

EAST AFR. PROT.  
No. 36210

C O  
36210  
Rec<sup>d</sup>  
12 OCT 07

Individual.  
1907  
11 Oct

(Subject)

Report on his work at Malindi

Submits observations on the Galbraith's report of calculations not consid<sup>d</sup> satisf<sup>y</sup> notes work sh<sup>d</sup> be again checked before a final decision is made

(Minutes)

Mr Read

? First of all, ask Major Close what he thinks of the probability of the error imputed to Mr Kye.

The side of an area of 2000 acres, if square, would be a little over 9000 feet & it is <sup>unlikely</sup> difficult to understand how a measurement of 50730 feet could occur in the survey.

As regards the 156.6 feet side, probably Mr Galbraith meant that that was the correct mean length. This would agree with the error of 28 feet, since Mr Kye may have used it 185 feet.

If the error were anything approaching those stated by Mr Galbraith, the fact that Mr Kye made his work close suggests either 'cooking' or a miracle.

Appointment for Mr Kye's 21 Oct

H. R. 14/10

50730 is perhaps written in error  
for 50730.

It is impossible to say how much  
credence should be given to Mr. Kyle's  
statement.

I regret that it should be sent out  
to E. office for further report. In  
cases like these the opinion of the  
Director of Surveys, after he has considered  
the evidence, should be final.

15. 60. 07

C. F. Close

Mr. Read

City of Los Angeles

If Mr. Kyle says that until the  
matter is settled we can't proceed with  
the report & that it may be necessary  
to submit some else but that in that  
case he would, if his explanation  
is considered satisfactory, be asked  
for further employment?

And telegraph to you explaining matters  
and whether he wants to be sent to the  
works, part filled up by CA

S. C. H.

1574

~~1574~~

at once

H. J. R.

18/10



57, Gower Street,  
W. C.

C/O  
36210  
95  
Recd  
12 OCT 07

October 11th 1907.

Sir,

I have the honour to acknowledge yours 35075/1907 with Mr. Galbraith's report on my work at Malindi, and in reply I venture to state as follows:-

That before the survey of the 2000 acre block applied for by Mr. B. M. Davis, was plotted and submitted to the Survey Office, the co-ordinates of the various stations were calculated and that the work closed at the starting point, this being the usual method of proving the accuracy of a close traverse.

That as this work closed when calculated, without it being necessary to remeasure or survey any part of it, it would be presumed that my measurement of 5537 feet would be the correct one although Mr. Galbraith measured the same line as 5641 feet

That in the line of bearing  $24^{\circ}$  and distance 156.6 feet, according to Mr. Galbraith, there is evidently an error in the report, for the plan of the work showed the bearing of the line 1-2 as  $38^{\circ}15'$  and as this line is closed to line 3-4, should there have been an error in my work of  $23^{\circ}$  it would not only be at once noticeable on this plan but would have prevented the work closing when calculated. as to the lineal measurement, mine was 185 feet, and not 156.6 feet as mentioned in Mr. Galbraith's report.

That in an area of 2000 acres such as set out for Mr. Davis, having an accumulative measurement on the longest side of 8067 feet only, such a measurement as 50730 feet could not have occurred anywhere and must be a mistake either in Mr. Galbraith's report or in the copy sent to me.

That all measurements connected with my work, whether lineal or angular were done by myself as I had no assistant on the survey, while Mr. Galbraith had two European assistants and an Indian (whom I had previously discharged for inaccuracy

in his work) and he also was in the habit of accepting measurements made by an African he had working for him, so that there would be as much likelihood of my measurements being correct as those made by or for Mr. Galbraith.

That when Mr. Galbraith endeavoured to check my work he would have had some difficulty in finding my survey pegs without the assistance of someone who has worked with me and the errors may have possibly occurred in his having mistaken the pegs.

That with regard to the map referred to, drawn to the scale of one mile to the inch, this was a copy of the map supplied to me by the Survey Office which had been prepared by the Collector of Malindi from various sources and to which I added names of native villages, trigonometrical stations observed by myself, in order to provide Mr. Galbraith with an approximate road map through the district in which he was to work, this he understood when I handed him the map and it was of no use for any other purpose.

That the progress of the Survey work, I was instructed to do in the Malindi district, would be very slow on account of the flatness of the country and denseness of bush, but although I only submitted one plan of work actually surveyed, I had the survey lines out and was ready to complete other surveys when I was invalided at a days notice from the district and then had no further chance to return to complete my work as the Medical Board at Mombassa recommended my leaving the country, otherwise I would have completed the maps and surveys of all the areas under my charge in a very short space of time. That I have completed close on three years service in the Survey Department of East Africa and no complaint has ever been made about my work until Mr. Galbraith's report and I feel sure that had Mr. Galbraith asked me to go with him when he checked my work, I being then in Malindi, this misunderstanding would not have occurred.

That I was invalided after a prolonged service in the

97

Kinross District to the equally unhealthy district of Malindi and was badly equipped with tents and camp outfit for work during the wet season whilst in a poor condition of health, and that I reported this repeatedly to the Survey Office without avail and was shortly invalided from Malindi in consequence.

I would also point out that this resolves itself into a question of Mr. Galbraith's figures against mine and as I was the Senior Surveyor of the Cadastral Staff and Mr. Galbraith only holding a temporary appointment, I would respectfully crave if my explanation is not satisfactory to you, that before a final decision is arrived at the work should be again checked by a third party who holds a similar or superior position to myself in the Government Service, and that I should be present to point out my bearings and pegs, as this is a most serious matter for me and might injure my career for life should your decision be against me.

I have the honour

Sir to be

Your obedient servant,

*J. G. Kipling*

To the

Under Secretary of State,

Downing Street,

S. W.

21 October 1907

F. C. Hyle Esq

Hand stamp

Sir

I am directed by the Earl of Ely to ask the recd. of your letter of the 11<sup>th</sup> of October, on the subject of ~~the~~ your alleged negligence in your work on the survey Dept of the ...

WCB  
 Recd  
 17/10  
 10/11/07

2. A copy of your letter is being sent to the Governor for a further report by the Director of Survey. Pending the receipt of that report it will not be possible to proceed with papers prepared in connection with the Kauri deal and works, and it will probably be necessary to fill the post in the meantime.

Copy for ...

3. If however your explanation is considered satisfactory

Copy for

35075  
36220

DRAFT.

Genl. Sir, Part Conf. (2)

for  
Hd. of Maps Section

MINUTE.

- Mr. Bostanley 17/10
- Mr. Reed 17/10
- Mr. Jan
- Mr. Adair
- Mr. Cox
- Mr. Lucas
- Sir F. Hopwood
- Mr. Churchill
- The Earl of Elgin

John Kyle 7 Oct (35075)  
 do Kyle 11 Oct (36220)  
 do Kyle 21 Oct ( )  
 ditto ( )

3 dts (one blank)

21 October 1907

Sir

I have the honor to acknowledge the receipt of your despatch, no. conf. is 34, of the 7<sup>th</sup> of September, and to express my appreciation to you for accompanying my copy of concepts with Mr. Kyle on the subject of his alleged negligence in his work in the Survey Dept. and his responsibility in connection with the Kananda drainage works. I have already communicated with you on the subject in my telegram of the 12<sup>th</sup> of October.

I should be glad to be furnished with a further report of the Director of Survey on the Kyle drainage works.



35075  
36200

Handwritten vertical note: "Hand 30/10/07"

21 October 1907

Sir,

I have the honor to acknowledge the receipt of your despatch, no. 34, of the 7th of September, and to express my thanks to you for the accompanying copy of correspondence with Mr. Kyle on the subject of his alleged negligence in his work in the Survey Dept. and his resignation in connection with the drainage works. I have already communicated with you on the subject in my telegram of the 12th of October.

I shall be glad to be furnished with a further report of the Director of Drainage on Mr. Kyle's resignation.

DRAFT

East Afr. Post. Conf. (2)

for  
W. H. H. Hayes, Secretary

MINUTE.

- Mr. Robertson 17/10
- Mr. Reed 17/10
- Mr. Tait
- Mr. A. ...
- Mr. ...
- Mr. ...
- Sir F. Hopwood
- Mr. Churchill
- The Earl of Elgin

To Mr. Kyle 20 Oct (35075)

To Mr. Kyle 10 Oct (36200)

To Mr. Kyle 21 Oct ( )

all on leaf

3 dfts (on one leaf)



36210

17 October  
Lugubrious  
Referring to your confidential  
day before

DRAFT

Letter  
James

59  
fifty-nine  
By his explanation  
clarity  
will be sent by next mail  
reference

MINUTE

- Mr. Bottomley 17/10
- Mr. Reed 17/10
- Mr. Juck
- Mr. Andrews
- Mr. Cox
- Mr. Lucas
- Mr. F. Hopwood
- Mr. Churchill
- The Earl of Elgin

he has been informed that  
 forward  
 if it is considered  
 colika  
 satisfactory he will be  
 prepared to circulate  
 notes for full employment  
 arrangements  
 but that in the meantime  
 jockhoff  
 appr. referred to in your  
 tel.  
 operative patients  
 119  
 will probably be  
 returned

Handwritten note: 17/10/07

filled 0 days