

EAST AFR. PROT

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MINERAL FROM P.L. 177

1915

27th May

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showing that the land prepared to be
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Last previous page

27th May

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27th May

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6th July 1915

Individual

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Commander

NEW BRUNSWICK.

Protectorate Troops,

2nd October 1914.

No. 8113.

Dear Excellency,

Herewith I send you a copy of a protest appertaining to the breaking of the laws governing the people's right to that Mr. Schumacher and one wounded man were killed.

The original of this letter will be sent from Harare. As we are unable to guarantee a safe passage from that post I am compelled to send you this copy.

At the same time I would mention that our men with the fact that on September 20th 1914 during a fight at Bulwer's River Assistant Quarter Master is guilty of the following: a flag and other flag was flown upon by the English soldiers and they were killed. The flag was directed against it on this point it that they had to leave.

Against this alleged indignity I have to lodge a protest.

I take this opportunity of asking your Excellency to give your respectful attention to these matters.

Yours

Major. Genl. and Commander of the German Protectorate Troops.

The Excellency

The Secretary of British East Africa,

Nairobi.

and alive, leaving them entirely at the mercy of native tribes, and it was due to the timely intervention of our troops that these wounded were preserved.

6. It must now be submitted to Your Excellency that distinct cases of disregard of the recognized Geneva Convention have been traced to the German forces in this theatre of war, and these cases are susceptible of clear proof.

- (1) The Red Cross Flag protecting Assistant Surgeon Hale was fired on in the neighbourhood of Guel.
- (2) A wounded native officer was deliberately shot, with a revolver, by a German European at the action of Taren on 21st September 1914.
- (3) Bullets, with the lead filed down to expose the lead core, were captured at Guel on 10th September.
- (4) Half-crown ammunition was used against our forces in the action of Igito on 20th Sept.

7. Other cases of the alleged killing of my wounded have been brought to notice, but as they have not been absolutely substantiated no reference is made to them.

8. As it is to the evident desire of His Excellency the Governor of German East Africa that the Geneva Convention should be strictly observed by his forces, I conclude with the most sincere assurance that every effort is made upon our side to abide by the tenets of civilization.

The Secretary

The Governor of British East Africa.

5th October 1914.

Your Excellency,

The deplorable accident, which led to the death of the German Doctor Schumacher and the woman Edman von Holwede, was primarily due to his party being left behind by the retiring German forces with no escort. One of our patrols met this party in thick bush at night, when it was impossible to distinguish the Red Cross flag and badges, and fired upon them under the impression that it was part of the retreating force of the enemy with whom our troops had been engaged on the previous day. This patrol only consisted of a few native soldiers with no British Officer.

2. The box of medical instruments was brought into the nearest of our posts.

3. The case of firing on the Red Cross flag at Boldursich River cannot be traced to any of our troops.

4. Respect for the Geneva Convention has been most firmly impressed upon all our troops, and, as an example that they are obeyed, I mention the fact that the patrol which discovered Dr Schumacher and his party in the day time, previous to the regrettable incident referred to in the letter of His Excellency the Governor of German East Africa, treated the convoy with the utmost respect, as appears from the reports of officers to whom Dr Schumacher was conducted.

5. After the action at Kisili on September 12th the Germans abandoned their wounded, European
and/

INCLOSURE

In Dispatch No. 27 of

20/11/18

2.

265

4. Every effort has been made to treat with the utmost humanity the wounded members of German parties who have been deserted by their comrades and I venture to suggest that it would be well if more care for their own people were shown by the leaders of your forces.

5. The concluding paragraphs of the enclosure disclose allegations of a most serious nature against the German troops and indicate resort to methods which I am confident will not be countenanced by Your Excellency. I venture to suggest that these charges should be made the subject of strict enquiry by your Government.

I have the honour to be,

Your Excellency's most obedient servant,

(sgd) H. Conway Belfield.

GOVERNOR.

ENCLOSURE
6th October 1914 264

Your Excellency,

I have the honour to acknowledge the receipt of your despatch dated September 21st 1914 in which Your Excellency has lodged a protest against alleged infringement by British troops of the laws governing the treatment of wounded and non-combatants in time of war.

In reply I beg to enclose for your information copy of a statement received by me from the Headquarters Staff Office, with regard to which I would make the following observations.

2. The death of Dr Schumacher and of the wounded man whom he was attending was an incident which I most deeply regret but which is directly attributable to the fact that they were deserted by the leaders of their own party.

Moreover, it would appear that the darkness of the night and the density of the bush precluded the detection of the Red Cross, and that its violation occurred under natural misconception.

3. The statement that the German Red Cross flag was fired upon on another occasion cannot be corroborated here and is not admitted to be correct.

Excellency
The Governor of German East Africa,
Nairobi.

INCLOSURE

21st September 1914.

Nairobi.

COPY.

Governor

German East Africa.

26

K.F.1190.

In accordance with a message from the Commander of the German Protectorate Troops, English soldiers intercepted a German convoy of wounded who were being carried from the Tavo River towards the German Border. Dr Schumacher and a wounded man, von Holwede were both killed. This happened at 1 o'clock P.M. on 8th September.

This incident took place in spite of Dr Schumacher showing the hospital flag and explaining that he was under its protection. The medical instruments were also stolen.

This conduct is contrary to Great Britain's laws regarding the sick and wounded being removed from the field of battle. July 23rd 1908.

I strongly protest against this infringement of the people's rights.

I take the opportunity also of assuring Your Excellency of my very careful consideration and judgment of all matters.

Yours faithfully,

Secretary.

MULLER,

Secretary.

His Excellency

The Governor of British East Africa.

Nairobi.

of the enemy's forces.

I have the honour to be,

Sir,

Your humble obedient servant,

A. Conway Bayard

GOVERNOR

2.

2. As stated the incident was the subject of a communication from the German Government, copies of which and my reply thereto are attached. The Commander of the German East African Troops also addressed me on the matter and I enclose a copy of his letter also.

3. The above correspondence gives all the facts of the case and, I think, shows clearly that this most regrettable incident was purely accidental; the conditions prevailing at the time when it occurred being such as to render it almost impossible to distinguish the nature of the party under Dr. Schumacher's command.

4. In regard to the second alleged infringement of international law referred to by Lieutenant Colonel von Lettow, we disclaim all responsibility.

5. You will observe from paragraph 6 of the enclosure to my letter of October 4th to the German Government that we, on the other hand, have just cause to protest against the proceedings

off

Gov: 21.9.14.

Gov: 6.10.14.

Col. von Lettow
6.10.14.

GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA.

22nd May 1915.

Sir,

I have the honour to acknowledge the receipt of your confidential despatch of March 1915 respecting the alleged infractions of international law in the case of Dr. [Name] and to [Name] by telegram of to-day's date, which read as follows:-

"Your confidential despatch of March 1915, [Name] referred to formal subject of protest from [Name] Governor last September 6, [Name] replied [Name]. It occurred at night in thick bush and no [Name] [Name] judges were distinguished in consequence. Only [Name] [Name] were [Name] and no [Name] [Name] was present. Report follows"

Yr

LEWIS SANDERS, F.I.C., S.J.,

ATTORNEY-GENERAL FOR THE COLONIES,

15, ABchurch Lane,

LONDON, E.C.4.

far from clear. Under the fact of the
counter accusations having been made
at the time as to the fact of the
American Embassy if, as I suppose, 70
will send the or its substance to them

2 as proposed W.S. 30/4/15

H. J. R.

30/4/15

W.S. 30/6/15

Ull 17/15

As 12/17

Apr 17/15