

EAST AFR. PROT.

22058

P 18 "11 TO

22058

General Conf.
63164

1910

18 June

previous Paper.

110919

Turkhana raids

Report further regarding action of Mr. Beech and Capt. Spaw. Submit for approval Conf. memo which has been issued to all Stations containing instructions for the control of expeditions & patrols.

Mr. Butler

This throws a little new light on the matter. The deplorable error that Mr. Beech and Captain Spaw were told that every movement would have to be undertaken, but they were at the same time given to understand that presumably the instructions would be in writing since this was no hasty undertaking proceeding under King's A.R. Regulations is quite clear that at any rate Captain Spaw should have had his instructions in writing - either Mr. Beech and Captain Spaw misunderstood their orders, or disobeyed them; until we know how they were given it is impossible to say. The Govt. states that he does not blame them severely, but as regards Captain Spaw a note has been made in his confidential report of the circumstances and their attitude.

especially since these do not include all the situations that may arise. In all cases under (a) (b) (c) (d) the Gov. has to be consulted before action is taken, he can then issue special instructions to meet the particular case. Although it is of course obviously the proper course for the Gov. to be referred to before any action is taken, there may be cases in which it would not be possible. Suppose for instance an officer or soldier is wounded in the Abyssinian ^{province}, or as was the case in Uganda not very long ago the natives told a patrol that unless they retired they would attack them. The officer in command consults his look, what is he to do? If he takes action and what heading does it cause? I think the phrase "K.A.R. Regulations infinitely preferable, though if thought desirable the word "Governor" could be substituted for "superior authority"

B "Procedure when force is to be used"
 It is not clear whether this is intended to apply in all cases or only to Patrols (d) & action cases, although generally speaking, the procedure is excellent, there are quite a number of occasions in which it would be desirable - though the word "Governor" is not used in the original.

The issue of these instructions without separating the matter, for we only learned of their issue through the account at the end of the Gov^{'s} despatch on 14044, being found a somewhat important point in connection with military administration, by the relations that exist between the Gov^{'s}, the Inspector General & the O. C Troops. Such relations are obviously very difficult to define accurately, and hitherto the instructions contained in the R. A. R. Regulations have run smoothly & well. (See pages 8 and 43-44) It is clear however that in order that the duties contained therein may be efficiently carried out, both myself and the O. C Troops must be kept as fully informed as possible of the Gov^{'s} intentions & wishes as also of any actual military orders or instructions issued by him. I fully expect to say this has not always been the case. No official information was received by me as to troops being sent to the Tankana country until the affair it was over see 14444 & 14176. In several instances detachments have been

to overlook the fact that the Gov. ¹¹⁷ issued
this like book of instructions for the control
of expeditions & ~~con~~ parties in spite of our
despatch of the 30th of Dec^r last on Gov.
28279/10
saying that the S. of S. was of opinion
that there was ~~no~~ need to adopt ^{sub instructions} in the
E.A.P. The book, except that a preamble
relating to the duties of a civil officer is
omitted, is practically a transcript of the
instructions which it was then decided, after
full consideration, not to adopt. It may
very well be that Sir P. Gignouard is
prepared to maintain that the decision was
a wrong one, & that the instructions are
necessary. For my own part, I fully
expected him to take this line: (see the
note which I made at the time in the
margin of the despatch on 28279/09). But,
if he wished to act contrary to the
decision, it was his duty first to convince
the S. of S.

I think we should say that, in
view of the despatch of the 30th of Dec^r,
which was written after careful consideration

of the proposed instructions, the S. of B. would have ~~accepted instructions~~ ~~which~~ expected to have the question resubmitted to him before such instructions were issued, that considerable doubt is still felt as to the desirability of adopting such instructions, especially in view of the fact that guidance of a similar nature already exists in the R.A.F. Regulations; that the S. of B. would be glad if he would discuss the whole matter with the I. G. at his forthcoming inspection, with a view to the adoption of one set of regulations dealing with this matter, possibly consisting of the appropriate paragraphs of the R.A.F. Regulations altered or amplified as may be found desirable. (It does not excuse his giving the despatch, but it may conduce to a more tolerant handling of his action if it is remembered that ~~Sir P. Girouard~~ himself the suggestion that instructions of this nature should be adopted in the R.A.F. emanated from the Colonel

office, and was based on instructions drafted by Sir P. Girouard for No. 119, approved by the S. of B. for that Province, and adopted without substantial alteration by S. 119 of the Gold Coast].

The latter part of Colonel Thesiger's minute raises a more serious question. I cannot help thinking that he has some ground for the feeling that Sir P. Girouard betrays a tendency to act without full consideration for his military advisers in the Pte, and that his action makes it difficult for the I. G. himself to discharge properly his rôle of military adviser to the S. of B. in East African affairs. There can be no questioning the Governor's ultimate responsibility for the distribution of troops in the Pte. The troops are one of the tools the Govt. uses in working out his plans for developing the Pte and safeguarding what has been developed, and they must be distributed as his plans demand. But no Govt. should dream of altering suddenly the

But a good chance will present itself in replying to the recommendations on military matters made in the Gt's 110 report on the G.A.P. These recommendations include a redistribution of the troops. They are under separate consideration. In replying on them it will be easy to slip in the instruction suggested.

As to the particular cases cited by Colonel Thesiger:-

The Gt. naturally did not tell us that he had not consulted the O.C. troops in the matter of Capt. Aylmer. He should clearly have done so. The position of the O.C. would become untenable if ^{his} officers were disposed of by the Gt. without reference to him. Capt. Aylmer has now left the pt, and I do not gather that Colonel Thesiger suggests any action in the matter.

It is equally clear that the Gt. was out of order in instructing the O.C. that so say in the confidential reports of Captain Span. These reports are military matters pure & simple furnished in

W. Butler

S. Y. A.

27/VII

Col. Seely
Lord Curzon

Do do I - Emphatically do
by no means an I.G. we must see
that he is kept in a position to give
implications to the I.G. - ? a diff. ^{in some lines}
or be prepared for the same when I.G.

P.P. 20/7

It is a difficult position for all concerned -
I do not think the draft should be too emphatic

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25.7

I agree. The draft should not do
more than underline the points. A
conclusion will be lost because of
real interchange of views between the
Govt and the I.G.

C. 29.VII

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18 10

EAST AFRICA PROTECTORATE.

GOVERNMENT HOUSE,

NAIROBI,

CONFIDENTIAL.

18th June 1910.

No. 63b.

My Lord,

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4444

With reference to your Lordship's despatch confidential of the 27th ultimo respecting the reprisals made on the Turkhans in consequence of their raids I have the honour to report as follows.

2. Mr Beech and Captain Span were told that strong measures would have to be taken, but they were at the same time given to understand that they were to await the arrival of the O. C. Troops and the Provincial Commissioner, Naivasha, who were proceeding to the scene of action. This was not done and an attack was made. The result, as it happened, was satisfactory, but it might easily not have been, and I consider that these junior officers should not have taken such a responsibility. I do not, however, blame them severely, as I stated in my despatch No. 229 of 21st April, firstly because the success of the attack justified it to a large extent, and secondly because there was at that time no regular procedure laid down in regard to patrols.

3. It is true, as your Lordship observes, that it was not thought necessary to adopt in this Protectorate the instructions enclosed in your Lordship's

despatch

THE RIGHT HONOURABLE

THE EARL OF CREWE, K.G.,

SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.

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despatch of 14th May 1909, but at the same time I think it desirable that general lines of conduct should be prescribed, and I have the honour to enclose herewith a copy of the Confidential Memorandum, which I have issued to all stations, dealing with the action to be taken in such circumstances.

4. I hope that this will meet with your Lordship's approval.

I have the honour to be,

Your Lordship's humble,
obedient servant,

M. J. ...
GOVERNOR.