

EAST AFR. PROT.

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REC'D JUN 21 1915

Governor Conf
Belfield

DEPORTATION OF MR L.W.RITCH

1915

14th May

The copies of report by Brigadier General
Malleson and memo. by the Attorney General.

Last previous Paper

B/27016

Mr. G. Fisher

For Mr. N. Alley's deposition
See Mr. N. Alley's deposition
14739. if it is desired to consult
him on any point
To Mr. Steel - Montreal?

H. G. R.

24/6/15

Mr. Steel - Montreal

This has conclusively led to
deportation was proceedings were initiated
& carried out by the military authorities
Whether or not they accept your offer, a
copy of 20 & 200. as it relates to their
responsibility. P.S. 21.6.15

To Mr. Steel - Montreal
Copy 100 - 20 June 16
Mr. G. Fisher's 20 June 15
200 & 200

Next subsequent Paper

110
39529

1915

T.O.

P. 194.

Send also a further copy in my
personal letter to Mr. Bennett

Atm. of AS. 12. 21. 6. 15

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GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA

EAST AFRICA PROTECTORATE.
CONFIDENTIAL No. 47.

14th May 1915.

28027
MAY 21 1915

Sir,

17080

With reference to previous correspondence ending with my cypher telegram No 239 of the 12th ulto on the subject of the deportation of Mr L. W. Ritch, I have the honour to transmit herewith, for your information, copies of a report by Brigadier General Malleson, and memo by the Attorney General.

Gen. Malleson.
11.5.15.
Attorney General.
11.5.15.

I have the honour to be,

Sir,

Your obedient, humble servant,

Albion Boyd

GOVERNOR

The RIGHT HONOURABLE
LEWIS HARCOURT F.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON. S.W.

ENCLOSURE 57

In Despatch No. 47 of 24/3/1915

COPY.

CONFIDENTIAL.

From

Brigadier General Malleson.

To

General Staff, Indian Expeditionary Force "B"

Nairobi.

25th April 1915.

Sir,

In reply to your verbal enquiries on the subject of the deportation of Mr Ritch, Advocate, late of Mombasa, I have the honour to report as follows:-

2. On the return of the force from Tanga to Mombasa I was directed by Major General Aitken to initiate and supervise all arrangements in connection with questions of censorship and the administration of Martial Law. It was brought to my notice that a source of considerable danger to the internal peace of the Protectorate was the intrigues of a number of disaffected natives of India. Further enquiries into the matter revealed the fact that Mr Ritch was in close touch with several such Indians who were known or suspected to be engaged in undesirable propaganda. I then consulted several British Residents of long experience, including the Hon: Mr Hobley, C.M.G. Provincial Commissioner, and eventually I was given a paper of which I attach a true copy. This paper I placed before the General Officer Commanding the Mombasa Area, who took the orders of Major General Aitken on the subject. That officer decided that Mr Ritch should be deported, which was done, first class passages to England being provided for Mr Ritch and all his family.

I have the honour to be, &c. &c.
(sgd) W.Malleson. Brig: General.

COPY

5)

Attorney General's Office,
Nairobi.

11th May 1915.

168/15.

CONFIDENTIAL.

Hon: Chief Secretary,

Ref No S 10048 of the 29th ulto.Re Mr. E.W. Ritch.

I am of opinion that the expression "legal authority" as used by the Secretary of State does not cover any proceeding which is based on martial law, and not on an enactment in force in the Protectorate.

2. The evidence on which the General Officer Commanding acted in arbitrarily deporting Mr Ritch is, in my opinion, unsatisfactory and consists apparently of opinion rather than fact. The strongest evidence against Mr Ritch is that contained in Mr Notley's affidavit sworn after the deportation. Presumably the facts set out in the affidavit were not within the knowledge of the General Officer Commanding at the time of the deportation.

3. There is no doubt that Mr Ritch endeavoured to keep within the letter of the law in his dealings with public servants but his actions before the war although lawful were probably annoying to Mr Samleron who is mainly responsible for the government of the Township of Mombasa and on account of Mr Ritch's connection with the Railway Strike of July 1914 to the Railway officers referred to in General Malleeson's letter of the 25th ulto.

4. There, however, appears to be no doubt that Mr Ritch did impede the military machine at the time when smooth running was essential and in view of General

Malleeson's/

ENCLOSURE

In Dispatch No. 27 of

14/5/1915

GO

Malleon's statement that "engulries revealed the fact that Mr Hitch was in close touch with several Indians who were known or suspected to be engaged in undesirable propaganda" it would appear from a military point of view the General Officer Commanding was justified in getting rid of him.

5. In view of paragraphs (1) and (2) of Mr Notley's affidavit it seems undesirable that Mr Hitch should be allowed to return.

(sgd) J. W. Barth

ATTORNEY GENERAL. B.E.A.

ENCLOSURE

2.

In Dispatch No. 47 of

24/2/1915
60

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5. In view of paragraphs (1) and (2) of Mr Notley's affidavit it seems undesirable that Mr Hitch should be allowed to return.

(sgd) J. W. Barth

ATTORNEY GENERAL, B.E.A.

Colonial Office,

Downing Street. S.W.

June 21st 1915.

Dear Tennant,

Mr. Ritch's case
Deportation from E. Africa.

I send you informally a copy of General Malleson's letter, which has just been received from E. Africa, and of which another copy will come to you officially. I think you will see it really leaves no doubt but that Mr. Ritch's was really a W.O. case.

I am however quite willing, as I explained, to deal with it so as to save you. But if you would like me to do so, will you let me know at once.

I don't wish in any way to press you unduly, but one of the worst features in the Government action up to now in this case has been the delay. If I deal with it therefore, I want to avoid more delay. So would you mind letting me know at once?. Otherwise I must really withdraw my offer to take it on.

Yours sincerely,

(Sgd.) Arthur Steel Maitland.

100 / 28527 / P.A.P.
9.5

22 JUN 1951

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22 June 1951

DRAFT

The Sec
War Office
22/6/51
Billsley 22/6/51
Read 22/6/51

(17476)

Con. Exp. Cont. No. 28527
10 long copy

Sir,
With ref. to the
letter from the Dept
of Agric 17th and
consequent corresp.
the subject of the
deportation of Mrs. L. H.
Ridd from the P.A.P.,
I am glad to hear
that you are to be laid
before the P.A.P. as
copy of a report from
the Sec of the Dept. and
its annexes are being
made.
It will be seen
from these papers

that the deportation
proceedings against
the Ricks were
initiated and carried
out by the military
authorities in the
Philippines

(Signed) H. T. P. 1913