

## THE ANKOLE AGREEMENT 1901

Agreement between Frederick J. Jackson, Esq., C.B., His Majesty's Acting Commissioner and Consul-General for the Uganda Protectorate and the adjoining Territories, representing the Government of His Britannic Majesty the King of Great Britain and Ireland, and Emperor of India, on the one part and the Kabaka and chief of the district of Ankole, on the other part.

1. That portion of Ankole to which the present Agreement applies shall be divided into the following administrative divisions-

- Mitoma;
- Kashari
- Nyabusozzi;
- Nshara;
- Ishingiro;
- Rwampara;
- Buzimba;
- Shema;
- Igara;
- Buhwezo
- Bunyaruguru

They shall be approximately bounded as follows:

*The administrative division of Mitoma shall be bounded as follows:*

On the north by the recognised Ankole-Toro and Ankole-Uganda boundaries; on the east by the recognised Ankole- Uganda boundary; on the south by a line drawn due west between Rutunga on the north and Butaka on the south, to the Nyanza River, thence in a West-South-westerly direction north of Nyabisheche and south of Wakahaya to the Kobobo River, thence north-east to the Charutanga river, following the recognised boundary i.e., the portions the Rivers Orwibu, Katho, and Charutanga lying west of Ibanda , as far north as Fort Grant site.

*The administrative division of Kashari and Nyabushozi shall be bounded as follows:*

On the north by the southern boundary of the administrative division of Mitoma; on the east by the recognized Buganda-Ankole oundary to the village of Lusoga; on the south by a line drawn due weat north of Nsongi; thence to the River Ruizi, and thence following the River Ruizi to its junction with the River Koga and the recognized eastern boundary of the administrative division of Buzimba.

*The administrative division of Nshara shall be bounded as follows:*

On the north by the southern boundary of Nyabushozi, on the east by the recognized Ankole-Uganda boundary ; on the south by a line passing through the center of Lakes

Kachera and Mazinga in the south-westerly direction, including the islands of Shangi and Kabagaria( sometimes peninsulas) to the mouth of the Ruizi river, and thence westwards along that river to Mbarara station.

The administrative division of Ishingiro shall be bounded as follows:

On the north by the River Ruizi; on the east by the Lake Mazinga, and by the recognized boundary of the administration division of Bukanga to the River Kagera; on the south by the River Kagera to the Luyanga Valley; on the west by the recognized boundary of the administrative division of Ruampara to the River Ruizi.

The administrative division of Ruampara shall be bounded as follows:

On the north by the River Ruizi (Orwizi) and the Shema-Ruampara boundary; on the north-east and east by the south-western and western boundary of Ishingiro as defined in this Agreement; on the south by the international line between the Uganda Protectorate and the German East Africa; on the west by the Kazara-Ruampara boundary.

The administrative division of Buzimba shall be bounded as follows:

On the north by the recognized Toro-Ankole boundary; on the east by line drawn from the site of Fort Grant in a south and south -easterly direction following the Rivers Charutanga, Katho ( swamp), Bufunda, Kabai I, Kabobo, Rubindi, Chandahi, and Kabari II, to village of Rubindi; on the south by the line drawn due east and west from the village of Rubindi; on the south by the line drawn due east and west from the village of Ruhindi to Nyaruchika, including these places; on the west and south- west by the recognized Buwezu-Buzimba boundary.

The administrative division of Shema shall be bounded as follows:

On the north by the southern boundary of the administrative division of Igara and by the River Kandeke and hence following the River Kandeke to a point known as Kigongo River, and hence by the recognized boundary of the river Koga; on the south by the River Ruizi and by the recognized boundary of the administrative division of Ruampara and the former administrative sub-division of Shema, and the River Kaisewanzi, hence following the River Kaisewanzi to its junction with the River Nyamugoye, hence to its junction with the River Kanyaruhinda; on the west by the recognized Kigezi-Ankole boundary.

The administrative division of Igara shall be bounded as follows:

On the north a line drawn along the top of the chain of hills lying directly north of that forest known as Buhwezo-Igara recognised boundary, thence south-east to the head waters of the Orwizi river; on the east by the Shema-Igara boundary; on the south by the recognised IgaraKazara and Igara-Ruzumburu boundaries; on the west by the recognised Igara-Ruzumburu, Igara- Ndusi, and Igara-Kamsusa boundaries-

The administrative division of Buhwezo shall be bounded as follows:

On the north by Dweru Channel and Lake Dweru; on the east by the recognised Buhwezo-Buzimba and Buhwezo-Shema boundaries; on the south by the recognized Buhwezo-Igara boundary; on the west by the River Chambura.

The administrative division of Bunyaruguru shall be bounded as follows;

- On the north-west by the Dweru Channel; on the east by the Chambura River, the recognised Bunyaruguru-Igara and Kamsura-Igara boundaries; on the south by the Rwenchwera River; on the west by Like Albert Edward.
- The above defined administrative divisions do not include the whole area of the district of Ankole, but those portions of the district which border more closely on the Congo Free State and German Territory will be subject to the same regulations as those set forth in this Agreement, and will for the present be administered by the principal European official placed in civil charge of the Ankole district, until such time as the chiefs thereof voluntarily place themselves under the suzerainship of Kahaya.
- By this Agreement the chief Kahaya is recognised by His Majesty's Government as the Kabaka or supreme chief overall all that part of the Ankole district which is included within the limits of the above mentioned administrative sub-divisions. Buchuncku is recognised as chief over the Mitoma sub-division; Masiko is recognised as chief over the Nyabushozi sub -division; Rutasharara is recognised the chief over the Ishingiro sub- division; Dhura is recognised as the chief over the Ruampara sub-division; Nduru recognised as chief over the Buzimba sub-division; Baguta Katikoro is recognised as chief over the Ngarama, and Shema and Kashari sub -divisions; Mkotani is recognised as chief over the Igara sub -division( to be temporarily administered by Regent Bakora until such time as Mkotani shall come of age); Rubarrema shall be recognised as chief over the Buhwezo sub -division; Kaihura shall be recognised as chief over the Bunyaruguru sub -division.

So long as the aforesaid Kabaka and chiefs abide by the conditions of this Agreement they shall continue to be recognized by His Majesty's Government as the successors to the dignity of the chieftainship, on the understanding that they equally abide by the terms of this Agreement.

They shall be allowed to nominate their successors in the event of their demise, and the successors thus nominated shall be in like manner recognised by His Majesty's Government as the successors to the dignity of chieftainship, on the understanding that they equally abide by the terms of his Agreement.

But should the Kabaka or the other chiefs herein named fail at any time to abide by any portion of the terms of this Agreement, they may be deposed by His Majesty's principal representative in the Uganda Protectorate, and their titles and privileges will then pass to any such other chiefs as His Majesty's principal representatives may select in their place.

Should the Kabaka of Ankole -Kahaya or his successors be responsible for the infringement of any part of the terms of this Agreement, it shall be open to His

Majesty's Government to annul the said Agreement, and to substitute for it any other methods of administering the Ankole district which may seem suitable.

- All the waste and uncultivated land which is waste and uncultivated at the date of this Agreement, all forests, mines, minerals, and salt deposits in the Ankole district shall be considered to be the property of His Majesty's Government, the revenue derived therefrom being included within the general revenue of the Uganda Protectorate; but the natives of the Ankole district shall have the same privileges with regard to the forests as have been laid down and formulated in the regulations in force in the Uganda Protectorate as are applicable to the natives of each province or other administrative division of the Protectorate within such province or other administrative division.

His Majesty's Government shall have the right of enforcing on the natives of the Ankole district as elsewhere in the Uganda Protectorate, the protection of game; and in this particular it is hereby agreed that within the Ankole district the elephant shall be strictly protected; and that the killing or capture of elephants on the part of the natives of the Ankole district shall be regulated by the Sub-Commissioner of the Western Province.

- There shall be imposed henceforth on the natives of the Ankole district the same taxation as is in force by proclamation in the other districts of the Uganda Protectorate, to wit, the hut tax and the gun tax.

All revenue derived from customs duties, hut taxes, gun taxes, salt deposits, or any other sources whatever shall be paid direct to the principal officer in civil charge of the Ankole district.

No chief in the Ankole district shall henceforth levy on other chiefs or on natives tribute or gifts of any kind, except such as may be directly sanctioned by His Majesty's principal representatives in the Uganda Protectorate and as are specified in the clauses of this agreement.

- Justice as between native and native shall be administered direct by the recognised chiefs of the ten sub-divisions. In all cases where a sentence of over three months' imprisonment, or a fine exceeding £5 in value, or where property of over £5 in value is concerned, an appeal shall lie from the divisional native courts to the Lukiko of the Kabaka of Ankole.

In cases where the imprisonment exceeds a term of one year, or property involved exceeds the value of £100, an appeal shall lie from the decision of the Kabaka or his Lukiko to the principal European Officer in civil charge of the district of Ankole.

All fines, fees, or other sums legitimately collected in the divisional native courts of the district of Ankole shall be dealt with as follows-

One-third of the total annual value of these sums shall be retained by the local chief administering justice and two-thirds shall be remitted to the Kabaka of Ankole. All cases between natives of the district of Ankole and natives of the other districts of the Uganda Protectorate, or between natives and foreigners, shall be tried by the

British magistrates in the district of Ankole, and shall be removed altogether from native jurisdiction.

- From out of the total annual revenue received in the shape of gun taxes and hut taxes from the ten administrative divisions above specified in the Ankole district, 10 per centum shall be remitted to the recognized chief of such sub-division. Thus the Kabaka of Ankole will receive 10 per centum of the total value of the taxes collected in the Mitoma sub-division; the chief of the Nyabushozi sub-division will receive 10 per centum of the total value of the taxes collected in the Nyabushozi sub-division and so forth.

In addition to the percentage of the taxes, the Kabaka of Ankole, as Kabaka, shall be granted an estate from out of the waste lands, of an area of 16 square miles, of the Shema and Kashari sub-division; provided, however, that such estate may not include within its limits any large area of forest or salt or mineral deposit.

The Katikiro, or principal minister of the Kabaka of Ankole, shall, in his official position as Katikiro enjoy the usufruct of an estate to be allotted out of the waste lands of the Shema and Kashari sub-division, of an area of 10 square miles, not, however, to include any large forest or any salt or mineral deposit within its limits. The recognised chiefs of the other nine sub-divisions of the Ankole district shall enjoy in their official capacity the usufruct of an estate of 10 square miles from out of the waste lands in their respective sub-divisions.

The private estates to be guaranteed to Kahaya, the present Mugabe of Ankole, shall not exceed 50 square miles in area: provided no one estate shall be of a lesser area than one half of a square mile.

The private estate of the Katikiro shall not exceed 12 square miles, and those of each existing chief of a sub-division as named in this Agreement, 10 square miles each.

In all respects the Ankole district will be subjected to the same laws and regulations as are generally in force throughout the Uganda Protectorate.

Signed by the within-named Fredrick J. Jackson, Esq., Entebbe, on the 25th day of October, 1901.

**F.J. JACKSON**

***Witness:***

*A.G. BOYLE*

And by the Kabaka and Chiefs of Ankole at Mbarara on the 7th day of August , 1901.

KAHAYA, his X mark.

BAGUTA, his X mark

KAIHURA, his X mark.

DUHURA, his X mark.

BUCHUNKU, his X mark.

RUTASHARARA, his X mark.

MASIKO, his X mark.

MAZINYO, his X mark.

RUBAREMMA his X mark.

MKOTANI his X mark.

And his Regent,  
BAKORA his X mark.

Witnesses to Signatures:

GEORGE WILSON,  
Sub-Commissioner for the Western Province.

R.R.RACEY,  
Collector, Ankole

G.C.R MUNDI, Lieutenant  
Commanding Ankole Military District

J.J. WILLIS,  
Church Missionary Society.

Interpreters:

SEMIONI, K.

ISAKA.