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PETITION FROM MR. MATHIAS RUGURIKA
CONCERNING RUANDA URUNDI

(Circulated in accordance with rule 85 of the
rules of procedure of the Trusteeship Council)

Rugurika Mathias
Ex-Sub-Chief of Burundi, in exile
Kisagara hill
Buyenzi Chiefdom
Ngozi District
Urundi

Usumbura 18.9.57

To the United Nations Visiting Mission (Usumbura)

Sirs,

I am addressing this appeal to you, the United Nations, the symbol of peace and mercy, to your power over life and death, which is exercised through all the courts under your jurisdiction and which is not challenged by your people.

Sirs, in Burundi they say that if you wish to follow the right path you should enquire of those who are acquainted with it.

Oh Father of the Nation, I would ask you to explain the things which have been done to me in all parts of Burundi.

1. I should like to know whether you have given instructions not to restore to the owner the property awarded to him by the Mwami Court? If a person has received letters from the Governor giving orders that he should be given the property which the court has awarded to him and if the Mwami has assigned two notables to restore the property which had been taken from him, can Chief NDUWUMWE and the Administrators of Ngozi seize it? Can he be beaten, robbed of all his possessions and put in prison, when he has the support of these notables and letters from the Governor?

2. I am addressing myself to you to ask whether you gave permission for a person to be exiled from his native land solely because he lodged a complaint

against his chief? If the chief harms me, should I take it lying down or lodge a complaint? Does the court concern itself only with evil done by other men and not by chiefs?

3. I should be glad if you would tell me whether there is any regulation under which a man is prohibited from being with his family, from educating his children and even from having any more children, merely because he has lodged a complaint against his chief? If a person lodges a complaint against his chief, must he be deprived of all his possessions? Must he live in the bush, as animals do? I have not even seen an animal living alone without a female or a male; neither have I ever seen anyone preventing them from living in the bush or the forest.

4. I should be grateful if you would also explain to me whether there is any regulation which prohibits an acting Procureur du Roi or a Procureur from hearing and passing sentence on cases of theft by chiefs.

I know full well that you, the United Nations, the symbol of peace, have not given orders for all these things and that the highest Authorities in Ruanda-Urundi and the Belgian Congo have not done so either. But Mr. SIRCUX, the Resident, has given such orders in favour of Chief NDUWUMWE, and moreover he has put them in writing, saying that the decision was taken by his Majesty the King of the Belgians.

Oh, United Nations, symbol of peace, I appeal to your mercy to restore to me the property which has been taken from me, if I and my family of seventeen have not died before you are able to do so. Hunger, need and trouble are besetting us on all sides. That is why I am seeking your help.

On 15 September 1952 my suits Nos. 666-832-994-998 were settled by the Mwami Court. I was awarded two dwellings and two cows, but Chief Nduwumwe gave me nothing. Instead of giving them to me, he gave them to his supporters.

On 2 December 1955, 26 July 1955, 16 August 1955 and 10 February 1956, the Resident and the Governor gave me letters stating that I should get back all that had been taken from me.

On 15 February 1956 the Mwami sent two notables, BANKAMWABO and NGENZEBUHHORO, to arrange for the restoration of my property. After they had gone, Chief Nduwumwe and the Administrators GOSSET, JERGEAY, de FAYS, NAUS and Gerard took away

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everything that had just been returned to me and put us in prison six times for a total period of 177 days, in a suit costing 2,050 francs.

On 25 April 1955 and 20 June 1955 the Resident issued two Orders Nos. 12/55 and 15/55. They were not signed by his superior officers or by the Mwami Mwambutsa. The chief question dealt with in these Orders concerned my banishment from Burundi, especially from the two Chiefdoms of BWEYEREZI-KITEGA and BUYENZI (Ngozi). He also prohibited me from living with my family and from educating my children, both those now alive and those yet to be born. In his letter No. 300/F.332 of 2 December 1955, the Resident told Sub-Chief KAMENGE to pay me the amount received from the sale of kilos of coffee from my coffee plantation, but the sub-chief refused to give me the money. The letter also authorized me to return to my own dwellings, but Sub-Chief RWAWA refused to hand them back to me.

On 16 March 1956, the Resident ordered the District Administrator, Mr. NAUS, to turn out my wife and children and subsequently my property was stolen, because there was no one there to look after it.

On 24 October 1952, 5 December 1955, 17 April 1956, 10 September 1956, 19 February 1957, I lodged complaints with the Kitega Parquet, but so far no notice of a hearing has been sent to me or to those who are giving evidence against me.

On 23 May 1955, 28 January 1956, 7 February 1957, 26 April 1957, 31 August 1957 I lodged the same complaints with the Procureur du Roi at Usumbura. Yet, I have never been ordered to appear before any court in the country so that my case could be heard. The State has made no attempt to find out whether the property stolen from me has been returned to me or if it is still confiscated by the robbers.

Oh, United Nations, of, father of the Nation, I request you graciously to read all my letter, together with the documents which I am sending you,^{1/} with a view to taking a favourable decision. I also beg you to grant me permission to stay in

1/ Note by the Secretariat: The enclosures referred to have been placed in the Secretariat files and are available to members of the Trusteeship Council on request.

my native land and my home and to restore my property to me. I entreat you to hear my case, or if this is not within your power, tell me of a court which can do so, as the others will not hear it.

United Nations, symbol of peace, kindly restore to me everything that has been taken from me by the following persons: RUBOROGA, KIVUMVURI, BIGANA, KIEGENDA, MUKINA, TUYAGA, ISABIMANA, SABINZIZA, MUHUZENGE, RUMARIZA, RUEMAHWA, NYAMUNAHU, NYAGERANDE, SEBATIGITA, BASABOSE, EANDYAMBONA, NAKOBAGAYA, EUKARAKARA, BAHAGAME, KAMENEBUSA, KAMENGE, BUTOYO, MUHAMA, RUVUGA, NDIZEMENSHI, KATUNGWA, NSABIYABANDI, MWAMBA, RUSEHA, MUSHAGIRA, NYUGURI, KOKA, KINUMA, NAMUSHAHU, RUKUBAMILANA, LIBAKARE, NKUNDWA and KAMUNTU.

The Mwami Court is unable to grant my request, as Order No. 12/1955 prohibits me from entering Bweyerezi Chiefdom, where the Court is located.

Kindly therefore allow me to be tried by the Mwami himself.

Hoping to receive a favourable reply, I have the honour to be, etc.

Mathias RUGURIKA

(Signed) Rugurika

Kitega, 17 April 1956

SUIT No. 1 AGAINST CHIEF NDUWUMWE

- Subject:
1. Stirring up my subjects against me
 2. Instigating my subjects to beat me
 3. Stealing my letter and hiding it for four months
 4. Causing me to lose my status and office without due cause
 5. The theft of the sum of 9,250 francs

While I was still acting as a sub-chief, I worked with enthusiasm and the chief himself selected me as his counsellor. Having discovered that some of the chiefs were intriguing against him, I warned him in the following words: "I would respectfully advise you, Chief, not to get involved in the affairs about which rumours are beginning to spread, as it would ill befit someone in your position".

I do not know why he reacted as he did to the advice I had given him. Full of fury from that day on, he sought to create difficulties for me on all sides and to make me lose my status and office.

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He came to an agreement with Messrs. NZIGIRABARYA and NGOWENUBUSA (agricultural assistant) to satisfy his hatred of me by bringing about my dismissal and banishment.

NZIGIRABARYA falsely testified that I had hidden TEN cows in order to avoid paying taxes on them. He let it be known in my sub-chiefdom that I would be removed from office and that there was therefore no point in obeying my orders.

When my subjects beat me up, I lodged a complaint with the Chief, being unaware that he was behind the beating. I was not heard and I lost the case.

In September 1952, I lodged a complaint with Mr. Van Sinay, the O.P.J., whose verdict was that NZIGIRABARYA should spend some days in prison - but the Chief opposed it. That happened at RWEKURA.

On 24 October 1952, I lodged a complaint with Mr. BOURGUIGNON, Judge of the KITEGA Parquet. I provided him with a list of witnesses, to which they had affixed their signatures. The Judge gave me a letter to hand to Mr. MINOT, the Administrator of NGOZI, which was to settle the case once and for all. But there the matter rested; I was not summoned either by the Parquet or by Mr. Minot. I had wanted to make a statement in the presence of witnesses, but I was not given the opportunity to do so and my registration fee, which I paid out of my own pocket, has not been refunded.

NGOWENUBUSA falsely testified that I had appropriated a reafforestation plot belonging to the C.A.C. The matter was reported to the Resident and as I was not prepared to sit down under such treatment, I lodged a complaint with Mr. Leonard, the O.P.J. I won my case and was recognized as the lawful owner of the aforesaid reafforestation plot. The number of the title deed, duly authenticated by a notary, is fifty-seven (No. 57). Yet the liar was not punished.

The Chief, when he learnt that I had won my case, made an agreement with Mr. MINOT to blacken my record with offences of which I had absolutely no knowledge. A proposal for instant dismissal was sent to the Resident and the Mwami. However, those responsible for the maintenance of public order had nothing whatsoever against me.

On 9 November 1953, the Mwami and the Resident sent me a registered letter, which was seized in transit by the Chief, who hid it for four months. Once again, Chief NDUWUMWE and Mr. MINOT made an agreement to blacken my record, saying

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that I had not even seen fit to reply to the letter which the Mwami had sent me. Yet, unbeknown to me, the letter was still hidden by the Chief. Finally, on 8 March 1954, the Mwami and the Resident, influenced by slanders, signed a letter proclaiming my deposition.

It was only after he had learnt of the Authorities' decision that the Chief sent me, on 10 March 1954, the letter to which I have referred above and which had been written to me by the Mwami and the Resident on 9 November 1953. After obtaining two witnesses: KILYONGOLERO and NYAMBO to the date and time of receipt, I took the letter at once to Kitega.

I handed the letter which Chief NDUWUMWE had hidden to the Mwami in the presence of the Resident, or rather I showed it to the Resident in the presence of the Mwami and his secretary, BANKUMUHARI Valentin.

I do not know why the Authorities delayed deposing me, if they considered me incapable of performing my duties as sub-chief.

As a matter of fact, I was appointed sub-chief on 13 March 1936, and for fifteen consecutive years I was classified as "good" or "very good". Furthermore, if my record had not been thoroughly investigated, the Chief himself would not in the meantime have selected me as his counsellor; and the Administrators and Residents who successively held office during the fifteen years would have recorded fines and penalties imposed on me and disciplinary action taken against me.

On 28 February 1954, the Administrator, Mr. MINOT, kept back from me a sum of 250 francs, claiming that it was a fine imposed on me by the Mwami. I did not even get a receipt. I did not receive any proper notification of the grounds for that action.

Further, in the same year of 1954, my over-all classification of "good" was given to Sub-Chief KAMENGE, who accordingly received the sum of nine thousand (9,000) francs instead of me. You have only to consult my file to verify the facts and there are also the following sources of evidence:

1. The Chief's REGISTER, containing a record of the penalties imposed on sub-chiefs from 1936 to 1954. The register is in the court of BUYENZI Chiefdom.
2. The District REGISTER, which also records the disciplinary penalties imposed on sub-chiefs from 1936 to 1952. The register ought to be in the Office of the NGOZI District and must contain my annual reports.

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3. The LETTER dated 9/11/1953 in the Office of the Resident, and the witnesses thereof: KINYOGOLERO and NYAMBO, who live at RUBAGABAGA, BUYENZI Chiefdom.
4. The REPORT of the enquiry conducted from 18 to 20 August 1954 by the Mwami, which must be in his possession.
5. SUB-CHIEF KANGOYE A. of BUYENZI Chiefdom.
6. Mr. Bandenbulck, accountant in the NGOZI District.
7. The REGISTER and a LETTER dated 28/9/1952, of which copies are available at the KITEGA Parquet and the Mwami COURT.
8. Mr. Van Sinay and Mr. Leonard, a Clerk NTAGASIGUMAMIA, Sub-Chief, BARABONERANA, sub-chief to Chief BARANYANKA.

Kitega, 17 April 1956

SUIT No. II AGAINST CHIEF NDUWUMWE

- Subject:
1. The theft of forty-four cows.
 2. The theft of milk from my seven cows, the estimated value of which is 87,360 francs.
 3. The theft of the manure from my cattle, which he had used for his benefit.

Taking advantage of my deposition, Chief NDUWUMWE seized my cows, which I had placed in safe custody as a precautionary measure in 1950. And until the very day, 27 March 1954, when I was deposed, I always paid the assessed taxes on the cattle.

On 1 June 1955, in compliance with the Resident's ruling prohibiting me from setting foot in DWEYEREZI and BUYENZI Chiefdoms, I had entrusted my six (6) cows to Mr. BARAGUNGA N., and to Messrs. NDORICIMPA P. and BIROLI, J.Ch., who were to send them for me to the MURANVYA District. The gentlemen in question called first on Mr. KIRUMVURI, to whom I had also entrusted three (3) cows, but he refused to hand them over, saying that the Chief had instructed him to keep careful watch over them. It was not long before the chief sent KIVUMVURI, my son's father-in-law, to seize those of my cows which were already on KHARO hill, Bukeye.

Seeing that it was his own brother-in-law who had come to take them, BILORI handed over all nine cows. KIVUMVURI took possession of the receipts for the cows /...

and took them away to his home. Their number has since been increased by the birth of a calf and KIVUMVURI is now looking after ten cows.

On 1 March 1956 Mr. HUYS encouraged the Chief by giving him permission to take over all my cows. This happened at KAYANZA, just when I was at Usumbura en route for BUKABU.

On 10 March 1956, I went to KITEGA to lodge my complaint with the Parquet. Mr. Huys told me that he had authorized NDUWUMWE to take possession of my cows in accordance with the letter from the Governor of Ruanda-Urundi. But I am suspicious, I do not believe in this letter.

Some of the cows which the chief seized were giving fourteen litres of milk a day and did so from 5 April 1954 to 5 September 1957. As the milk is worth five francs a litre its value totals 87,360 francs (5 francs x 14 litres x 1248 days). He has also used the manure from my cows, and I know that a kilo of manure costs 0.36 francs. The following are the witnesses:

Messrs. BARAGUNGA, N. Col. BUKINAYANA - Chief NGENDAHAYO - BUBANZA.

NDORICIMPA, P. Col. MUSAGARA - Chief BIHUMUGANI - MURAMVYA.

BIROLI, J. Ch. (like his father, no fixed address)

NYAGIRANDE, NSABINZIRA, Col. RUBAGABAGA - Chief NDUWUMWE- NGOZI.

And the letter kept by KIVUMVURI and some receipts.

NTAGASIGUMWAMI, Albert clerk with the C.E.C., Usumbura.

Mr. Van Sinay and Sub-Chief BARABONERANA - Chief BARANYANKA

SUIT No. III AGAINST CHIEF NDUWUMWE

Subject: 1. The theft of the proceeds from my coffee, amounting to 237,600 francs in 1955.

2. The theft of the proceeds from my coffee, amounting to 352,000 francs in 1956.

3. The theft of the proceeds from my coffee, amounting to 266,400 francs in 1957.

4. The theft of 880 coffee-bushes which he has taken away from me.

It was on 13 March that Chief NDUWUMWE appointed me sub-chief in place of Sub-Chief NTIRANDEKURA, who had died. As the Chief and Mr. VERSTRAPPEN, the Administrator, did not want to accord me the right of succession under customary

law, they informed me that the widow and orphans were still entitled to the dead man's property. In point of fact, the dead man had three fields of coffee-bushes, two of which were a long way away from his home and were therefore difficult to keep in order.

The widow NAKABATARI had TWO of the coffee fields destroyed. In the circumstances, I asked her to give me the third field, which she did willingly, particularly as she was grateful for TEN ENLISTED LABOURERS I provided to help her from 1 April 1936 until the enlistment of labourers for sub-chiefs was abolished. I looked after my coffee field so well that the bushes increased in size until they were giving TEN kg. of coffee in parchment.

In 1955 the Chief ordered Sub-Chief KAMENGE and other men: BUYOYO, MUHAMA, NDIZEMENSHI, KAMWENUBUSA, RUVUGA and KATUNGWA, to harvest my coffee on his behalf. They were not able to pick it all and as the beans had withered on the bushes, the latter had to be pulled up a little later.

In 1955 value of my year's coffee crop was 237,600 francs, namely 1 kg. at .27 francs x 10 kg. per bush x 880 coffee-bushes. That same year Mr. HUYS, the Assistant Resident, summoned me to receive a sum of 7,250 francs. I refused to accept this amount, as I considered it inadequate.

In 1956, the amount, calculated in the same way, had risen to 352,000 francs since the price per kilo had gone up to 40 francs. I am consequently at a loss to understand how they can calmly rob me every year with impunity. Further, Mr. HUYS was not in a position to judge whether I should be forced to accept a small sum. Had he himself supervised the picking, drying and sale and was thus in a position to know the exact value? Or did he simply appoint himself patron and accomplice of these out and out robbers?

The following is my evidence: 1. Article 2 of Order No. 12/55 and 15/55 issued by the Resident, Mr. SIROUX. 2. LETTER No. 300/F.332 from the Resident, Mr. SIROUX. 3. THE LETTER READ by the Administrator, Mr. MINOT, in the presence of Chief NDUWUMWE, Chief LIBAKARER and Sub-Chief KAMENGE. 4. ORDER No. 16 of 12/6/1953 issued by the Governor of Ruanda-Urundi.

(Signed) Rugurika

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Kitega, 17 April 1956

SUIT NO. IV. AGAINST CHIEF NDUWUMWE

- SUBJECT: 1. The theft of three fields of banana trees.
2. The theft of bananas to the approximate total value of seventy-one thousand, two hundred francs (71,200 fr.).
3. The theft of various indigenous products: beans, maize, eleusine, sorghum, etc...
4. The theft of fields of sweet potatoes.

Immediately after my investiture as sub-chief in 1936, I took steps to obtain from Chief Nduwumwe a plot of land to settle on. He refused me one. I was then compelled to build my dwelling on a bare hill used as grazing-ground for cattle.

When this hill was enclosed in 1938, I came to an agreement with a man named SIBOMANA whereby he was to transfer to me a piece of land against a sum of money - land on which I was to grow food-crops. After some years I had a large banana plantation.

In 1944 a man named KISOZWE sold me a large property for 4,500 francs. There were mainly banana-trees growing on it; I have an affidavit attesting to the transaction. When Chief NDUWUMWE began to try to make difficulties for me, he found people to give false evidence so that he could seize my banana plantation from me. And as these people were not related to the man from whom I bought the plantation, I lost my case because of the Chief.

I appealed to the Mwami Court and won my case (see Suits Nos. 666 and 994 and affidavit No. 5 of 8 May 1953). The Mwami Court thus restored my property to me and through my efforts it became a very profitable concern.

Subsequently, taking advantage of my deposition, NDUWUMWE gave all my properties to the following people: KINUMA, NZIGIRABARYA, KIMWAGA, RUSHATSI, RUBOROGA and RUKUBAMIHANA. These people settled on my land, cut my bananas, built their houses with my trees: eucalyptus, cedars, reeds, etc....

In addition, he gave them all my fields of beans, maize, eleusine, sorghum and gourds. Before doing all this, he first drove out my wife and children. I was in prison at the time.

I obtained forty stems of bananas a week from my banana trees. Now from 5 April 1954 until today makes 178 weeks, multiplied by 40 (stems) at 10 francs each = 71,200 francs.

The following are my witnesses and evidence:

1. Affidavit No. 5 (in the possession of the NGOZI District Court)

2. RUBIRIGI, MUNUKO R., MUGOMERO, BUHANZA, MATAMATAMA, BANZIRA, BIGANA and KITAMIRA, all residing on KIEENGA hill, in the BUYENZI chiefdom.

3. KANGOYE, KINUMA, NTAFUTA, Sub-Chiefs of Chief Nduwumwe.

4. NDAYIZIGA, A. clerk to the Parquet at Usumbura.

5. BARIJORA, policeman of the BUYENZI chiefdom.

6. LETTER recording my conversation with Chief NDUMWUMWE on the subject of my property, which is in my possession.

(Signed) Rugurika

Kitega, 17 April 1956

SUIT NO. V AGAINST CHIEF NDUWUMWE

SUBJECT: 1. The theft of keys and of the sum of 5,000 francs from my house.
2. Creation of a disturbance in my house.
3. Imprisonment of my wife for three days without due cause.

In June 1955, Chief Nduwumwe sent three policemen (orderlies) to look for me; they were KAMUCHUMA, KAMARAMPAKA and NKURIKIYE. The Chief ordered them to search for me everywhere, including in my house, to arrest me if they found me and incarcerate me (put me in prison).

When they reached my house, the police found my wife there and asked her: where is your husband? My wife replied: I do not know where. They did not stop interrogating her: is he in the house? She replied: he is not in the house.

Then Kamuchuma and Kamarampaka rushed into my house to look for me while Nkurikiye stayed outside because he was detaining my wife so that she should not stop them looking for me. Seeing that they had gone in, my wife sent a girl to bring her the keys which were hanging amongst our clothes, for fear that if they found them they might steal the money that I had entrusted to her.

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The policemen who were in the house, noticing that the girl had taken the keys, seized her by the arms, tried to hurt her and took possession of these keys. Very soon they opened the door of the room in which I keep my things and where my cash-box was lying with my money in it. They were all alone in my home; all the money I had in that cash-box was taken, because they had the keys. After ransacking the entire room they went out, taking care to close the stockroom.

After emptying the stockroom, these good policemen left that room and went into the others, ransacking them too; with their clubs they managed to break one door, one table-cupboard, 5 panes in my three windows, the glass of two lamps and a demijohn full of banana-wine (native beer). The sum seized was the 5,000 francs I had just withdrawn from my savings account on 14 February 1955; I had given this money to my wife to look after carefully - it was intended for my lawyers. After pocketing what they had stolen from me and not finding me, the policemen left and took my wife to Chief Nduwumwe; the Chief kept her in prison for three days from eight o'clock in the morning till eight o'clock in the evening.

In July 1955, Chief Nduwumwe again sent KAMENGE, NKIRAMACHUMU, MBONYUMWITSA and others to hunt me like game, even at night, until they caught me.

Once Nkiramachu and Mbonyumwitsa crept up and broke two windows to see if I was in the house; they did not find me because I had gone down to Usumbura. If it is thought that someone has stolen something or if some is suspected of being a thief, it is usual for the Judge himself to go to the suspect's house to find out the facts and to see what has been stolen. If he notices any stolen object, he has it taken away from the house; if not, he goes home but leaves the thief's possessions intact, nor does he arrest his wife. Furthermore, he does not enter a house unless he is preceded by the master of the household.

Why, then, must I suffer this treatment, which is not inflicted even on a suspected thief, while I, in fact, am innocent.

My witnesses are the following:

1. NIYONGERE Agnens; 2. My wife; 3. The girl JUSTE.

I have many other witnesses but they would not speak the truth. They would give false evidence because I was expelled from their country and because Chief Nduwumwe is angry with them and could make them leave their ITONGO, as he did in the case of BAVAKURE NDEZAKO, NABIJANJA and KAYANZA, because he found out

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that they had given me subsidies.. In the same way, no one from Ruanda-Urundi or Tanganyika Territory can ever tell the truth about a German, even if he knows that this German is in the right.

(Signed) RUGURIKA Mathias, ex-Sub-Chief, in exile.

Kitega, 17 April, 1956

SUIT NO. VI AGAINST DISTRICT ADMINISTRATOR GOSSET

SUBJECT: 1. Unjust imprisonment twice in 63 days.
2. Unjust imposition of a tax of 1,850 francs (one thousand eight hundred and fifty francs).

On 6 May, 1954, I lodged a complaint with the Office of the Resident, against Chief DUWUMWE because he had arrested me and made me lose my case owing to the false evidence which was given. The Resident sent the Mwami to Ngozi-Kayanza. The Mwami tried the case and I emerged safe and sound; I won the case through the witnesses MUBAMBA, KINYOGORERO and NYAMBO.

On 12 September, 1954, Chief Nduwumwe lodged a complaint against me with the Ngozi District Court and obtained a reversal of the decision; he accused me of things I had not said because he knew very well that his children were going to interpret into French, as the hearing would take place in French. At that time I was not permitted to utter a word; so the judge wrote down everything the Chief said, and the case was decided and recorded in the Register of cases dealt with. The record reported lies (false witness) told in a language I do not understand and, strange to say, it was his children who interpreted. His children are interpreter-assessors.

So I lost the case and was sentenced to two months' imprisonment with a fine of 1,030 francs. Alas! I was fortunate. I might otherwise have lost my head because I had brought a case against their father and it was impossible that I should win it. People are always tempted to speak well of their fathers.

On 25 February 1955 I lodged a complaint with District Administrator Gosset against Chief Nduwumwe regarding the cattle he had confiscated from me on 5 April 1954. Mr. Gosset, instead of summoning the man against whom I had submitted

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my complaint in order to settle the matter, imprisoned me for an uninterrupted period of three days from 25 February to 28 February 1955. Mr. Gosset himself accused me of not paying the cattle tax despite the fact that my cattle had been confiscated. He made me pay 780 francs in tax on the cattle I did not have in my possession and I paid it for fear of being imprisoned again. Mr. Gosset was wrong to imprison me, for he knew very well that there is a decree which exempts anyone from paying tax on what he does not possess. This decree permits the non-payment of tax for someone who is dead, and for a motor-car or bicycle which no longer works or has been stolen.

On 29 September 1954 I wrote to the Resident to ask him to reconsider my case which had not been settled according to the laws in force; in particular, I asked (begged) him not to employ assessors directly related to Nduwumwe. I was afraid that I might still fail because these assessors could exert influence and again cause a wrong judgement to be given as they had done at Ngozi. And in the end my case was judged, willy-nilly, according to the Judge's whim, for the assessors were the sons and grandsons of Nduwumwe; they prevented my repeating the complaint I had made on 6 May 1954, which is the cause of the unjust allegations Mr. Nduwumwe has brought against me.

When I registered my complaint with the Resident's Office I sent 40 francs in an unsealed envelope; I gave it to Mr. GRIGNET for him to read and sign it, for this is required by the disciplinary rules applied to a prisoner. This money must have been stolen from me, for the Resident wrote to say that the 40 francs had not reached him and he made me pay another 40 francs' registration fee. Who then, is going to repay me my 40 francs? Is it Mr. Grignet or District Administrator Gosset? The amount will rise to 1,030 francs - 780 francs - 40 francs: 1,850 francs.

My evidence is as follows: 1. Record of the judgement given by the Mwami between 18 August and 20 August 1954 and communicated to the Office of the Resident by the Mwami. 2. The statements of the witnesses, MUBAMBA, KINYOGORERO and NYAMBO at Kayanza-Ngozi between 18 August and 20 August 1954. 3. There is no signature in the record of the proceedings of 12 September 1954 and 25 February 1955 which could prove that they did not slander me. I have many witnesses, but no one will dare to speak the truth because I was expelled from their country and because

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Nduwumwe would steal all their properties if they were to give true evidence on my behalf, as happened to BAVAKURE, NDENZAKO and KAYANZA, because he found out that they had helped me in some way. Is there any indigenous inhabitant of Ruanda-Urundi and Tanganyika Territory who would testify in favour of a German even if he were well acquainted with the truth?

(Signed) RUGURIKA Mathis

Kitega, 17 April 1956

SUIT No. VII AGAINST Resident SIROUX

SUBJECT: 1. Slanders causing me to lose esteem in my native country where my grandparents and great-grandparents were born.
2. Distributing my possessions to those not entitled to them.
3. Preventing me procreating and providing necessities for my offspring.
4. Driving me from my dwelling and compelling me to live in the bush.

On 29 September 1954 I wrote to the Resident to ask him if he could reconsider my case which had been wrongly settled before the Resident's Court by Mr. Gosset. I had begged the Resident not to employ in the hearing any assessor or interpreter who was in any degree related to Chief Nduwumwe.

On 22 April 1955 I was prevented from saying what I had said at the time of the proceedings before the Resident on 6 May 1954, and they also refused to translate my initial evidence in the Kayanza hearing. I had begged the Resident not to employ in the hearing any assessor or interpreter related to Chief Nduwumwe.

On 22 April 1955 I was forbidden to repeat the declarations I had made before the Resident on 6 May 1954 and, those I had made at Ngozi and Kayanza on 18 August and 20 August 1954. They refused to translate my initial evidence during the proceedings and the case was wrongly and unjustly settled as before; I had to pay a fine of 3 cows to Nduwumwe. Then Orders Nos. 12/55 and 15/55 were issued exiling me from Burundi, and particularly from the chiefdoms of Bweyerezi and Buyenzi. I agree that leaders should make the laws and that these laws should be applicable to all subjects, but that has not been so in my case. As a result of my hearing, they have made certain laws applying solely to myself. I am the only

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one to endure such martyrdom among all the two million inhabitants of Burundi; if the Mwami won a case involving theft from one of his subjects, he would not crush him and torture him, in the way I have suffered.

In letter No. 300/F.332, the Resident gave permission to KAGISYE and NSABINZIRA to take possession of my property, although they were in no way related to me, by family or otherwise. Nsabinzira had the two cows I had placed under his care sold.

On 1 March 1956 the Resident had all my cows brought from the place where Nduwumwe had put them since he took them from me on 5 April 1954. The Resident told Nduwumwe to sell them at his place, which he did, giving half the proceeds to the former and keeping the other half. It seems to me that even if he were certain of my death, the Resident ought not to distribute my possessions in this way to anyone except those who have a rightful claim to them (my family).

There is nowhere in the world where people would not complain when their property was basely expropriated. There is no one who would not be inclined to violence. If someone were to submit a complaint against the Resident and the judge refused to admit the latter's evidence if the Court found that he was in the wrong, and accordingly expatriated and expropriated him, separated him from his wife and children and made him go and live in the bush, Mr. Siroux would not be grateful to the Judge for these things; would he not then go to the highest authorities to seek restitution of his rights? I think that he would go as far as the Court of Cassation or even to the United Nations to obtain rectification of such injustice, for which the Judge in turn would merit a heavy penalty.

My evidence is as follows:

1. The letter of 9 November 1953 which is at the Office of the Resident.
2. The letter taken from me on 22 April 1955 which is at the Mwami's Centre.
3. Record of the proceedings before the Mwami between 18 August and 20 August 1954 and of my hearing before the Resident on 6 May 1954.
4. Statements of these witnesses: MUBAMBA, KINYOGORERO and NYAMBO.

I had many witnesses, but they would not speak against Mr. Siroux for fear that he would expatriate them and make them suffer my fate. No one would do so because I am damned throughout Burundi, and Nduwumwe would, at once, expropriate

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anyone who did so from his land, as he has already done to BAVAKURE, NABIJANJA and KAYANZA who, out of compassion, had given me a little something to help me on the way. Mr. Judge, do you think it likely that a native of RUANDA-URUNDI or TANGANYIKA TERRITORY could speak up for the Germans?

(Signed) RUGURIKA MATHIAS, ex-Sub-Chief, in exile.

Kitega, 5 December 1955

SUIT NO. VIII against NSABIYABANDI Joseph

SUBJECT: Theft of a sum of twenty thousand francs (20,000 frs.)

It was in 1953 that the above-named, wishing to buy a plot of land in a business centre to open a cabaret came to ask me to lend him money. He asked me for TEN THOUSAND FRANCS (10,000 frs.), promising to give me back double the sum borrowed after one year's business.

I at first refused him the sum because there was no countersigned receipt. NSABIYANBANDI went to look for a witness. We drafted a letter in two copies which was signed by the borrower (NSABIYABANDI), RUGURIKA (the lender) and the witness (KIBINAKANWA). This witness lives at MUSEMA, Sub-Chief NSANZE, Chief NDUWUMWE.

A copy of the letter may be found in the Office of the RESIDENT; it can also be obtained from the offices of the PARQUET at KITEGA.

Although I am patient; I have been waiting a long time for the repayment of my money, but up to now I have obtained no satisfaction.

(Signed) Rugurika

Kitega, 5 December 1955

SUIT NO. IX AGAINST KAMWENUBUSA

SUBJECT: Theft of a sum of two thousand francs (2,000 francs)

One day in 1953 a man named KAMWENUBUSA came to borrow money from me in order to buy a bicycle. He wanted ONE THOUSAND FIVE HUNDRED FRANCS (1,500 frs.). Having heard that I wanted evidence, he had a letter drafted in two copies and promised that after one year he would repay me TWO THOUSAND FRANCS (2,000 frs.).

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After the letter of contract had been signed by myself, him and the following witnesses: BANYANSE, NDABIRINDE and KINEKERE, all from the chiefdom of NDUWUMWE, Sub-Chief KAMENGE, I gave him the sum of 1,500 francs. Since then I have received neither the loan nor the interest on it.

The document may be obtained from the Offices of the PARQUET at KITEGA.

(Signed) RUGURIKA

Kitega, 17 April 1956

Rugurika - Mathias

Temporarily without fixed residence

SUITE NO. X AGAINST DISTRICT ADMINISTRATOR As.NAUS

SUBJECT: 1. The expulsion of my wife and children from my home, as a result of which my possessions were stolen.

2. My imprisonment for one day without due cause.

On 11 July 1955 Mr. Bouillon under instructions from Mr. Naus, summoned my wife and ordered her to put her thumbprint, in my place, on a letter sent by the Resident regarding my repatriation. My wife thereupon refused to do so, saying that the letter was not intended for her, that she had not been at a hearing in the District Court or in the Mwami Court or in the Resident's Court and could not, therefore, sign on behalf of someone who had perhaps visited those places.

She added that according to Parundi custom, the wife is never held responsible for faults committed by the husband even if the latter has no son, not even an adopted one, and that in this case they had grown up sons. Mr. Bouillon forced her to put her fingerprint on the document, striking her and breaking her finger.

For fear of being hurt further, she put her thumbprint on it; but that done, he told her that she must leave the neighbourhood with all her household on 11 September 1955 and join me, and that if she disobeyed that order he would himself come with policemen to oust her by force.

On 16 March 1956 Mr. Naus, upon instructions contained in a letter from the Resident, came to my house in the company of Sub-Chief Kamenge, policemen and a large crowd, approaching from the side of the house opposite to the main door. Mr. Naus called my wife and children saying that they must go without any delay. My wife, remembering the words spoken to her on 11 April 1955, went out with a single box containing only her clothes, took her children and left.

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Mr. Naus and all his retinue accompanied them to a church school at Rubagabaga to collect another child who was receiving lessons there. Before departing, my wife said to Mr. Naus: Look after my husband's property, his house and its contents, his land and what is growing on it; you see that you are driving me out, leaving everything behind, and I was left in charge of it by my husband. You are driving me out in obedience to the decision of the Resident of Urundi.

After watching my family disappear over the horizon, Mr. Naus went to find Nduwumwe and report that he had just completed his mission. Neither Order No. 12 of 25 April 1955 by the Resident, nor letter No. 300/F.332 of 2 December 1955 or letter No. 211/01267/438 of 10 February 1956 from the Governor anywhere states that Mr. Naus could compel my wife to sign a letter addressed to me, or that she was to agree to the rest of my property being stolen.

On 6 December 1955 I went to present to the District Administrator of Ngozi letter No. 300/F.332 from the Resident, in order to claim the money obtained from the sale of my coffee (880 coffee shrubs). Alas, I was unable to obtain even half of what was owing to me, some 589,600 francs, the greater part of which had been divided between the thief and his accomplices. It was my impression that a man guilty of an offence was rewarded with a number of days' imprisonment, and not with money.

Simply because I dared set foot in the chiefdom of Buyenzi, Mr. Naus awarded me one day's imprisonment during which I spent the night in front of the Kayanza office under the supervision of police guards.

Witnesses:

1. Ruhagarara, policeman of the Kayanza Sector
2. Ruratotoye Sixte, Clerk of the Kayanza Sector
3. Mbayabaya Janvier, assistant teacher in the Catholic Mission at Katara.

There are as many witnesses to the excesses committed by Mr. Naus against my wife and children as there are hairs on your head. But not one of them can speak a true word on my behalf since I was exiled from their country under Orders Nos. 12 and 15 of 1955. Just as no native of Ruanda-Urundi or Tanganyika Territory can give truthful evidence on behalf of a German if he is summoned to a hearing.

Kitega, 5 December 1955

SUIT No. X AGAINST MWAMBA FERDINAND

SUBJECT: Theft of a sum of one thousand and fifty francs (1,050 francs).

In 1952 a man called MWAMBA F. borrowed some money from me and as I had complete confidence in him, I gave him the sum of 900 francs without any receipt. He promised that after a year he would repay me 1,050 francs.

When he came to borrow it, he wanted to obtain an "H" licence to open a cabaret.

While he was engaged in this business I sent him four jars of native beer to sell at 150 francs each. From this sale he gave me only 450 francs and kept the value of the fourth jar: 150 francs.

These are my witnesses:

RUBIGIRI Dominique, resident at KIBEGA, Sub-Chief KAMENGE,
Chieftdom of NDUWUMWE

KAMARI, resident at RUBAGABAGA, Sub-Chief KAMENGE and
Chief NDUWUMWE

Up to today, I have still received nothing.

(Signed) RUGURIKA

Kitega, 5 December 1955

SUIT No. XI AGAINST MUKASA Jean

SUBJECT: Theft of two bicycles costing 3,800 francs

I had two bicycles in need of repair: the wheels, spokes and brakes did not work properly. I had to buy all the necessary replacements myself.

I then gave the bicycles and the replacements to a man called MUKASA Jean together with a sum of five hundred francs (500 francs) to cover the cost of changing them.

In 1954 and 1955, when I reclaimed my two bicycles I did not obtain one. I then learned that he had even sold ONE of them. I went to lodge a complaint with the PARQUET at Kitega, but have so far had nothing returned to me.

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As witnesses, I wish to name:

NTUKAMAZINA S., resident at KIVUVUMA, Sub-Chief TUYAGA,
Chief NDUWUMWE

SAID BIN BARASUKANA, resident in the Moslem Quarter,
NGOZI District.

(Signed) Rugurika

Ngozi, 6 August 1956

RUGURIKA, Mathias.

Detained in the Ngozi prison

SUIT No. XI against District Administrator de FAYS

SUBJECT: Unwarranted sentence of 5 months and 1 day's imprisonment and a fine
of 41 francs.

On 11 May 1956 the Mwami gave me a letter formally restoring to me my land in the Chiefdom of Buyenzi (on 11 July 1956). On 11 July 1956 I went to Kitega to wait for the word to be given by the Mwami. It was at 9 o'clock on that day that I was seized and subjected to the attentions of the police; I was put in prison for three days and then transferred to Ngozi on 14 July 1956 where Mr. de Fays sentenced me to a fine of 41 francs and 5 months and 1 day's imprisonment.

The alleged reason for this sentence was that from 15 February to 23 February 1956 I entered and lived in the Chiefdom of Buyenzi. It is true that I went there between 15 February and 17 February 1956 but that was as a result of the letter from the Governor received by Mr. Naus at Ngozi. Moreover, I was in the company of Chiefs Bankamwabo and Ngenzebuhoro who had been sent by the Mwami after first obtaining permission for me to enter the said Chiefdom with them.

Neither District Administrator de Fays nor the Chiefs had informed me that my land would be restored to me during the eight days between 15 February and 23 February 1956 and I saw nothing either in the Governor's letter or in sentence No. 666 given by the central court to the effect that I must recover my land during those eight days and leave again on the eighth day. The Mwami's two envoys performed their duty on 15 February 1956 but Chief Nduwumwe would not allow me to put one foot on my land during the eight days I had been granted.

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On 16 February 1956 NTAHONKIRIYE told me that Chief Nduwumwe and his assistants were looking for me in order to put me in prison and that it was thanks to the Mwami's two envoys that I had reached my home. On 17 February 1956, fearing that I might thus be arrested, I went that very night to Usumbura to report the matter to the Governor and to tell him that Chief Nduwumwe had refused to restore my land to me as he was ordered to do by the Mwami Court.

On 23 February 1956 I went to Bukavu to ask the lawyer PIRON to lodge an appeal and on the same day at 3 o'clock in the afternoon he handed me two copies of a letter addressed to the Procureur du Roi and to the Governor. All these detentions are unwarranted; those who gave me permission to enter the said Chiefdom are responsible for the consequences.

Evidence and witnesses: Lawyer PIRON who saw me at Bukavu on 23 February 1956 and who submitted his declaration to Bouguignon on 23 February 1956.

Chiefs Bankamwabo and Ngenzebuhoro and the man called Ntahonkiriye of the Chiefdom of Buvuzi, Bunzogi hill, Ngozi District.

The contents of the letter of 10 February 1956 from the Governor.

The documents in case No. 666 in the Mwami Court.

(Signed) Rugurika

Rugurika Mathias, ex-Sub-Chief
