

1933

Kenya

No. 3015

SUBJECT

CO 533/430

The Abyssinia - Kenya

Abyssinia - Kenya Frontiers

Previous

18065/32.

Subsequent

23003/34.

1/1 (Border  
Route)

... n. Conf. ... 2  
... of deep ... 2  
... Minister Addis Ababa for information  
This has been greatly delayed. There is now  
a despatch from Kenya qualifying these terms. This  
please register and re-submit.

(Signed) H.E. Priestman

2. Governor Byrne 40 Conf. 31<sup>st</sup> April 53  
Trans. copy of ... the establishment of  
a Border Court on the basis ... has been  
agreed to.

A copy of the draft ... is ...  
with 21 ... and ...  
to ... a summary of  
the history of the proposals for the  
establishment of Border Courts.

? Copy with copy of ...  
to ... in ...  
21 ...

H.E. Priestman  
3/5/33

G.B. ...  
7/5

Sir C. Bottomley

You may like to see It is interesting that  
they are giving the Court a trial ... so proceed  
S.W. ...  
4.5.

As proposed. Later (say, a month,  
... the ...



with this / present on E. March 11  
of this dept. E. Adis Ababa

*[Signature]*  
S. A. W.

Foreign Office \_\_\_\_\_ 11 Nov 33.  
I enclose a copy of a despatch from H. M. Representative,  
Addis Ababa, regarding conversations with the Oromo  
Delegation on various frontier matters.

6 The English version of the original  
part of the Treaty runs: "The  
boundary on either side of the line shall be  
the same as the grazing grounds  
of the tribes as in the past, but  
no grazing shall be subject to the  
control of the colonial authority  
except in so far as the nearest wells  
are concerned or the tribes occupying  
the area of the line."

... all the water that has  
... the ... of ...

... the ... has already  
... to ...

? Put by  
T. W. ...

10 Extract from Addis Ababa L. College Report for June 24 1934  
Original No. 5804/33 S. L. City ...  
This information is that of ...

? Put by  
*[Signature]*  
Director

*[Circular Stamp]*

Mega District and Kenya Frontier

By the end of June the Kenya Government had not  
finalized their assent to the agreement reached on the  
1st March between their delegates and the Governor  
of Saxe. For the reasons that they had not been able  
properly to understand the Amharic text of the  
Ethiopian delegates' final note, and also because the  
Ethiopians had not made any reference to the Kenya  
reservation regarding their claim for compensation for  
death ought in general to be paid at the rate of 1,000  
lissars per head. The matter was still under discussion  
with the Ethiopian Minister for Foreign Affairs at the  
end of the quarter.

Mr. David Buntur, the Governor of Adorana, left Sidamo  
for Addis Ababa in the middle of May. He had not found  
time to visit the Kenya frontier, and now there is no  
prospect of his going there until after the rains. There  
are several matters which appear to require his personal  
attention.

At the end of June notification was received in Addis  
Ababa that the Ethiopian authorities in the neighbourhood  
of Mega had closed the wells to British tribesmen. Such  
action is contrary to the agreement of 1907. Representa-  
tions were immediately made to the Minister for Foreign  
Affairs, who stated a few days later that the Emperor had  
sent instructions for the wells to be reopened. The  
instructions for closing the wells appear to have  
originated with the new Deputy Governor, who admitted that  
he had no knowledge of the 1907 agreement.

Mr. de Miles resumed charge of His Majesty's consulate  
on the 8th May.

96

THE Under-Secretary of State for Foreign Affairs presents his  
compliments to the Under-Secretary of State for the  
Colonies and to Director of the Department of State,  
transmits herewith copy of the under-mentioned report

Foreign Office

November 1935

Reference to previous communication

Foreign Office letter to the Under-Secretary of State, 17/3/35

Description of subject

-----

Subject

Subject

-----

Representative, [unclear] [unclear] [unclear]  
[unclear] [unclear]

17/11/35 of 1 October

Standard letter word to

October 7, 1935.

Sir,

I have the honour to inform you that within the present week I have had two conversations with Ras Desta Damtu, the Governor of Borana, on the subject of frontier relations between Kenya and Ethiopia. The first visit, which I paid to him, was primarily concerned with the illness of one of his officials, about whom I had had a telegram from Nairobi, but the conversation also turned to the grazing of some wells near the frontier about which there had been trouble in July but which had been pretty quickly resolved on my taking up the matter with the Minister for Foreign Affairs. This question, however, led to the submitting forward the demand that the British tribesmen grazing or watering temporarily in Abyssinia should pay a yearly sum of £1 per head for the privilege. I told him that though I had not the exact wording of the treaty of 1907 in my head I was pretty certain that such a demand was contrary to it. At this we broke off the conversation with a view to continuing it today.

2. When the Ras came this morning I told him that I had studied the English text of the treaty and it was quite clear to me that there could be no question of any payment whatsoever either for grazing or watering. I said that I must myself refuse even to discuss the matter with him, but that of course if the Ministry of Foreign Affairs took it up I should have to give them a reasoned answer. At the same time I told him quite straight that the Ethiopian Government would be heading for trouble if they raised the matter and I asked him to tell the

The Right Honourable Sir John Simon,

Empire

Emperor from me, before he himself approached the Ministry as he said that he would do, that in my opinion Ethiopia already had enough difficulties with us over Somaliland before embarking on new ones over Kenya.

3. In reply the Ras said that the Amharic version of the treaty was by no means so categorical as the English version, which in fact I knew already to be the case. The literal translation from the Amharic into English of paragraph 2 of the 1907 treaty runs as follows:-

"Should the subjects of the two Kings enter the territory of either Government for the sake of grass and water as in the past they shall not be prevented from having the grass and water. The tribes on the other side of the frontier are permitted to draw water from the nearest well. The subjects who go to look for water and grass shall be subject to the jurisdiction of the country in which they reside".

You will observe that the Amharic version does not contain an expression so categorical as the term "free access" which appears in the English text.

4. The Ras went on to say that it was only right that if someone came and used another person's grass and water that he should have to pay for it and that Kenya could do the same. To this I replied that Kenya did not do so because it was contrary to the treaty. On this the Ras, who saw that I was quite adamant, said that he would take up the matter through the Ministry of Foreign Affairs and the conversation then turned to other subjects.

5. I have little doubt that the trouble behind this question is the ever present desire on the part of Ras Tsehai Dantu to make money: this very human failing of his is indeed well known. Whether he will take my warnings to heart I cannot say, but I have certainly been as outspoken to him as I possibly could.



6. I also enquired of the Ras what his movements were and he informed me that he would be leaving here next month and hoped to get to the frontier in December, proceeding to Nairobi in January. As I had heard from H.M. Consul at Moga that the Governor of Kenya had told him that he would welcome a visit from the Ras I intimated to him that the Governor would willingly make arrangements for the visit to be a success. At the same time I asked him to give as early notice as possible of his movements, either through H.M. Legation or H.M. Consul at Moga, unless I am mistaken the time of the Ras' journey will depend largely on the moment when the track is ready for him to do the journey by war instead of by mule.

7. Lastly I referred to the question of disarmament of the tribes and urged him to make haste. His excuse for not having disarmed his own people on the frontier was the fact that they had to protect themselves against our tribesmen who came to water and grass. My retort to this was that it was hardly a good argument seeing that our tribesmen were disarmed. I have a feeling that the Ras' reply was only made for the sake of argument, for he has already disarmed tribes further away from the frontier and I think it quite probable that he will continue the process when he has seen conditions for himself.

6a  
3515 2/35

8. My general impression was the same as that recorded in paragraph 5 of Sir S. Barton's despatch No. 85 of 13 June and I have a hope, more I will not say, that when the Ras has had an opportunity of discussing matters on the spot with our own officials relations on the frontier may be set on lines of gradual improvement.

9. I am sending copies of this despatch to Nairobi and Moga.

I have the honour to, with the highest respect,

Sir,

Your most obedient, humble servant,

RECEIVED

26 JUN 1933

C. O. DEGY

8 ID

In my last communication on this subject, I have referred to  
No. 1719/1107  
and also to the fact that the Under Secretary of State for Foreign Affairs, London, S.W. 1

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under Secretary of State for Foreign Affairs, London, S.W. 1, and, by direction of the Secretary of State, transmits herewith copy of the under-mentioned paper.

Foreign Office,

July 25<sup>th</sup>, 1933.

Reference to previous correspondence:

Description of Enclosure

Name and Date	Subject
<p>From H. M. Representative at Addis Ababa no 81 of June 9<sup>th</sup> 1933 with enclosure</p>	<p>Italian district</p>

Similar letter sent to

BRITISH LEGATION,

ADDIS ABABA.

June 8th, 1933.

COPIES

(S 3718/1718/1)

No. 81.

Sir,

With reference to your despatch No. 35 (Z 2008/  
 692 201) of 21st February and previous correspondence I have  
 the honour to acknowledge herewith receipt of a despatch from the  
 British Legation, Addis Ababa, dated 2nd June 1933, in which  
 you have informed me that you have furnished a report  
 on the subject of the Liban situation.

Yours faithfully,

W. H. G. ...

The 21. 1933.

Sir John Simon, G.C.S.I., F.R.S.

etc. etc. etc.

Copy.

[N 1718/1719.1]

Page 11.

BRITISH LEGATION.

June 6th, 1914.

Sir,

With reference to your despatch (No. 1206  
692/201) of 21st February and previous correspondence, I have  
the honour to transmit herewith copy of a despatch from the  
Acting British Consul at Mogo in which he furnished a report  
on his visit to the Mogo district.

I have, etc.

(For C.M. Minister)

(Sgd.) P.M. EMERSON.

The Rt. Hon.

Sir John Simon, Bart., M.P., C.B., F.R.S.,

etc. etc. etc.

COPY.

(J 1718/1718/1)

No. G.R.5/71/33.

BRITISH CONSULATE

ADDIS ABABA

VIA AIR

Wide Addis Ababa  
Despatch No.1 to  
Consul Mega dated  
15/2/31.

Route followed.  
Map refce.  
Abyssinia Sheet  
Africa 1/2 000 000  
W.O. 1931.

Wujilli.

Walena.

Sir,  
I have the honor to report that, in accordance with instructions received from Major Miles, I visited the Liban district of the Borana Province last January.

2. I travelled from Wujilli (50 miles N.E. of Mega Eastwards to Walena, and thence almost due North to Nuggell. Then I went east and South East, through the Oddo district, to Dolo.

3. At Wujilli were a large number of Boran and Gabbra, but between there and Walena no people were living. Walena was occupied entirely by the Gurreh tribe.

4. It will be recalled that in 1931 most of the Gurreh migrated Northward from British territory in order to avoid taxation. With the intention of remaining to stay permanently in Ethiopia, the Government Ashcroft, the former Governor of Borana, the Government have a policy of friendly relations between the Borana and Gurreh tribes.

Feuds  
between  
Gurreh and  
Boran.

The Gurreh have been found to be a very aggressive and warlike people, and have been found to be in a state of feud with the Boran and Gabbra tribes.

5. Ever since the migration of the Gurreh to the Borana Province, the Gurreh have been found to be in a state of feud with the Boran and Gabbra tribes. I found the same state of affairs in the Borana Province from Liban to the East.

18/2/31

His Majesty's Minister,  
British Legation,  
Addis Ababa.

Abyssinian soldiers were constantly raiding the Durruch, while the latter despairing of getting any material assistance from the Abyssinian officials, had formed their own defence force, which was kept mobilised in readiness.

Daua River.

6. I crossed the Daua at Malka Suluk on 20th January. There were then only about 3 feet of water in the river.

For 30 miles Northwards the country traversed is similar to that found in the Daua valley elsewhere. There is a ridge of low rocky hills about ten miles from the river, but otherwise the country is flat and the sandy soil is covered with the usual desert vegetation. The altitude is about 3,000 feet.

7. Then suddenly one comes to the encampment of the Liban plateau, known as the "Dida Liban". The track is a shallow and old one and leads until one reaches quite a different kind of country. Nuggeli, the main town of Liban, lies 14 miles beyond.

8. To get there one crosses a pleasant stretch of undulating, park-like country, with olive and cedar trees and the vegetation of the highlands - as opposed to the desert vegetation of the Daua River valley.

Five miles South of Nuggeli there is a ridge covered with a cedar forest, and incidentally usually full of brigands (marked on the map as Red Ridge).

9. On emerging from the forest one sees the town. One cannot fail to be disappointed to find it so unattractive it is.

Nuggeli.

Nuggeli lies at an altitude of 4,000 feet on an expanse of undulating country extending as far as the Jamtu highlands.

There is another small cedar forest on the East side of the town and this is rapidly being destroyed, as far as the eye can see to the North and West the country is flat and bare.

10. The town itself is so treeless that I could scarcely find shade for my tent. A warm East wind, combined with the fact that the place was full of small pox, and serious crimes of violence were occurring daily and went unpunished, made it an unpleasant spot.

There is apparently an adequate water supply, and, though little trade was being done at the time, food was not scarce.

11. Nuggeli, whose population is probably about 1,000, consists of two parts, one of which is inhabited entirely by Tigre. These are the remnants of the bands of robbers that infested this territory about 14 years

Tigre.

Fitauran, Septa Ghughis, the conqueror and former owner of the country, very wisely gave a large number of them the military rank of Grazmach or Kenyazmach in order to keep them quiet. So now, many of the officials in those parts are ex-brigands. The Tigre Grazmach in charge of the Gurreh tribe, for example, was a common bandit only twenty years ago, and at Bolo a man who was sent to me dragging a goat as a present turned out to be a Kenyazmach.

Lack of Communications at Nuggeli.

12. Nuggeli is very much of a back water. It is shut off from the main towns of Borana for many months of the year owing to the Daua River being in flood. To the North East there is also the Juba River. The nearest town in the North West is Agera Salaam - a week's journey

There is another small cedar forest on the East side of the town but this is rapidly being destroyed. As far as the eye can see to the North and West the country is flat and bare.

10. The town itself is so treeless that I could scarcely find shade for my tent. A warm East wind, combined with the fact that the place was full of small pox, and serious crimes of violence were occurring daily and went unpunished, made it an unpleasant spot.

There is apparently an adequate water supply, and, though little trade was being done at the time, food was not scarce.

11. Nuggeli, whose population is probably about 1,000, consists of two parts, one of which is inhabited entirely by Tigre. These are the remnants of the bands of robbers that infested this territory about 14 years ago.

Tigre.

Fitaurari Hapta engagas, the former owner of the country, very wisely gave a large number of them the military rank of Grazmach or Kenyazmach in order to keep them quiet. So now, many of the officials in those parts are ex-brigands. The Tigre Grazmach in charge of the Gurreh tribe, for example, was a common bandit only twenty years ago, and at Iole a man who was sent to me dragging a goat as a present turned out to be a Kenyazmach.

Lack of Communications at Nuggeli.

12. Nuggeli is very much of a back water. It is shut off from the main towns of Borana for many months of the year owing to the Daua River being in flood. To the North East there is also the Juba River. The nearest town in the North West is Agera Salaam - a week's journey



15

distant. The main caravan route to Dolo in the South East (200 miles away) is often insecure owing to robbers and also to tribal disturbances amongst the Degodia and the Ogaden tribes. There is no telephone or telegraph.

It would therefore be an unsuitable place from every point of view for a Consulate.

Italian interests.

13. For some reason Liban has received a good deal of attention for some years past from the Italians. A fair quantity of coffee is bought by the traders there from the Jam Jantu and taken to Dolo, and this is of a better quality than that which comes from the Italian trading station at Mafato, but its transport by camel through a wild and badly watered piece of country is troublesome. There is however the possibility of a road fit for wheeled vehicles being made.

Trade.

14. I found there are a large number of Abyssinian traders and about twenty Somalis and Arabs, of whom some had started four shops. All of these were financed by Italians. Two of the shops had just been set on fire.

The only imports from Italian Somaliland seemed to be cotton piece goods. No trade worth speaking of was being done with Kenya, though there were actually two Arab traders from Manedera there when I passed through.

Rifles and ammunition of various sorts are easily obtainable there in small quantities, but I could not hear of anyone dealing in fire-arms on a large scale.

Just before my arrival, Count Roberto di San Marzano visited Dolo for Nuggeli, but he had been turned back since his pass was inadequate. It appears that no other Italian has ever been there except Prince Ruspoli, who passed through about 5 years ago.

distant. The main caravan route to Dolo in the South East (200 miles away) is often unsafe owing to robbers and also to tribal disturbances amongst the Degodia and the Ogaden tribes. There is no telephone or telegraph.

It would therefore be an unsuitable place from every point of view for a Consulate.

Italian  
interests.

13. For some reason Liban has received a good deal of attention for some years past from the Italians. A fair quantity of coffee is bought by the traders from the Jan Jan and taken to Holo, and this is of a better quality than that which comes from the Italian trading station at Maralo; but at present its transport by camel through a wild and badly watered piece of country is troublesome. There is however the possibility of a road fit for wheeled vehicles being made.

Trade.

14. I found there are a large number of Abyssinian traders, many of whom have shops, of whom some had started four shops. All of these were financed by Italians. Two of the shops had just been set on fire.

The only imports from Italian Somaliland seemed to be cotton piece goods. The trade worth speaking of was being done with Kenya, though there were actually two Arab traders from Mandera there when I passed through.

Rifles and ammunition of various sorts are easily obtainable to some small quantities, but I could not hear of anyone dealing in fire-arms on a large scale.

Just before my arrival, Count Roberto di San Veneranda was in Holo for Nuggeli, but he had been turned back since his pass was inadequate. It appears that no other Italian has ever been there except Prince Raspoli, who passed through about 5 or 6 years ago.

13. On leaving Nuggeli at first I followed the main caravan route to Folo, which runs for some distance parallel with the Juba river.

When one has passed the cedar forest just east of the low country is again reached. The altitude on the whole of the journey is still very low, but the valley at Folo, about 20 miles east of Nuggeli, which contains cedar and other trees typical of the Abyssinian highlands. Otherwise the Liban plateau seems to consist entirely of open undulating country sparsely covered with the same kind of vegetation and some of the scrub that are found in the rest of Borana.

The Boran.

14. There were some Boran living near the well systems of Hadesa, Hijeni, Hogoba and Chukalla, but they were a pathetic survival of the large tribe that once inhabited the country, and to which it really belongs. Near the Juba river north of Folo once a great Boran camp was situated. The name Boran is still marked on the map at several places in the highlands of Abyssinia and the Juba valley. A few Boran are still living near the Juba River.

As a result of the depredations of the Jambura and the Galla, the Borana has settled permanently at Folo, 40 miles to the North West and when one looks over the plain from Nuggeli, whilst to the West there are no signs of any habitations whatever, to the North one can see only the farms of the Jambura tribe. North East of Nuggeli there are Goora and other Somalis, but no Borana and to the East one finds none more than a day's march away.

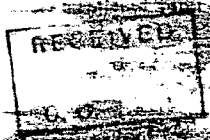


want to their utmost to encourage the trade in coffee  
 (and possibly also tobacco, bees and beeswax) to a  
 small extent and to export their own cotton goods, etc.  
 This would be a good thing and would affect trade with Kenya  
 via Mombasa and the coast. The aid and Mogadishu  
 the only route to the interior via the coast to the East  
 of Africa.

In any further communication on this subject, please refer to  
21-3770314-1911  
and address it to my private box 1000  
The United States Department of State, Foreign Office Building, 200

M/A

The Under Secretary of State for Public Affairs presents his  
compliments to the Under Secretary of State of  
the [unclear] Secretary of State.  
transmits herewith [unclear]



10 July 1951

Reference is made to [unclear]

Very truly yours,  
[Signature]

Enclosure

150-0/31

Name and Date

Subject

From Mr. [unclear]

[unclear]

[unclear]

No. 10

[unclear]

British Legation,

Addis Ababa,

June 9th, 1933.

84.

Sir, I have the honour to inform you that a little while ago I received from His Majesty's Consul at Maji a confidential report on the conditions prevailing in his district, in which he begged me to take steps to have the state of affairs brought to the notice of the Emperor, as the report was not entirely suitable for communication as it stood I revised it in the form of which copies are enclosed and yesterday at my farewell audience with His Majesty I handed him an Amharic version thereof. I explained to the Emperor that I was not sending the report direct to the Slavery Department as it concerned matters of administration as well as of slavery and I wished him to be in full possession of the facts.

I already knew that the Emperor was aware to a certain extent of the slavery conditions in the Maji area as the result of reports which I had sent to the Slavery Department for the following measures, which the Emperor repeated to me yesterday, have already been taken

(a) Dejazmach Mengesha Yilma, the Governor, has been replaced by Ras Gostasho, who left yesterday for Addis. Although the Ras, when previously Governor of Taffe, did not leave with a savoury reputation, he has since been Ethiopian Minister at Paris and Minister of the Interior when the Slavery Department was under his control and

The Right Honourable Sir John Simon,

G.O.S.I., K.C.V., M.P.

etc., etc., etc.

so he may therefore be presumed to have acquired some ideas of civilisation.

(b) Mamayou Tuna, the Secretary of the Slavery Department and its most energetic member, is being sent off at once to inspect conditions in South Western Abyssinia and will be accompanied by a member of the Department who will remain in Maji.

(c) The Governor of Bako Province has already been sent to Maji to supervise the departure of Mangasha Yilma's troops, for it is usually at the time of the exchange of Governors that the worst features of the carrying off of slaves by departing soldiery takes place.

3. In further conversation with the Emperor I told him that ever since the departure of the Governor last December, when he came to Addis Ababa, relations between Captain Whalley and the local authorities had deteriorated to such an extent that the position of the Consul was almost impossible. This I attributed to the fact that the authorities were now alive to the fact that it was due to the reports sent by the Consul that a number of arrests in respect of slavery had been made on the orders of the Central Government. I expressed the hope that by the time that Captain Whalley returned from his leave, which he is about to begin, relations between His Majesty's Consul and the Governor would once more be normal.

4. The Emperor seemed to take my observations in good part and promised to study carefully the enclosed report.

5. Ras Guetacho called on me just before his departure and I have explained to him fully the state of affairs in his new province.

6. As there will not be any Consular representative in



Mail for some months to come it will be a long time before I receive any report as to the steps that are taken to deal with a situation which is undoubtedly serious. Nevertheless by the time Captain [Name] returns his quarters will have had an opportunity to investigate some reforms and the former will be in a rather better position to judge the value of any steps that may have been taken.

7. I am sending copies of this despatch to Hartens, Naischi and Matebbe.

I have the honour to be, Sir, with the highest respect,

Your most obedient, [Name]

(P. H. M. Minster)

W. P. M. Broadmead

EXTRACT FROM REPORT BY HIS MAJESTY'S CONSUL, MAJI

British Consulate,

Maji.

24 December 1908

The present regime has been in office in this area just over a year.

In the interests of humanity and in the hope of assisting the unfortunate and ill-treated subject tribes of this District I venture to place the following information before you in the earnest desire that something may be done by H.M. the Emperor to ease the most hard and heavy burdens which weigh on the population.

I venture to state that I have served in Africa and Asia in various parts for twenty years but never have I seen or experienced conditions of such dreadful nature as obtain in this Province.

The Maji Government was informed by the Governor both by written and publicly announced proclamations that no tax would be demanded and that the gabar system would cease. Within a month of these proclamations the old gabar system was again in force. In face the abuses of the system have increased in violence.

At the present moment the natives of Maji who are in the employ of the Consulate are forced to pay the following taxes to their gabar owners or to the Governor.

1. Tax of 1/3 of the monthly pay (£8 or £9) at £3 . . . 56
2. Tax for Governor's ploughing, p.a. . . . . 1
3. Tax for church, p.a. . . . . 1
4. Tax for telephone (which does not exist) p.a. . . . 1
5. Contribution towards rations of every journey taken by Governor at \$1 per journey, p.a. about . . . . 8

5.	Animal tax of \$1 per head of stock per annum, about	3
7.	Contribution of \$1 for every Ethiopian feast, P.S. about	6
8.	Tax for number of postal arrangements, P.S.	1 1/2
9.	Contribution to maintenance of postmaster and runners, 1 kanna per month, or P.S.	6
10.	Value of grain supplied to gabar owner during the year	18

Total tax per man per year . . . . . \$ 70 1/2

In addition to the above the following obligations are imposed on the inhabitants :

The gabar must work four days a week for his master or pay cash instead of work.

Generally speaking, young girls and boys under 15 years must remain in the gabar owners' houses permanently and do manual work without pay.

When an employee of the Consulate accepts on duty to the Sudan or Kassa, his wife and children are forced to go to the Amhara's house to work in spite of the fact that the said employee pays to the Amhara a very large proportion of his salary.

Whenever a native fails with his payments he is arrested by his owner and thrown into prison. No count is kept by his master of payments made. In several cases money has been paid before witnesses, but nevertheless the Amhara master has said that no payment was made, and the gabar has been taken from his home and thrown into prison. It often occurs that if the native cannot pay, one of his children in the Amhara's house is sold into slavery or quite definitely disappears from the Maji area.

The foregoing covers the treatment of the regular employees of the Consulate. I have made representations to the local authorities on the subject of the unwarrantable interference with these employees. Promises to mend matters have been made, but have never been kept.

The employees of the Consulate are well off compared with their fellow-tribesmen outside. The following further instances of the hardships suffered by the inhabitants are quoted

- 25
1. When a governor visits an area he is generally presented by the local chief with tusks of ivory and five to ten young boys as slaves. This custom has been inflexible for years and is still carried on. If a chief falls into trouble he generally presents the governor with some young boys in the hope that his offence may be forgiven. Many youths and girls given in this way are in the Gibbi at the moment.
  2. If the gabar is in arrears with his payments he is handed over by the Maji court to the Amhara, who thenceforth considers and treats the native as his own personal slave.
  3. Amharas in the town give presents of young Maji natives to their friends.
  4. Amhara compounds generally have about 5 - 10 young native children who disappear from time to time to the slave dealers. It is not ultimately to state that the native chief of Maji mountain complained the other day that a youth named Baleta, who was in the Governor's Gibbi in the usual way, had disappeared from Maji. The Governor had given this boy to Yohannis Abdu, the late Consulate interpreter, as a present. The slave dealer of course accompanied the interpreter to Addis Ababa.
  5. A woman who formerly ground grain for the Consulate stated that her young brother of about 8 years old had disappeared. It is said that he was sent away by an Amhara who accompanied the Governor of Maji.
  6. During some building operations in the Consulate the native workmen were paid their money by me on pay-day. Whilst I was paying out the money I saw many Amharas standing round like so many huns, silvering their gabars and their money. I sent these Amharas away and the native workmen were allowed to depart by another exit. In a few days every one of the natives who had worked here was in the town prison.
  7. I received a letter from an Amhara in the service of the Governor saying he had sent his gabar to the Consulate to work on some building. He requested that the wages should not be handed over to the gabar but should be given to him (the Amhara).

The natives of Maji are a peaceful people and have been unable to resist the depredations of the idle and brutal Amhara soldiery, who have denuded the Maji mountain of its population. It is estimated that the population has been reduced from 40,000 to 3,000. It is common knowledge that when Dejazet's soldiery departed from Maji some years ago they took away with them 3,000 Maji natives. The natives that remain are now required to keep the same numbers of Amharas in food, clothing and idleness as did the ... of ...

26

It can be understood why the Tishans refuse to be gabars of the Amharas. The Tishans have armed themselves and are determined to protect their families and property against molestation.

Ethiopian laws are not enforced here. Every Amhara does exactly as he chooses. The general conditions in Maji are far worse than they were a year ago.

I declare that this letter contains no particle of exaggeration but merely the plain truth which every person in Maji knows. All I have said can be corroborated with the greatest ease by any impartial investigator.

May I implore you on behalf of the Maji inhabitants to approach the Emperor with a request that something should be done to improve matters here? Representations have been made locally. The promises which have been given to improve conditions have proved as worthless as the written and publicly uttered proclamations which have been issued from time to time.

3

Sudan North (Dangila District).

75. Early in March the Governor General of the Sudan reported that Ismail Yaha was intending to raid villages on the border of the Sudan with a force of about 100 men. His Excellency added that he had sent aeroplanes and troops to patrol the frontier. This information was passed on to the Ethiopian Government with the request that Yaha should be arrested, but shortly afterwards it was learnt from Khartoum that there had been an incursion into Sudanese territory. Nothing more was heard until July, when the Minister for Foreign Affairs told His Majesty's Government that he had been received from the frontier and had asked that his wife and children, who were in the Sudan, should be sent back to him. This request, when forwarded to Khartoum brought forth the reply that there were two wives who were applying for divorce and had no intention of rejoining him. There the matter ended.

His Majesty's consul, who had been in Addis Ababa for some months, left in April to return to Dangila and arrived there at the end of the month. His journey took place at an interesting time, for it was only after he had left that Ras Hailu was deprived of some of the provinces through which he had to pass. This fact also caused some complications in regard to Major Cheesman's mission, which were only straightened out after reference to Addis Ababa.

Major Cheesman also took the opportunity afforded by his journey of ascertaining the amount of slaves in the provinces through which he passed. The result of his investigation was that slavery in that part of

the country was still rampant. Markos was the chief cause of the rising of the slaves. The Government should take steps to suppress the slave trade, which has been given to this effect by the Emperor.

The route between Dangila and Gallabat remained a point where the slave runners are proved and for more than a month. Major Cheesman's mission by that route. Representations were made to the Emperor, but as Major Cheesman left for Addis Ababa it is not known when the route was made safe for traffic.

In the last report it was stated that Ras Mengesha had given a promise to His Majesty's Government that he would be the first to arrive at peace with the Emperor's Government. This promise has been well kept and according to reports received from His Majesty's Consul in the north. By forbidding movement after dark and by standing sentries and other important points a definite check was given to the slave trade in the Province. The same cannot be said of the other provinces.

From the reports of the Ras and the other authorities it is evident that throughout the year and up to the present time the slave trade has been checked in the Province. The same cannot be said of the other provinces.

The slave trade in the Province has been checked throughout the year and up to the present time. The same cannot be said of the other provinces.

The slave trade in the Province has been checked throughout the year and up to the present time. The same cannot be said of the other provinces.

The slave trade in the Province has been checked throughout the year and up to the present time. The same cannot be said of the other provinces.

The slave trade in the Province has been checked throughout the year and up to the present time. The same cannot be said of the other provinces.

The slave trade in the Province has been checked throughout the year and up to the present time. The same cannot be said of the other provinces.

His Majesty's consul, who had been in Adula Ataba for some months, left in April to return to Dargula and arrived there at the end of the month. His journey was a plain at an interesting time, for it was only after he had left that Ras Hailu was deprived of some of the provinces through which he had to pass. This fact also caused some complications in regard to Major Chesman's passes, which were afterwards straightened out after reference to Addis Ababa.

Major Chesman also took the opportunity afforded by his journey of... to estimate the amount of... through which... that part of the country was...  
 The... was...  
 The... was...  
 The... was...

In September, intelligence of the road between Dargula and... was...  
 The... was...  
 The... was...

Major Chesman...  
 The... was...  
 The... was...

Major Chesman's Report

It was stated that Ras Mengesha...  
 The... was...  
 The... was...

The... was...  
 The... was...

The... was...  
 The... was...

The... was...  
 The... was...

The... was...  
 The... was...

The... was...  
 The... was...

The... was...  
 The... was...



was that the Governor should be flown to Addis Ababa by British aeroplanes but when the Emperor knew what the cost would be he seems to have discovered that the Governor could be brought by an Abyssinian aeroplane from a point only seven days' march from Maji. Instructions were accordingly sent to the Governor, and he duly reached the capital on the 20th November. Meanwhile the troops whom the Kenya Government had sent to Lake Rudolf in connexion with the above-mentioned raids found the Gelubba in a village on the lake shore about 8 miles within Kenya territory, and an engagement took place on the 22nd November. In the course of this one soldier of the King's African Rifles was slightly wounded and a few Abyssinians were killed, the remainder of the force being made to the Minister for Foreign Affairs about the same time. The Governor of Bako, in Kenya territory, his Excellency stated that the man who was in Ethiopia, and he read out a long exaggerated account of the engagement which he had received from the Governor of Bako, the province concerned. The latter, although he was understood to have been instructed by the Emperor to report on the two original raids made absolutely no mention of them. In the last days of the year a further report was received from the Governor of Bako which implied that the original trouble had taken place in Ethiopian territory and that it had been started by the British tribes. The whole question was therefore in an inconclusive state when the year ended.

#### Kenya (Mega District).

92. Mention was made in last year's report of a raid into Kenya territory at Harri, in the course of which three British tribesmen were killed. The suspects in the case were sent to Addis Ababa for trial, but the Ministry of Justice did not consider that there was sufficient evidence for trial. As no further evidence could be sent to Addis Ababa it was finally decided to ask the Ethiopian Government to have the men returned to Mega for a further joint enquiry. Although instructions were stated to have been sent to the new Governor to this effect in December, it was not known by the end of the year whether the men had actually started on their return journey.

93. In other respects no real improvement was effected in conditions on the frontier. The question of the disarmament of the tribes on the Ethiopian side of the frontier was the subject of further notes between the Ministry for Foreign Affairs and His Majesty's Legation, as well as of conversations between His Majesty's Minister and Fitaurari Ashenafi. The latter declared that more casualties were caused by spears and arrows than by rifle fire and maintained that the British tribes themselves were not properly disarmed. The Kenya Government were, however, able to disprove both these assertions. It is at least satisfactory to note that an attempt has been made by the local Ethiopian authorities to start the registering of arms.

94. Another question which had not been settled by the end of the year was that of compensation for the Rendille murders in 1928. The stumbling-block in this case was that we demanded compensation at the rate of 1,000 dollars per man, whilst the Ethiopians only wanted to pay the local rate of blood money of thirty head of cattle.

95. As has been said above, the conditions on the frontier did not improve. This state of affairs was doubtless largely due to the fact that Fitaurari Ashenafi, the Governor, was absent from his post for many months, and the authorities left in charge seemed to be unable to cope with the situation. Towards the end of the year it was announced that the Fitaurari would not be returning, and that Haas Desta Danatu had been given the province. Some little time must therefore elapse before any real improvement can possibly set in, although the Ras left for Sidama just before Christmas.

96. At the end of August the Emperor sent a message to His Majesty's Minister to the effect that he would welcome the development of closer relations with Kenya by means of an improvement in trans-frontier trade via Moyale. The institution of such a trade route would in fact open up the rich province of Sidama and enable its produce to find an easier outlet than is at present the case. The proposal was welcomed in principle by the Governor of Kenya, who pointed out that the consumption of Abyssinian produce in Kenya itself would be small, although the possibilities of transit trade were greater. At the same time



THE SECRETARIAT,  
NAIROBI,  
KENYA.

WHEN REPLYING  
PLEASE QUOTE  
No. A/CAF. 60/A/11/91  
AND DATE

RECEIVED

6th May, 1933.

~~CONFIDENTIAL~~

No 2

The Colonial Secretary of the Colony and Protectorate of Kenya presents his compliments to the Under Secretary of State for the Colonies and with reference to the Governor's despatch No. 40, Confidential, of the 31st March, on the subject of affairs on the Kenya-Uganda boundary in the neighbourhood of Rudolf, is directed to transmit the accompanying copies of further correspondence with His Majesty's Minister for the information of the Secretary of State.

*Recd*

*Copy sent to [unclear]*

102 One satisfactory feature of the work of the commission has been the fact that, in spite of all the rows that have taken place within the Ethiopian section, their relations with their British colleagues have been uniformly friendly.

#### *(15) Negotiations for a New Treaty.*

103 After much discussion between the various authorities concerned, the text of a new treaty to replace that of 1907 was finally agreed upon in London in August. The treaty, which had not been submitted to the Ethiopian Government by the end of the year, will certainly take some time to negotiate, if only for the reason that the draft does not yet include the desires of His Majesty's Government as to what tribes shall be considered as being under British protection. This point will doubtless give rise to much discussion.

#### *(16) Asiya-Hararita Road.*

104 With the completion of the Ethiopian section of this road, the question has naturally arisen as to the use which will be made of it for trade purposes, and the Emperor has not been slow in seeing that it offered the possibility of a link which at present uses the French railway. In other words, he

125/100/4/11/44

13/

13th May, 1933.

Sir,

I have the honour to refer in correspondence terminating with your letter of the 21st April on the subject of the proposed institution of a Tarapur-Bombay Border Court.

It is highly probable that the Government of Bombay in view of Rajji's return to his Province will insist on the institution of the Court being immediately effected. In the circumstances this Government has no alternative but to reserve the right to require the diplomatic representations to be made in accordance with paragraph 4 of my Confidential despatch No. 2/125/100/4/11/44 of the 9th February in the event of the Court failing to materialize by the end of the present year.

I have the honour to be,

Sir,

Your obedient servant,

J. BYRNE.

BRIGADIER-GENERAL.  
GOVERNOR.

H.M. NIKHANS,  
THE BRITISH LEGATION,  
AMBALGA.

TELEGRAM FROM PROCONSUL, ADDIS ABABA

TO HIS EXCELLENCY THE GOVERNOR, NAIROBI

Despatched 26th August 1907  
Received and issued 27th August 1907

Your 107. Owing to mourning for the death of Emperor's daughter and to early rains return of Governor, Hajj, has been delayed and it will not be possible for meeting at Lake Rudolf to take place before next Autumn.

I have accordingly advised H.M. Consul, Meji, to proceed on Home leave without waiting for Governor's return.

H.M. CONSUL,  
BARTON.

TELEGRAM FROM PRODCOMB, ADDIS ABABA  
TO HIS EXCELLENCY THE GOVERNOR NAIROBI.

Despatched 26th April, 1933.  
Received and typed 27th April.

Your 107. Owing to mourning death of Emperor's  
daughter and to early rains return of Governor, Maji  
has been delayed and it will not be possible for meeting  
at Lake Rudolf to take place before next Autumn.  
I have accordingly authorised H.M. G...  
to proceed on home leave without waiting for Governor's  
return.

NO. 13.  
HARTON

24



KENYA

GOVERNMENT HOUSE  
NAIROBI  
KENYA

No. 40

CONFIDENTIAL

RECEIVED  
1 MAY 1927  
POST OFFICE

MARCH 1927

Sir,

With reference to correspondence terminating with the Colonial Secretary's Note No. S/A/TAF.60/A/1/III/45, Confidential, of the 14th February on the subject of claims on the Kenya-Sudan-Abyssinia boundary in the neighbourhood of Lake Rudolf

*Not done*  
*1/10/27*

I have the honour to transmit for your information the accompanying copy of the marginally noted telegraphic correspondence from which it will be apparent that I have now with reluctance agreed to the establishment of a Border Court on the lines originally proposed and with an extension of the period over which claims can be assessed to the 1st August, 1927, subject, however, to a reservation by this Government of the right to denounce it in a year's time if desired.

Telegram No. 6 of 2.3.27 from H.M. Minister.

Telegram No. 28 of 16/3/27 to H.M. Minister.

Telegram No. 8 of 20.3.27 from H.M. Minister.

Telegram No. 107 of 29.3.27 to H.M. Minister.

*2*  
*1/10/27*

2. The terms of paragraph 5 of Mr. Moore's Confidential despatch No. 100 of the 10th August last should therefore be modified accordingly, but I take this opportunity to make it clear that the assent now given implies no modification of the opinions expressed/

*No 10*  
*18065/32*

THE RIGHT HONOURABLE  
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET, LONDON, S.W.1.

24



KENYA.

GOVERNMENT HOUSE

NAIROBI

KENYA

NO. 40

**CONFIDENTIAL**

REC-100  
MAY 1933  
COL. OFFICE

3/27 MARCH 1933

Sir,

With reference to correspondence terminating with the Colonial Secretary's note No.S/A/TAF.60/4/1/III/43, Confidential, of the 11th February on the subject of affairs on the Kenya-Burundi boundary in the neighbourhood of Lake Rudolf

*Not done 1906/32*

I have the honour to transmit for your information the accompanying copies of the original telegraphic correspondence from which it will be observed that I have now with reluctance agreed to the establishment of a Border Court on the lines originally proposed and with an extension of the period which can be reassessed to the 1st August, 1927, subject, however, to a reservation by this Government of the right to denounce it in a year's time if desired.

Telegram No. 6 of 6.3.33 from H.M. Minister.

Telegram No. 64 of 16/4/33 to H.M. Minister.

Telegram No. B of 20.3.33 from H.M. Minister.

Telegram No. 107 of 29.3.33 to H.M. Minister.

*30.3.33*

2. The terms of paragraph 5 of Mr. Moore's Confidential despatch No. 100 of the 10th August last should therefore be modified accordingly, but I take this opportunity to make it clear that the assent now given implies no modification of the opinions expressed/

*No 10*

*19065/32*

THE RIGHT HONOURABLE  
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET, LONDON, S.W.1.



35  
in that despatch or in my subsequent despatch  
No. S/A/TAT.60/46/111/44, Confidential, of the 9th  
February to His Majesty's Minister.

Encl. 1  
Not

I share, however, Sir Sydney Besson's desire to  
avoid any complication which would be calculated to  
react unfavourably on the tribal situation and am most  
anxious that nothing should be done in any way to impair  
the improved relationship between the two Governments  
the evidence of which has already been reported to you,  
and it is for this reason that I have agreed to withdraw,  
at any rate temporarily, the views then made in paragraph  
4 of my Confidential despatch of the 9th February to  
His Majesty's Minister.

Encl. 1  
Not

3.  
A copy of this despatch is being addressed to  
Addis Ababa.

I have the honour to be,

Sir,

Your most obedient, humble servant,

BRIGADIER-GENERAL.  
GOVERNOR.

Dated 6th March, 1933.

No. 6. If your standpoint in relation to the Border Court Agreement has been misinterpreted by me, I much regret, but before the receipt of your despatch of 5th September the Abyssinian Government had verbally agreed and on 26th October this was confirmed in writing.

The subject of your telegram No. 13 of 5th November appears to me to relate not to the terms of the Agreement but to the date of its enforcement, and I am obliged to consider any alteration upon the part of the chiefs with the Governor of Maji wishes to see alternative terms. The Governor is following by aeroplane the chiefs who have already departed by road, the Emperor having issued instructions that they are to go together to Hudof, make peace and, in accordance with the instructions of the Minister of Foreign Affairs' Note of 26th October, set up Court.

I have received no fresh instructions from the Foreign Office to whom I sent at once a copy of my despatch No. 29 of 31st October addressed to the Governor of Maji.

To ask the Abyssinian Government to vary the Agreement at this juncture would I submit not be feasible. My view is that to give the arrangement a trial in its present form presents the best chance of securing a final settlement by peaceful means and it is my earnest hope that you can agree.

Governors visit to Nairobi is cancelled.

BARTON.

## PARLIAMENT OF CYPRUS

H.M. MINISTER, ANDRÉ ARARA.

15th March, 1963.

While I cannot claim to be as hopeful as Captain Whalley is, that the proposed Courts will be effective, I wish to avoid anything which might place any obstacle in the way of machinery being set up which may provide the means by which frontier controls can be compassed, and I am anxious if you are able to do anything should be done to enhance the chances of a settlement by negotiation which the Nisiosian Government's present attitude has increased.

Having regard to what you have said in your telegram I have ordered the F.C. to open the question (less major clauses) with Mangasha Yilma when he reaches Nisios and to do all in his power to reach an understanding which both sides will be able to ratify. You are however aware that Kenya has never accepted all the points of the present draft agreement.

This is my No.86 of 15th March with reference to your No.4.

GOVERNOR.

PARAPHRASE OF CIPHER TELEGRAM TO

H.M. MINISTER, ADDIS ABABA.

15th March, 1933.

While I cannot claim to be as hopeful as Captain Whalley is, that the proposed Courts will be effective, I wish to avoid anything which might place any obstacle in the way of machinery being set up which may provide the means by which frontier quarrels can be composed, and I am as anxious as you are that nothing should be done to embarrass the chances of a settlement by negotiation which the Ethiopian Government's present attitude has increased.

Having regard to what you have said in your telegram, I have ordered the P.C. to open the question (less major clauses) with Mangasha Yilma when he reaches Rudolf and to do all in his power to reach an understanding which both sides will be able to ratify. You are however aware that Kenya has never accepted all the points of the present draft agreement.

This is my No.60 of 10th March with reference to your No.6.

GUYENOR.

38

PARAPHRASE OF CYPHER TELEGRAM FROM H.M. MINISTER

AT ADDIS ABABA. 20th March, 1933.

---

My No. 8. I am afraid that there will still be a danger of misunderstanding if we let the Abyssinians to change the agreement, because Emperor Yilma saw the Emperor's instructions to sign the agreement in its present form, and unless we follow the same course we will without doubt revert the whole question back to Addis Ababa. A further useless conference would be tantamount to doing nothing in the actual situation.

The King of the Belgians has reserved to himself the right to denounce the Agreement in a year's time, if they then wish to do so. I advocate therefore that your Government should do the same and agree to signature of the agreement as at present drawn. May I in this connection draw your attention to my despatch No. 24.

In replying thus to your telegram No. 86 I am not unmindful of the weight already given to the view I have already expressed.

MARCH.

38

PARAPHRASE OF CYPHER TELEGRAM FROM H.M. MINISTER  
AT ADDIS ABABA. 20th March, 1933.

---

My No. 8. I am afraid that there will still be a danger of misunderstanding if we ask the Abyssinians to change the agreement, because Haile Selassie has the Emperor's instructions to sign the agreement in its present form, and unless we take the same course we will bring the matter back to the whole question of the state. A further useless conference would be calculated to react unfavorably on the local situation.

The Ethiopian Government have asserted to themselves the right to denounce the agreement if Emperor's wish. If they then wish to do so, I advocate therefore that your Government should do the same and agree to signature of the agreement as at present drawn. May I in this connection draw your attention to my despatch No. 24.

In replying to you, to your telegram No. 66 I am not unkind of the weight already given to the views I have already expressed.

HARTON.

39  
PARAGRAPH OF CIPHER TELEGRAM TO THE MINISTER,  
ADDIS ABABA.

Despatched 20th March, 1935.

No.107. Your No.8. In the circumstances  
given by you I have instructed the Provincial  
Commissioner to sign the agreement in its present  
form reserving the right for the Government to  
denounce it in a year's time if desired.



1 22  
40  
THE SECRETARIAT,  
NAIROBI,  
KENYA

WHEN REPLYING  
PLEASE QUOTE  
No. A/IAV.60/4/111/46  
AND DATE  
**CONFIDENTIAL.**

REC-  
1  
COL. D.

FEBRUARY, 1963

10010  
13063/11

The Colonial Secretary of the Colony and Protectorate of Kenya presents his compliments to the Under Secretary of State for the Colonies and with reference to Kenya despatch No. 100, Confidential, of the 10th August, 1962, on the subject of affairs on the Kenia-Sudan-Abyssinia border in the neighbourhood of Lake Rudolf, is directed to transmit the accompanying copy of the Governor's despatch No. A/IAV.60/4/111/46, Confidential, of the 9th August, to His Majesty's Minister, Addis Ababa, for information.

Copy sent to FD (3)



17/11/1932/47/111/100

9th February, 1933.

**CONFIDENTIAL.**

*Handwritten initials*

SIR,

*Handwritten: Home to No 21*

I have the honour to refer to your note No. 24 of the 2nd November, 1932, enclosing a copy of your despatch No. 28 of the 21st October to His Majesty's Consul at Hajj.

*Handwritten: 15th*

No action was taken by this Government at the time in regard to the draft agreement for the establishment of a Higher Court, it being understood, as stated in my telegram No. 13 of the 2nd November, 1932, that in view of the departure of Hajj's proposed visit to Hairedi the meeting referred to in your telegram No. 7 of the 10th October to His Majesty's Consul was in abeyance, and that the general question was discussed with the Provincial Governor on his arrival here.

3. It is not clear from your telegram No. 12 of the 30th November, 1932, whether as the result of the altered arrangements for his journey to Addis Ababa the Governor's visit to Hairedi is cancelled, and I shall be glad if you will inform me on this point. In the meantime, however,

a copy of the draft agreement has been received by the Provincial Commissioner, Yarkana, presumably from His Majesty's Consul, and in view of the uncertainty of the position

I/

TO  
H.H. MINISTER,  
BRITISH LEGATION,  
ADDIS ABABA.

42

I have been the opportunity of asking your Government's officials both in regard to the draft agreement and to the general question of the Border Court.

U.S. 10  
10/10/19

4. In regard to the general question your reference is directed to Mr. Spore's Confidential despatch No. 100 of the 10th August, 1936, to the Secretary of State for the Colonies, a copy of which I found on enclosure in my Confidential despatch No. A.S. 2/4/36/11/30 of the 25th September.

In this despatch it is stated that this Government is not satisfied there is no real hope that a final settlement will be reached. It is proposed to contribute about 2000 tons of wheat, 200,000 in respect of sales in 1936 and 1937 and for that reason it is proposed to give the Government to secure his presence for a settlement through diplomatic channels.

As stated in paragraph 6, however, this Government, though still doubtful as to the efficacy of the Border Court if and when established, is prepared to give the proposal a further trial, but only in respect of minor disputes which may occur subsequent to the ratification of the necessary agreement by the representatives of the two Governments.

5. In regard to the draft agreement this Government would prefer to insert at the end of the fifth clause the words "subject to final confirmation through the usual diplomatic channels".

6. Subject to these reservations and the consequential amendments to clauses 4 and 5 and deletion of clause 6 and

9/

I am prepared to authorize the Provisional Government  
to carry the agreement on the condition of the next  
meeting with the Governor of Malaya Province.

I have the honor to be,

SIR,

Very respectfully,  
Yours faithfully,

J. BYRNE

BRIGADIER-GENERAL  
ROYAL CANADIAN MOUNTED POLICE

I am pleased to acknowledge the Professional Commission  
has been approved in the petition of the next  
to the Revenue of Mail Services.

I have the honor to be,  
Sincerely,  
Your obedient servant,

J. B. [Name]

MANAGING-GENERAL  
P. O. BOX 100

9th February, 1933.

111

Confidential.

Sir,

I have the honour to refer to your note No.24 of the 1st November 1932, enclosing a copy of your despatch No.29 of the 31st October to His Majesty's Consul at Maji.

2. No action was taken by this Government at the time in regard to the draft agreement for the establishment of a Border Court, it being understood, as stated in my telegram No.13 of the 8th November, 1932, that in view of the Governor of Maji's proposed visit to Nairobi the meeting referred to in your telegram No.7 of the 31st October to His Majesty's Consul was in abeyance, and that the general question could be discussed with the Provincial Governor on his arrival here.

3. It is not clear from your telegram No.12 of the 30th November, 1932, whether as the result of the altered arrangements for his journey to Addis Ababa the Governor's visit to Nairobi is cancelled, and I shall be glad if you will inform me on this point. In the meantime, however, a copy of the draft agreement has been received by the Provincial Commissioner, Turkana, presumably from His Majesty's Consul, and in view of the uncertainty of the

position

To His Majesty's Minister  
The British Legation,  
Addis Ababa.

45

position I now take the opportunity to define this Government's attitude both in regard to the draft agreement and to the general question of the Border Court.

4. In regard to the general question your reference is invited to Mr. Moore's Confidential despatch No. 100 of the 10th August, 1932, to the Secretary of State for the Colonies, a copy of which formed an enclosure in my Confidential despatch No. A.A.D. 5/4/32/II/90 of the 5th September.

In this despatch it is stated that this Government is now satisfied there is no real hope that a Court such as that which it is proposed to establish could settle the claims of some £31,000 in respect of raids in 1928 and 1929, and for that reason the Secretary of State has been asked to renew the usual agreement through diplomatic channels.

As stated in paragraph 6, however, this Government, though still doubtful as to the efficacy of the Border Court if and when established, is prepared to give the proposal a further trial, but only in respect of minor disputes which may occur subsequent to the ratification of the necessary agreement by the representatives of the two Governments.

5. In regard to the draft agreement this Government would prefer to insert at the end of the fifth clause the words "subject to final confirmation through the usual diplomatic channels".

6. Subject to these reservations and the consequential amendments to Clauses 4 and 5 and deletion of Clauses 6 and 7 I am prepared to authorise the Provincial

Commissioner

45

position I now take the opportunity to define this Government's attitude both in regard to the draft agreement and to the general question of the Border Court.

4. In regard to the general question your reference is invited to Mr. Moore's Confidential despatch No. 100 of the 10th August, 1932, to the Secretary of State for the Colonies, a copy of which formed an enclosure in my Confidential despatch No. A. AD. 5/4/32/11/90 of the 5th September.

In this despatch it is stated that this Government is now satisfied there is no real hope that a Court such as that which it is proposed to establish could settle the claims of some 25,000 in respect of raids in 1925 and 1929, and for that reason the Secretary of State has been asked to relax his pressure for a settlement through diplomatic channels.

As stated in paragraph b, however, this Government, though still doubtful as to the efficacy of the Border Court if and when established, is prepared to give the proposal a further trial, but only in respect of minor disputes which may occur subsequent to the ratification of the necessary agreement by the representatives of the two Governments.

5. In regard to the draft agreement this Government would prefer to insert at the end of the fifth clause the words "subject to final confirmation through the usual diplomatic channels".

6. Subject to these reservations and the consequential amendments to Clauses 4 and 5 and deletion of Clauses 6 and 7 I am prepared to authorise the Provincial

Commissioner

46  
CAD

Commissioner to ratify the agreement at the session  
of the next meeting with the Governor of Mal Province.

I have, etc.,

(sd) J. Byrne.

Brigadier-General

Governor