



The Director of Military Operations presents his compliments to the Under Secretary of State for Foreign Affairs, and with reference to Sir T. Sanderson's note of the 13th. instant, enclosing the draft of a despatch which Lord Lansdowne proposes to address to His Majesty's Ambassador at Berlin on the subject of the Anglo-German Boundary from Iaitokitok to Lake Jipe, begs to offer the following observations.

Major General Grierson is of opinion that if the Commissioners cannot find the mid heap placed by Sir A. Hardinge at the Southern end of Lake Jipe, they should refer the point to the intersection of the

the

the eastern bank of that lake with parallel 3°40'43" south.

With regard to Instruction 2, Major General Grierson advises the omission of the portion marked

With reference to paragraph 4 of Sir T. Sanderson's note of the 15th instant, Major General Grierson is of opinion that the southern bank of the southern stream of the Rufu River (including its swamp) should form a sufficiently definite boundary to prevent any future disputes.

The following suggestion is made for re-wording a portion of Instruction 2 of the proposed draft to Sir F. Maclellan, in order to meet the possibility that Chala Hill may be on the west bank of

Chala, as the German Government appear to suppose:-

... "thence straight to the top of Chala Hill.

"From this point it will go straight to a point (A)

"on the opposite side of Lake Chala (this point to

"be fixed by the Commission) so that the surface is

"divided into two equal portions by the boundary

"line.

"Should the point (A) thus fixed be more than

"one English mile to the west of the Taveta-Useri

"road the boundary will run due east until it

"reaches a point one English mile distant from the

"Taveta-Useri road and on the western side of it.

"Should the point (A) be less than one English mile

"west of the Taveta-Useri road then the boundary

"will

*will go straight from the top of Chala Hill to a
*point on the northern shore of Lake Chala one Eng-
*lish mile due west of the Taveta-Useri road.
*Thence (in either case) the boundary will run west
*of that road and at a distance of one English mile
*from it until it reaches the latitude of Useri

*Camp.

Topographical Section,

General Staff,

Winchester House,

St. James' Square, S.W.

18th. September, 1908.

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*will go straight from the top of Chala Hill to a
*point on the northern shore of Lake Chala one Eng-
*lish mile due west of the Taveta-Useri road.
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*of that road and at a distance of one English mile
*from it until it reaches the latitude of Useri
*Camp.

Topographical Section,

General Staff,

Winchester House,

St. James' Square, S.W.

18th. September, 1906.

W. Carson

565

C. O.
33943

Recd
FOREIGN OFFICE, 31 SEP 05
September , 1905.

Draft.

Sir F. Lascelles.

No.

Africa.

*alterations in the original
finally agreed to by
order of Mr. Hanley, Secretary*

Sir:-

in Whitehead's

I have received Your Excellency's
despatch No. 50, Africa, of June 28th
last respecting the demarcation of
the Anglo-German Boundary from Leitow
Kitch to Lake Jipe.

~~Sept 1905~~

I have to request that Your Ex-
cellency will address a note to the
German Government, in the following
sense, in reply to Baron von Richt-
hofen's note of June 25th.

~~D.M.O. for~~

~~Sept 1905~~

The German Government consent to
instruct the German Commissioner to de-
limit the boundary between the termin-
al point of the present labours of
the Commission and the southern end
of Lake Jipe, provided that His Ma-
jesty's Government agree to the modi-
fication of this boundary, as defined

by the Agreement of July 25th, 1893,
at two points in its course;

(1) in the neighbourhood of Lake
Chala

(2) between the River Rufu and
Latema Hill.

As regards (1) His Majesty's Government have no objection to the amendment suggested in Baron von Richthofen's note, if the information supplied to the German Government by Dr. Leut and Captain Johannes, according to which an error exists in the map attached to the Agreement of 1893 is found by the Joint Commission to be correct. They are therefore prepared to instruct the British Commission on this point as suggested in the Instruction No. 2 proposed by the German Government, omitting, however, the words "on the western shore of Lake Chala" after the words "thence to the

the summit of Chala Hill* in order that the Commission may not be biased in regard to the position of that Hill,

With regard to (2) the note states that subsequent information has shown that the Commission of 1892 was misinformed in regard to the distribution of the Wa-Taveta and Wa-Kane tribes in the district lying between the Ruru and Latema Hill, and it is contended that the line laid down by that Commission as the dividing-line between the two tribes should now, in virtue of the protocol attached to the Agreement of 1893, be amended in accordance with true facts of the case.

His Majesty's Government are quite unable to admit this contention. The mistake, if such there was, is to

be attributed as much to the German member of the Mixed Commission of 1892 as to his British colleague and the decision arrived at by them on the point was accepted by the two Governments in Section 2 of the Agreement of 1893, the wording of which, apart from the map to which it refers, shows that the territory assigned to Great Britain was intended to stretch as far west as "the point one English mile east of the German road going from Marangu station to the coast". With regard to the right of correction of mistakes, reserved in the protocol attached to the Agreement, it is clearly stated in Section 3 of the Agreement itself that the Protocol is concerned with the "annexed maps", and it follows that the right of correction mentioned in the Protocol is confined to the correction of the maps

in cases such as that, for instance,
in which the Lake Chala rectification
is proposed.

While, however, ^{we will} refusing to re-
cognise that either of the Contract-
ing Parties has the right, in virtue
of the Agreement of 1893, to demand
the rectification of the boundary as
defined in the text of that Agreement
His Majesty's Government are willing
to cede to Germany the strip of Bri-
tish territory lying to the west of
the Rufu-Mokinni-Latema line, on con-
dition that they obtain compensation
elsewhere. The territory for which
they would ask, as compensation, is
the following:

1. All the land (or water, as
the case may be) lying between the
northern bank of the Rufu River (in-
cluding its swamp) and the mid-stream
of the ~~most southerly branch (should~~
~~there be more than one) of that river~~
from

bank of the southern
of that river (including)

in cases such as that, for instance,
in which the Lake Chala rectification
is proposed.

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~~of the most southerly branch (should~~
~~there be more than one) of that river~~

from

bank of the southern
of that river (including)

from Lake Jipe to the point south of Mokinni Hill.

2. The small part (about one square mile) of Mohuru point on Lake Victoria which is on the German side of the boundary but to which there is no access by land from German territory, without passing through British territory.

With regard to the former piece of territory, it appears from information received by His Majesty's Government, that a colony of Wa-Niamwezi, paying rent to the British Collector at Taveta, have established themselves on the northern bank of the Rufu River, from Lake Jipe westwards, and it is uncertain on which side of the boundary (as defined by the Agreement of 1893) their huts are built.

It would moreover be a matter of some difficulty to delimit the north-

northern edge of the Rufu swamp since the extent of nearly all swamps in this part of Africa varies very much with the season of the year.

In the event of the German Government agreeing to the ^{suggested} proposed exchange of territory, His Majesty's Government propose to send to the British Commissioner the following instructions, which are, with certain necessary exceptions, the same as those suggested in Baron von Richtenhofen's note.

1. The Commission will, on the conclusion of their present labours, proceed to the demarcation of that part of the Anglo-German Boundary which is treated of in §2 of the Anglo-German Agreement of July 25th, 1893, as far as the point at the southern end of Lake Jipe which Sir A.

Hardinge

Hardinge marked in 1898 and described as Point 1 (Intersection of eastern bank of Lake Jipe by parallel of latitude 3°40' 43"7 S.)

2. From this point the boundary will follow the Eastern bank of Lake Jipe and, following the Northern bank of the Lake and crossing the River Lumi, it will follow the mid-stream of the Rufu River (by which is understood the southern course if there should be more than one) to a point which lies on the meridian of Mokinni Hill. The boundary will then follow this meridian to the top of Mokinni Hill, thence straight to the top of Latema Hill, thence straight to the top of Nduwi-ya-Malogogol Hill, thence straight to the top of Chala Hill. From this point it will go straight to a point on the opposite side of Lake Chala (this point to be fixed by

*in case of the southern
of the Rufu River
(by which is understood)*

(A)

the

the Commission) so that the surface of Lake Chala is divided into two equal portions by the boundary line. ~~From the point thus fixed by the Commission the boundary will run due East until it reaches a point one English mile distant from the Taveta-Useri road and on the Western side of it. Thence the boundary will run West of that road and at a distance of one English mile from it until it reaches the latitude of Useri Camp. Thence it will go in a straight line to the point which forms the Eastern terminal point of the labours of the present Commission, in latitude 2° 35' South and longitude 37° 31' 12" East of Greenwich, as agreed between Herr von Danckelman and Colonel Trotter on the 4th December, 1902.~~

the point (A) thus fixed be one English mile to the west of the Taveta-Useri road,

the point of the above mentioned point is one English mile west of the point where the Commission will make the boundary, either by deflecting towards the line from Chala Hill or by the boundary follow the eastern shore of the northern shore of Lake Chala, may be to obtain a suitable distribution given in Sect. 2 of the Anglo-German Agreement of July 25, 1893.

~~the purpose of finding the terminal the co-ordinates of the trigonometrical points of the map F.D. (976/a) will~~

be assumed to be correct.] Existing marks along this portion of the boundary may be disregarded, with the exception of the mark at the South end of Lake Jipe.

3. The Commission will complete the existing plans sufficiently fully to give a clear cartographic picture of the Boundary district and the position of the Boundary marks and stone pillars.

4. Heaps of stones or other marks are to be erected by the Commission along the boundary line at all points where it seems necessary to make the boundary clearly recognisable. Any already existing marks at boundary points are to be improved and completed so far as appears necessary.

With regard to the line north of Useri Camp, it is reported by Lieutenant-Colonel Smith that the old road from Useri Camp to Laitokitok

has disappeared. Consequently, to meet the new circumstances, that part of Instruction 2 which is concerned required re-wording. [The present] main sentence of amended Instruction 2 has been added with a view to meet a point which has recently been raised by the German Commissioner. The latter appears to have adopted the view that, as the map 976(a) has been found not to agree with the country at the terminal point, the boundary pillar already erected by the present Commission in accordance with their instructions should be moved to a new position at the real point of intersection of $2057^{\circ} 36''$ S. and $57^{\circ} 31' 12''$ E.

This view is, of course, not justified by the instructions issued to the Commissioners in 1904, paragraphs 2 and 3 of which expressly lay down

F.O.
33943.

L.A.P.
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~~7/10/05~~

DRAFT.

O.P.P.
F.O.

3rd October 05

Answer 3923

MINUTE.

- Mr. ~~W. P. P.~~
- Mr. ~~...~~
- Mr. ~~Antrobus~~
- Mr. ~~Cor~~
- Mr. ~~Lucas~~
- Mr. ~~Graham~~
- Sir M. ~~Omnanney~~
- The Duke of ~~Marlborough~~
- Mr. ~~Lyttelton~~

Sir

I am directed by Mr. Lyttelton to acknowledge the receipt of your letter of the 13th of 20th ult. on the subject of the Anglo-German Convention for the best Africa Protectorate, & to inform you that he concurs in the terms of the draft which the Margrave of Brandenburg proposes to address to H.M.'s Ambassador at Berlin on the subject, a draft of which would need your letter of the 20th ult. to be sent.

R.C.

Copy to be sent to ...

F.O. 8PP
33943

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Mr. Read

There was a libor on the
- Times yesterday to the effect
that the members of the Boundary
Commission had come down
to the Coast. Further with the
intention of leaving the morning
Ed Smith and leading to this
with out authority, but as we have
left him a good long time without
instructions I am inclined to
telegram

Jackson Mountain

Dagylment

408

refusing to give further info as of 18

tell Smith

~~Smith~~
K.O.

Lepirone

Fitted

negotiations re part Yuma part

~~Smith~~
K.O.

healthful

further instructions will be
sent as soon as possible

(Ascertained from F.O. that they had no
order from Berlin)

+ remind the F.O. 1/11 at once
3/11

Case 39278

Copy 10/11/18

1102