

the view of his conduct expressed in Ch.
Patterson's fair & temperate deed of the
18th June (25267) in which the G.P.
has expressed his concurrence

Request the Gov. to inform Mr.
Logan that the G.P. has read his
letter but that ^{he} requests that he ^{will}
reconsider to modify the view of his
conduct which he expressed in his
leaf of the 8th June which should be
communicated to Mr. Logan

M.C. 1/18

Mr. Patterson

So moved?

Mr. Logan

23rd June

M.C. 1/18

C. O. 1
20035
332
July 23rd 1807

East Africa Post Office

Post Office

Commercial No 44

Whitely

My Lord

In continuation of my
Account No 40 of the 15th ultimo
I have the honour to
submit a copy of a letter which
was sent addressed to me by Mr
Bogart and which he has asked
me to give before Your Lordship.

It was open to Mr Bogart in
the first instance to have made
the full explanation he has now
put forward, when he was called
upon to explain his actions in re-
gard to the late flogging inci-
dent.

I see no reason to reconsider
the remarks I have already re-
corded

Secretary of State
for the Colonies

Commercial Office
Whitehall St

coined on the course of action
 taken by Sir Roger on that
 occasion

I have the honor to be
 with the highest respect

My Lord,

Your Lordship's most obedient
 humble servant

J. H. Buller

Nairobi

July 1907

copy

Your Excellency

Referring to your minute dated
17th June 07 forwarded to me through the
Principal Judge in which you have
censured me for my conduct in regard
to the Gogoa flogging incident, & to
my interview with you on July 8th, I
desire to place on record the following
statement of my reasons for the line
of action which I took.

① Your Excellency has used the
words "de Logans" & "de Logans" & all
I wish to state that my letter of May
20th was not intended to be read as an
excuse. Your Excellency asked for an
explanation as to why I withdrew
after protesting against what was being
done & I intended merely to state my
reasons simply & shortly. What I did

at the time I believed to be right & it
is because, with deference to Your Excellency's
opinion, I still believe it to have been
right, that I now desire to make these
remarks

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② Your Excellency blames me for
showing want of energy & determination
in meeting a sudden emergency. Your
Excellency alludes to the possible threat-
ening demeanor of the crowd & seems
to suggest that I may have been
afraid that physical force might have
been used against me, if I had taken
more active steps. If such is the case
I submit respectfully that Your
Excellency utterly misunderstands the
situation & my motives. There was no
question of violence being offered to me
personally, such a thing never entered
my head. Your Excellency has perhaps
in mind the case of riots in India where
there was a crowd of ignorant & fanatical
natives who can be calmed by a show
of resolution backed up by military
force if necessary. The circumstances of
Bombay were wholly different, the crowd
was orderly in its behavior & was led
by Captain Gorgan, President of the Col-
onists Association, Mr. Barker & other
leading Christians - I myself was under
the impression that Capt Gorgan's little
party had been recently assaulted or
insulted by the natives (vide my report to
the most Deputy Commr) made the same

day of the great majority of the crowd
was also under the impression that
an ~~recent~~ assault had been committed
by natives on Capt. Grogans wife or
sister or child.

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Having been a Magistrate for
~~two years~~ in South Africa for two
years, I am perhaps better aware than
your Excellency how intense is the feel-
ing among South Africans in regard
to such outrages. No one who has not
lived among such people can possibly
realise how intense the feeling is

I would like to give an instance: —

Shortly before I left South Africa a native
was charged before the senior criminal
Magistrate at Johannesburg with an
offence towards a white child. I forget
exactly what the offence was, but the
evidence was that the native had been
seen carrying along the road following
the child. The Magistrate considered
the evidence insufficient & discharged the
native. For weeks after his private part
of abuse of me of the leading Johannesburg
press was devoted to the subject
of "the Black Menace" — a tremendous
outcry was raised, the dismissal of
the Magistrate & Public Prosecutor was
demanded & much more that I do
not now remember.

I know therefore that the crowd
outside my Court must be intensely
exasperated. Such a situation was not

to be met by threats of the Police or of
punishment. It was a situation demanding,
in my view, most careful handling.
I felt it my duty to protest against
what was being done, but I think I
then adopted the line of ~~action~~ which
His Excellency seems to suggest, that
I should have committed a grave error.

the fact that
I had been
warned that
the situation
was serious

As a matter of fact, the state
of feeling a border that day & the next
few days was acutely strained. As we who
were at hand at the time can realize it.
I know for a fact that the British were
reluctant very serious steps against the
Government. On the Saturday after,
a friend of mine came into my office
with a set of warrants of arrest had been
issued against Capt. Grogan & others,
the state in conversation that if so, the
British had decided upon their next steps.
I went & saw Mr. Hobley at once & he told
me that Capt. Grogan had just been in
my office & had begged that no proceedings
should be taken. The suggestion of both
was that very serious consequences would
follow if any steps were taken. At Mr.
Hobley's suggestion I went to see the Ag.
Commissioner. That afternoon I begged
him not to take any steps unless he was
compelled to back them up by force if
necessary. I answered that it was
afterwards, when the Grogan party
discovered that they had acted without
any sufficient reason, that this was a

fulfilling that the Government was
 being stricken, but I have the best of reasons
 for knowing that it was with a fair aim.

It is true that on the morning of
 the flogging I did not know all this, but
 I did know the state of feeling among
 South Africans about a rage upon white
 men by blacks & that is why I took the
 moderate line I did & I say that sub-
 sequent events justified me & I hold
 that I knew what I was doing. I
 further proof of this I may mention that
 before going out to speak to the crowd
 I sent an urgent message to the officer
 in charge of the local police, to come soon
 at once with all available white police.
 I was particular to say white police,
 because I knew that to bring down native
 or Indian police would only add fuel to
 the fire — Had I known that the natives
 had nearly been quilled by petty
 impertinence, the matter would have been
 totally different & I should have spoken
 much more strongly than I did.

It is true that even supposing the
 natives to have done what I was, I do
 believe, I might still have ordered the
 crowd to disperse & called on people to
 assist me. Judging from the temper of
 the crowd I do not think this would
 have had the slightest effect, though it
 might have prevented persons after the
 event from pointing out that this had
 been done. It is easy after the

point out what I did not do & to argue that if this or that had been done, something else might not have happened. It is not so easy to see what may have happened by what I did do. Supposing that the police had arrived in time & that were then to disperse the mob by force, supposing that the mob was routed, as I believe they would have insisted, & persons had been injured & perhaps killed, & supposing that, in consequence, the bolivists had risen en masse, knowing that we had no force to meet them, should I not have been blamed for want of judgement? Your Excellency has stated in conversation that you would have supported me to any extent provided that I had acted with discretion.

That is my whole point & I must leave it then. You admit that it was a case requiring discretion as well as determination. I used my discretion to the best of my ability. I was absolutely blind at the time — absolutely taken by surprise & I had to act instantly & severely, a moment for consideration sent an urgent message for the police, sent my clerk to try & find out the details of the matter & having failed to get this information I went out myself & told the people they must not take the law into their own hands & should explain the proper authorities — having done

& being powerless to stop the proceedings I felt
 that the only dignified & consistent course
 was to withdraw & not to stand looking on
 whilst the law was defied before my face.
 Your Excellency has said in conversation
 that I ought to have gone on ~~with~~
 with the police case. It is ~~not~~
 not to have done so with ~~my~~
 face to back of my pockets — I think
 this is a credit to white face of all ranks
 in a rank that nothing — would have
 been futile to the verge of the business.
 I think the Court would quickly have
 relieved this & the result would have
 been to bring my office into contempt
 & that deterring them from their purpose
 I propose to take the most dignified course
 of leaving them there, in order that they
 might account for their actions at a time
 when they could effectively be called upon
 to do so.

May I ask that Your
 Excellency will forward the letter to the
 Secretary of State for the Colonies & that
 I may be informed of any remarks
 which he may see fit to make about
 the matter.

Yours obedient servant
 E. R. Logan
 Tax Inspector
 Nairobi

To
 H. E. the Governor
 East Africa Protectorate

Gov
29295

July 30

401

30 August 1907

DRAFT. Conf.

AD

Sir

MINUTE

- Mr. Lill 1/8
- Mr. Wood 2/4
- Mr. Jost
- Mr. Andrews
- Mr. Cox
- Mr. Lohan
- Mr. P. Hayward
- Mr. Chubb
- The Hon. of Ry...

I have the honor to
 acknowledge, on that I
 have had under
 consideration the E.P. Logan's
 letter of the 17th July last,
~~from~~ which
 accompanied your conf
 sep. 2:44 of the 23rd
 of that month relative
 to the contract of
 the 17th of the
 flying outages at
 number in the E.P.

2. I have to request
 that you will conf
 the

~~I begin that after
reading his explanation
I regret that~~

I begin that
you see no reason
to reconsider the
opinion which you
have recorded, and
that I regret that
because I am
unable to modify
the view on his
mind on that
occasion which I
expressed in my
conf. leaf of the
8th July, but which
should be
communicated to
Mr Hogan
Hanc

~~I beg to explain
that I am unable to
modify the new in his
opinion which I
expressed in my
conf. of July 1st, which
should be
communicated to
Mr. Hogan~~

I beg to
you see no reason
to reconsider the
opinion which you
have recorded, and
that I regret that
because I am
unable to modify
the new in his
opinion which I
expressed in my
conf. of July 1st, which
should be
communicated to
Mr. Hogan
I am
Yours