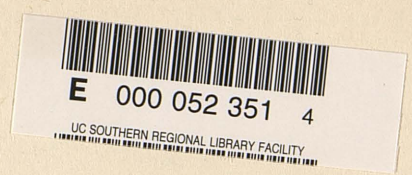


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ON RESUMPTION

(Continuation of Examination of Commissioner  
of Police by the Attorney General ).

Q. I had not quite finished my examination. I will just clear up one or two points first. Have you the figures now of special constables in the force on the 1st June ?

A. On the 1st June there were 13 Zanzibari special constables employed in the two police stations in the town or in patrols in the vicinity of these police stations. There were 9 European women special constables on duty in the police control room as telephone operators, radio operators and recorders; and that control room log was maintained by women special constables.

Q. That is Exhibit 10, Sir.

A. And there were 25 European special constables engaged - these were male - either engaged on duty at the control room or in these mobile patrols which were going round the town in vehicles. The number was subsequently augmented by 3 women special constables for duty in the control room, and by 13 male European special constables who assisted in the patrols. The total number of all special constables on the 17th June was 63.

Q. That is Exhibit 9. Now I think you have the dates of the formation of the Youths' Own Union, Y.O.U. ?

A. Before I reply to that, may I make it clear there is no registration of societies in Zanzibar, and such evidence as I give is based purely on police information. The Youths' Own Union first came to the knowledge of the police on 29th July, 1957; the Afro-Shirazi Youth League on the 26th May, 1959.

Q. The Human Rights League ?

A. On the 7th September, 1956.

Q. And I think we ought to mention the Federation of Progressive Trade Unions.

A. On the 29th December, 1960.

CHAIRMAN : You say the Human Rights League first came to your knowledge and was formed in 1956 ?

A. That is so.

Q. Is it associated now with any particular party ?

A. It has changed its character over the past 5-6 years.

Initially it was an organisation of people in Zanzibar of mixed races, who sent a protest to the United Nations relating to the invasion at Suez; that was connected with its origin, I think. Subsequently it changed its character. The Arabs withdrew from it and now, although its head is Ahmed Said Kharusi, also known as Manga or Bamanga, most of the supporters at the moment are Africans or Shirazis.

Q. When did it first, as far as you are aware, change its character and become political, in the sense of association with a political party ?

A. It was roughly when the Afro-Shirazis broke away from the Nationalists - at one time they were to some extent united. I think that was about two years ago, possibly a little more.

ATTORNEY GENERAL : Now I come to a matter which was raised in cross-examination of the Civil Secretary. Reference was made to a procession by the Youths' Own Union and the prevention of a senior officer, the D.M.S., from leaving his garage. Do you know anything about that ?

A. I do, Sir. I cannot remember exactly when it took place. It was during a procession of the Nationalists in connection with some event, and the procession went up Residency Road, past the hospital, past the Court and past the house in which the Commissioners are now

living. The Director of Medical Services was living in a house adjacent to the house in which the Commissioners are living. It was a lengthy procession, and the police had some difficulty in stopping it so that traffic could get through. The D.M.S. had his car garaged below his house in that rather narrow street, and he complained to me subsequently that he had not been able to get out because people in the procession would not give way. Eventually, however, I gather one of the Y.O.U. who were acting as ushers of the procession did stop the procession and allow the D.M.S. to drive through down to the hospital, but there was some considerable delay before that happened.

Q. Did you consider no action was necessary ?

A. It would have been very difficult to identify anybody.

Q. In fact, I can give evidence about that, because I saw the very incident, but I do not think I ought to do so. Yesterday you were talking about the uniform of the Y.O.U.

A. Yes.

Q. What are these two photographs ?

A. One is a photograph with two men appearing on it, which shows the early uniform of the Y.O.U., which I described yesterday, with the red cap, red beret, red tie with three stars, white shirt, Khaki trousers and the Y.O.U. badge on the left shoulder. The other photograph shows the procession which took place on the 28th August, 1959, on the occasion of His Highness's birthday. It shows the Y.O.U. wearing their revised uniform, which consisted of the blue shirt with the Nationalist Party insignia on it. That was the uniform which was worn generally by members of the Nationalist Party and not only by members of the Y.O.U.

Q. And I think you said yesterday some cloth had been imported: is that it ?

Document  
RHVB.13A

Document  
RHVB.13B

Exhibit  
RHVB.14

A. Yes, this is an example of the cloth. So far as I am aware it has not been worn yet as a uniform, but is in the hands of certain tailors.

CHAIRMAN : What is the meaning of this word printed on it ?

A. "Freedom", Sir.

ATTORNEY GENERAL : It is very well known. Mr. Biles, were you here in January of this year ?

A. I was.

Q. When the first election took place ?

A. Yes.

Q. Would you say in your estimation the tension before that election was less or greater than the tension before the June election ?

A. I think the tension before the January elections was quite a bit greater than the tension before the June elections.

Q. As regards the polling stations in Zanzibar Town, were any incidents reported during the polling in the January election ?

A. There were a number of incidents dealt with by the police in the January elections. There was one of stone throwing at a polling station. The culprit was found to be a lunatic. He was arrested and taken to the mental hospital. There was another one involving a lunatic, where three members of the Afro-Shirazi Party reported a man going along Ngambo area with an empty matchbox, asking persons to put their vote in it. He was also taken away and placed in the care of his relatives. And there was a further incident where two women members of the Afro-Shirazi Party, who were being employed as watchers - unofficial watchers - at the Gulioni polling station, reported they had seen a Z.N.P. member giving out cards to members of his party, and they suspected him to be giving the names and registration numbers of deceased members to non-voters, in order to swell the Nationalist Party vote. This was

investigated by the C.I.D. There ~~was~~ no evidence that any offence had been committed, and it was the view of the police that, if it did happen, it was one of the Nationalist Party merely checking the list of voters and giving his party members their election numbers. There was a further case where an old woman, a member of the Nationalist Party who was waiting to register her vote in Gulioni, was arrested by Afro-Shirazis when it was alleged she was receiving one of the cards which I have referred to in the previous incident. There was nothing against this woman. After the police had carried out inquiries, she was allowed to return to the polling station to cast her vote. At 4.00 p.m. in the afternoon there was a fight at Gulioni which was stopped by Mr. Meyer, the Senior Superintendent of Police, and other police officers; and a voter of the Nationalist Party was rescued from a crowd of Afro-Shirazi supporters who had dragged him out of the queue of voters, protesting that he was not qualified to vote. There was another incident at 4.35 p.m., when the Nationalist Party agent at Gulioni reported to Ngambo Police Station that he had had a stone thrown at him which had struck him on the head. He was taken to C.I.D. Headquarters, but refused to wait while his statement was recorded or to go for medical examination, as he wanted to go back to register his vote. The person in question, in addition to being a member of the Nationalist Party - perhaps I may change that and say that there could quite easily have been reasons other than political for assault upon this complainant. His injuries were only superficial. There was another incident at 4.40 p.m., where Afro-Shirazi supporters accused a voter at Gulioni of attempting to vote in the name of another person. C.I.D. inquiries revealed that the man questioned had mistaken his number and was in fact on the voters' roll at Gulioni but under another number.

CHAIRMAN : I think perhaps we need not go further into these incidents. You have said, at least as I understand it, that in your

opinion the tension was greater before the January elections than it was before the June elections ?

A. That is correct, Sir.

CHAIRMAN : And you have given us examples of incidents.

ATTORNEY GENERAL : In fact, was any fighting reported ?

A. Apart from the scuffles I have mentioned, Sir, I think the police succeeded in intervening in sufficient time to stop anything serious from developing. Perhaps I should go on to say, Sir, that late in the evening of the January election there were reports of people carrying offensive weapons in the town. As far as I recall, it was after voting had ceased. Police patrols were alerted and there was one case where the police recovered a swordstick and a number of sticks, bludgeons, from members of the public; but no arrest was made, as they scattered and ran away, dropping their weapons, as soon as they saw the police.

Q. Have you any evidence that the disturbances were planned by any party or any person - the June disturbances ?

A. As they happened, you mean ?

Q. Yes.

A. There is no evidence, and I have received no information of any plan of organised rioting, looting and murder. We did anticipate there would be the same sort of scuffling going on in June as had occurred in January, and the police did know that the Nationalists, notably the Youths' Own Union, had a number of vehicles which they had been using for patrolling, which they might use on the election day, and the Afro-Shirazi Party had followed suit by acquiring a number of vehicles from Tanganyika. We thought they might do the same, but there was no definite information of anything planned or organised.

Q. In addition to the human casualties, were any other casualties reported to you ?

A. Yes: on the morning of 2nd June it was reported to me that a lot of chickens in the market had been decapitated, and I myself, driving along Hollis Road at about 5.30 in the morning, was rather surprised to see a large number of dead cats strewn around on the road.

Q. Can you say how they had come to their end ?

A. I did not stop to investigate : I was out on inspection. Also on about the 4th or 5th day there were a number of bush babies found dead out in the vicinity of Bububu; but again I do not know how they came by their death.

Q. The chickens had been stabbed ?

A. The chickens had been decapitated.

CHAIRMAN : They were lying about in the streets ?

A. I did not see them myself: it was reported to me that they were in the market, which is not very far - in fact it is actually in Raha Leo, not very far from the polling station.

ATTORNEY GENERAL: What is that book, Mr. Bilos ?

A. This is a report on the Kano disturbances which took place on the 16th, 17th, 18th and 19th May, 1953, published under the authority of the Northern Regional Government of Nigeria.

Q. Are there similarities in the occurrences which happened there ?

A. There are very strong similarities, Sir. One is that subsequent to the riots there were allegations that people had been organised and even that material inducement had been offered; and the other was that the riots were racial inasmuch as they were between two different groups of Nigerians - on the one hand the Hausa, who were living in the walled city of Kano, and on the other by mainly Eibo, a

people from the eastern region of Nigeria, who were living in a place called Sabon Gari, which means new town - rather like Ngambo here. The parallel is the stone town on the one hand and Ngambo on the other; and I see that parallel there between Kano on the one hand and the Sabon Gari outside the wall on the other. When the rioters in Kano got the blood lust, they went around slashing animals too.

CHAIRMAN : But what inference do you draw from this ?

ATTORNEY GENERAL : I put it in merely for the interest of the Commission.

A. I am not exactly drawing inferences, but the circumstances are parallel.

CHAIRMAN: But you get it in many countries ? I have known similar instances in many countries.

A. I agree, Sir, but this is the one which is well-known to me. That is the reason I referred to it.

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RHVB.15

ATTORNEY GENERAL: Sir, I tender this, for what it is worth.



Cross-examined by MR. TALATI.

Q. Mr. Biles, I will go back to the 1957 elections. You were here in Zanzibar then ?

A. I was, Sir.

Q. In Zanzibar six seats were contested for election ?

A. Yes.

Q. And the Z.N.P. contested all six ?

A. Yes.

Q. And they lost all six ?

A. Yes, Sir.

Q. The A.S.P. contested five seats :

A. Yes.

Q. And won all five ?

A. So far as I recall, yes.

Q. After the first elections, the political tempo increased ?

A. That is so.

Q. Am I right in saying that almost all Arabs belong to Z.N.P. ?

A. With certain exceptions, yes - as a generalisation, it is correct.

Q. And if there are certain exceptions they are very few, just a handful ?

A. Yes.

Q. The first sign of unrest after 1957 appeared in the form of the squatters' trouble - am I right ?

A. I think the squatters trouble came up before the dock dispute - at least, there was a dock dispute and I am not quite sure whether the dock dispute was before or after.

Q. The dock dispute was about August, 1958.

A. Then I am fairly sure the squatter trouble was earlier than that.

Q. Now the squatter trouble you have already described the form of the trouble?

A. Yes.

Q. And you have also described the area where it took place?

A. Yes.

Q. Yesterday you referred to an African tribe called Makondes?

A. Yes.

Q. Just for clarification, have you ever heard of the word 'Mahiwa', as a tribe?

A. I do not think I have.

Q. Is 'Mahiwa' another name for Makondes?

A. If it is, I have not heard that, Sir.

MR. TALATI : I say this because I think the Civil Secretary used the word 'Mawya', and I think what he was referring to was Mahiwa and not Mawya.

CHAIRMAN : Yes, that was in the Civil Secretary's evidence, I believe.

MR. TALATI : I have not read it yet.

A. The Civil Secretary, Sir, has served in Tanganyika, and would have a much better knowledge of tribes than myself.

Q. Let us go to this Makondo tribe. The occupation of that tribe is almost always connected with the land: they are cultivators. They hardly ever work in the Stone Town or Ngambo: very few in fact do.

A. Correct, Sir.

Q. There is always in Zanzibar a shortage of labour to work on farms and in the town - am I right on that?

A. That is a question which has been in dispute for the last two years. There is one body of opinion in Zanzibar which says there is adequate labour in Zanzibar to deal with agriculture, except when there is a bumper clove crop, and there is another body of

opinion - equally as large, I think - which says it is not large enough and we must have immigrants from the mainland to come and do the hard work and the dirty work.

Q. But you have known of cases of thousands of immigrant labour coming from Tanganyika during the clove seasons in Zanzibar?

A. I have.

Q. And His Highness' ships have made special trips to Dar-es-Salaam to bring them to Zanzibar?

A. Yes.

Q. In actual fact at the present moment, as a result of the civil disturbances, a great deal of shortage of labour is felt on account of these immigrant labour not coming to Zanzibar. Am I not right in that?

A. I should not like to say you were not right in that. Quite frankly I do not know.

Q. There is a clove season on now, you know that?

A. There is, yes.

Q. When this squatter trouble started, a great many of these Makondes living in the area you described yesterday were evicted?

A. That is quite likely. I am afraid I have not gone into details of what were the tribes of the people evicted. I know there were a large number of mainland squatters evicted, but I have no knowledge of their particular tribes.

Q. And is it not evident that if the squatters were displaced by a certain political party or by the activities of a certain political party, the persons affected thereby would naturally swing to the other political party for support?

A. That would seem logical, yes.

Q. Do you know whether 80 percent of land in Zanzibar - when I say land I mean cultivable land - belongs to Arabs?

A. I do not know that, but I will accept that as being true.

Q. And about 60 percent of land is owned by Arabs in Pemba ?

A. Yes, I will accept that too.

Q. So that there is a slightly greater proportion of African land owning class in Pemba than Zanzibar ?

A. May that question be clarified ? Does counsel include the Shirazis in the term "African" ?

Q. I do, yes.

A. Then the answer is yes.

Q. Then the remaining 40 percent might include Indians and Africans and Shirazis as well, but the Indians owning land - shamba owners as we call them - are not many ?

A. Very few, yes.

Q. You referred to the fact that squatter trouble ultimately led to cases before 1959 ?

A. Yes.

Q. Cases when incidents were reported, wherein Arab landlords physically drove the squatter off his land without payment of any compensation ?

A. Yes, there were cases where the overseers tore up the squatter's crops and destroyed his hut: that is correct.

Q. And this led up to complaints to the police ?

A. Yes.

Q. To the Mudirs ?

A. Yes.

Q. Before the District Commissioners ?

A. Yes.

Q. And ultimately the courts ?

A. Yes.

Q. Certain decisions were then arrived at in the courts that a squatter had a right on the land until he had been compensated ?

A. Yes.

Q. Publicity was given by the Government to this, was it not ?

A. Yes.

Q. But not with satisfactory results : cases continued.

A. They did for a time, but they have slowly diminished - the number of cases.

Q. I am talking about prior to 1959.

A. Yes.

CHAIRMAN : Without satisfactory results prior to 1959 ?

MR. TALATI : Yes, I am sorry if I did not make that clear.

A. It was prior to the enactment of legislation on the subject that everything was most unsatisfactory; but there was a distinct improvement once special legislation was enacted.

Q. Then the Zanzibar Rural Administration Authority Order, 1959, was enacted. For reference, this is Notice No. 6 of 1959; and it was brought about on the 9th January, 1959.

A. Yes.

Q. That set up a machinery whereby landlords wishing to evict squatters would bring up their applications before the district administration, compensation would be assessed, and ultimately the squatter would be paid - is that not so ?

A. That is so, Sir.

Q. You have given figures, have you not - yesterday you gave figures of the number of cases that were brought up before the district administration ?

A. Yes.

(The Order was passed to the Commission for perusal ).

CHAIRMAN : And this Order was made applicable to the Zanzibar rural districts ?

A. Yes.

MR. TALATI : The instances of violence, of trespass to land and property, did not cease completely upon the promulgation of this Order.

A. No, Sir.

Q. Cases continued to be reported of landowners who did not wish to pay compensation ?

A. Yes.

Q. And there was forcible eviction ?

A. Yes.

Q. And the cases reported to you were invariably of Arab landlords ?

A. Usually, yes.

CHAIRMAN : Did you know of any other case ?

A. I do not think so: no, I do not recall any.

MR. TALATI : And the person complaining was almost always an African ?

A. Yes, I agree.

Q. Simultaneously, soon after that, there came about 1958 the trade dispute in the Zanzibar docks ?

A. In the docks, yes.

Q. Will you agree that it was intended to displace those labourers in the dock area who were not Z.N.P. members or supporters ?

A. I think that is correct, yes.

CHAIRMAN : Was that the dock trouble you have referred to ?

A. That was the dock trouble I referred to, yes.

MR. TALATI : These two movements were co-related, were they not ? The squatters trouble was intended to displace non-Z.N.P. members or those who were not Z.N.P. members ?

A. Yes.

Q. The docks trouble was intended to displace those in Zanzibar Town who were not Z.N.P. members or supporters ?

A. Yes.

Q. Of course there was another background to the dock dispute, that the Z.N.P. was intending to employ as many of His Highness's subjects as possible and to displace only foreigners who had no right to the work - that was the ostensible background, was it not ?

A. Yes.

Q. Now in 1958 the Afro-Shirazis commenced a co-operative movement and they established co-operative societies ?

A. Yes.

Q. Particularly so in the form of shops ?

A. Yes.

Q. In the rural areas as well as in the urban areas ?

A. Yes.

Q. As a result of which the Arab shopowners suffered ?

A. Yes.

Q. Up to that time, am I right in saying the small shops in the rural districts and in Zanzibar Town - Ngambo, that is - were almost entirely owned by Arabs ?

Arabs or Indians, yes: mostly Arabs in the rural areas.

Q. And may I say with regard to Ngambo 50 per cent Arab and 50 per cent Indians, roughly ?

A. Roughly, yes.

Q. And they were the people who were affected, as the consuming party was almost entirely African ?

A. Yes.

Q. You have already described the bus boycott ?

A. Yes.

Q. Which I believe hit both sides ?

A. Yes, it did.

Q. Can you remember Z.N.P. political speeches attacking Makondes in particular - that they ought to be removed from Zanzibar and sent to where they came from ?

A. I cannot say that I do remember. They may well have done so, but I do not recall it.

Q. They were singling out that particular community in the attacks - am I right or not?

A. You may be right, but I do not recall it.

Q. Do you remember an immigration inquiry Committee which was appointed in 1959?

A. Yes, Sir, I was a member of it.

Q. To go into the question of immigration with a view to recommending amendments to the immigration laws of Zanzibar ?

A. Yes, Sir.

Q. Were you a member of that Committee, Mr. Biles?

A. Yes, I was a member of it.

Q. And do you remember strong representations were made by the Z.N.P. on that Committee for preventing Makondes from entering Zanzibar ?

A. I do not recall Makondes having been singled out specifically. It was generally mainlanders: the representations which were made were that there should be strict immigration control of African labour from the mainland, and that the existing exemptions



which they enjoyed prior to this emergency under the Immigration Control Decree and Regulations should be revoked; but I do not remember the Makonde having been singled out specifically.

Q. You already described the Makonde in your examination in chief. Could you remind me of what you said about them, please?

A. I said they were rather a primitive and uneducated people, if I recall correctly.

Q. I do not think they would be capable of any political thought.

A. I do not agree with that - well, perhaps they would be capable of emotions but possibly not a great deal of thought.

Q. Probably to them "vote" and "democracy" would not mean anything?

A. I think it undoubtedly means something, yes.

Q. But most of them do not have the right to vote in Zanzibar?

A. That is correct.

Q. Because they are not His Highness' subjects: they are Portuguese subjects, or Tanganyikan.

A. That is correct.

Q. You said that in the past two tribes have been named in Zanzibar - one was Manga and the other was Makonde - whenever there was trouble?

A. Yes.

Q. We have heard here that there has been trouble with the Mangas in the past.

A. Yes.

Q. Could you tell us whether there has ever been any African trouble like rioting, violence, on a large scale, on the

part of Makondes?

A. I do not recall it. There have been, to my memory, one or two armed robberies committed by Makondes, but nothing on the scale of riots or civil disturbances - this was pure, straightforward crime.

Q. You mean on account of their primitive nature they are likely to have sudden loss of temper and less reasoning, is that not so ?

A. Yes, I think so.

Q. There has been the committing of an occasional murder, mainly among themselves?

A. Yes, that is correct.

Q. But there has never been an organised group going out to loot a party or a group of persons ?

A. No.

CHAIRMAN: I understood the witness to say that they were individual crimes.

MR. TALATI: The Tanganyikan African has provided a solid background to the Zanzibar economy, in the form of providing real hard-working labour ?

A. Yes, I think it is fair to say that.

Q. It is a very common thing in Zanzibar, is it not, for a man to get a Tanganyikan to clear out his shop rather than a local man who, with great respect and deference, is not supposed to work so hard?

A. That very point was made before the Immigration Committee, Sir.

Q. You referred earlier on to landlords not following strictly the procedure for compensation provided under this Administration Order ?

A. Yes.

Q. There were incidents of court cases, of reports of incidents of forced eviction to you ?

A. Yes.

Q. Were there not cases of reports made to you by landlords, alleging threats or assaults by squatters?

A. Yes, there was complaint and counter complaint for quite a long time.

Q. And on many occasions did these complaints of landlords go up to trial?

A. They did.

Q. And they resulted in convictions - wrong convictions - many times being set aside by the Court of Appeal in Zanzibar, the High Court? They were dealt with by the district courts, were they not?

A. I do not think they were set aside on appeal: I think there were some cases set aside by the Chief Justice exercising his power of revision over the District Commissioner's judgment.

Q. But there was a sentence imposed by the District Commissioner's Court at Mkokotoni, is that right ?

A. Yes.

CHAIRMAN: Do you not think it would be better to put it that on revision they were set aside ? You used the word "wrongly" convicted, but we do not know why the convictions were set aside. It may have been on technical grounds: We do not know what the reasons were.

MR. TALATI: I am sorry, Sir: I will amend it - and they were set aside by the High Court on revision ?

A. Some.

Q. You have known cases ?

A. I have known of cases where a decision of the District Commissioner had been set aside by the Chief Justice.

Q. Now referring to the Federation of Trade Unions, there is a trade union other than the Federation of Progressive Trade Unions, is there not ?

A. There are a number of registered trade unions: I am not sure of the exact number, but there are two unregistered organisations, each of which gives itself the name of a federation. One calls itself the Federation of Labour, which consists mainly of Afro-Shirazi supporters, and the other, which is a more recent organisation, calls itself the Federation of Progressive Trade Unions; and that is a limb of the Nationalist Party organisation.

Q. Since the June elections, have you got reports that members of this Federation of Progressive Trade Unions were approaching employers of labour and asking them to employ their labour only ?

A. I have received intelligence on that subject, yes.

Q. And it led up to a Government announcement, did it not ?

A. Yes.

Q. I believe it was in the first week of June, 1961.

A. I cannot remember the exact date.

Q. It came about--at least you will remember it was when your hands were full of trouble.

A. Yes, my hands have been full of trouble since 1st June.

Q. And that was quite an inappropriate action to take at that time for peaceloving people - for any peaceloving man to ferment trouble at a time when there was civil commotion and disturbance in the town.

A. You are referring at the moment to the ... ?

Q. Progressive Trade Unions.

A. Yes, I agree that was inappropriate. I thought counsel was referring to the Government's action.

Q. Was any police action, as such, taken on this ?

A. As I say, I received intelligence on the subject: I was unable to obtain any evidence which would justify or support any action in the court.

Q. But the rumour was strong enough to warrant an announcement from the Zanzibar Government ?

A. That is correct, yes.

CHAIRMAN: Would it be possible for you to put in the announcement of the Government which you are referring to ?

ATTORNEY GENERAL: I will try to get a copy and put it in.

MR. TALATI: Let us go back a little to the squatters question. After the January elections, between January and June, 1961, did you hear of instances where squatters had been prevented by landlords from, for instance, drawing water from the well from the shambas in that central area ?

A. I remember hearing reports of that, but I am sorry that I cannot say whether it was between January or June, or whether it was before the January elections. There was a time when there were complaints of that nature.

Q. Was it not as a result of the loss of the election in the central area by the Z.N.P. ?

A. In Koani ?

Q. And in January the successful candidates at the January elections were A.S.P. ?

A. Yes.

Q. Did that lead to some of the landlords preventing the squatters from drawing water from the wells in the shambas ?

A. I do not know, Sir. It may have done.

Q. Let us go to the question of Communism which was referred to yesterday, the influence of Communism in Zanzibar. You said that the General Secretary of Z.N.P. was the organiser.

A. The organiser of what, Sir ?

Q. The General Secretary of the Z.N.P. was the organiser of the militant nationalism on Communist lines within the Z.N.P. ?

A. I do not remember mentioning Communism in that connection, Sir.

MR. DOURADO: I think you are referring to the evidence of the Civil Secretary.

MR. TALATI: I am sorry, Sir, I am told that was what the Civil Secretary said. You know the General Secretary of the Z.N.P. Sheikh Babu ?

A. Yes, he is sitting next to you.

Q. Does your information agree with mine that he has Communist contacts in Communist countries.

A. Yes.

Q. That he visits Communist countries more than twice a year ?

A. I am afraid I have not counted the number of times but he does frequently visit Communist countries.

Q. And the visits are mostly to Peking - I am sorry, Communist China ?

A. He has to my knowledge visited Peking, Moscow and various Iron Curtain countries on various occasions.

Q. And that on his return from these visits the tempo

of political activity within the Z.N.P. has increased ?

A. that is perfectly correct.

Q. There is a certain amount of connection, is that not so, between his visits to these countries and political activity of the Z.N.P. here ?

A. I have always thought so but that is purely my opinion.

Q. As a result of Babu's contacts a number of persons have visited Communist China, Moscow, Prague, East Germany, correct ?

A. Yes, that is correct.

Q. That even scholarships are being offered through the Nationalist Party for studies in these countries, that is so ?

A. Yes.

Q. The emblems, the red cockerel, and the jewelled one which you must have seen, Mr. Biles, on the labels of Progressives ?

A. I have not seen it.

Q. Has been imported from Communist countries ?

A. I know that some badges have been imported from Communist countries.

Q. They could not be made in Zanzibar ?

A. I have not seen any lately.

Q. Not lately - I am talking about the latter part of 1959 when political tempo went up ?

A. There were some imported from Germany and there were some imported from the Far East. I am not sure exactly where they came from.

Q. By Germany you mean ?

A. East Germany I think.

Q. Did you hear of any press being imported from China ?

A. Yes.

Q. Communist China ?

A. Yes.

Q. And this press has been installed in the Z.N.P. headquarters ?

A. As far as I know it has.

Q. You have two publications from there ?

A. Yes.

Q. One called "Umma" ?

A. Yes.

Q. And the other called "Zanews" ?

A. Yes.

Q. Was this press a gift to the Z.N.P. from Communist China lovers ?

A. I believe that is what the Customs Authorities were told, yes.

Q. There is a bookshop here called the Umma Mobile Bookshop ?

A. Yes.

Q. And it sells and exchanges books - what does it do to the best of your information ?

A. It sells Communist propoganda of a mild form, stuff mostly printed in Communist China. Very large quantities of it are at the moment with the Customs, I believe. The amount has been increasing.

Q. The literature is regularly imported, right ?

A. Yes.

Q. In large quantities ?

A. Yes. The amount is growing steadily.

Q. And to the best of your information is it being sold very cheaply at nominal rates ?



A. It is, yes.

Q. So the knowledge of the people also improves, does it not, on Communist lines and not race ?

A. As I said earlier the present stuff is only mildly Communistically slanted but I suppose it would give people a good idea of Communism and what goes on in Communist countries.

Q. Mr. Biles, there has been no violence as such on Communist lines ? You know what I mean ?

A. I am not sure that I do.

Q. Do you remember last month or the month before, last July or August, the American Consulate was opened in Zanzibar ?

A. Yes, I do.

Q. Do you remember the date ? When was it approximately ?

A. I can give the exact date by reference to my diary if it would help.

Q. It was in August.

A. It was towards the end of August. I cannot remember the exact date without reference to my diary and I am sorry I have not got my diary here.

Q. During the night before the opening were bombs thrown or did they burst at the door and in the area surrounding the Consulate building ?

A. There were some bottles of petrol with a mixture of kerosene and petrol with fuses or wicks in them, a rather crude imitation of the Molotov Cocktail, which were placed against the door and thrown in the back yard and there were also very crudely made little bomb type instruments consisting

of an ordinary cigarette packet, a cardboard cigarette packet of ten Players or ten Clipper type which was filled with a mixture of rubble and cordite and in it was inserted a wick which had been impregnated with some combustible substance.

Q. A few explosions went up ?

A. There was a mild explosion, yes.

Q. And the main office entrance door to the Consulate was set on fire ?

A. Yes, it was scorched.

Q. The fire was put out ?

A. It was, yes.

Q. Immediately upon that did you hear the news from Moscow and Peking: "Your Colonialists, Imperialists, Oppressors intrigue to stop Zanzibar Nationalists oppose new form of Imperialism"?

A. I am sorry, I did not hear that on the radio. I read it in a pamphlet produced by the Federation of Progressive Trade Unions but I did not hear anything on the radio.

Q. What did it say, Mr. Biles ?

A. It said that in general terms they did not want the Americans here. It was time the Imperialists and neo-Colonialists cleared out. I cannot remember in detail what it said but it tended rather to support the activities of the gentlemen who had placed these things outside the door of the American Consulate.

Q. Some arrests have been made in connection with that incident ?

A. Yes.

Q. No cases have yet been brought to Court ?

A. No, Sir.

CHAIRMAN: Is that due to lack of evidence ?

A. Yes, Sir.

MR. TALATI: Coming back to this Communist influence have you had any information of money, support in the form of money, cash, being given to the Z.N.P. from Communist countries ?

A. From time to time, yes.

Q. What information do you have ?

A. I am sorry, Sir, I cannot answer that question accurately without reference to my records. I have heard periodically that Nationalist visitors coming back from China have come back with some money and that various sums of money have been transmitted through the post. Several thousand shillings on some occasions but I cannot remember the exact amounts and the exact dates without reference to my records.

Q. The amount has been considerable ?

A. Yes.

Q. With regard to the press, if it was purchased from Communist China it would have required an import licence, would it not ?

A. Yes.

Q. It is assumed it came as a gift requiring no licence ?

A. It came as a gift but as far as I recall it still required an import licence and as far as I know an import licence was granted.

Q. You have already described Youths Own Union as an organisation organised on Fascist lines, Black Shirts ?

A. I did compare it with the Black Shirts in England, yes.

Q. In 1959 the Government passed the Public Order Decree?

A. Yes.

Q. And it prohibited the wearing of uniforms by political parties?

A.

A. Yes.

Q. Just before that an I right in saying that the youths were being trained in some form of Egyptian style of training youths,

the modern Egyptian youth organisations ?

A. They did receive some musical instruments from Egypt as a gift but as far as I recall their training was of the ordinary military type. It need not necessarily be described as Egyptian. It was merely forming up in line, standing at ease, standing to attention, marching.

Q. Were not the uniforms similar to the modern Egyptian uniforms ?

A. I have not seen any Egyptian uniforms for a number of years. I cannot say whether they are similar or not.

Q. There is a certain amount of Egyptian influence in the Z.N.P., is not that quite true ?

A. That is so, yes.

Q. You have a considerable amount of literature from Egypt ?

A. Yes, quite an amount.

Q. In fact you have produced one ?

A. "Dawn in Zanzibar" is printed and published in Cairo.

Q. There have been a constant number of publications from Cairo ?

A. That is the third of that particular publication and there have been other publications produced in Cairo.

Q. This one I have here "Whither Zanzibar" - Political Education Series, Pamphlet No. 2.

A. Yes, I have seen that.

Q. Have you seen such a document as that ?

A. I have, yes.

Q. Will you refer to some photographs there. The last page will tell you.

A. In Cairo.

Q. You see some photographs of Youths Own Union, a group of girls and a procession of men ?

A. Yes, that is correct.

Q. It is not as good as yours ?

A. It is very similar to mine actually but it is not as well printed.

Q. After the passing of this Public Order Decree, 1959, the marching in public ceased, right ?

A. Yes.

Q. The marching of youths ?

A. The drilling ceased, yes.

Q. The bands continued, yes ?

A. That is correct, but not in uniform.

Q. And their other activities also continued, marching did not, uniforms ceased, etc. ?

A. Yes.

Q. But the other activities continued ?

A. Which other activities are you referring to, Sir ?

Q. Like going about together at meetings ?

A. Yes.

Q. Trying to get their way through by sheer weight of numbers ?

A. If you mean they acted as organisers of public meetings, yes, I agree, they did. They hold their own public meetings.

Q. You referred to two types of uniforms; first a white shirt, later on followed by a black shirt ?

A. A blue shirt with white markings.

CHAIRMAN: I think I would like an answer to that question.

A. I am not sure of that, Sir. They did act as couriers and scouts. They used these vehicles and these motor bicycles to

which I have referred before for carrying out surveillance on not only Government officers but on members of the opposing Party and they acted as general whips and wardens at meetings. If the meeting was in a building then the Youths Own Union would be on duty at the gate.

MR. TALATI: When an important Z.N.P. personality arrived in Zanzibar did they not have motor cycle outriders and bodyguards ?

A. That is so, yes.

Q. Except the red beret and the blue shirt was missing ?

A. Yes,

Q. Did you have any complaints from residents with regard to their conduct after 1959 and before June, 1961 ?

A. I cannot remember, Sir. I cannot remember any specific complaints. There was one complaint in Mazizini which came from people going out to Mazizini which is on the road out to the airport that they were obstructed by a member of the Y.O.U. who was endeavouring to control traffic going in and out of a house on the Mazizini Road. There may have been other instances but I am afraid I do not recall them.

Q. You are not still satisfied, are you, with the activity of this youth organisation ? Are you completely satisfied today ?

A. I think it is a potentially dangerous organisation but so far as I am aware it is not indulging in any illegal activities in which I can take criminal action.

MR. TALATI: I do not suggest that. Are you satisfied ?

CHAIRMAN: I think you have your answer. Up to date they have not done anything which would warrant prosecution ?

A. Yes, Sir.

MR. TALATI: You remember the finding of a cache of arms, swords, in Pemba in 1959 which was reported to the Select Committee of the Legislative Council which was enquiring into the Public Order Bill before it became law ?

A. A cache of arms in Pemba ?

Q. Two hundred odd swords, another 400 on order in October. I am reading from the report of that Committee, just four lines, Sir. "In October, the police discovered in Kwete in Pemba that 200 swords had been ordered (and were in process of manufacture) by a prominent member of the Nationalist Party there. Four hundred more were ordered for the Konde area".

A. What date did you quote, Sir ?

Q. It says October, must be 1st October, 1959.

A. Yes, I do recall that, Sir.

Q. They were swords manufactured in Pemba ?

A. So far as I recall they were being made by a local blacksmith. There were two types of weapon but one was a very crudely made sword and the other was what is referred to in Kenya as a simi. It is a thing rather like a sword which bulges towards the end and then comes to a point.

Q. Double edged ?

A. Double edged, yes.

Q. Was any action taken on that ?

A. So far as the police could ascertain no offence was being permitted.

Q. They were being manufactured to sell as curios ?

A. There was at that time no law about manufacture of swords.

CHAIRMAN: Were people permitted to walk about with these things in the streets ?

A. No, Sir.

Q. Because we have heard evidence that they were.

A. There was an amendment to the law which was made in 1959, the Penal Amendment Decree No. 7 of 1959 which inserted a new section, No. 87 B in the Penal Decree making it unlawful to carry an offensive weapon, and offensive weapon was defined, without lawful authority. Provision was made for the Commissioner of Police to issue permits to people who customarily wore a ceremonial sword or a ceremonial dagger to be allowed to do so on certain occasions. There is a weapon, a very ornamental weapon known as a jambia which is a curved Arab dagger.

Q. It is rather like a kris ?

A. Curved blade about four inches at the top coming down to a sharp point and it is in a silver filigree scabbard.

Q. Similar to the Malay kris ?

A. Yes. Certain persons who could satisfy the Commissioner of Police that they customarily wore this as an item of dress were given permission to do so and also there were certain exemptions in the law to provide for the carrying of ceremonial swords on certain festive occasions.

Q. What type of sword ?

A. The Arab bejewelled sword. It is normally in a silver filigree scabbard, a silver filigree handle, quite a long one. There are two types.

Q. Anything like these that were being manufactured ?

A. No, Sir.

MR. TALATI: Let us try and associate the weapons with the tribes of Zanzibar if we can, Mr. Biles. If you normally hear of a crowd approaching with swords what would you take that crowd to be ?

A. Manga Arabs.



Q. With daggers what would you take that to be ?

A. Arabs probably.

Q. If somebody said there is a crowd carrying pangas ?

A. Probably Africans or agricultural workers of one race or other.

Q. I am putting this question to you without alleging anything. This is just purely a matter of public opinion. In your police force there is not one gazetted African Officer, am I right, Mr. Biles ?

A. That is correct. I do not know whether you include a Comorian within the terminology of African. If you do then there is one.

Q. I am not counting Comorians.

A. Not counting Comorians there is no African.

Q. You have African Inspectors ?

A. Yes, I have.

Q. Full Inspectors and Assistant Inspectors ?

A. Yes.

Q. Rightly or wrongly has that led up to a certain amount of criticism amongst the Africans in Zanzibar ?

A. Yes, it has.

Q. Do you agree on account of the present situation since 1957 there have been allegations of favouritism on the part of Arab officers ? Allegations - I do not mean to suggest they are necessarily true.

A. I think the allegations were couched in rather a different form. It was not so much of favouritism by Arab officers but of discrimination of Arab officers against Africans. I think it would be more accurate to put it that way.

Q. You would agree it is not a healthy state of police affairs ?

A. No, it is not.

Q. It is not a healthy situation?

A. No.

Q. You have already described the tension in December, 1960, as quite high?

A. Yes.

Q. You have already mentioned, I think, in your examination in chief speeches; you have complained about the speeches and the tone of speeches at political meetings?

A. Yes.

Q. One Party had only to attack another and there would be retaliation immediately the week following by the other ?

A. That is correct.

Q. Once tempers were aroused they went on and on?

A. Yes.

Q. Speeches were many times directed against a personality in the opposite Party?

A. Yes.

Q. Called each other by names?

A. Yes.

Q. Then something came about after a short time when tempers were high, police either warned them or the Resident either brought the Parties together, they either signed a piece of paper or they agreed not to shout about for a few months?

A. Yes.

Q. So it went on until somebody else again shouted and it flared up again?

A. Yes.

Q. That is the situation of speeches, am I right, that is general?

A. Yes, that is general.

Q. Tempers were anyway high in December, 1960. NoBody was going to stop people from making speeches because the election was on shortly?

A. Yes.

Q. At the elections in January a sort of stalemate resulted?

A. Yes.

Q. And there were three Z.P.P. members on whom the balance rested?

A. Yes.

Q. There was a sort of political tug of war?

A. That is correct.

Q. Each Party tried to persuade the three members?

A. Yes.

Q. After a short time it was quite clear that one of them had allied himself with the Z.N.P. and the other had allied himself with the A.S.P. but the position with regard to the third one was in the balance?

A. Yes. That was in January.

Q. In actual fact he could not be found by A.S.P., is that correct?

A. Yes.

Q. The story was either he was in hiding or he had been kept in prison, kept under surveillance, something of that sort?

A. Yes.

Q. People tried to look for him. They did not know whether he was in Pemba or Zanzibar?

A. Yes.

Q. One day this man appeared in Mr. Othman Shariff's house?

A. Yes.

Q. His name?

A. His name is Bakari Muhammed Bakari. He is now a member of Legislative Council.

Q. He was in Mr. Othman Shariff's house where Mr. Othman Shariff's brother, Ali Shariff, another Z.P.P. member, resided?

A. Yes.

Q. That Z.P.P. member, Ali Sharif, had already allied himself with the A.S.P., the Afro-Shirazi Party, Correct?

A. Yes.

Q. I think you have already said two truck loads of Arab youths came outside, suddenly appeared outside of Othman Shariff's house?

A. I do not think I said two truck loads. There may have been two truck loads. In fact I rather think there were. I only recall particulars of one.

Q. Quite a number, was it not?

A. Yes.

Q. And they were armed?

A. I do not recall having been informed of their being armed.

Q. They shouted for Bakari to come out and they shouted that he was being held as a prisoner by Othman Shariff or Ali Shariff in that house?

A. That may have been so. I was not present at the incident and I am only going by the reports made to me by my officers.

CHAIRMAN: Was it reported that they were?

A. I cannot recall the details of the report, Sir.

MR. TALATI: Was it not reported to you that their intention was to prevent a meeting between Bakari and Ali Shariff? Was not that

the intention of these youths?

A. I had information on the subject, yes.

Q. And there was a great deal of shouting?

A. Yes.

Q. A number of Africans then collected outside Othman Shariff's house or around Othman Shariff's house?

A. The number increased. I think there were already quite a number outside Othman Shariff's house who were interested in what was going on inside.

Q. Was it not so that two parties collected, wanting to defend or attack back, is not that so?

A. Yes.

Q. The mood was aggressive?

A. It was a very dangerous situation.

Q. They were not collected for any social occasion?

A. It was a very dangerous situation.

Q. The police force was sent out, was it not?

A. Yes.

Q. And later a police officer called the President of the Afro-Shirazi Party, Abeid Karume, they called him from his own house?

A. That is right.

Q. Who came there and asked the crowd to disperse?

A. Yes.

Q. And at the same time it did happen the youths succeeded in not allowing Bakari to have any discussion with Ali Shariff and Bakari had to leave as well?

A. I do not know what went on inside the house. I only know that Bakari left Othman Shariff's house. I think he left with Muhammed Shamte, the present Chief Minister.

Q. Who had already declared his intention to align himself with the Z.N.P.?

A. That is correct.

Q. Was that the kidnapping you referred to in your examination in chief?

A. No, Sir. I said in my examination in chief, I think, that there were rumours of bribery and of kidnapping. The original rumour of kidnapping was that Bakari Muhammed Bakari had been kidnapped by the Nationalists who were holding him in custody to prevent the Afro-Shirazis getting at him to persuade him to change his mind. But I did see Bakari Muhammed Bakari very soon after this. He came to my office with someone else and I asked him whether he had any complaints to make to the police, whether there was any substance in these allegations and he said no, none whatever,

Q. Do you also know that Bakari and Ali Shariff and others wanting to have a talk with Bakari to discuss matters with Bakari left Zanzibar the following morning by plane for Pemba?

A. I know they went to Pemba soon after; whether it was the following morning or not, I am not sure.

Q. So they would have a quieter place for discussion. It was impossible in Zanzibar at that time.

A. They went so far as I am aware to consult the other members of the Z.P.P. in Pemba.

Q. Would you not consider that that was a very serious situation following upon an allegation when the question of who would form the Government was absolutely in the balance? --

A. It was a very delicate situation at the time, yes.

MR. TALATI: And it was very provocative.

CHAIRMAN: What was provocative?

MR. TALATI: The action of the youths in coming outside.

A. Yes, I agree it was extremely provocative.

Q. And it was a clear act of intimidation?

A. It could be. That view could be taken of it, yes.

Q. If Abeid Karume had not succeeded in persuading the African youths to disperse and go home do you not think there might have been a breach of the peace?

A. There would probably have been a riot.

Q. During this time have you heard of this, that meetings were held between Z.N.P. members, prominent Z.N.P. members and Z.P.P. elected members ?

A. Yes.

Q. At the house of Seyyid Seif bin Hamoud bin Feisal? Do you know Seyyid Seif bin Hamoud bin Feisal?

A. I do, Sir.

Q. Is he related to His Highness?

A. He is married to one of His Highness's daughters.

Q. He is a son-in-law of His Highness?

A. Yes.

Q. You agree a number of meetings were held at his house?

A. Yes.

Q. Between Z.N.P. members and Z.P.P. members?

A. That is correct.

Q. In order to persuade them to form a coalition?

A. I know that the meetings were held. My information is that it was, as you say, to persuade them to form a coalition.

Q. This action of Seyyid Seif bin Hamoud bin Feisal was greatly resented by the Africans, the A.S.P.?

A. Yes.

Q. They alleged it was a way of bringing pressure on the Z.P.P. members?

A. Yes.

Q. As you have already stated, as Seyyid Seif bin Hamoud bin Feisal was a member of the Royal Family ?

A. Yes.

CHAIRMAN: He said he married one of His Highness's daughters.

MR. TALATI: Yes. He has an important position in the Royal Family ?

A. Yes.

Q. In matters of seniority he comes after His Highness's sons. I do not mean any other seniority.

A. As far as the Royal Family is concerned I think that is correct, yes.

Q. As a result of this political stalemate the Resident declared that there would be a new general election on June 1st ?

A. Yes.

Q. It was quiet then. Everybody had been working at high pitch to form a coalition and then everything dropped down at the end of January ?

A. Yes.

Q. Everything went quietly through February and March, right ?

A. Yes.

Q. April started again these speeches ?

A. Yes.

Q. I am now referring to the Z.N.P. platform. You always had a tape recorder, had you not, Mr. Biles ?

A. I have several tape recorders.

Q. You had a tape recorder always attached to the microphone on a political platform ?

A. That is not quite correct, Sir. I have a Land Rover



which is equipped with a tape recorder and there is a directional microphone fitted to the roof of the Land Rover and when a meeting is held at which something subversive or seditious or defamatory might be said the police normally send the Land Rover along there and take a record, may be the whole of the proceedings or possibly just the speech of one particular speaker.

Q. Were the contents of the speeches reported to you ?

A. If there was anything in it which was considered to be offensive it was translated and a transcription of it was given to me.

Q. Am I right in saying that as the tension grew - I am first talking to Z.N.P. - it was a duty of a political party, as it normally is, to explain to the people the reason for its defeat; attempts were made by Z.N.P. to blame somebody else other than themselves for the loss of the election or for the non-victory at the election, am I right, first the Imperialists ?

A. Yes, that is correct. They blamed other people, yes.

Q. First the Imperialists ?

A. Yes.

Q. Then their stooges <sup>the</sup> to Afro-Shirazis ?

A. Yes.

Q. And the tone was this: blood will flow but we will make it ?

A. I do not remember mention of blood will flow in April. There was certainly mention of it in November or December but I do not remember any mention of blood flowing in April.

Q. Were there not references in April and May as well in the speeches ? The tones got angrier and angrier and they said even if it comes to shedding of blood, we are ready. The word "blood" did occur in the speeches ?

A. It may well have but I do not recall it having any particular significance at the time. Speakers often say that they

will lose the last drop of their blood for this or for that.

Q. That is figuratively in the English language. If you speak in Arabic or Swahili and say we are prepared to shed blood, we are all ready to die, what does it signify, die on paper in an article or actually die fighting ?

A. A certain amount of poetic licence is used by politicians from time to time. It does not always mean they are ready to go out.

CHAIRMAN: You were not asked what they meant. You were asked whether the expressions were used. Was it reported to you that they were used ?

A. It may have been, Sir. I do not recall it.

Q. In April and May, 1961 ?

A. I do not recall it in April and May.

MR. TALATI: You have already referred to a publication called "Umma" ?

A. Yes.

Q. Which comes from the Z.N.P. press, Chinese press ?

A. Yes.

(Document  
RHVB. B.

MR. TALATI: Here we have an article in that. May I read it, it is a translation.

(Translated extract from "Umma" dated 24th  
April, 1961, read.)

CHAIRMAN: Have you seen it before ?

A. I probably have, Sir, but I do not recall it specifically.

MR. TALATI: Have you heard of any instance where an A.S.P. leader has declared anything but loyalty to His Highness ?

A. There was only one instance which was given considerable publicity about three or four years ago when the word "Jamburi", was used by Abeid Karume in a speech. The word "Jamburi" I understand, is connected with republic. That was interpreted by the

by the Nationalists as inferring that the Afro-Shirazis wanted to get rid of His Highness. That was the only information.

Q. Did that not lead up to an expression of regret and apology from Abeid Karume that he had misunderstood the word which was an Arab word ?

A. Yes, that is correct.

Q. And not a Swahili word ?

A. Yes.

CHAIRMAN: That is the only instance you are aware of ?

A. That is the only one I can recall, Sir.

Document  
RHVB. C.

MR. TALATI: This is another one which is dated 27th April, 1961 from "Umma".

(Translated extract from "Umma" dated 27th April, 1961, read).

Was there any indication in A.S.P. speeches by its leaders that Zanzibar should join Tanganyika and become a part of it to your knowledge.

A. Not to my knowledge, Sir.

Document  
RHVB. D.

MR. TALATI: Then we have this one dated 2nd December, 1960.

CHAIRMAN: The witness has already said that he did receive reports of talk of shedding blood in November and December, I think you said 1959 ?

A. 1960, Sir.

(Translated extract from "Umma" dated 2nd December, 1960, read).

MR. TALATI: Of course, the shedding of blood is always connected in these articles in such a way as to show that it is all for the defence of His Highness the Sultan ?

A. Yes.

Q. Although no expression of disloyalty was ever made towards His Highness the Sultan ?

A. I am not sure what the question is.

Q. Blood will flow. These expressions are connected in an article which deals with showing of loyalty towards His Highness ?

A. I have answered you to that.

Q. Although no expression of disloyalty towards His Highness was ever made by Z.N.P. leaders ?

A. Yes, that is correct.

Q. Did you not also hear speeches in April, May, 1961: "We will be in the Government whether we win or lose the elections." "Rely on us". "Bury us alive". "I swear in the name of my child"?

A. The words do mean something to me but I cannot recall when they were said or by whom.

Q. I am not suggesting that this is the Z.N.P. platform. "We will form the Government whether we win or lose the elections". "We will be in the Government"?

A. Yes, I have a vague recollection of that.

Q. "I promise you this will happen". "I swear in the name of my child". "Bury me if this does not happen". "The British will be out in three years' time".?

A. I remember something in general terms. I do not remember the oath on the child. I remember the reference to being buried alive made by one speaker.

Q. Did you hear of these reports that whenever there was a Z.N.P. meeting in town car loads or truck loads of people, men and women, would go outside Abeid Karume's house and sing songs, defaming him and abusing him ?

A. I did not know that. He has never made any complaint to me about it.

Q. Have you heard of the song about a parrot?

A. I do not recall a song about a parrot, no.

Q. Have you heard the suggestion about Abeid Karume in Z.N.P. songs as a parrot who says things without thought?

A. No, I have not. I cannot recall that.

Q. Can you remember a single instance where an A.S.P. leader said "We will use force to win". "We shall win by force". "If we lose, blood will flow, we are ready". Anything of that sort? Was that reported ever?

A. I cannot remember any report of that nature.

Q. May I put a question to you, Mr. Biles. It is difficult to answer. You said there was tension and you expected trouble. I put it to you in your heart of hearts you always thought the trouble would come from the Z.N.P.?

A. I thought that there would be a certain amount of provocation by the Z.N.P. but the trouble I envisaged on election day was mainly the scuffling in the vicinity of the polling stations rather similar to what had taken place on the previous election, mainly due to people not minding their own business and trying to interfere with voters.

Q. Yes, but that is one part of the trouble, simply an election trouble which does not look like trouble to us now anyway after June. I am talking of group violence, crowd attacking people. In your heart of hearts did you not expect that that would be by Makonde Africans?

A. I did not anticipate there would be any violence of that nature on election date.

CHAIRMAN: Or thereafter?

A. I was coming to that, Sir. I did not anticipate that there would be any armed attacks on persons immediately after the elections. What I did anticipate was that if the Afro-Shirazis won the Youths Own Union would indulge in highly subversive activities, possibly civil disobedience, which would lead to violence or if the Nationalist Party won then I anticipated that there would be a considerable difficulty in maintaining discipline among members of the Afro-Shirazi Youth League and that we should be in for quite a bit of hooliganism and probably increased and intensified boycotts and labour troubles. But I certainly did not anticipate anything in the nature of a civil war.

Q. Mr. Biles, one question which I have omitted to ask you on the events prior to June; you remember the murder of Mr. Sultan Ahmed Mugheiry, in Zanzibar?

A. I was not here at the time but I have heard of it.

Q. When was this, can you remember ?

A. I think it was in 1954 or 1955.

Q. Was it not connected with the boycott by the Arab Association of all government bodies?

A. Yes, Sir.

Q. They withdrew from all government bodies?

A. That is what I have been informed.

Q. Sultan Ahmed Mugheiry was an Arab nominated member for Pemba?

A. Yes.

Q. He did not obey the boycott; he was murdered ?

A. Yes.

Q. And a person was convicted in connection with that murder ?

A. Yes.

Q. And the court said it was a political murder ?

A. I do not recall that the court said that, but it may well be so.

Q. We go now, Mr. Biles, to 1st June. You have already informed the Commission that in the January elections there were minor incidents.

A. Yes.

Q. To start with on that day up to 10 o'clock there were incidents of a minor nature in the June elections ?

A. Yes.

Q. People were not going armed to them, not in any way, not even with stones and sticks?

A. Other than the odd man here and there who had a concealed weapon. I have already said in my examination-in-chief that I myself arrested one man with a knife stuck down the side of his trousers, but there was no evidence of people walking around with weapons in their hands.

Q. It is normal practice, it is not odd in Zanzibar for people to carry a knife?

A. It is customary.

Q. Except during the emergency, when it was prohibited?

A. Not quite so, Sir. There is a law on the subject which was enacted in 1959 I think. It is the one I referred to earlier, section 87B of the Penal Decree.

CHAIRMAN: We have already seen it.

MR. TALATI: You have described what action you took in connection with those minor incidents which were reported to headquarters in Zanzibar.

A. Yes.

Q. When did you see the Nationalist Party leader the first time that day ?

A. The first time was quite early in the morning, at 8.45 in the morning when he came to my office.

Q. And he reported to you an incident?

A. Yes, he reported that his agent had been assaulted at Raha Leo.

Q. It was not a serious assault, was it ?

A. Not so far as I am aware.

Q. And no weapons were used, not even sticks - nothing at all ?

A. Not as far as I know.

Q. It was a case of manhandling actually ?

A. Yes.

Q. Up to about 10.30 there were no signs of violence as such except for minor scuffles ?

A. There was no sign of organised violence.

Q. May I say "group violence"?

A. That again is not quite so. There were small groups of people at the polling stations who were engaging in altercations with voters, and a scuffle developed involving possibly a dozen or twenty people, but there were no weapons in evidence on those occasions.

Q. When did you first hear of the report that the Nationalists were withdrawing their voters from Raha Leo and Jangombe constituencies ?



A. When I returned to my office at about 11.15 and found Sheikh Ali Muhsin there with the Civil Secretary. That was when I personally heard at first, but there was a report in the control room log which did mention persons going to King George VI school and one other polling station, I think it was Holmwood, telling the voters to go to Darajani.

Q. What is that report please; could you refer to it?

A. I am sorry, Sir, I made a mistake. It is not in the control room log, it is a report which was made to me by the Special Branch at 11.30 hours. The report was to the effect that the ZNP voters were being told to leave Raha Leo and go to the Nationalist Party headquarters at Darajani; also that Haji Hussein, a representative of the Nationalist Party was at King George VI school telling Nationalist Party members to stop voting and go to Nationalist Party headquarters at Darajani.

Q. Have you any reports of voters in the Stone Town being also similarly asked to leave the queue and go to Darajani?

A. It was not drawn to my notice, Sir.

Q. This was at what time, at least so far as Raha Leo and Jangombe were concerned?

A. About 11.30 the report was made to me.

Q. You did mention in your examination-in-chief that that morning before this time - I would like you to tell us the time again please - you went to Darajani, found a crowd of people outside the fence and you asked them to go away back to the main road and they were in good humour?

A. The police under my direction moved them back from the fence towards the main road well away from the polling station, that is correct, yes.

Q. What was the time then ?

A. That was at about 10.30.

Q. You said the crowd obeyed ?

A. Yes, the crowd was quite good humoured.

Q. It was unarmed and it was in good humour ?

A. Yes.

Q. Am I right in saying that soon after this time the Nationalist voters who were being withdrawn from various constituencies or polling stations began to gather at the Nationalist Party headquarters at Darajani ?

A. Yes.

Q. And they started gathering arms ?

A. That is what I have been informed.

Q. And the arms included the traditional sword, the jambia, the dagger ?

A. Yes.

Q. And sticks ?

A. Yes.

Q. Have you a large map for the benefit of the Commission showing the position of Darajani in relation to the Nationalist Party headquarters ?

A. I can indicate it on this map, Sir (map of Zanzibar town). The school is the building where this red flag is; there are two buildings side by side actually, a long building and another building with a court.

Q. That school was the polling station for Darajani ?

A. Yes.

Q. It has a barbed wire fence in front ?

A. Yes.

Q. Then beyond the fence is an open area which was previously the creek which has been filled in ?

A. Between the road and the perimeter fence of the building there is an area of reclaimed land which is quite extensive.

Q. Then there is the main Creek Road ?

A. Yes Sir.

Q. And behind that is Stone Town ?

A. Yes.

Q. In between the Darajani shcool and the Nationalist Party headquarters is the road leading from Creek Road to Lady Janbhai Road, is that not so - the road connecting Creek Road with Lady Janbhai Road ?

A. There is a road going through from here very near the bridge, if that is the road referred to. There is a road which leads right the way through from Creek Road to Mwembeladu.

Q. There is also reclaimed land in front of the Nationalist Party headquarters as well ?

A. Yes Sir.

Q. You said earlier on in your examination-in-chief that at 9.45 a.m. you stopped a group of Manga Arabs at Hollis Road - I do not mean you personally, but the police ?

A. The police did.

Q. There was a report of police stopping a group of Manga Arabs at Hollis Road at 9.45 a.m. ?

A. I think the time is wrong there, Sir. It was not very long after 9.45. They were being disarmed at 9.56; they were arrested, disarmed and taken to police headquarters.

Q. That was on the Hollis Road which you have already indicated to the Commission on that map ?

A. Yes, Sir.

Q. Where could they have come from, or where was it reported that they were approaching from ?

They were seen in Hollis Road going in a certain direction.

A. I was not there, Sir, and it is not clear from the report.

Q. Am I right in saying that they must have approached the place from outside the Zanzibar township, from the rural areas ?

A. They could have. This road which I am referring to, Hollis Road, is the main road leading north out of the township.

Q. Did you say they were disarmed ?

A. They were arrested and disarmed and taken to police headquarters.

Q. Then were they released, or were they kept there for the day?

A. They were kept there, and some were eventually charged, but I am not sure of the full details.

Q. What type of arms were they carrying.

A. I think there was a sword or a knife and the remainder had sticks, but I have not full knowledge of the details of the case.

Q. Item 143 in the diary, 9.45 on the first day - "Darajani - many armed with sticks. Seyyid Mabost heading to Darajani." Who is Seyyid Mabost ?

A. His correct name is Said Seif bin Hamud, but he must not be confused with the other Said Seif bin Hamud who is His Highness's son-in-law.

Q. What is the meaning of this report ? I might have been there at 9.45 but nobody reported me. Why was he being reported ?

A. He was reported because he was seen with these people armed with sticks.

Q. Which people ?

A. The report is from Mr. Mahhomed Idi Shazira, one of my Special Branch officers, and it indicates that he is at Darajani and that there are a number of persons, he says, many armed with sticks, and Seyyid Mabost is with them. That is how I read it.

Q. Seyyid Mabost is a Z.N.P. supporter ?

A. Yes.

Q. As the Nationalist voters were withdrawn from the other constituences the number of Nationalist supporters rose outside their headquarters ?

A. Yes.

Q. How far is their headquarters from Darajani School ? About how many yards away is it ?

A. About 400 or 500 yards, that is an estimate.

Q. One could easily see a group of persons collected outside the Nationalist Party headquarters from outside Darajani school and vice-versa ?

A. Yes.

Q. It is an open area ?

A. Yes.

Q. Good enough for a free fight ?

A. Yes.

Q. And so the crowds began to swell ?

A. Yes.

Q. The Nationalists were armed, so the ASP started to arm themselves with firewood that was lying there on the open ground; is that what you said originally ?

A. There were stacks of firewood lying around. It is customary for people to bring firewood in early in the morning and stack it there for sale.

Q. They armed themselves with that and with stones that were lying about the place ?

A. Yes.

Q. And so they started to exchange stones ?

A. Yes.

Q. You said Deputy Superintendent Suleiman Said Kharusi with his party of police remained in the middle trying to keep one faction away from the other ?

A. That is what I am told, yes.

Q. Later on you said he started disarming the Africans who had collected there ?

A. He attempted to but he was not successful.

Q. What was the time, please?

A. It would have been round about 12 noon I think, Sir.

Q. Naturally the question was put by the learned  
Chairman: why did he not attempt to disarm the Arabs who were  
armed with deadlier weapons?

A. It is difficult for me to say why some other officer  
who is on the spot did or did not do anything.

Q. Surely an explanation was given to you; surely  
you can speak of that?

A. The explanation which was given to me was that the  
Nationalists were adopting a fairly passive and defensive role at  
that time.

CHAIRMAN: Would that be a reason why they should continue  
to be armed?

A. No Sir. That is merely the explanation that has been  
given to me.

MR. TALATI: You would not agree with that attitude, would  
you?

A. No.

Q. What the police did was this, as well as you can  
picture it to us and I can understand it; there was an exchange of  
stone-throwing one to the other, and occasionally the police fired  
a tear gas grenade or a tear gas bomb?

A. Yes.

Q. The crowd was dispersed and gathered again?

A. They did not gather again at that particular place.  
They moved around. They moved down towards Hollis Road, and then  
they started to disperse down behind the Nationalist Party headquarters  
at Dara-jani.

Q. Which was the crowd that went behind the Nationalist

Party headquarters at Darajani - the African crowd?

A. The Nationalist Party crowd was there initially, and I am told some of the Afro-Shirazis went down that way on their way back home.

Q. That comes in as a subsequent movement. When they dispersed and went away - you described how they were going away - they started to assault?

A. Yes, that is the situation as it has been described to me.

Q. There is another Nationalist Party branch at a place called Mitondoni?

A. Yes.

Q. That is quite close to Darajani polling station?

A. Yes.

Q. Whereabouts is that?

A. Just at the back down here on the street leading through to Mwomboladu; I am not sure whether it is on that street or whether it is tucked away behind the corner.

Q. Am I right in saying a number of Arabs had gathered at that time at that branch as well, the Nationalist Party branch?

A. That is what I have been told.

Q. House boys in the Stone Town employed by Arabs, Asians, Europeans and so on are normally Africans, and most of them live in the Ngambo area, do they not?

A. Yes.

Q. And if a person wanted to go to Mfonosini, Makadara and all that area described yesterday he had to go past Darajani bridge down by that road?

A. It would be an appropriate route.

Q. If you take this other road and go down the Crook Road

you would come to the fire station?

A. Yes.

Q. Where is that please?

A. At Kisiwandui. It is not far from the radio station, not very far from the place where there is the tall radio mast on the open ground on the corner of Kikwajuni Road ?

Q. That little strip of houses behind the Darajani school right up to the fire station - they are Arab owned and occupied?

A. As far as I know they were mostly Arab owned or occupied in that area, yes.

Q. So that if a house boy approached from Stone Town into Ngambo he would have to pass through these lines of Arab owned or occupied houses - correct?

A. Unless he followed a very devious route into Ngambo, yes; it would be one of the shortest ways of going.

Q. At any rate at 1 o'clock people in the Stone Town working as house boys who were not aware of what was taking place at Darajani or not aware clearly what was taking place in Darajani would have walked through the Kisiwandui area and would get caught up amongst Arab assailants?

A. There would be a danger.

Q. If there was a crowd of Arab assailants hiding in this strip of land the unwary passer-by would immediately be caught up?

A. Yes, that is true.

Q. You have said the crowds began to swell at the Nationalist Party headquarters, and also at the Mitondoni headquarters of the Nationalist Party?

A. Yes.

Q. Will you read item 161 please.

A. This is at Gulioni.



Q. At 10.11 they reported - "Fighting broken up. Nationalist Party open pickup with people with sticks in it."

A. Yes.

Q. Can you tell us where this must have come from, what part of the town? The earlier report is Fisi at 10.08 to remain at Gulioni.

A. The report came from this radio vehicle at Gulioni as far as I am aware - yes because entry 167, 10.19 shows Fisi at Gulioni.

Q. Then 162 - "ZNP people using fire station area a reserve". That is a reserve for what?

A. There is a Nationalist Party election office very near to the fire station and I think this report indicated that the Nationalist Party supporters were gathering around the election office. It is or has been a focal point for Nationalist Party supporters.

Q. It was a note of caution?

A. Yes.

Q. Item 172, 10.21, Twiga reporting - "Lorry full of people armed with sticks left fire station".

A. Yes.

Q. Who could they have been?

A. Almost certainly Nationalist Party supporters.

Q. Item 187, 10.46 - "CPS report from civilian" - that is the central police station, is it?

A. Central police station.

Q. "...bus DF2 proceeding to Malindi carrying sticks - not confirmed."

A. Yes.

Q. What is it, this DF2 bus? Have you had it identified subsequently?

A. I gave instructions for it to be identified; I do not

know whether it has been satisfactorily identified or not. One or two of the vehicle numbers which are mentioned in this log are corrupt I am afraid; I am not sure they are entirely accurate. In the transmission mistakes were made.

Q. After this report was made did you have it verified from the maker of this report, whoever was in Bata at 10.46, whether he had correctly the number DF2?

A. It was not confirmed. That is the entry; it says it was not confirmed.

Q. Let us look at the next one, No.188, Fisi reporting - "Dorham reports that a lorry DF2 is loading up with weapons at Malindi."

A. Yes.

Q. That was a responsible police officer reporting, is not that so?

A. Yes.

Q. That was confirmed?

A. I do not know whether it was confirmed, but I agree that is a responsible police officer.

Q. It either means what it says or it does not?

A. Yes.

Q. Have you tried to find out who is DF2?

A. I have issued instructions for those vehicles to be identified, but we have had so many important criminal cases on hand that I am afraid we have not got down to doing this. It can be identified if you wish.

MR. TALATI: Mr. Chairman, I think we ought to know who this car belonged to. I have tried to get it from the municipal office.

CHAIRMAN: DF2 is mentioned on two occasions, one unconfirmed, the other apparently confirmed, carrying persons with weapons. No doubt the witness can ascertain ..... -

A. Mr. Dorham will be giving evidence later and he can probably say.

CHAIRMAN: Unless you wish to establish it now?

MR. TALATI: I wanted to, but it does not matter. I have tried to obtain the identity of this vehicle, but I was informed at the municipal office that I could not obtain the identity over the counter yesterday and there was no other time to do that.

CHAIRMAN: If you are still in the witness box tomorrow morning, could you in the meantime obtain the information.

A. Certainly Sir.

MR. TALATI: That was in any case at Malindi.

CHAIRMAN: May I intervene? I do not want to put you off, but can you tell from your diary or any other document when you first became aware of the fact that voters were being withdrawn?

A. As far as I am aware the first intimation I had of it was when I got back to police headquarters at about 11.15 and Sheikh Ali Muhsin told me personally in the presence of the Civil Secretary that he was withdrawing from Gulioni, I think he said from Jangombe and Raha Loo, and he also mentioned Darajani.

Q. That was about 11.15?

A. That was at about 11.15.

Q. Did you gather from him he had already started this?

A. My impression at the time was that he was about to do it but had not started, Sir, but subsequently I received this report at about 11.30 that there were Nationalist Party agents at Raha Loo and King George VI school.

Q. Withdrawing?

A. Withdrawing already.

MR. TABATI: Mr. Bilos, this lorry is supposed to be loading with weapons at Malindi.

A. Yes.

Q. Where is that on the map?

A. Malindi is part of this promontory near the harbour (indicating).

Q. Who are the people who occupy this Malindi area?

A. Mainly Arab.

Q. Item 189, Fisi reporting at 10.46 - "Bus load of hooligan element has just left Gulioni towards Darajani." You cannot pin that down to anybody, can you?

A. No, it could be either.

Q. Item 231, 11.45, Bata reported "Large crowd Darajani school". Was not that the first sign of trouble occurring at Darajani?

A. Apart from the incident which I described yesterday, where I had personally to drive a number of people away from the school and the odd altercation in two of which I intervened, it was, I would not say the first sign, but it was a significant factor that the crowd was growing at Darajani, and shortly afterwards there was a request for more constables.

Q. That is what I meant; there were small incidents before this time.

A. There were small incidents and at 11.45 the crowd began to swell.

Q. Then again in item 233, a few minutes later - "Darajani. Very large crowd. Need more men."

A. I have already referred to that one.

CHAIRMAN: Would we be right in assuming that Items 188 and 189, although not timed, would be between 10.46 and 10.50?

A. Yes Sir.

Q. So that you had before 11 o'clock received in any event one apparently confirmed report that a lorry was loading up with persons carrying weapons?

A. Yes, Sir.

Q. Item 235, 11.51, Bata reporting - "Require more men. Crowd getting more hostile and larger." 11.52 - "Situation worse." Item 237 - "Take riot squad to Darajani."

A. Yes.

Q. What did they do when they reached there?

A. They were ordered to report to Sulciman Said Kharusi who was in charge of the police on the spot, and it was his duty to exercise crowd control and to take necessary action to disperse them, which he subsequently did.

Q. Is he going to give evidence?

A. Yes, he is.

Q. At 11.58 - "Darajani tense". At any rate the crowd did not behave itself and the Riot Act was read?

A. Yes.

Q. That was at 261.

A. Earlier than that, Sir; he read the Riot Act at 12.34.

Q. 261 is your instructions I think to Sulciman Said Kharusi to read the Riot Act if necessary outside Darajani school and order mob to disperse, not voters.

A. Yes.

Q. You come to the decision it may be necessary or you knew it would be necessary to read the Riot Act, and so you gave instructions?

A. Yes.

Q. The rest was left with Sulciman Said Kharusi?

A. Yes.

Q. He read the Riot Act at what time?

A. 12.34.

Q. Item 277, 12.34. After that, Item 281 at Darajani school. "Riot squad standing by. Crowd being spoken to by elders." Who are the elders?

A. I am not sure.

Q. Would it be Mr. Karumo?

A. It might have been. I had the impression it was Mtoro Rohani, but Sheikh Sulciman Said Kharusi will be able to answer that.

Q. Mtoro Rohani is a member of the ASP?

A. Yes.

Q. Is there any note in this diary as to when the African crowd began to disperse, when the African crowd began to walk away, which you referred to yesterday in your evidence?

A. There is a report at 13.08, entry 309, from Darajani, to the effect that the crowd was under control. There is a report, entry 319, 13.24 that the crowd had moved further way, 250 yards to the left of Darajani.

Q. In which direction is that?

A. I am sorry, I do not know the answer to that. There is a subsequent report entry 323 at 13.20 that the crowd was thickening between the Nationalist Party headquarters and Darajani, which means that the crowd was moving north from the polling station in the direction of the Nationalist Party headquarters.

Q. Then did the African crowd start moving back? You said yesterday in your evidence-in-chief that after the Riot Act was read and a few tear gas bombs thrown the crowd was spoken to by loaders and the crowd started to move back to Ngambo, and it moved through that street?

A. Yes, some of them did.

Q. And as they moved through that street they were set upon by Arabs with swords, sticks and daggers ?

A. That is what I have been told - not only Arabs - Nationalist Party.

Q. Very well, Nationalist Party. As they went through, when they reached Msufini beyond Mitendeni - that is the first area after Darajani that was hostile to the Africans ?

A. Yes.

Q. When they passed that they went mad and started to attack the houses of Arabs ?

A. There were attacks all the way along this road as far as I know: that is the road between Darajani and Mwembeladu. Fighting took place between Arabs and Nationalists and Africans in the vicinity of Mkunguni; they went over as far as that. It was subsequent to that that the Africans in the area around Mwembeladu and Mkunguni mainly started taking retaliatory measures. It was mainly the criminal element then as far as I am aware, looting and murdering.

Q. It was all right except for a few minor incidents on 1st June in the rural areas ?

A. Yes.

Q. Have you heard of this, Mr. Biles, that when a crowd of Africans attacked isolated Arab houses in the rural areas it was said to be saying - "You attacked our brothers yesterday in the town; we will show you today" - have you heard of this or not ?

A. I did not hear of that in connection with the rural areas, but that was being said at Mwembeladu outside the Afro-Shirazi party headquarters on the second day, on 2nd June.

Q. Would you refer in the diary to entry 705, 2nd June, at 0828 from Ziwani ?

A. That is the incident I have just referred to, Sir.

Q. He reports that there is a ZNP truck outside ASP headquarters with about 300 people around at Kijangwani saying that

"you will see more today than you saw yesterday". Who is supposed to have said that, the ZNP truck - is not that so ?

A. Yes, that is correct. I appear to have misread this. It does suggest it was the Nationalists saying that.

CHAIRMAN : That is how I read the <sup>e</sup> report.

A. Yes.

MR. TALATI : Do you know of any reason, Mr. Bilos, or any explanation why the trouble and fighting in the rural areas did not start on 1st June ? It started on 2nd June.

A. I think there were two things that stimulated it. One was the news getting back to the rural areas that Africans were being killed by Arabs in the town, and added to that was the news of the result of the elections. The two coming together, I think, the news as it was put by Africans that they now had an Arab government, added to the rumours that Africans were being killed by Arabs, excited them in the rural areas, and they then determined to get in the first blow.

Q. In actual fact, Mr. Bilos, the constituencies which you said comprise this central area where most of the killings took place in the rural areas were won by ASP candidates ?

A. I think so, Chaani, Koani - I think they were nearly all won by Afro-Shirazis in that area.

Q. There is just one thing I would like to make clear. Yesterday you described a crowd of persons jumping the fence ?

A. Yes.

Q. In the morning you said they were at Darajani polling station, and you said - "When I was there a crowd of persons came and jumped the fence into the polling station" ?

A. Yes.

Q. You also said they came from the direction of the ZNP Headquarters ?



A. Yes.

Q. I have noted you as saying that they were ASP.

A. My impression was they were Afro-Shirazis.

Q. But they were coming from the direction of the Nationalist headquarters.

A. They were not coming from the Nationalist headquarters, just from that direction. I merely used the Nationalist Party headquarters to describe the direction.

CHAIRMAN : The focal point ?

A. Yes, that is all.

MR. TALATI : And they crossed over in the enclosure ?

A. Yes.

Q. A barbed wire enclosure ?

A. Yes.

CHAIRMAN : I think I must have misunderstood what was intended. You were not suggesting that they had been to the Nationalist headquarters and were coming from them ?

A. No.

Q. You were merely picking on that as the direction from which they were coming ?

A. Yes, Sir, that is correct.

MR. TALATI : You referred to the activities of the Youths Own Union yesterday. May I refer to entry No. 1035 ?

A. Yes, Sir.

Q. 2nd June at 1829 - "Near Soyid Khalifa ground. Youths Own Union armed with shot guns going in ZNP houses." Mr. Bott is reporting. He is a regular police officer, is he not ?

A. Yes, he is.

Q. He was reporting that near Soyid Khalifa ground the Y.O. Union armed with shot guns were going in ZNP houses ?

A. I think I should explain, Sir, that Mr. Bott was the head of Special Branch, and this report was information received by him, not the result of his own observations. He was then sent to the spot to meet a patrol of the Kenya General Service Unit, but he was not successful in finding the people reported to be there.

CHAIRMAN : Do you know what time he went out, what time he was sent, because the report was received at 1825 hours and presumably it took some little time to get it in ?

A. Yes, Sir.

Q. Do you know when he went ?

A. I think he went immediately.

Q. How long would it take him to get there ?

A. Only a couple of minutes. The police headquarters is just here, and the Soyid Khalifa ground is only between a quarter and half a mile down the road.

MR. TALATI : The witness, Sir, has now received a note of the ownership of vehicle DF2.

A. DF2, Sir, is not a bus, it is a Fiat 500 saloon car owned by Major Faulkner, an Englishman; that is why I said there was some confusion over car numbers.

ATTORNEY GENERAL : It is a two-seater.

A. A two-seater, yes.

MR. TALATI : Entry 2106 on 3rd June - "Found trouble spot. Find lorry DSM191 which is carrying knives, guns, etc. Excited crowd round attacked house." Have you any idea whether this car is correctly quoted ?

A. I am not sure whether the number is correct, but from reports I have received I think that was an Arab owned lorry which was being used to evacuate a number of Arabs from Mwanakerokwo after the murders there, and they were naturally carrying arms for defensive purposes. A number of them did later come into town.

CHAIRMAN : Did they find them ?

A. Did they find the vehicle ?

Q. Yes, it seems to be confirmed. I am only asking the question because of the information just given. You seem to know they were carrying arms and I assumed the report was a confirmed one.

A. There are other reports, Sir. There is one here ...

Q. No, we are talking about this 2106; that is the one we are dealing with.

A. That is related, Sir, to 2100; it is all in the same area.

Q. We are talking about this particular motor vehicle. What does "find" mean? Does it mean it was to be found, or does it mean "look for it" ? Did it mean that ?

A. I rather think that that report indicates that the vehicle was there, Sir. It was a report that it had been found rather than an instruction to find, because it was a report coming from the radio car.

Q. I am referring to Item 1158 on page 11, 3rd June. Now this is referring to the activities of the Y.O. Union. You gave evidence yesterday about this Union appearing after the Riots.

A. Yes.

Q. Did they appear with your permission, or with the permission of any authority ?

A. Certainly not. I do not even think they had the support of their own party leaders. They were completely unauthorised.

Q. So you heard of their activities. Am I right in saying that they started to take retaliatory measures ?

A. In a minor way. They intimidated African workers.

Q. Houseboys ? They cause householders to send away their houseboys ?

A. I wouldn't say that. It wasn't reported to me.

Q. Were they beating them up as soon as they got on to the streets ?

A. I only recall one complaint of beating. It was not a general practice.

Q. Regarding the political uniform referred to in Item 1158 : was that the first instruction issued ?

A. Yes, the instruction was issued by me.

Q. Item 1166 on page 11 : "To Stone Town to arrest Y.O.U. youths". Item 1168, same page : "Gone out with one NCO and 7 men to locate and arrest Y.O.U. wearing arm-bands". Item 1195, page 14 3rd June : "3 boys with red arm-bands arrested". Item 1196, time 11.43 : "ZNP breaking into African houses at Mwombo Tanga". Then on page 11 of 5th June, Item 3878, time 13.38 hours : "Groups of youths reported molesting street cleaners in Stone Town" ?

A. Yes, Sir.

Q. Page 12, 5th June, Item 3901, time 15.08 hours. "... Look for Y.O.U. If soon molesting sweepers arrest them". Item 3405, page 11, 4th June, time 11.47 P "Youths Own Union intimidating Africans near Paradise Mansions." Item 3406, same page: time 11.48 hours - "Go to above incident and pick up Y.O.U. if possible." What happened ultimately ? When did the activities die down ?

A. I think they ended on the 5th of June. I do not recall any reports subsequent to that.

Q. Did those youths with arm-bands go out into the districts to rescue families of Arabs ?

A. I do not know whether some youths did or did not. The Police provided escorts on various occasions for Z.N.P. vehicles evacuating people from the rural areas and from Ngambo. I do not know which members of the Z.N.P.

Q. Did youths with arm-bands go ?

A. No, certainly not.

Q. I refer to the report, page 8 of the 4th June, Item 3345, time 09.00 hours : "Returning from Fuoni. At Fuoni met Papaconstatinou with 2 wounded Makondahs in his car. Mamba taken to shamba, found wounded man shot by Arab. Bringing him to hospital. People said to have firearms in area. Mamba has 12 bore cartridge". It was a case of a gun-shot, wasn't it ?

A. I am not sure, Sir.

Q. Wasn't this investigated ?

A. It will have been investigated but there have been so many serious cases investigated that I am afraid I cannot remember ...

Q. So it has not been investigated ?

CHAIRMAN : No, No, he said it would have been investigated.

COMMISSIONER OF POLICE : There have been so many serious offences investigated that I cannot rely on my memory to give evidence in each one.

CHAIRMAN : That seems to be quite reasonable. Would Council be correct in assuming that it was a confirmed report ?

A. I do not think he would be, Sir. As far as I know the only gun-shot wounds were those inflicted either by Police or K.A.R., but Mr. Wright, Senior Superintendent of Police, Crime, will be giving evidence in connection with most of the serious cases, and he will probably be able to answer that question.

A. Don't you think in the circumstances you can reserve that particular item for the witness? Thank you.

MR. TALATI : Mr. Bilos, Item 3511 on page 17 of the 4th June. Has this any bearing on the Enquiry? You yourself report : "Suloiman S. Kharusi to report on the nonsense in CPS this morning."

A. No, Sir, that relates to a report which is in the Diary where the Inspector in charge of Central Police Station rang me up and said that the Police Station was being attacked. So I asked him what he was doing about it and he said nothing, and when I enquired into it it was merely that a crowd had gathered in the vicinity of the Police Station and it was in connection with someone who had been arrested and that they were not armed, but the normal crowd who gather round the Police Station when an arrest was made. I spoke to Sulciman S. Kharusi to get the details to me and this is what this relates to.

Q. A number of weapons were seized by the Police, weren't they, in the first week of June. How many?

A. I haven't any idea.

Q. Where were they seized from, persons or houses?

A. The majority were taken from persons found carrying them in public. I do not believe, however, that in the early days of searches by the K.A.R. they quite understood the law relating to offensive weapons and they <sup>were</sup> under the impression that the possession of weapons was an offence and were actually taking weapons out of houses which they searched.

Q. How many were seized?

A. Two or three guns were seized. Swords, Masai "sinis", pangas, spears, long poles with pangas lashed to the end and one fisherman's under-water harpoon gun; knob-korrios, bows and arrows and practically every type of offensive implement.

Q. I am thinking of fire-arms only. How many guns did you find?

A. I don't know the exact number, but it was very few shot guns. Some of the people were found carrying them on the roads and they were arrested and their firearms seized. After that very few people came out in public with their firearms.

Q. Were any automatic weapons seized?

A. No, Sir, but there was a starting pistol: one of those little pistols which fire blanks. It was taken from Sheikh Ali Muhsin by a Police Officer, but it was later returned to him as it was not an offensive weapon and non-lethal.

Q. Was a sub-machine gun seized? My knowledge is not up-to-date, but I saw one on a stand. May I ask where did you find that, Sir?

A. I think the weapon that Counsel is referring to, Sir, is an ancient machine gun which we removed from the Museum and had placed in the Police Arms Store for safe custody.

MR. KANJI : Mr. Bilos, would you look at entry No. 20 in the Diary, 1st June, page 1.

A. Yes, Sir.

Q. That says : "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." And there is a further entry in respect of the same matter : 1st June, page 2, entry 29, where it says : "Mr. Dorham there. The man was a Z.N.P. agent and the crowd did not like it. Mainly A.S.P."

A. Yes, Sir.

Q. Now that was the first instance of A.S.P. members trying to get rid of a voter who is at the polling station ready to vote, and numerous instances then followed?

A. Yes, Sir.

Q. Also which you cited this morning in your examination-in-chief and there is also some reference in your diary on this. If you will look on page 7, 1st June item 181 : "Inspector Kilonzi reports to CID that 3 ZNP agents have been brought in to Mkokotoni P.S. having been assaulted."

A. Yes, Sir.

Q. Would you now look at the Diary on 1st June, page 8, Item 216, where it says : "Crowd on road trying to stop people entering polling booth." That is a report from Fisi and where was Fisi at the time ?

A. At Holmwood.

Q. Now, in which constituency does Holmwood lie ?

A. I think Jangombo.

Q. Is that the constituency in respect of which Shoikh Ali Muhsin made a statement that his party was withdrawing ?

A. That is so, yes.

Q. Was the Z.N.P. candidate in fact elected there ?

A. No, that was at Darajani.

Q. Would you agree with me that the people here tried to stop voters who were mainly of the A.S.P. Party ?

A. At those polling stations and, if you are relating to those polling instances, yes.

Q. Then again, if you look at 1st June diary, page 9, Item 234, time 11.50 hours, Election Office : "George VI and Karimjoo School people being prevented from voting." Which constituency is that ?

A. That is again Jangombo, I think.



Q. That is another polling station of Jangombo constituency. Would you agree with me that the people who were trying to prevent voters from trying to poll were mainly of the A.S.P. Party ?

A. Yes.

Q. Would you agree with me that there appears to be a ..... not only in the report in the diary, but also evidence which you have cited that there have been such arrangements made by the A.S.P. to stop voters in certain constituencies from going to the poll ?

A. It does suggest some system, but there was no prior evidence of it before 1st June, and no evidence of it having been organised by any particular person or persons has come to light since the disturbances began.

Q. Now you will agree with me that the various places where these disturbances in respect of voting took place were not really in very close neighbourhood ?

A. The only two which were clearly close were George VI School and Gulioni. They are fairly close together.

Q. But other places where incidents took place were far apart ?

A. Yes, reasonably far apart.

Q. Would you agree that despite the fact that there is no definite evidence as to organisation to prevent voters from going to call at various polling stations, the circumstances as cited by you are clearly pointing towards the fact that there was some system ?

A. They do suggest some system.

Q. Would you agree with me that simply because no evidence has come to light that there was definite prior organisation by the A.S.P. to prevent voters going to the poll, that this does not mean that there was no organisation ?

A. It doesn't mean necessarily that.

CHAIRMAN: Do we need the witness to tell us that? We can deduce that for ourselves. That doesn't carry us very far.

MR. KANJI: If you look at Item 245 in the diary of 1st June, page 9: "On edge of crowd. Report smoke may be gas. Trade School quiet. ZNP instructing followers not to vote". Then Item 338, 1st June, page 14, 14.00 hours: "Reports fairly quiet but people with sticks and piping at Holmwood." Would you say that all these incidents were in connection with not allowing members of the Z.N.P. to go to poll?

A. Which incidents: Item 245 relates to tear smoke having been used.

Q. To clarify: All the items I refer to up to now, 289 and so on: do they all relate to the A.S.P. trying, in fact preventing, members of the Z.N.P. to vote?

A. All except the last one. I am not prepared to admit that the entry in Item 338 was connected necessarily with that, but I do agree that the earlier incidents arose out of the members of the A.S.P. attempting to stop certain persons from committing what they thought were election offences.

CHAIRMAN: Were those some of the examples you mentioned earlier: thinking mistakenly that a person was voting for a dead person, or twice? It wasn't, as I understand your evidence, a general attempt to prevent anyone voting, but certain individuals who they thought were committing election offences.

COMMISSIONER OF POLICE: Yes, Sir.

MR. KANJI: Would you say that it was also correct of Jangombe and Raha Loo?

A. I think all the earlier incidents arose from the same misguided belief that certain members of the Z.N.P. were indulging in

trickery, not only certain voters, but certain agents and election officials. On one occasion which Mr. Dorham will tell the Commission about, where a certain election agent passed a slip of paper out of the window at Gulioni, I think, and the A.S.P. voters outside immediately came to the conclusion that this was a stolen vote. I gather that the piece of paper was merely notifying a voter of his number in the Roll but in the A.S.P. eyes this was a vote being stolen.

Q. You said that as far as earlier disturbances are concerned, incidents arose because there was a belief among the members of the A.S.P. that the person was not entitled to vote. Would you say that about subsequent events? Would you say that an attempt was being made to prevent all voters from going to the Poll?

A. I do not think so because most of the ZNP voters have been warned to withdraw between 11.30 and 12, so I do not think that those subsequent reports of people with sticks and piping were necessarily related to intimidation of voters or alleged election offences.

Q. Was it true, Mr. Bilos that it was only when the members of the ZNP withdrew from the booths for voting that the situation became quiet?

A. Well, there were a very large number of Police on the scene at the time. I should imagine, in fact I am fairly sure, that the withdrawal of the Nationalist Party candidate did certainly ease the situation, but I am not prepared to say that it was the entire reason why there was little trouble at those polling stations after that.

Q. Does that appear to be a reasonable cause for poach after a ZNP member withdrew?

A. There was nothing for the A.S.P. to object to then.

Q. We agree that it was in effect an attempt to prevent ZNP members voting and afterwards they withdrew.

CHAIRMAN : No, no, it doesn't go as far as that. That is not what the witness said. He has told you what he thinks. All I understand the witness to have said is that once all the voters had gone there was no one to object to it.

A. That is so, Sir.

CHAIRMAN : Not even people who could imagine anyone was going to vote twice.

MR. KANJI: Was there any report at any time that a member of the ZNP objected to a member of the ASP going to vote ?

A. No, Sir, it wasn't reported to me.

Q. And if there had been an incident would it have been reported ?

A. I am fairly sure it would have been, yes.

Q. Would you say that as far as voting is concerned, members of the ZNP behaved well ?

A. As far as voting is concerned, I have heard no complaints against individual voters of the ZNP, but then I again did not know which people voted. I do not think there has been any complaint really against any of the voters who were queuing up, the complaint was mainly against groups of non-voters who gradually assembled in the vicinity of the polling stations and people who had already cast their vote and remained there with the intention of seeing what they thought was fair play.

Q. You said in the beginning there were incidents of individual voters being pushed out of the queue.

A. I do not remember that. There were individual cases of voters being grabbed by members of the A.S.P. with the allegation that either he was impersonating or selling a vote and I personally came upon a group, who had grabbed a woman, whom they claimed had either admitted to voting twice or impersonating someone.

Q. At the time when these incidents took place, could any member of the crowd get into the enclosure which was provided at a polling station ?

A. Getting into the polling station ?

Q. There is a general enclosure.

A. There wasn't at every polling station. There was an enclosure at Darajani, an enclosure of a sort at King George VI School, but no enclosure at Raha Loo.

Q. Let us take Darajani. When the first incident took place was any member of the crowd behind the enclosure?

A. At Darajani? I can't say whether the first incident took place at Darajani.

Q. I think you said something in evidence about it, didn't you?

A. I am just trying to think. I fancy that the first scuffle took place at Darajani while I was there, which was at about 10.15 when I personally intervened in an altercation which was taking place between an Arab voter in the queue inside the wire and a man among the crowd outside the wire who was arguing with him, but the person inside was behaving himself. He was a little angry with the person outside the wire.

Q. Is it not true that the Police received a number of complaints from the leader of the ZNP on the 1st June?

A. Are you referring to Sheikh Ali Muhsin?

Q. Yes, Sir.

A. He made several complaints to me personally and he telephoned me on frequent occasions during the 1st-4th June.

Q. Let us now concentrate on 1st June. The first entry in the Diary, 1st June 1961, Entry No. 261, not numbered, a report from Ali Muhsin: "Boy killed at Darajani. Car stoned by mob at Darajani."

A. That report was found to be false, Sir. There was no

boy trampled to death at Darajani.

Q. Was he injured at Darajani?

A. I don't know, but there was no boy killed at Darajani.

Q. Was a car stoned at Darajani?

A. I don't know.

Q. Thon Item 353, 1st June, 1961, page 14.

A. Yes, Sir.

Q. Report from Shoikh Ali Muhsin "that people are throwing stones and attacking ZNP supporters. Also congregating at shop at Msufini."

A. I said that in my evidence.

Q. It refers to certain reports made to you by the leader of the ZNP. May we go through the entries?

MR. KANJI: Entry 400, 3rd Item, Ali Muhsin reporting stone throwing at ZNP Headquarters.

CHAIRMAN: What do you want to say about it?

MR. KANJI: I am just giving details of reports made by Ali Muhsin to the Police.

CHAIRMAN: If you have got eight or nine, you can say there were eight or nine on the various days.

MR. KANJI: I do not think I will go into them. You have said in your evidence-in-chief that Mr. Karume accompanied by Police went in the town and told people to go home and not to create disturbances.

A. That is correct. I provided him with a Police escort.

Q. Now, whilst he was touring the town, did anyone attempt to hit him?

A. Not so far as I am aware.

Q. As far as you know, he did address several crowds.

A. He did, yes.

Q. Now you would agree with me, Mr. Bilos, that Mr. Karume could have have addressed members of the A.S.P. If he had attempted to address members of his opponent then there would have been a serious risk of injury to himself?

A. He had a Police escort with him but I agree it would only be logical and sensible to address his own supporters as they would be the only people he could be expected to have any influence over.

CHAIRMAN: I understand that there were addresses by all the loaders.

A. I also arranged for an escort for Shoikh Ali Muhsin to do so, Sir. Mr. Smithyman organised the thing. I think Shoikh Ali Muhsin went round too but not quite so extensively as Mr. Karume.

Q. Do you know from your present knowledge whether Shoikh Ali Muhsin spoke to the crowds?

A. No, I don't. I know I agreed with Mr. Smithyman to provide a Police escort for them to go round and address their followers.

Q. And there is also another ontry in the Diary in which you said that another leader of the A.S.P. Party, .....

A. I think there is a reference to ..... Whether it refers to him by name or as a loader, or party loader, I do not remember.

Q. I think it says "and then you clarified that in the

course of your cross-examination by my learned friend Mr. Talati".

A. As far as I recall, and this is only what I have been told, T ..... did address the crowd at Gulioni.

Q. Now again, Mr. Biles, Mr. .... would only be able to speak to a crowd which consisted of his own party, the A.S.P.

A. He would only have any influence on them, yes.

Q. And the fact that he would only speak to the members of his own party is further illustrated by an entry in the diary. Would you please look at 1st June, 1961 diary, page 20, item 450, 16.55 hours: "Abeid Karume not prepared to go to Mtendeni. Now at Raha Leo. Now we have already said that the residents of Mtendeni mostly belonged to the ZNP and, would you say that one of the reasons why Mr. Karume refused to go is that the crowd would be hostile?"

A. I think so.

CHAIRMAN: Are there any questions you would like to ask before we adjourn?

ATTORNEY-GENERAL: Are we able to make representations about the record at the beginning of each day?

CHAIRMAN: Yes.

(The proceedings were adjourned until 8.30 a.m.  
on Friday, 29th September, 1961).