

East Afr. PROT.

No.

14444

Colonial India

Commonwealth

1908

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Dec 6/08

Sister

Other side

Mr. Wedderburn. To ask the Under Secretary of State for the Colonies, whether he is aware that last February Mr. Silberrad, Deputy Commissioner at Nyeri, in British East Africa, used his official position to procure a Native child of 17 for immoral purposes, and that on complaint being made by a British settler a private inquiry was held and Mr. Silberrad received some trifling disciplinary punishment; whether he will explain why an open inquiry was not held in this case, and what steps the Secretary of State proposes to take to prevent the recurrence of such cases in British East Africa, and to secure the same standard of conduct in this Protectorate as obtains in other British Colonies. [Monday 7th December.]

Minutes

For oral reply

Mr Cox.

I am afraid this case is a very difficult one from a Parliamentary point of view. I am ~~dangerously~~ very, as when the case originally came before us I did all in my power to urge that Mr. Silberrad should be remitted, dealt with

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On the 1<sup>st</sup> January 1909, the case was heard again before the Committee of the Privy Council, and the letter of the 20th December, 1908, was read. The Committee were unanimous in their opinion that the facts set out in the letter were substantially true.

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part of the services can be got up to  
protect India & the country can  
not be allowed to go to pieces at  
a time<sup>1</sup> when every body is  
associat<sup>2</sup> with such practices & the  
consequences which will in future be entailed  
upon those guilty of them.

Inquiries were also at once made as to the  
measures which similar abuses have been kept in  
check in other parts of the Empire, & in the light of  
those inquiries the S.O.S. is considering what  
measures are required.

The case is not one in which advantage  
could accrue from any form of public  
enquiry: it is a matter of concern to know  
that these evils have existed, & still continue  
existing: it is equally evident that every possible  
step must be taken with a view to checking them.

1. S.O.S. is convinced that the Horse will realize  
the difficulties with which this question is beset, &  
will take opportunity his appearance for  
making a statement upon the subject.  
He does not intend it to the advantage of the  
public service that any statement be made  
public now, does he think prolonged controversy

on such a point will be  
of no avail, & that the  
public will be better satisfied if he is unwilling  
to tolerate extremes in the punishment of the individual officer,  
as well as in the case where offence has been brought to notice.

Sir F. Hopwood ~~Feb~~ 5.72

Colonial Secretary

The question arising out of the Budget  
letter of the Times will receive careful reading,  
especially if the殖民地 is regard as it can  
but is possible to do so. The following  
is a summary of the main points.  
The following points were made by the Times  
We are all agreed that conduct of the budget  
is not nearly morally explicable from a  
merely war aspect but disastrous in the  
public mind.

very careful examination of the facts  
must lead on to the conclusion that the  
fact of giving a sum of money from one other officer  
to another is not a sufficient explanation of the  
fact that the sum was given. The  
fact that the sum was given  
is perfectly clear, but there is no  
doubt that the sum was given  
in order to annihilate a rival, namely

Mr. & Mrs. Newell

29, CHESTER SQUARE,

S.W.

I find in answer which encloses  
you a copy of letter written by Mr.  
John Newell, Esq., of Woodstock,  
which was read in your Committee  
on the last night.

I have considered the matter  
as carefully as you or your Committee  
and submit the answer to you  
at the hands of Mr. Hart will make  
it to you.

With kind regards, etc.

Yours very truly,

J. H.

I trust Professor will permit me to reply to your questions  
thus substantially, as I have a short time to give you.  
Perhaps it will be convenient to deal in the first place with the  
particular case of the Officer mentioned by name, and in the  
second place with the general aspect of the matter referred to in some  
of the questions on the paper.

With regard to the particular case the Officer named was  
a non- Government official but one of the junior grade of those  
Officers. He was charged with the offence referred to in the  
and a judge was nominated to investigate the charge and  
refer to the Colonial Government. Before stating what steps  
took place let it be right to clear up two points on which the  
House will wish to be informed with regard to the age of  
and child ~~members~~ <sup>it is the case that</sup> ~~members~~ <sup>are as least twice</sup> women  
in East Africa develop so rapidly that they are commonly married  
~~and~~ <sup>at the age of</sup> 14 or 15, which is the age at which the  
Bonda, unwillingness was not given by the judge to be tried.  
The judge investigated the charge and reported and on his report  
the Officer was suspended from duty and his case <sup>considered</sup> ~~overruled~~  
by the Executive Council; who advised that he should live  
fear anxiety and at kept in charge of a district for two years  
The whole matter was subsequently reported to the T.P.S. who gave  
it his most careful attention. He had of course no opportunity to  
see and hearing the stories or of weighing the value of the  
and he therefore considered it right to accept the decision of the  
Executive Council. But he did not do it until he had satisfied  
himself that the ~~accusation~~ <sup>was</sup> ~~had been~~ <sup>was</sup> well founded and made the necessary  
arrangements to officialize the ~~accusation~~ <sup>was</sup> ~~had been~~ <sup>was</sup> ~~accused~~ officer  
and the Officer was returned to duty - <sup>as</sup> ~~as~~ <sup>he</sup> replied as  
follows

to the S. J. G. L. R. is. and  
more careful attention - and by giving  
less power who had no opportunity  
of ~~knowing~~<sup>knowing</sup> the case or of ~~knowing~~<sup>knowing</sup>  
the value of the evidence  
leading to the conclusion that it  
must be right to accept the  
advice of the friend he is to do  
no do this until he has  
satisfying the ~~and~~<sup>and</sup> my scruples  
infected and that my scruples  
on the account would have  
less a permanent effect on his  
opinion if he saw how the  
officer has returned to duty  
+ the former report.

1. To be  
gathered at Colby  
to fix notice that  
we may be elevated  
dimmed next fall  
of free open  
elevated -

3.00 per  
dozen & coloring  
to be noted the bill  
will not be tolerated &  
dismissed must follow the  
of free speech & this  
is denied.

Sir C. H. T. [unclear] and  
Secretary of State for the Colonies, with  
his attention has been called to  
the following matter:

That an English Protestant child  
was born before the time of  
its birth was witnessed.

MR. CATHCART WASON (Gateshead  
and Shetland) asked the hon. Commissioner  
whether he could assure that a full com-  
munication of the case would be made

to the Secretary of State before the time  
of its birth was witnessed.

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was born before the time of  
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He said that the Tees  
in the colonies and it was  
unfortunate to investigate the case, and  
to report to the Colonial Office  
what action to take  
place, it was difficult to do so two points  
on which the Government had been informed  
of the facts of the case. Whether

the child was born in the colonies or not  
and whether the child was born in the colonies

or not. The Trade Secretary and  
Colonial Office for the whole matter was

careful to do so.

weighing the facts  
and in their  
opinion the Trade  
Secretary and  
Colonial Office for

the whole matter was  
careful to do so.

the officers of  
the Government must be  
given a greater opportunity  
to appear, the Trade  
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Hansard December

and how far all made a  
good impression upon the  
people. He said he had  
not been able to get any  
information from the  
Colonial Secretary, but  
that he had been told by  
the members of the  
House of Commons that  
such actions, all questions of morals apart,  
are damaging to the public service, and  
that the gravest consequences must be  
the penalty for conduct which is unworthy  
of a servant of the Crown.

MR. PIKE PLEASE. May I ask the  
hon. Gentleman why no action was taken  
or inquiry made in regard to the other  
official about whom a complaint was  
made by Mr. Contieige, and in regard  
to the Question asked by the hon. Member  
for Orkney and Shetland, Is he aware  
that Mrs. Routledge went to the house  
of Mr. Subberud and took these girls of  
twelve and thirteen away from him?

COLONEL SKELLY. With regard to  
the first Question I have not replied  
on the specific case put before me, I  
shall be glad to answer any Questions  
on the subject if the hon. Gentleman  
will give me due notice. With regard  
to the second Question, I understand  
that at the case. We could do very  
little for the lady for she was drunk  
when she left.

MR. WEDGWOOD. Inquired whether  
the hon. Gentleman was aware that  
three out of four hon. Members who put  
down Questions on this subject had had

charge of natives under the British Government  
and that they were all disgusted and  
resigned at this offence, and also at  
the conduct taken in this regard.  
B. Waddington is the

Colonial  
Secretary  
now  
that  
expedient  
in  
his  
any  
all  
provides

With regard to the second question, the Government of East Africa say their own authorities staged a strongly worded demonstration. In September last, certainly, such assemblies and meetings of all kinds of native women of the districts of Kilifi and Mombasa were prohibited. I think the Native Affairs Committee does not as well to bring names in this matter, but I need not say that Mr. Secretary of State associates himself with the condemnation which has been expressed. He is taking steps to impress upon members of the whole Colonial service through the Governor, that such meetings of sections of natives apart, and themselves to the public service, and that they must consequences may be the last - conduct which is unworthy of a servant of the Crown.

**MR. W. H. PEASE:** Will ask the hon. Gentleman why no action was taken or inquiry made in regard to the other official about whom a complaint was made by Mr. Routledge; and in regard to the Question asked by the hon. Member for Orkney and Shetland, is he aware that Mrs. Routledge went to the house of Mr. Silberman and took these girls of twelve and thirteen away from him?

**COUNSELOR SEELEY:** With regard to the first Question I have only replied on the specific case put before me. I shall be glad to answer any Questions on that subject if the hon. Gentleman will give me due notice. With regard to the second Question, I understand that is the case. We must all be very grateful to the lady for the action which she took.

Mr. WEINGOOD inquired whether the hon. Gentleman was aware that three out of four hon. Members who put down Questions on this subject had had

chances of answering them, and that they were all disappointed, horrified at the statements and angry at the ill-tempered talk by the Colonials, and the Governor towards it.

**COLONEL SEELEY:** The Answer to the first Question is in the affirmative, and to the second in the negative.

**SIR GILBERT PARKER:** Is the hon. Gentleman aware that those malpractices against native women are alleged to have been the cause of disturbances in that district which led to a punitive expedition? Did the right hon. Gentleman the Member for Dundee, during his recent visit to East Africa, make any inquiry with regard to these allegations?

**COLONEL SEELEY:** Really, I must have notice of that Question. But I repeat that the Secretary of State regards this question as one of the utmost gravity.

Mr. H. COTTON (Nottingham, E.) Is Mr. Parker abjured of exercising any judicial functions?

**COUNSELOR SEELEY:** He is doing the usual work of a subordinate officer, as the Governor has telegraphed to me that he is endeavouring to do his best to settle his problem by issuing an executive order. It is rather difficult to define the term "judicial." Perhaps the hon. Gentleman will put it a bit more clearly.

Mr. WEINGOOD Is he in the same district?

**COUNSELOR SEELEY:** I think not.