KENYA 50534 DEPS 1000 1920 Reports on occurrence Execve Council consider Director of Education to blame for not ensuring rules were in existence forbilding integoduction of fireaches in sone that Mr Twells should be reprimended for laxing of sipervision and that Mr J.G. Spaldings' engagement should be terminated. Action taken on these lines. Tw Holas I live (" Pomery to deplacate of Thing are careful and theoderate. 110 hours specie for heavely, but I de. a also and from Me-Comitient for the 1 copper tig to land of control disreption which to · bacquent Paper. Suy clas de J gl .. anderstand that become School discipline the forequeening there sox, to an for Can be suffered to bare left wood of the action taken and I think

and the topic store the tours aster a the nature from touse. [The regger tion in pone to that in higher Schools there is there wereng for the against finery pusses in Soils every active anded seles. pring exponency a fige in 1 - Markerput hi 16 16 10 a man love ham last he can be of a potential ware boy, to 1.1

ony of Kenya and the

September, 1930.

My Lord.

was shot accidentally.

172

Michigan

With reference to Your Lordship's telegram of 1st September. I have the honour to transmit herewith the following account of the unfortunate occurrence at the Matroba Edwards. School, as a result of which Willie Hall, a puri

martmental Enquiry.

- 2. De May of the of this year it was found that several boxs at the school were wains water-pistols in the school premises. The Headmaster Mr.R.A.Low (who proceeded on leave on June 30th) appears to have forbidden he use of these pistols but not their possession. Some of the containing appear to have introduced frearms, without permission from the authorities.
 - pupils' parents : llow them to use realms outside the school, and that when the are not at a heal a number of the boys are in the labit of using them freely on their parents' farm.

4.

RIGHT DONOUNALL
VISCOUNT MILHER P. C. C.B., G. C.M. C., &C. &C.

DOWNER STREET,

- 4. A boy named Jack Kirwin, an inmate of the outboarders' house, was examining an automatic pistal which he had brought into the school, in the public ders' house, on July 7th together with willis Hall, who is appears should not have been in the building at all and had gone there contrary to school rules. The pistal was incharged, accidentally and Hall was shot through the head; as a result of his injuries he died. I enclose a copy of the finding at the inquest.
- 5. A departmental enquiry was also held by the Director of Education on the accident, a copy of which I attach for Your Loraship's information. This was considered by the Governor and the Executive Council, who found that blame attached to the Director of Education, in that he had not ensured that rules were in existence forbidding introduction and use of firearms at the school, and further that Mr.J. Twells, Acting Headmaster during Mr.Low's absence on leave, should be reprimended for the halfing of the supervision exercised over the pupils, and that Mr.J.G.Spal ing should be either one month's notice to terminate his ensurement. Action has been taker on these
- 6. Rules forbidding the introduction was use of firearms in the School tallings and premises have now been issued. I sould observe that in most countries, or example in England there would be in the easily for such rules since the use of firearms in ordinary life is very uncommon authors as I have said, they are

very generally in use for sport and boys who in England would not be allowed to use them at all, are allowed by their parents to carry them habitually.

Headmaster's Clerk and Brill Instructor in accordance with Your Longship's despated to 205 of 10th March) on a monthly agreement, and was in charge of the outboarders' nouse was found to be very largely to black or left supervision as may be seen in his evidence in the enquiry. As I have already informed are Lordship, Mr. Spalding's engagement has an terminated.

I have the homour to be Your Lardship's humble, obedient servant,

JK Lie

COVERIOR'S DEPUTY

EAST APAGE PROPERTORATE.

In the Resident Magistrate's Court at Nairold.

Inquest No 9 of 1920.

175

INQUEST INTO THE DEATH OF WILLIE TAME.

INCH OLDES

FINDING.

That the deceased Willie HWEL Met his leath from

That the decembed wille Hell mat his leath from a grandler stop accidently discharged by Jack Kirwan-

pitiable occurrence would not have taken place had there not been a lamentable lack of super laion by the authorities in charge of school.

It would seem increditle that firsterms and with these I include sirgums of any description should have teen allowed on the school premises in the possession of these small Love.

school authorities who have fulled in the trus' impaed upon

(8gd) S. .. . Carnelle

9.7.0.

a certify this is a true copy

Departy Registrar,

246.5

Departmental Inquiry into the presence of firearms in the Europeans School Nairobi.

John Twells B. A. of Jesus College Cambridge stated:-He had served as as Assistant Master at Willey's School, Cuckfield, Sussex waspe boys stayed up to 17 years of are, a private coaching establishment near Cremer, and at Eastbourne College. No Meys at these Schools possessed firearms. He remembered having ence seen rules preventing the rossession of any kind of firearm or catapult but believes this rule was enforced at his own school, King's School Qamterbury. He is of epimion that it is senerally accepted among School masters that firearps should be forbidden and one would expect it to be wellknown among them: the subject of firearms had never been discussed in his presence at Nairobi School since he came in October 1919: Mr. Low had given out about 2 menths age that water-pistels were forbidden. Had he been asked a month ago, he would have presumed that the forbidding of firearms was understood and that there would have been no oceasion to raise the question. He was of opinion that it should now be brought to the motice of pupils from time to time and made a matter of routine inspection. The boxes and lockers of all boys were inspected by the datrons at the beginning of term and periodically. The lockers in the Outboarding house had doors but are not looked. If firearms were in the boxes or the lockers, the Matrons must have found them. Speaking as before the accident, he would have expected the Matrons to report to him on finding firearms. to himself had only once seen firearms at the School probably just after Mr. Low left. He saw Jack Kirwin come to the door of the Outboarding house with a heavy revolver: he him-

himself was imagesting the water tank at the outboarding house on a Saturday morning - so far as can be remembered. It eross ed his mind that he ought to take the revolver from Kirwin but it did not cross his mind very strongly; all he did was to say that catridges are not allowed in the School and Kirwin reblied that he had no cartridges. This was not the same revelver as the one produced in Court which he had not seen before the day of the accident. There was a mistake in the report in the mempaper: he had never seen firearms on any other accasion. He had no resclication of Wr. Low finding firearms. elear as to what Mr. Spadling's responsibilities are when in charge of the outboarding house: As acting Headmaster he would hold him responsible for the conduct of the boarding house as far as matters of commonsense supervision went: he considers that Mr. Spalding should have removed the 22 rifle. He had never made an setual inspection of it since he took over: he had wind to an interest to see what accompdation there was for new boys. Speaking generally, he was satisfied that the supervision of the outlearding house was satisfactory,

as Assistantinaster previously and had one year's experience as Assistantinaster previously and had been a perfect at his own school. He had been assistant Master here from Ostober 1819 to June 22md 1930. There were no written rules about firearms but as understood rule. He would not say that pupils should have firearms in the Schoo'. The revolver no saw Kirwin with was a Service revolver. Asked why he did not say more to Kirwin when he saw him with a revolver, he stated that he was busy with something class and certainly took the halfmeasure of precaution by saying that partridged were not allowed.

to he possession of firearms by bors had never been brought to his notice by members of the Staff, hegarding the general question or instruction, he had been budy with abnormal conditions a misting out of the closing of the School, and had not therefore set himself any routine of these inspection.

J.R. Orr Director of Education, F. Traill, 11th July 1920.

J. Twells, Ag. Headwaster

John Gordan Spacking age 51 stated 1- That he had joined the School on February let 1919. Was formerly in the army (Startott Wighianders). His rank was Sergeant. His duties at Baireds, Semgel are those of Beadmister's Clerk and Physical instructor of the School. While in the Army, was associated with boys but never actually in charge of them. While in Rhodesia had drilled the boys as a visiting instructor. Has never studied the rule governing the management of Schools and knows nothing thereof save what he has learnt at Hairobi Has never been told directly that firearms were forbidden, but common sense told him that it would not be right for School boys to have farearms. He thought it was the opinion of the masters that firearms should not be allowed in a School, and he also thought that special instructions ought to be issued by the Headmaster on the subject. Mr. Low spoke a aut firearms when the building of a miniature range was suggested and Mr. Spalding thinks he stated that the masters would have to be in attendance and have charge of the rifles when not in use. The only firearm previously found by him was me air sun belonging to alan Tarlton, He found this gun last term (Jan-April). Mr. Spalding took no steps in the matter, as he understood that the box carried at about openly and that ". Lev may about it, because Tarlton had said that r. ow had forbidden him to give it to smaller boys. This was until a week age when he asked Tarlton if he had any pellets for the sirgum and Tarlton he replied that he was not using the sirgum as he had a SE Remargion. He carried the 22 o enly, and Mr. Spaldiag committeed that it did not call for any action on his many Tarison hope the grifle in the bedroom. Mr. Spalding saw it in the bearess, it, the top of the barrel projecting above the bar of the bed about 18 inches.

PARTY TOWN

Two mights previous to the assident he set the revolver used by Sauk Kirwin. When he wicited the dornitory. Eirwin lifted his pillow and he Mr. Spalding saw the barrel and portion of the magazine of a revolver. He and mot examine it and thought it was a waterpistol . Mr. Low had given orders that if any boys were caught using water pistols they would be taken from them. Some water pistels used in the School were very similar to revolvers. He had never seen any other firearm in the beys dermiteries. He did not confiscate the revolver because Mr. Low's instructions were limited. to the use of the water pistels. He had been in charge of the outboarding house about 18 months. He one shares the duty with him. The Senior boy, Laute Puller, takes arge if he himself goes out. Mr. Low had stated that if he (Mr. Spalding) went away for a week end, he must inform Mr. Low that other arrangements might be made. If he went to the theatre no other member of the staff is directly responsible for the outboarding house. He considered that the boys behaved very well and was not aware d any seuse of complaint during his absence. As a general rule he did not see the boys again after lights out 9 m.m. He was aware that the same boy, Jack Kirwin, had got out of his dermitery at might and was believed to have paid a viets to Mr. Meave of the Transport Department. matter was reported to Mr. Low next marning who doubt with the bay. He did met know that two boys were out. of the bearding house on Tuesday night.

Asked by Mr. Trail he repeated that he did not examine has revolver under Kirwin's pillow. He considered that he duties at the sutboomning house were to maintain discipling

discipline and supervise natters generally. The boys were under his charge during the time that spent in the boarding house. When also Tarlton states that he was not using an air-gun but a 22, he did not examine the ridle and could not have said that it was a. 22. He had never picked the .25 up in the dormitory to examine it. He could not remember having stated has reported in E.A. Standard) that two boys were allowed to possess firearms on account of burglars, and certainly the boys had received no such permission from him.

J.R. Orr, F. Traill

Certified correct J.G. Spalding.

Meginald Ellice Madge age 51 stated: - Had been teaching for. about 3 years herete was at St. John's Chilege - Westsliffs (preparatory). Elm Homme School Surbiton (preparatory Arrived in Meir bron Dec Sth 1919 and began work as Assistant Master about June 8th 1920. At one of the above Selicols (Surbiton) there were written orders against the use of firearms in the School. Since he came to Mairobi, a considerable wimber of water pistols were brought into the School and Mr. Low prohibited their use and their introduction into the School. A water pistel is not a dangerous weapon. He himself did not imagine that anyone would think of firearms being brought into a School until they had actually been brought in : in Emgland it was an unheard thing. The hoys often spoke of what they had shot during the holidays but no mention had ever been made in his hearing by masters or boys of the presence of firearms in the School. He had never seen any firearms until after this had happened. He had never seen the Sempol rules pr viously. He thought that if there were printed rules, the mention of firearms should have been included. He had never been in the outboarding house in an official capacity, but the boys and himself had on several occasions assembled in the larger bedroom for the phyposes of starting for paperchases. He had never been in the smaller room.

The existence of firearms was never reported to him and until the angident opported, he was totally ignorant of the presence of firearms in the School. He had no supervision deties in the dormitories. He was ignorant that Alan Tarmon was carrying a .22 about openly or hat its existence was known to the School Authorities.

Certified correct.

H. E. Madge.

J. R. Orr

Mr. George Carton Stanfield stated: That he had served as an Assistant Master under the Bradford Education Committee in two Elementary Schools, these Schools have rules for sttendance, infectious diseases ate, which were hung up in a visible place but not leaved to the staff. To the staff was issued a book of general rules affecting the management of all Blementary Schools, as far as he could remember, no instructions concerning firearms, were contained in this book. If boys were eaught with firearms in these Semeels, the firearms would be confiscated similarly to per-shooters, ostabults etc. Had he seen a boy with a Tirearn in an English Elerentary School, he would have taken it away and reported to the Readmaster, but in England it would not codur to a Headmanter to mention the ferbidding of firearms unless there special sause for doing so. He considered that equally in East Africa, a rule should be made if the point were raised but he lid not think it likely that a rule concerning firearms would otherwise be 'made. He had been serving for thirteen months at Nairobi School and had seen an airgum in the possession of Br. Spalding and Mr. Patrick with whom he bimaelf had practised at a miniature target. He efferwards discovered that this airgum belonged to one of the boys. He had never seen any other revelver or rifle in the School. A water pistel was built like a revalver and at first glance might be taken for a revelver. It resembles the American automatic pistol. There had been quite a number of water pistels in the School. All Starr day them and the water pistols beceme such a muisance that Mr. Low formate the use of them. This was about eix weeks age. He had never heard any instructions given about fireares nor had heard of Mr. Low nor anyone else finding firearms in the School.

the hirgum was produced by Mr. Spalding. He had never seen may rerearms in the Sencol mor had any reports been made to him that firearms were in the School. He never visited the quant boarding house on duty nor has seen in the smaller bed-room. A boy called Rey Brumedon, a boarder had seemed a 22 Remington and concealed it on one Sunday morning before Church and affer there had taken it home to his mether who lives in Mairebi. The 382 according to New Strumsdon who made a statement to Mr. Stampfield hi-self on Sunday July 11th mas talon to Linear by Mrs Hall so that when Roy Bramsdon speet his holidays with Willie Mall, the rifle wight be ready for them. The School staff knew mothing whatever of this insident until Roy Brunsdon told him about it. Roy Brunsdon obtained his rifle from Alan Tfalton in exchange for a match. A boy called Each Focks also obtained a single barrelled shotgun from Alam Tarlton and have him a bicycle in exchange. This shotgum was seem by Mr. Stamsfield bimself when Jack Foohs was wram ing it up in his everomet to take it away.

(By Mr. Twells) Alam Tarlton was a baorder and is allowed to so home about once a fortnight either on Saturday or Sunday.

Ar. Stamefield tooks the shotgum from Foods as the latter was going home for the holidays on Saturday July 10th.

Geo G. Stansfield.

Sunday July 11th

J. R. Orr,

F. Traill.

Mrs. Alberts Cathin statedin That she had been Matron for one year about neven years ago and Etterly had been assistant Matron and Matron for the last three years having been matron about 18 months: At the Deginning of term all boys unpacked their boxes and place their clothes etc on the bod reserved for them: the clothes are then checked by the Matrons who did not personally check the boys! elothes: this was done by Miss Corbett: the boys beres were present at this inspection and are then removed to the box room: those of the Semior boys are not removed but kept in the outboarding house. The boxes stand open during the examination and contain books (as well as elothes) which are not put on out on the bed. The Matron would sertainly find any firearms at the beginning of term. The lowers in the Outboarding house are examined by the Matrons every week. Any boy souls out on Saturday and bring back a revolver and comeeal it is his box which would not be examined during term. From what she had heard since the accident, the boys stated that the revolver was kept under the pillew and as the Furopean School boys make their own beds, no one else would mock under the pillew. She had never during her whole period of service as Matron or Mesistant Matron acon a firearm in the Second - nor had she heard of any Headmaster finding same. She herself inspected the Outboarding house once a week regularly and perhaps of terms. She had hever seen any firearms there. It was possible for a rifle to be in the sormer of a room without her seeing it. If she found a revelver or a rifle in the School she would report to the Headmater. She had never heard any Headmanter speak to the children about the possession of firearms nor make any rules commented therowith.

She would have thought before the accident that the forbidding of firearms should have been included in the rules of the School. It was quite clear to her that firearms were not allowed but could not speak for any other member of the staff.

In answer to Mr. Trail she repeated that although she imspected the bed woom regularly she had never seen the rifle.

Asked if she wished to make any additional statement she added:-

At the beginning of this term, she had reported to Mr. Low that the conduct of the boys in the Cut boarding house was unsatisfactory and asked that Mr. Madge might see replace Mr. Spalding is charge: some of the boys were often late for breakfast and did not do as they were teld. Mr. Low said that he would try to manage it - but later said that he would not. The understood that Mr. Spalding was in charge of the Benior boys and would see that they were in their rooms at the proper hours and behaved themselves properly.

She found that the lack of general disciplingwas affecting Mine Combett's work. The nightbefore the accident two boys were out of the boarding house after 10. p.m., as stated by Miss Colimson.

Twells, as she did not have an opportunity of doing so until after the accident and did not then wish to trouble him further.

A. D. Gethin.

J. R. OPF.

F. Traill

Miss Lilian Sorbett stated: - She had never found any firegrae in the School. She had never been instructed as to what to do if she had firearms. She did not know whether firearms were allowed or not, but would in any ease have taken them away. She inspected the lookers at the Outboarding house about twice a week and at the beginning and end of term the boys boxes. She would not know during term time whether a bey was keeping anything in his box or not. Had never seen any rifle in the Offboazding bouse. She was aware that airgums had been used and water pistels, but she herself knew nothing about rifles nor know the difference between an airgum and a .28 rifle She had only lately within the last 2 months since Mise Roybe left, assumed control of the Outboarding house. In reply to Mr. Traill, she stated that she had been Assistant Matron about 4 months, and had no pre-lous experience of this kind of work. She inspected that particular bedreen twise a week. She would not know a revolver if she saw one nor the difference between that and a water pistel.

Lilian Corbett.

J. R. Orr.

F. Traill

July 11th 1920.

Certion or the Director of Education

No. 1371/18.

Hairobi, F.O. Box No. \$20.

July 27th 7920;

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CONFIDENTIAL.

The Rontole The Onie! Secretary,

Nairobi,

Skr.

Essentian of firmarms by school buys.

I have the honour to submit herewith the proper of inquiry held at the European School Mairobi in accordance with instructions received. Evidence by two school bays:
Alan Tariton and Roy Brunedon additional to that dorserly supplied is enclosed herewith:

Recommendations resulting from Inquity

(a) Johnsol history in accordance with rules prevailing in Schools in most parts of the world, the School rules in this department dontain no reference to the possession of fire-arms by School bys. as any such possession is unknown and fire-arms fall unknown the entendry of catopults, pea-shoot rules and proof waspone, which has ferbidden or confiscented as they appear. The unwritten rule is known to all boys and that appears the fall, nevertheless, that school rules in this country should be assumed to include the prohibition of capons of an skind. This is being consequences

the acting medianter; Mr. Ywells gonnot be expersed

from responsibility for the accident, as he has himself frankly editted. His evidence shows that he saw the boy alread carrying a heavy revolver and that he took only a half measure of precention by stating that contridues are not allowed. He is fully sware that the revolver should have been confiscated and that same boys, having julied a measure suspicions, would theresite same anything at the School vice accept, had only results assure darking at the School vice.

elokiess which has resulted in two deaths of Scheel boys, and it fell upon the acting Headmester to arrange for the return of all basiders to their homes. I consider that a severe reprised would be sufficient punishment but, if Government considers, that Heavier punishment is required, this should no axosed the loss of one year's increment of allers. 189 sergt: f.d. upulding: I hold Bergt Spalding to be chiefly

responsible for the souldent. The whole of his evidence agreers to show an indifference to duty and where instruction upon any specific point have mot been diven, a failure to use average common-same to such an extent as to amount to a maglect of duty. This has had a enterioration attent upon the displaying of the class boarders. mrgt: Smithing states . that he had no instructions that his boarding house was not to be left without supervision at night by some member of the staff. He therefore left the house without supervision on various educations. He states that he had no instructions that firearms were not showed. He therefore allowed to be brought in. He states that Mr. Low's instructions forbade the usebut not the possession of water-pistols. He therefore allowed water pistols to be retained by boys, although common-sense must have indicated the probability of the rule being broken. When Alan Tarlton infurmed him that he had a .22 Remington at School, he took no trouble to ascertain if the rille was in use and under what conditions it was being weed. He did not appear to consider it necessary to ask why Kirvin should keep under his pillow at night an apparent water-pistol which he had been forbidden to use.

With reference to his general supervision of the boarding house, he admits that he never visited the dormitories after 9 p. m. If he himself retired at 17 p. m. he could not say, whether there were any boys in the committery or not. He was not aware that two hoys had broken bounds on the night previous to the saddless and were seen by the Headmuster and the Assistant Natural returning to their dormitory at 10 p.m.

It may be asked why a man of the type of Sergeant Spalding should be entrusted with the charge of a boarding house. It is usual in the department to leave Heads of Sphoels a free hand in the internal organisation of their Schools, as they are better acquainted with the character of the staff and with local conditions. The attention of Headmante the is drawn during visits of inspection to any arrange ment which may appear unsuitable. Mr. Low's attention hed been drawn by welf to the unsuitability of the appoint manh at the col organs to a house tweeter There posts ir usually entrusted to graduate appletant Masters. be agarently relt that the boys only used the boarding house for steaming. Their meals were taken at the School and the it me marntion was done at the School in the evening and there the Bengin specifing a fourteen years of Army 1174 with an exemplant discharge apparently entitled hr. Law to densider him as a reliable men. In this he has been grievously disappointed.

the bearders and I cannot svoid the recommendation that describes with his services.

I have the honour to be.

Your most obedient servant

J. R. Orr

irestor of Muncation.

Alan Territon aged A? stated; that he was given a 450 Webley by a Mr. Letober at Eldoret. His Father knew that he possessed the revolver and had no objection to his moving Pirentes and had allowed him to shoot from the age of 24 wands. There was no definite rule about bringing firearms into the compos. There had been several burglaries at the School and several people had lost olething. He had brought firearies to mohoo! merely as a matter of defence. He knewthat firegrae were not allowed on the school site but did net think it mattered in the outboarding house. He brought en sirgun into the paerding house but sent it home again. He is sure that the police were infomed about the burglawise but does not think that they affected any good result. and given Foche s shot gun. He brought it in on the day school broke up and expected that Poche would take it out the same day. Roy Brunsdon got a . 22 rifle from him but took it out the same day. The ammunition purchased from Newland. Tarlton was purchased on a permit given him by his uncle. Lealie Tarlton. He sold the 450 Webley to Jack Kirwin, who exchanged it with another bey for the automatic pistel and thinks the Webley was taken to Ruiru. The automatic pistel was fermarly his and he exchanged it for parts of a bicycle and a rifle which was never brought to School, with Lloyd Barwick, a boy in the school, who exchanged it with Kirwin for the .480 Webley. Ho smainition for the .450 was given by him to Jack Kirwin not for the automatic pisted to Lloyd Borwick. He remembered Mr. Low saying that the use of mater-pistel was familiden; the boys were allowed to have water pistols on condition that if they were used against anyone, they would be confiscated. Mr. never said anything about revolvers. He did not think that Mr. Low knew that there were firearms in the School. The .22 rifle west in the corner of his bedroom. There was no attempt to concess it. He did not earry it outside the boarding house except to glean and had never fired it in the school grounds No one knew after the burglaries that he had introduced

REVOLVER, into the dormitory except that Mr. Spaiding saw it ence under me pillow and told him to take it home and he beek it home the same day. The revolver was always unloaded during the day and left under his pillow; it was only leaded at night. He did not think it was right to introduce warms but felt that in view of the burglaries there was no other course. He was always dereful with his revolver and me one else syer touched it. He had a few rounds of amminition for the 22 rifle but it would not fit the .22 which was useless.

siffe free Afan Tarkson by enchange for a wrist match. He make it was around to been it at the School and therefore took it was. He took the rifle away the same day on which it was given to him. He had no assumition for it until he was given come afterwards by Mr. Hoss who works in the effice of the Norfolk Hotel. He gave the rifle to him the effice of the Norfolk Hotel. He gave the rifle to him the effice of the Norfolk Hotel. This is the only spend the holidays with Willie Hall. This is the only rifle he has had. No one else in his domnitory had a rifle he resumbers having only seen one other firearm in the school. He saw it before the accident and it belonged to Jack Kirwin.

37/9/26

J. R. Ogr

Your 50 112, 20 23 oct 1926 I will to be DRAFT. the accept I you det 1510: R. No. 1000 1 The 170 th Vorther MINUTE. of Sept . uporing or c. Affice 18/1/2 to cores in whice Mr. delanous (8%) Mr. Grindle, Willie Hall was Sir H. Lambert. actillustally shot at Sir H. Read. Ser Q. Fidles. turopean . School , bl. Amery and Milner. I approve of the paction which you have