful because it might answer some of these questions.

MR. KANJI : Would you agree with me, Mr. Biles, that you knew that at least two constituencies, namely Raha Leo and Jangombe, would be difficult ?

A. I knew there was a possibility of some trouble there, yes.

Q. And you had four police constables ?

A. There are several polling stations in the Jangombe area.

For instance, King George VI School is, I believe, one of the polling stations in the Jangombe area. There were three police constables there. The Karimjee Trade School is another; there were two constables there.

Q. The Holmwood School ?

A. The Holmwood School, and there were two more constables there.

Q. So if we start with the Holmwood School, you had about 1,188 voters there and you had two constables; the Karimjee Trade School, 1,017 voters, and you had two constables; King George VI School, 1,507 voters, you had three constables ?

A. That is right, yes.

CHAIRMAN : I did understand you to say, though, that you had patrols ?

A. These were constables on static duty.

Q. You had patrols as well ?

A. I had frequent patrols.

Q. All over the area?

A. That is right, Sir, yes.

Q. You generally had two police constables at nearly all the polling stations where the voters were about 1,000?

A. We worked very roughly on the basis of one police constable to 500 voters. That was a very rough basis.

Q. Did you think that two constables would be enough for Holmwood school?

A. In normal circumstances unless any hooliganism started, in which case I had made arrangements for rapid communications with my reserve and for additional police to be sent down there, which is actually what happened.

Q. Would you agree that there were three polling stations in the constituency of Raha Leo?

A. I am not sure whether there were three or not. I know there was more than one in the same building.

Q. Perhaps I had better tell you the places I had in mind. Raha Leo itself, Gulioni school and Kikwajuni school. Would they all be in the Raha Leo constituency?

A. I am not sure which constituency they come in.

Q. I am told it is not Kikwajuni school; it is the Bohora Club.

A. Mpirani - is this the place you are referring to?

Q. The Bohora Club.

A. That is, I think you will find, in Mpirani.

MR. KANJI: And here again, perhaps excepting Raha Leo, police constables were distributed at the same level, that is approximately 500 voters one constable?

CHAIRMAN: Do you mind my interrupting you? Was the distribution on 1st June similar or not to the distribution in January?

A. It was similar except at those constituencies which had been reported as troublesome during the January elections, Sir, where I increased the number of men.

Q. Static men?

A. The number of men on static duty, and I also arranged for extra patrol activity, and also for those two mobile police stations which I referred to earlier with a radio in each, one between Gulioni and the King George VI school and the other one in the vicinity of Kisiwandui.

Q. Had they proved sufficient for polling day in January?

A. Yes Sir, we managed to cope in January.

Q. I think you said you were not anticipating any serious trouble?

A. I was not anticipating anything worse than what happened in January, Sir.

MR. KANJI: Could you tell us how many constables were stationed at those troublesome polling stations in January?

A. Yes, at Darajani school there were two in January; at Kisiwandui there was one in January; at Kikwajuni school there was one in January; at Gulioni school there were two in January; at Raha Leo school there were two in January; at Mpirani, the Bohora Club, there was one in January; at King George VI school there were two; at the Karimjee trade school there were two; at the Holmwood school there were two.

Q. In fact the distribution of constables in January was not about 500 voters one constable, was it?

A. Slightly more voters per constable.

Q. About 1,000, was it not?

A. I cannot tell without looking at the electoral roll.

Q. You can say with certainty that you allotted more

constables in June in relation to voters?

A. I did, yes; only at those particular stations.

Q. And the distribution in January would be how many constables, how many voters?

A. Given the electoral roll for January it is merely an exercise in simple arithmetic, but I cannot tell you out of my head I am afraid.

CHAIRMAN: I thought you said it was similar but there was an increase on 1st June?

A. That is correct, Sir, yes.

MR. KANJI: Would you agree that it is increasingly to perform police duty in Zanzibar because of the narrow lanes and streets?

A. It depends upon what type of police duty. I do not think it makes a lot of difference to ordinary watch and ward, but when one is dealing with rioting crowds it is extremely difficult to deal with them in narrow streets, not only in Zanzibar but in other territories.

Q. Do you know that an offer was made to the police by retired ex-policemen to assist the police in investigations of various crimes which had occurred during the disturbances?

A. May I know when this is alleged to have happened?

Q. Between 10th and 15th June I think.

A. I do not recall any specific offer having been made, but I do recall a discussion with Shoikh Ali Muhsin on 2nd June in the council chamber just after he and leader of the ZPP had been asked to form a government, and Shoikh Ali then suggested to me that I might call upon certain ex members of the force to assist me. He did mention some names and I did not think that the persons mentioned were eminently suitable. I do not recall any firm offer after that, but

I did send out a call for retired police constables to apply for jobs as prison warders to relieve the police of the duty of guarding prisoners, and a number of them were taken on by the prison commissioner, and they may still be performing that duty for all I know.

Q. Large numbers of arrests were made while you had Kenya G.S.U. troops in Zanzibar and also K.A.R.?

A. Yes.

Q. Would you agree that in fact Kenya policemen and members of the K.A.R. force are really the persons who can assist you now in the investigation of these cases.

A. At this moment?

Q. They can help as to what happened in the past. We are now investigating what happened.

A. We have had a team of Kenya Police Officers and two teams of Uganda Police Officers here in Zanzibar for several weeks doing that very thing.

Q. You said investigations are going on at the moment.

A. Teams are going back to their own territories and investigations are being followed up by my own officers, but I am not quite clear what is meant.

Q. People who were on the spot, they saw what happened and are not here now to assist you in investigations.

A. Any important witnesses to serious offences which occurred during the disturbances have been recalled to give evidence here. Any Kenya Police Officers or military officers, N.C.O.s or Other Ranks who were concerned in instances out of which prosecutions arose had their statements recorded immediately after that incident and that is on record so that if the case goes to court the man can be called as a witness.

Q. But as far as investigations are concerned, the men are not here to assist the Police.

A. Investigations are carried on by a different branch of the Police Force. G.S.U. is a special Branch trained in riot control and trained for special duties. Investigation is a separate branch of the Police Station in which officers receive special training.

Q. The investigations need the assistance of people who were there when the crimes were committed.

A. I do not need to have assistance in the investigations. They required the evidence of the people concerned.

CHAIRMAN: You would not seek the assistance of the G.S.U. They wouldn't take part in investigating the crimes. Surely that is common form?

A. Exactly, Sir.

Q. Would you be able to tell us about the capital offences which were committed and prosecutions which were taken to deal with the matters?

A. So far as I can remember, there have been already two prosecutions for capital offences and in each case the accused persons were committed. In the first case because the witnesses embroidered their evidence when they appeared before the High Court and in the second case the evidence, although good, was that of a child and there was insufficient corroboration. There are a number of other cases which will need investigation, some of them pending trial but Mr. Wright can give details, case by case.

MR. KANJI: That is all, Sir.

Re-examined by Mr. Dourado.

Q. One point I would like to clarify; you said that you

did not expect trouble on the scale that occurred, but you expected some trouble after the Elections. Was the Police Force at your disposal adequate to deal with the trouble you expected?

A. I expected it was fully adequate to deal with the trouble I anticipated would build up, at least until such a time as I was able to call for reinforcements.

Q. Now, immediately previous to the disturbances, did you have liaison with political leaders?

A. I was present at a meeting which was held by the Civil Secretary on the 19th May and I did see the various political leaders on various occasions. They came to my office with various complaints or suggestions about matters not necessarily connected with the Elections, and if they had any complaint they usually came to see me.

Q. Did any of them give you any indication that violence would break out on the scale that it did?

A. Not one of them gave any indication that their parties would resort to violence.

Q. On the contrary: did they give you any assurance?

A. They gave an assurance that they would

endeavour to restrain their supporters; that they would warn them that those who had cast their votes should leave the polling stations, and they gave assurances that they would not permit the patrols of irresponsible young men against which I had had to take action at the previous Elections.

ATTORNEY-GENERAL: This witness will come back at 8 o'clock tomorrow.

CHAIRMAN: At the January Election, were there patrols of these young men belonging to the Youth Movements?

A. Immediately after the Elections, Sir, there were these vehicles owned by the Nationalist Party YOU going round the town. They were very active, in fact one of them actually followed my Special Branch Officers around - not very far because the Special Branch Officer back-tracked and caught up with him. But they were also carrying out surveillance on members of the ASP and certain Government officials.

CHAIRMAN: Was that patrolling confined to the YOU?

A. They were the only section which had the mobility, Sir. The ASP at that time had not the vehicles. They had some vehicles but not as many as the Nationalists.

Q. You told us that complaints were made by the leaders of the ZNP on the 2nd, 3rd and 4th June. Did you receive any similar complaints from leaders of the A.S.P. ?

A. I received complaints from various members of the A.S.P. as to what they referred to as indiscriminate arrests, but I cannot remember the exact dates, but I do not think it was until after the 5th June that I received the complaints. People of both parties were ringing me up on the telephone saying this and that was happening. No careful record was kept.

Q. Were the ZNP the only people who had made complaints about rowdyism to you ?

A. I think I remember them because they made rather more complaints, but I had received reports of instances rather than complaints from all sources.

Q. Can you remember when you first received the information that swords were being manufactured in Pemba ?

A. I cannot remember, Sir. It was some considerable time ago.

Q. It appears from the Sessional Paper No.7 of 1959 that it was sometime in October, 1958. Would you care to refresh your memory ?

A. That will be on record, Sir. I can ascertain the facts.

Q. Is that the incident that you have been referring to ?

A. Yes, that is the incident referred to in the cross-examination, Sir. That was in October, 1958.

Q. The population of Zanzibar, according to the March, 1958 Census, is somewhere in the vicinity of 300,000 and on a rough calculation, it would appear that you had about one policeman for 428 persons ?

A. Yes, Sir.

Q. Did you regard the strength of the Force after you took over in 1958 - you came here in 1956 and took over in 1958 - as sufficient for the maintenance of law and order in normal circumstances ?

A. No, Sir, I have been slowly increasing the strength of the Force. Nevertheless, during the two years prior to the Emergency I have been unable to increase the strength purely for economic reasons because Government did not have the money to pay for the men or the buildings, but had the money been available I would certainly have increased the strength of the Force to something nearer what it is now going to be.

Q. That is an increase of 124 officers and men ?

A. Rather more than that, Sir, because of the C.I.D. I have actually got figures of increases in strength.

Q. When did you first form the opinion that the Force was insufficient in number ?

A. More or less when I came here, Sir, in 1956.

Q. When did you first make representations to the Government in connection with the increases which you thought were necessary ?

A. I made representations each year to Government when advanced proposals for the Annual Budget were submitted and each year I have been here I have put in for increases and they have usually been granted; and it has only been during the past two years when there has been financial stringency that I have been unable to obtain increases.

Q. 1960 and 1961 ?

A. Yes.

Q. Before that all the increases you asked for were granted ?

A. Yes, Sir, except for expatriate officers, but there was very strong political opposition to increasing the number of expatriate officers in any Branch of the Force and my request was turned down.

Q. With the increases now sanctioned, would you consider that the Force would be sufficient in strength to meet any reasonably normal situation.

A. Given the increases which have now been authorised, Sir, and a few more for the C.I.D. which I have already asked for but which is not feasible for me to try to obtain immediately merely because I haven't the facilities for training them or the accommodation to put them in - I think the Force would be adequate to deal with any normal policing within the Protectorate and, moreover, to deal with any minor disorders which broke out: but it certainly wouldn't be able to cope with anything on the scale of what took place in June.

Q. What is the increase you have asked for in the C.I.D. ?

A. Increases for officers and detectives to provide for the formation of district C.I.D. teams.

Q. Is it all centralised now ?

A. There are a few detectives in Pemba; a few in Ngambo Police Station and a few in the Central Police Station in Zanzibar. There are no detectives in the rural areas, none at Mwera or Mkokotoni and I have put forward proposals to Government for men for district teams. If the Commission wants detailed particulars, I can produce my letter on the subject, Sir. I haven't got it here, Sir, but I can bring it.

CHAIRMAN: I think you had better bring it tomorrow morning just to get the exact figures.

Q. Do you find any difficulty in recruitment for the Police ? I do not mean counting heads, but in getting the right sort of material ?

A. It is very difficult to get the right sort of material, Sir. We are getting better material now than we have had for some years, but even so I am now confined to a policy of recruitment solely within Zanzibar and I am afraid that as long as that policy exists, I shall be unable to raise the standard to a very high level. I did get some excellent recruits from Kenya in 1958 and 1959 and quite a few of those men have now reached non-commissioned rank.

Q. We are obliged to you.

ATTORNEY-GENERAL: Would you like that document showing the increase over the past few years ? It is here, Sir.

Document
RHVB. 22

CHAIRMAN: The Attorney-General puts in evidence a document showing the casualties and arrests during the relevant period in June, 1961. What is this other document ?

ATTORNEY-GENERAL: The increase in the strength of the Police during the past few years. There is one other matter: one of my learned friends wanted a question asked in cross-examination to round it off. There is a gentleman called Rutti Bulsara. We want to ask the witness what political affiliations the gentleman has.

MR. TALATI: I wanted it.

COMMISSIONER OF POLICE: He belongs to the Nationalist Party, Sir. At one time he was their Publicity Secretary, but I do not know whether he still is.

Document
RHVB. 23

Document of Police strength for the years 1960, 1961 and 1962, tendered by the Attorney-General.

Assistant Superintendent of Police A.B.P.J. Derham

called and sworn

Examined by Mr. Dourado

Q. You are a Deputy Superintendent of Police in the Zanzibar Police Force and you arrived in Zanzibar in December, 1951. On the 1st June, 1961 you reported for duty at Police Headquarters at 7.10 a.m. and you left Headquarters at 7.40 a.m. and proceeded to Raha Leo to the Polling Station. Could you tell us what you saw when you arrived ?

A. There was an orderly queue of males, about 300, and a similar sized queue of female voters.

Q. Were they orderly ?

A. Yes, Sir.

Q. And after having observed the situation there, you left and went to the Ngambo Police Station on your routine work.

A. Yes, Sir.

Q. You then went in the direction of Gulioni and, after passing the Mwemboledu Junction and turning into Lady Janbhai Road, did you notice anyone ?

A. A man called Nuhu Pandu was with two police constables.

Q. And did you stop and make enquiries about him ?

What did Nuhu Pandu say ?

A. He said he had been assaulted at Gulioni.

Q. Did he have any injuries ?

A. As far as I can remember, to the forehead, but I am not positive.

Q. And where were the two Police constables taking him to ?

A. Ngambo Police Station.

Q. And after that did you go to Gulioni Police Station.

Tell us what happened when you arrived there ?

A. I saw a very large crowd of Africans. They had occupied the space immediately in front of the Polling Station and on the other side of the road as well.

Q. Approximately what size would you say the crowd was ?

A. Between 2-300, Sir, probably nearer 300.

Q. Were they behaving in a calm fashion ?

A. They seemed to be very excited to me.

Q. What did you do about it ?

A. I first ascertained the whereabouts of the N.C.O.

He was near the head of the queue of the Voters and had a crowd of Africans there alleging that one man had come along and was not a voter in that area. I took his name and said I would go inside and see the officials. I confirmed with him then that he was a voter. I went outside and the Corporal told me that the man had gone away. I considered that extra men were required there and sent a message to Control for another four men. Just after that an incident occurred - a piece of paper was handed out of one of the windows of the polling station to someone outside, and this caused considerable excitement amongst the people.

Q. When you say people - what people ?

A. The Africans.

CHAIRMAN: Did you gather who the majority of the crowd were - with which political party their sympathies lay ?

A. Yes, the A.S.P.

MR. DOURADO: When you saw this piece of paper being passed through the window, what did you do ?

A. I went up to the person who had it and asked to see the piece of paper. It was an identification of a party agent. He was a Nationalist Party agent. I am not quite certain of this, but I believe he said he was not on duty at that time, so I told him to go away. I attempted to calm down the crowd in the vicinity. They were very excited and made allegations such as the Nationalist Party had come here to steal votes and they were going to cheat in the election.

Q. Did you try and find out who was the person handing over this piece of paper ?

A. Yes, Sir, I went inside the polling station and made enquiries there, but could not find out who it was.

Q. When you came out after going inside, did you notice anything outside the polling station ?

A. There were two agents of the Nationalist Party with a crowd of Africans - I would say they were arguing with them. I went up to them. One said he wanted to go inside the polling station as he was on duty, and the other said he was coming for duty later. The first one wanted me to take him in personally as he was afraid of going through the crowd. The second one I told to go away and I took the first one inside and came outside almost immediately.

Q. When you came outside, did you notice the second agent whom you had asked to leave ?

A. Yes, he was almost in the Lady Jhanbai Road, followed by a crowd of Africans.

Q. Were the Africans saying anything ?

A. Yes, they were shouting after him.

Q. What were they shouting ?

A. "He has come to steal votes" and things like that.

Q. Did they suggest what should be done with him ?

A. Yes, they said, "Beat him" and similar remarks.

CHAIRMAN: Did they beat him?

A. Well, I ran straight over there and they had started to attack when I got there.

Q. And then did you stop it?

A. I attempted to do so. He was well into Lady Jhanbai Road when I got to him. The crowd of Africans had grown larger around there, and I got in amongst them, tried to prevent the assault, and steered him over towards a petrol station or garage nearby.

MR. DOURADO: Before you took him there, did you notice if he had anything in his hands?

A. Something was taken out of his pocket, I believe.

Q. What was that?

A. A sheaf of papers.

Q. And did you check to find out what they were?

A. Yes, I took it back to the man who had taken it out of his pocket, and it was a list of voters.

Q. I think you then said you took the man to a nearby garage?

A. Yes, Sir, the main reason being I could not get back through the crowd with him to a polling station. The crowd was thicker behind than they were at the front.

Q. When you got to the garage, did you take any action?

A. Yes, I phoned up Control and said I wanted a riot party.

Q. While you were taking this gentleman to the garage, was he attacked by the crowd?

A. Yes.

Q. In what fashion?

A. Punches and pulling of his clothing. Some of his clothing was torn.

Q. Were you in any way assaulted ?

A. Only deliberately by one man.

Q. And you later found out about his condition ?

A. I did. I understood later he was a well-known local lunatic, or shall I say mental defective.

Q. After making this call for reinforcements from the garage, you went back to the polling station ?

A. No, not till the reinforcements arrived.

Q. And how long did it take for them to arrive ?

A. I would say about 15-20 minutes.

Q. What happened after you had these police reinforcements- they were under the command of .. ?

A. Deputy Superintendent Scyyid Majid.

Q. And how many men had he with him ?

A. Mr. Salim Slim was there as well. He had 25 men.

Q. What action did you take after the arrival of these reinforcements ?

A. The man had gone into the garage, and I had been in the vicinity of the door. On our way there one police constable joined me, and Inspector Joseph Peter joined me either at the garage or just before I got there. As soon as the reinforcements came up, the crowd moved well back, and Mr. Misra came up with a car. We put the man in, and Mr. Misra took him off.

Q. Were there any groups trying to obstruct the police ?

A. Not at that time, Sir.

Q. At any time after ?

A. When we got back to the polling station later on.

Q. And how did you get over that ?

A. We went back to the polling station, and the first object there was to remove the crowd from the immediate vicinity of

the polling station and got them across to the other side of the road. With the reinforcements that Mr. Seyyid Majid brought along, they got quite close to the wall, and I used the uniformed constables on duty to move the crowd back. They were slow, but initially it was not difficult. Then we ran up against a crowd we had some trouble with. They were objecting to being moved back, and when we were attacking this crowd, one of the leaders of the Afro-Shirazi Party, Mr. Mtoro Rohani, came up and offered to speak to them. I agreed to this, and he spoke to them.

Q. Whilst he was still speaking, did anyone else arrive ?

A. Yes, Mr. Abeid Karume arrived.

Q. Leader of the Afro-Shirazi Party ?

A. Yes, he was with Mr. Smithyman. He spoke to the people, using the loud hailer on a police vehicle which was there, and told them to move back and do as they were told.

Q. Did they obey him ?

A. Yes, Sir.

Q. Some time after this, did you notice anything unusual in Lady Jhanbai Road ?

A. It was about 5 minutes after Mr. Abeid Karume left that a man was attacked by a section of the crowd. A baton party of the police immediately went in, and the crowd broke up.

Q. What race were they ?

A. Africans.

Q. And they attacked who ?

A. I believe he was a Nationalist.

Q. And you say the baton charge dispersed that crowd ?

A. Yes.

Q. Soon after that did you notice a pick-up vehicle, No. ZAA763 ?

A. Some time after that.

Q. How long after ?

A. About 25 minutes.

Q. What did you notice about it ?

A. It had a number of Arabs in the back of the vehicle. They were carrying sticks.

Q. What type of sticks, do you remember ?

A. Not too clearly, Sir.

Q. Were they the usual type of walking sticks used by Arabs, can you remember?

A. I am not too sure of that point, Sir.

Q. Yes, and so they arrived at the vehicle, and did the vehicle stop in Hollis Road?

A. They got out of the vehicle about 70 yards south of the polling station, and a fight started up there amongst the Africans and the Arabs.

Q. What action did you take?

A. Baton parties went in and the crowd was broken up.

Q. Did you make any arrests?

A. Some Arabs were arrested.

Q. Do you remember how many?

A. I believe it was 5.

Q. After these arrests, what happened?

A. They were put in a police vehicle and sent back to Headquarters. There was one African arrested as well. After one of the Arabs had been arrested, this African ran up with a stick and thumped him in the back with it, Sir. He was the same person I referred to earlier as the lunatic.

Q. Was anyone injured in this incident?

A. I am not too clear in my mind. I have an idea there was one man who did receive an injury in addition to the Arab who was hit, and was put in the police vehicle. I am not too sure of that, Sir.

Q. Soon after that, did you notice any other incident in the neighbourhood of Lady Janbai Road? Did you hear of any allegation made?

A. May I refer to my notes, Sir?

CHAIRMAN: Certainly.

A. Yes, there was an allegation that a car had been stopped and a passenger in it assaulted. I did not see the incident myself.

MR. DOURADO: Who were the people who made the allegation?

A. I am not sure.

Q. Did you see the car in question?

A. Yes, I saw it as it was driving away.

Q. And you do not know who was the passenger attacked?

A. I do not know, Sir: as it was driven away I believe it stopped quite close to the polling station at the junction with Hollis Road, and I seem to remember speaking to someone there.

MR. DOURADO: At 10.30 police arrived at the polling station?

A. Yes.

Q. And had the crowd calmed down then?

A. They were a lot calmer. There was one incident: a surge of about 20 Africans across the road - they were sent back by a baton party.

Q. And soon after that a section of ten police officers armed with batons arrived at Gulioni?

A. Yes.

Q. Did you receive a message about 10.30 or 11 a.m. that

morning?

A. Yes.

Q. What was it?

A. We had already reported the situation was much quieter and had cut down on the number of officers there. Then I had instructions to return to the Headquarters, but before I left there was a further message that a man had been assaulted at Holmwood School and that a section of police should go there. We despatched a vehicle with Inspector Joseph Peter in it and, I believe, 11 men; but I am not too sure of that number, Sir. It was around that figure.

Q. Did you then go to Holmwood?

A. I followed it up to Holmwood.

Q. What did you find when you got there?

A. There was an allegation there by a number of Africans that a man had attempted to vote twice. He had been assaulted.

Q. Did you see him?

A. I saw him.

Q. Was he an African or an Arab?

A. He appeared to be an African but a Nationalist supporter.

Q. Did you inquire into the allegation?

A. Yes. He pointed to one man amongst the crowd which had gathered and said that was the man who had assaulted him. I went into the crowd and arrested him. I took him to my car - I had already put the first man, the injured man, in the front seat of my car - and I put this man in the back. The crowd did not like this at all. There were cries of "If you are going to arrest him you will have to arrest us all." I put him in the back seat and was getting into the front seat myself when one of them opened the door from the outside and pulled the man out. He was lost in the crowd but I did see the man who opened the door, and I went into the crowd after him. I caught up with him and just asked his name - which he refused to give me - I just touched him when he broke away through the crowd. I tried to get after him but I was obstructed. I called the police party in to go into the crowd, and they went in but I could see they were not going to make the arrest or secure this man, so I recalled them.

Q. And then you made the message to the control room ?

A. Yes, I did not make it myself. I think I sent it through the officer with the radio car. I took the man into Control and made a personal report to Control.

Q. At 3.20 p.m., on that day, you left HQ. to go to Raha Leo ?

A. Yes.

Q. You took this injured man into Headquarters and remained there till 3.20 p.m. ?

A. May I refer to my notes ? I was not in Headquarters all that time. I had paid a visit to the hospital at 1.20. At 3.20 I left Headquarters for Raha Leo: I had heard that a woman and two children were in a house and were surrounded by Africans. I went along there and when I arrived there I was informed of a riot or fight between the Arabs and Africans to the west of the area.

Q. And the name of the place ?

A. Mchenzani, the incident was in this area (indicating on map). I first ascertained that the woman and children were in no immediate danger and informed the police at Raha Leo to keep an eye on things there, and went down with two European special constables and a C.I.D. driver to Mchenzani. When I got there I found a group of Africans, about 20 in number, throwing stones towards a group of Arabs, who were retaliating in like manner. The group of Arabs was much smaller - about 8 - but one Arab slightly ahead of the others had a sword unsheathed in his hand, and appeared to be trying to make his way towards the Africans.

CHAIRMAN: An unsheathed sword - what type of sword ?

A. An Arab type. The Africans alleged the Arabs were coming to attack them and the Arab alleged he was trying to make his way to his house, which was in the African area. The Arab

was very adamant that he must get to his house. I asked for his sword, and he gave it to me without trouble. The other Arabs I told to go away, and they did so, and the Africans also.

Q. They all dispersed quietly once you were on the scene and told them to ?

A. Yes, Sir,

MR. DOURADO: You then went back to police HQ ?

A. I then went back to police HQ.

Q. And when you got there you received instructions ?

A. I was told there was a murder at Mikunguni and I was given instructions to go and investigate that murder. I went with Assistant Superintendent Nasser Abdulla in a C.I.D. car. On the way I saw a large group of Africans carrying sticks. They were heavy sticks of the type one would regard as an offensive weapon, not as an assistance to walking. I reported this to Control, but before I got through to Control another radio car said they had seen the group and that they had been dispersed. I then reached Mikunguni.

Q. What did you find there ?

A. I found a dead body of an Arab.

Q. Was it a male or female ?

A. Male. I also saw several injured people in the area, and arranged to send them to hospital in a police vehicle.

Q. What did you do with the body ?

A. After examining it and having a photograph taken there, I sent it to hospital in another police vehicle, or rather to the mortuary. Mr. Nasser and myself continued making enquiries in the area, and in the course of those enquiries at 5.45 we heard the noise of a disturbance from close by. We were actually off the main road, the main Mikunguni Road, and saw a crowd of Africans

rapidly dispersing away from us from a point about 75 yards up the road. We ran up there and there was an Arab lying on the ground. He was very badly injured but he was ^{just} able to speak. He gave his name and said he did not know any of the people who had attacked him.

Q. What name did he give ?

A. Said Sultan.

Q. Can you give the size of the crowd which dispersed, roughly ?

A. Very rough figure, about 75, Sir.

Q. And what happened to the injured man ?

A. We put him in the police car immediately and took him straight down to hospital.

Q. And you did say who the group were, did you not ?

A. They were Africans.

Q. Then you took the injured person to hospital ?

A. Yes.

Q. And informed police headquarters ?

A. Yes.

Q. Did you then receive any information about a person injured at Kisimamajongo ?

A. I did.

Q. Then you went to that area ?

A. Yes.

Q. What did you find ?

A. I failed to find any seriously injured person in the area.

Q. Before we go further, this Said Sultan you mentioned, do you know if he survived ?

A. Yes, he did.

Q. I think you went to Kisimamajongo, and did you find

any person reported to be injured ? Did you find any people in that area ?

A. There were small groups in the area, in the street, Sir.

Q. Groups of ...?

A. I believe mostly Nationalist Party members, Sir.

Q. And were they armed or unarmed ?

A. They had sticks.

CHAIRMAN: Walking-sticks, or offensive weapons ?

A. Mainly offensive sticks, Sir.

MR. DOURADO: There is a Nationalist Party office there ?

A. At Kiswandui.

Q. Is that where you went afterwards ?

A. Yes.

Q. And did you see any persons there ?

A. Whilst I was there a group of about 100 Africans came along the road towards the election office - this was the Nationalist Party office at Kiswandui. They approached the election office, and I told them to disperse and go home. They took little notice of me, but went up towards the direction of Ngambo.

Q. Did you say whether they were armed, or not ?

A. Yes, they were.

Q. With what ?

A. Sticks.

CHAIRMAN: Offensive or not ?

A. Offensive, Sir.

Q. Who did they appear to be supporting ?

A. The Afro-Shirazi Party.

Q. And then you returned to Headquarters ?

A. Yes.

Q. And reported the presence of the gang in that area ?

A. I reported that before my return actually.

Q. What did you do from 7.30 p.m. to 10.00 p.m. that evening ?

I was asked by the Assistant Commissioner to take parties of Kenya Police who had arrived to the barracks and arrange a meal, guides, and get them out on patrol, Sir.

Q. And at 10.00 p.m. ?

A. I returned to Headquarters.

Q. And remained there right up to ?

A. I was there till 1.40 the next morning. I went out briefly and returned again.

Q. What time did you return ?

A. I went off duty at 2.30 and returned again at 4.20.

Q. You returned at 4.20 to Headquarters ?

A. Yes, this was now the 2nd.

(The proceedings were adjourned until 8.00 a.m.
on Saturday, 30th September, 1961).
