

1936

38066 / 7

CO 533/465  
KENYA

38066/7

Italo - Ethiopian Dispute

Abnormal Expenditure

Previous

38066 / 35

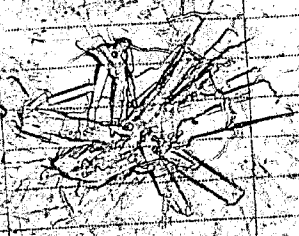
Subsequent

1037

R98

20/1/41

Mr Sw Smith  
P.O. 57



FILE - A.

1510, WELLINGTON, 1900-1935  
N.P.O. 641774

Ch 4  
16  
10. 1. 36  
56  
in view of the Kenya will be able to bear the  
charges except those for airplanes -  
E.M. Department.

W. Packer

The original of the attached copy of Treasury letter is registered on the Supplementary Estimate file (Account) but the copy herewith is circulated for any action which may be possible to expedite the information required.

I should be glad if you could give me some idea of what approximate amount we shall be called upon to provide for Kenya.

For any other Territory within your knowledge

(a) In the Supplementary Estimate which we shall shortly be required to submit to the Treasury, i.e., for expenditure which will be incurred up to 31st March 1936.

(b) In the Estimate for 1936 i.e., for expenditure after 1st April for as long as the crisis lasts; this is asked for on a monthly basis.

The Estimates for 1936 have been submitted and are under consideration from the Treasury. It seems likely that considerable expenditure will be necessary in those territories most closely affected.

W. Packer  
11/1/36

No 119  
3 Feb 36

Kenya advised a reply to our telegram to the Governor dated 18th November, we cannot give the Treasury any figures. We are asked to say whether Kenya will be in a position to pay for her own charges with the exception of the charges for the aeroplanes. No provision is made in the 1936 Estimate for additional expenditure on the Nairobi-Kisumu situation, Grief



Gov Kenya Sec. Secy — 25 Jan 1936

Letter to Sir G. G. ...  
RAF ... £14,000

- (1) ...
- (2) ...
- (3) ...
- (4) ...

Mr. Flood.

The estimated expenditure up to the 31st March next is considerably higher than I anticipated would be the case - until we receive details by air mail it is rather difficult to imagine how as much as £14,000 additional expenditure will have been spent.

I assume that we shall pass this information on straight away to Mr. Speed and I have accordingly prepared the draft of a letter to him from Mr. Boyce. I have, however, left the draft unfinished since you may wish to add something about the present financial situation and outlook in Kenya concerning which I have no detailed information. There is the further point of whether special assistance at the present time can be given without involving any form of Treasury control over Kenya's finances. I assume that, in point of fact, this will be possible, especially as assistance is being given similarly to the Government of Malta. Possibly you would like to deal with this point in a separate letter.

Whee

27.1.36.

That is the whole idea.

H. O. ... 29 Jan 1936

Mr. Speed has telephoned to say that there are some particulars of the ... for ... purposes in connection with the supplementary estimate, but for the usual Treasury purpose of actual examination of details of expenditure. (They might not be willing to admit some ... before 31st March.)

Handwritten scribbles and initials.

99/Passion  
11/2  
J. G. ...  
12.2.36  
RESTROYED UNDER STATUTE

Gov Kenya Secy — 13 Feb 1936

To ...  
31 March 1936

...  
...  
...

...  
...  
...

I understand from Mr. Boyd that  
 an official letter has now been  
 received offering you a certain amount  
 of money for the supplementary  
 clothing for the 20 Italian deserters  
 who are to be sent to the training  
 camp at ...  
 officially ...

*J.P. ...*  
 26/2

Major Cole to see

Yes, the 1935 expenses are not unreasonable  
 but may be quibbled  
 Army uniforms etc. are a property paid charge  
 The Army would be entitled to the uniforms until  
 they are worn. These just as much a charge as ration.  
 Mr. Boyd ...  
 Mr. Boyd ...

Copy to ...  
 J.P. ...

7. Treasury etc. ...  
 29.2.1936

Mr. Flood  
 Mr. Boyd

It will be remembered that in the  
 Report of the Committee of Supply on Thursday  
 the Secretary of State undertook that before  
 the Report stage opportunity would be taken to  
 consider the question whether it would be  
 possible, under the international law, for this  
 country, to submit a claim to Italy for the  
 repayment

repayment of the whole or any part of the cost of  
 maintaining in Kenya the Italian Native deserters  
 who recently took refuge there. (Hansard of 27th  
 February, Column 771)

I went over to the Foreign Office yesterday  
 and discussed this question with Sir William Malkin,  
 who has now sent across to me the annexed memorandum  
 setting out his opinion on the point. It will be  
 seen that he comes to the conclusion that we have  
 no legal right under international law to reclaim  
 from the Italian Government the expenditure involved  
 in maintaining these deserters in Kenya, since  
 under international law there is no obligation on us  
 to intern or detain them. At Sir William Malkin's  
 request, I have shown this memorandum to Mr. Duncan  
 (Sir G. Bushe is away); and Mr. Duncan is in full  
 agreement with it.

I understand that the Secretary of State will  
 now wish the memorandum to be sent informally to  
 the Solicitor General (who intervened in the Debate  
 on Thursday) with a view to his concurrence being  
 obtained in the general conclusion reached in it.  
 Mr. Boyd will no doubt arrange to send a copy of the  
 memorandum to Sir Donald Somervell, explaining its  
 origin. No doubt, if Sir Donald Somervell concurs  
 in the memorandum, Mr. Boyd will take a copy of it  
 for the Secretary of State's use at the Report stage.  
 At some appropriate later date we should explain the  
 position to Kenya - although they are not directly  
 concerned now, since the cost of maintaining these men  
 is a part of the cost of emergency measures which is

A copy of  
 Hansard of the  
 27th February  
 should be  
 attached to this to be met from Imperial funds  
 file in due  
 course.

29.2.1936

Yes, after all, it's only common sense. If a man  
abandons his country, and does it in  
kind of emergency, his country has no longer  
any obligation toward him.

I told the Solicitor General & the Attorney General  
we must bill, they wouldn't accept it, not realizing  
that the thing turns on desertion.

Amplify the cost of the desistance is a more  
feasible. It got even set out in the items of expense  
(prepared before there were any desistances).

J.S.G. Red  
29.2

That I saw this letter to the  
Solicitor General's legal secretary before it  
was sent off on the 24th of March.

In Paris telephone today to say that  
Mr. Bonville, after consultation with the  
Attorney General, has accepted the opinion  
that we had better write the reply to  
intention in Dublin in the Home Office  
due warning. I have done it. I left it with  
him when I was in the office of Mr. P.S.  
(Manning) to keep him informed as to this.

Esther  
4/1/36

To Mr. P.S. [unclear]

2 March 1936

See [unclear] 12/1/36

See [unclear] 1/1/36

J.S.G. Red  
473

Mr. Boyle

3 drafts, however, a divided

[Signature]  
11/3

Lee

As Kenya is not provided under Treasury  
control the arrangements for the submission of accounts  
applicable in such cases - & now - the case of Kenya in  
view of the conditions of the Supplemental Estimates are not  
known in Kenya. Draft accordingly.

[Signature]  
11/3

Price

27/3/36

10 To you Mr. Nobbs. Secret cons - 14/5/36

11 To Kenya (1st) (w/c supply estimates) 18 MAR 1936  
cons

12 To Mr. Sec. Kenya (6 amount) secret for 18 MAR 1936

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DESTROYED  
13 To DCA (w/c 12) 8/11

19 March 1936

Gov Kenya Tel 86 Pence - 28 March 1936  
States estimate emergency expense to 31-3-36  
exclusive of RA Expense is £5,500.

[Signature]

Copy sent to  
Mr. B. (C. [unclear])

This was sent direct from [unclear]

15/ Please send me a copy of my letter to Mr. Bentley. The money which I think covers all the action necessary at the moment.

W. H. B. Rouse  
26/3/36

This will leave a balance of £1500 of local special expenditure not covered by the grant - and in any case there will have to be a further supplementary estimate in respect of similar special expenditure incurred after 31/3, & there will then be an opportunity to consider whether the remaining balance of £1500 shd. be included. For the present however no further action seems required.

W. H. B. Rouse  
31/3

Receipts and no longer be secret.  
Mr. Bonye  
1) You will...  
2) If this is any amount... £1500  
into the next lot...  
that case have ought to be included to include it.

Noted for  
Suppl. Estimate  
1936

16/ Hoarey (Wardley) 28/3/36  
Agrees that grant of £1500 provided -  
Supplementary Estimate can be made

20 Kenya 227  
SECRET - GREEN STATUTE

17/ The DCA has asked how this file  
is to be handled. R 247 14/36

- 18/ Governor No. 205. 22 April, 1936. Requests approval for Special Warrant for £21,510 issued under Head Military Extraordinary to meet expenses of Internment Camp for Italian deserters for 6 months from 31 March, 1936.
- 19/ Col. Secy. 3p.n. Secret. 22 April, 1936. Ref. 18 reference to secret correspondence.

X } It is not clear whether this £1570 is part of the £2265 mentioned in the first tel of the 3<sup>rd</sup> of April or supplementary to it.

? Approve the copy of £1570 in an open despatch & in a secret despatch. Enquire as to X

W. H. B. Rouse  
28/3/36

I should say it is supplementary to the £2265 is for wages of police & so on. the £1510 for paying other the premises.

W. H. B. Rouse  
To note

20/ To Kenya, 382 (18 answered)

21/ Kenya, Secret

DESTROYED UNDER D.O.

DESTROYED UNDER D.O.

DESTROYED UNDER STATUTE

- 22. To Treasury-----on 38008/35---extract---14.5.36.
- 23. Treasury-----Extract-----27.5.36.  
22 ansd will consider any representations for special expenditure in connexion with Italo-Abyssinian dispute if submitted later.
- 24. Governor No. 398-----6.8.36.  
Requests approval for issue of further special warrant for £1,000 to cover the expenses of the Internment Camp to the end of Sept; enquires whether any decision has been reached as to the disposal of the deserters.
- 25. To Kenya.....667(24 ansd.).....27.8.36.  
(Draft on 38066/14/36 Secret)

Original transferred to 38066/14/36 (Secret)

14/9/36  
15/9/36  
35/001/13/Secret

- 26. Deputy Governor No. 480.....10.9.36.  
Requests approval for Special Warrant for £1,148 to cover cost of officers and men called up to guard Italian deserters in the Isiglo camp.
- 27. Col. Sec. 3pn.....Secret-----12.9.36.  
Reference to Secret correspondence.

DESTROYED UNDER STATUTE

The calling up of reserves to guard the Italian deserters & the provision of the necessary funds for 6 months (ie till October) was approved in (2D) in 38066/36.

Approved the issue of the S.W reported in (2D)

G. J. Evans  
23.9.36

G. J. Evans  
23/9  
20

29. *Foreign Secy* No 522 2/9/36  
Seek approval for S.W. for £1,148 to meet expenses of Internment Camp up to the end of Dec 1936

In approving the Special Warrant we can be assured that the Secretary of State is in communication with the Foreign Office regarding the disposal of these deserters. We might take this opportunity of asking for a statement of all emergency expenditure incurred since the 31st of March last. In answering to the Colony Estimates on the 8th of May, the Treasury says "My Lords note that the estimates do not contain any provision for the special expenditure which is still being incurred on abnormal services rendered necessary by the Italo-Abyssinian conflict and they will be prepared to consider any representations that the Secretary of State may wish to make in this connection at a later date."

I submit draft enclosed.

C. J. Evans

12.9.36

(in 2 - 10.20)

G. J. Evans  
28/9

*A. Rossini*

We are getting anxious for the accounts of the special emergency expenditures in Kenya, and were proposing to telegraph for them, but before doing so the Director of Colonial Audit was asked whether he had yet received any such accounts. By a curious coincidence he had just received the attached letter from his local auditor in Kenya enclosing a statement of expenditure to 31st December 1935, in which several points arise. As you will see the D.C.A. has referred this to me by minute. Before replying to the D.C.A. I should like any information which may be available as below:-

(30)

1. A statement to be of any use to us must cover the expenditure for the year to 31 March 1936. As time is getting short we shall have to ask for this by telegraph, but I propose that it should cover in it such other points as arise.
2. The statement and its supporting certificates appear to be satisfactory and will, I think, satisfy the Controller and Auditor General (I have discussed this with his local auditor). This, however, will I think, be conditional upon the elucidation of points arising in the statement as follows:-
3. The claim for Tent and Field Equipment supplied to the D.C.A. in the ... should be withdrawn, vide paragraph 4 of the auditor's letter.
4. The following points arise, and these may have been dealt with in correspondence with the officer:-

The claim includes charges for -

- (a) Non-expendable stores, viz.
  - Arms, Equipment, Uniforms etc.
  - Miscellaneous stores
  - Purchase of 2 Motor Lorries

The stores included under these items, though doubtless required for the special emergency will almost certainly have a residual value when the emergency is past. Some decision is necessary as to the treatment of that residual

value. It would not for instance be an unreasonable suggestion that that residual value should be credited to the account of special expenditure by the sale of the stores, say to Kenya (I do not remember seeing any correspondence about the special expenditure in Kenya. It is proposed to adopt the course here suggested in the case of Somaliland, i.e. the value of any stores purchased in connection with the special emergency will be credited to the special emergency account.

(c) Preparation and Maintenance of Landing Grounds for R.A.F. Aircraft.

The question whether expenditure on this service is a profit charge - wholly or in part - against special emergency expenditure, may give rise to question in audit. See the point here considered at 122.

*This suggestion may be affected by the proposal...*

*10/1/36*

As regards (4) in Mr. Boyse's minute, we received in February last, an advance statement of the emergency expenditure (amounting to £8956.17.87) incurred in Kenya up to the end of 1935. It was agreed that the expenses were not unreasonable, although certain items might be queried. A copy of the statement was sent to the Treasury on the 6th of March, but it evoked no comment from them.

*No 6*

*No 7*

The audited statement now received from the local auditor differs only slightly from the advance statement. It shows a total increase of £179 which will be reduced by £177 in the next statement because the item "Tents and Field Equipment supplied to the R.A.F. - Sh.3542.50" is not to be treated as a charge against special expenditure.

An Mr. Boyse suggests, the question of the residual value of non-expendable stores can be left until it is decided that the state of emergency is over.

As regards the cost of the preparation and maintenance of landing grounds for Royal Air Force aircraft, Kenya has charged to emergency expenditure Sh.16,675.17. In this connection it is necessary to examine the decision reached in regard to the cost of the Royal Air Force flight which was sent to Kenya just before the outbreak of hostilities between Italy and Abyssinia. In August, 1935, discussions took place with the Treasury regarding the whole question of the cost of the precautionary measures, including the cost of air reinforcements. It was agreed that (a) as a matter of principle Kenya should bear the cost of these measures, (b) H.M. Government would be prepared to consider sympathetically to what extent it is necessary for the Imperial Exchequer ultimately

*See 11/1/36*

to refund such cost, i.e. excess cost over normal establishment charges. Excess cost means, in the case of Royal Air Force detachments, that Kenya would be charged only with the additional expense of maintaining aircraft in Kenya instead of elsewhere and of any flying in excess of normal training flights.

At a subsequent meeting at the Treasury on the 17th of November, it was agreed that the Colonial Office should obtain an estimate of emergency expenditure to be incurred by the Civil Government up to the 31st of March, 1936, and to submit the estimate to the Treasury, with an estimate of the Colony's financial position at the end of 1936. If it were found that Kenya's financial position demanded some relief, the Treasury suggested that the first step would be to authorise the Air Ministry to waive the excess cost of the Royal Air Force reinforcements. Such a waiver would not involve a supplementary vote on the Colonial and Middle Eastern Vote.

On the 18th of November, 1935, a telegram was sent to the Governor asking him to send by earliest air mail after the 1st of January, 1936 (a) a statement of the cost of emergency expenditure on defence during the current year under heads of R.A.F., Police, R.A.F. Miscellaneous; (b) an estimate of similar expenditure during the first quarter of 1936. He followed this up with a further telegram on the 17th of January, 1936, which reads:

"My telegram 18th of November in order to help preparation of supplementary estimate which must be presented to Parliament in February, please telegram as soon as possible (a) estimated total cost of emergency expenditure

expenditure incurred during financial year up to 31st March, exclusive of R.A.F.; (2) what proportion can be borne by Kenya without assistance; (3) if possible, what is excess expenditure of R.A.F.; (4) estimated monthly amount which will be expended after 31st March, assuming situation does not alter materially."

The Governor replied on the 5th of January that the answer to (1) was £1,000. As regards (2), he said "I do not consider that the Colony can reasonably be held to bear a share of this emergency expenditure under the circumstances. The Colony cannot afford it." In reply to (3) he said "Officer Commanding R.A.F. is unable to give figure of excess cost but suggests that approximate figure might be obtained direct from the Air Ministry." His answer to (4) was £1,000.

Copies of both telegrams were sent to Mr. Speed at the Treasury on the 20th of January and the result was that a sum of £14,000 was included in the supplementary estimate presented to Parliament for a grant-in-aid to Kenya during the financial year 1935/36 in respect of special measures taken in connection with the Italo-Abyssinian dispute.

*The figures subsequently estimated that the cost of the emergency up to the 31st March 1936 was £18,500. Reason is that the cost of preparing & maintaining the landing grounds for the R.A.F. has not been considered sufficiently, but I think that the item is a fair charge to emergency expenditure - whether the responsibility of the Treasury for it.*

*C.H. [Signature]*  
27/1/36

*No 116*  
*3/1/36*

*103*

*102*

*No 114*

*No 119*

*No 2*



Auditor's letter and the statement of expenditure

*J. H. Payne*  
8/11/36

~~No comments~~  
No comments

*A. J. Harding*

29/10/36

31 To Kenya 882 (2 copies) com 30/11/36

By Ken Grant  
4/11/36

To Kenya 882 (2 copies) com 14/11/36

Recd 298

Please return the original enclosures to No. 30 to Col. Austin Dept. under cover of the M.S. note R.D.

P. S. Whitehouse  
14/11/36  
(Copies have been made to retain with the file)

To D.C.A. (Kenya) (encls 5 30) 14 Nov. 36

34 GOV'S DEPUTY (MADE) 583 31.36  
The copies of audited accounts containing emergency expenditure incurred up to 31.3.36 and presume that the excess of £1,627.14.84 will be adjusted when provision is made for a further grant in respect of special expenditure incurred during the present financial year.

SIR JOHN MAFFEEY.

I submit herewith for your signature as Accounting Officer of the Vote for Colonial and Middle Eastern Services four copies of a statement of expenditure incurred by the Government of Kenya in respect of the special expenditure taken in connection with the Italo-Abyssinian dispute, to 31 March 1936. This statement is required to be submitted to the Comptroller and Auditor General in accordance with the terms of the Supplementary Estimate 1936 which was taken in the Spring of this year to meet the special expenditure which had been incurred in various Colonies as a result of the Abyssinian trouble. As I have explained in a separate minute to you on the 11th inst. (covering expenditure on the same services) I have discussed the form of certificate required on these statements in view of the fact that Kenya is not normally a grant-aided Colony. The certificate which I have already had typed on the statement is one agreed to by the Treasury.

*J. H. Payne*  
20/11/36

A.297  
The date of issue  
Please note on the file in which the Kenya accounts for 1936 will be required that the file will then be with the file

DESTROYED  
21 Nov. 1936  
21 Nov. 1936

W.D. Astin

Because the minutes and action overlooked  
I submit a draft disp. to Gov. Kenya for insertion  
as to the last sentence. I assume that we are entitled  
to say this without specific Treasury sanction.

I am not sure whether the report is included in his  
report - it ought to be - as the Comptroller  
may think it is D.C.A. section (or it is) when  
the D.C.A. reports on that. If all we may have to  
ask the D.C.A. to report on the statement of receipts, as  
pending (which may be difficult unless the local auditor  
has reported there). I submitted a separate number  
of copies of the annual to care provided & allow the  
C.A.G. to be furnished with one.

W.D. Astin  
2/11/36

As regards the last sentence of  
Mr. Boyce's draft, the last thing we have  
had from the Treasury on this question is  
the extract of a letter which is registered  
at No. 23 on this file, in which they  
declined to commit themselves definitely to  
providing further funds from Imperial sources  
to meet "special" expenditure incurred by  
Kenya during the current financial year,  
though they indicated their willingness to  
consider any representations which the  
Secretary of State might wish to make in  
this connection.

I had contemplated that these  
representations would be made when we received  
from the Governor the accounts and estimates for  
which he was asked in No. 32 on this file. In the  
circumstances, it seems necessary to amend the  
last sentence of the draft on the lines indicated  
in pencil.

J.J. Boyce  
26.11.36.

To Kenya 1937  
38 D.C.A. - copy - (of 4 copies of 4, and 2 No. 34) 8/12/36

39 D.C.A. 11 December 1936  
Report on Kenya's Special Expenditure for 1936  
2 Ch. Jones (K. staff) - letters & estimates with D.C.A. staff 17.12.36

DESTROYED UNDER STATUTE

W.D. Astin  
It is to be noted that the information regarding Kenya's  
special expenditure in the current financial year is  
that we should highlight as in draft herewith.

W.D. Astin

If you are aware we have no provision from which  
 have any beginning expenses in 1947 which  
 things may be to have refunded and in accordance  
 with practice the Secretary have asked to be informed  
 by 31 Dec, what will be the probable outcome on our 1946  
 this year i.e. whether we shall require a supplementary  
 estimate or not. There is no question but what we shall do  
 so apart from things

W. Ross  
 20/11/36

41 105.00 at 315 - 20000 - 30 12 26

2 1/2 p.c.  
 1/2 p.c.  
 7 p.c.  
 2 1/2 p.c.  
 1/2 p.c.

I think it is safe to assume that  
 the expenditure which in 1942  
 does not include the cost of the  
 2 p.c. and 2 p.c. payments mentioned  
 in 1942 or 352407/11/36 which  
 amounts to roughly £839 for  
 Jan. to Aug. 1942 from which  
 a contribution to the 2 p.c. fund  
 of £700 estimated may be for  
 the 6 months ended 31st March  
 1947  
 should be added to the company  
 expenditure, at least, the amount  
 of £515.  
 C. F. Pennington  
 21/11/36

3<sup>rd</sup> page discussed with Mr. Boyce

of the view of Mr. 23. Mr. Boyce thinks that  
 we ought to obtain these authorities for  
 the inclusion of the expenditure reported - No. 42.  
 The 2<sup>nd</sup> paper to be done - this file  
 under the 2<sup>nd</sup> in general estimates  
 letter should be included with this letter

in a  
 supplementary  
 estimate

Having regard however to the V  
 social - Mr. Pennington ~~concludes~~  
 minute, Mr. Boyce suggests that it will  
 be preferable to include in the first instance  
 to cover the V 3.0 with Mr. Wardley

J. J. Pennington  
 5/11

43 2 Wardley (27) (10) c 42 - 100 - 1000 - 1000  
 6 11/11/36

Secret

A. J. Hardingham  
 DCA

11-1-37

W. Ross  
 20/11/36

W. Ross  
 20/11/36

C. O.

38066/7/36

Mr. P. ... 5/6  
Mr. Flood 5/1/36  
Mr. ...

57066/7/36  
Den Wadley

5 JAN 1937

Sir C. Parkinson  
Sir C. Tomlinson  
Sir M. Eganley  
Sir J. Shackleton  
Pres. U.S. of S.  
Pres. U.S. of S.  
Secretary of State

**DRAFT.**

D. J. Wadley Esq. M.C.

Secretary

You will remember that in para 5 of Treasury letter No. S.37489/01/36 of 27th May their despatches indicated that they would be prepared to consider representations that the provisions should be made for the special funds in connection with expenditure which is still being incurred by Kenya arising out of the State-aboriginal conflict.

I now enclose a telegram giving particulars of the actual expenditure for the six months ended the 30th of Sept. & the estimated expenditure for the six months ending 30th of March next, amounting to £22,250. This money has been spent on objects

Kenya Fed. No. 1. 8/2/1/37  
(No. 2)

FURTHER ACTION

viz. frontier post posts to patrols etc.  
wh. are still necessary owing to the very  
deteriorated condition of the  
maintenance of the settlement camp  
as regards the latter we have explored  
with the F.O. the possibility of getting  
rid of the witnesses but have ~~been~~  
reluctantly had to accept the  
view that there is no alternative  
to keeping them in charge of  
the present until some ~~arrangement~~  
with ~~the~~ ~~authorities~~ has been reached a charge  
of wh. we can profitably discuss  
their disposal.

As regards the financial  
position of the charge, it is true that  
the item was a small surplus in 1926  
& that the balance for 1937 is not  
impressive. The charge is however  
still a long way off being in a  
position to afford expenditure of  
the kind & I trust that in the  
I shall give to the being ~~included~~  
(in) following supplementary ~~information~~  
to the ~~present~~ ~~report~~

personnel etc. in the first  
instance be borne by  
Kenya funds pending a  
decision as to its eventual  
allocation.

But for the international  
situation <sup>commitment</sup> & the <sup>fact</sup> that it  
to pass on with the training of  
this matter as quickly as possible  
it <sup>not</sup> ~~is~~ <sup>has</sup> been necessary for  
Kenya to borrow this additional  
temporary staff. (It is hoped on as long as they have the help)  
The Treasury will agree to ~~to~~ <sup>also</sup>  
and being included in the  
supplementary estimate. If so  
the total amount to be  
provided would be £25,845

£  
12980  
1427  
1258  
£ 25,845

Yours sincerely

WILLIAM J. E. W. FLOOD



COPY FOR REGISTRATION

RECEIVED  
2-JAN-37  
C.C. RECY

3806/1/37

Telegram from the Officer Administering the Government of  
Kenya to the Secretary of State for the Colonies,  
Dated 2nd January 1937. Received 9.28 a.m 2nd January 1937.

No 1

Your telegram No 318 Emergency expenditure.

Figures are as follows:- actual expenditure from 31st March  
to 30th September 1936

- 1. Military £5330
- 2. Police £2624
- 3. Miscellaneous £3076
- Total £12,030.

Estimated expenditure for 6 months ending 31st March

1937:-

- 1. Military £6700
- 2. Police £1985
- 3. Miscellaneous £2315
- Total £11,000.

Copy 6 July - 43

12  
253

COPY FOR REGISTRATION

RECEIVED  
F-2-JAN 1937  
C.O. REGY

18  
42  
3856/1/12

Telegram from the Officer Administering the Government of Kenya to the Secretary of State for the Colonies, Dated 2nd January 1937. Received 9.28 a.m. 2nd January 1937.

No 1

Your telegram No 318 Emergency expenditure.

Figures are as follows:- actual expenditure from 31st March to 30th September 1936.

- 1. Military £6280
- 2. Police £2624
- 3. Miscellaneous £3076
- Total £12,080.

Estimated expenditure for 6 months ending 31st March

1937:-

- 1. Military £6700
- 2. Police £1985
- 3. Miscellaneous £2215
- Total £10,900.

Copy to by - 43 -

G. O.

38066/1/1936 Kenya

C. P. 1936  
R-31 DEC  
D.

- Mr. Boyce *2/10/36*
- Mr. Parker
- Mr. *30/11/36* *done*
- Sir C. Parkinson.
- Sir G. Tomlinson.
- Sir C. Boltonley.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Partly U.S. of S.
- Secretary of State.

*and (12) Cased sent*  
*Sp- 30/12*  
*318*

DRAFT *See*  
*too.*

[ 33 ]  
38066

*both refer to para 2 of my*  
*despatch No 812 of 2 November*  
*please telegraph immediately*  
*figures of emergency expenditure*  
*to 31 March 1937 omitting amount*  
*referred to in my despatch 977 of*

*Kenya*

*1/12*

*8 December*

[ No 37 ]

FURTHER ACTION.

Mr. Boyce,

I have certified the statements subject to a report and return them herewith.

I understand that Treasury authority for the expenditure out of the grant is not required, and I have certified on this understanding.

*A. J. Harding*

Director of Colonial Audit.

17 December, 1936.

2/11  
OB

THE DIRECTOR OF COLONIAL AUDIT.

With reference to my minute of 20th November 1936 regarding the statements of account of special expenditure in Kenya in connection with the Italo-Abyssinian dispute for which a grant of £14,000 in aid of Kenya was provided in a Supplementary Estimate 1935 (No. 48. 19 Feb. 1936). I understand that you have now received a report from the Local Auditor covering a further statement of account to 31 March 1936. I understand that the Comptroller and Auditor General is expecting the accounts for the expenditure to be certified by you in accordance with the terms of the Supplementary Estimate, and as this may now be possible, I attach herewith four copies of the statements which have been received from Kenya.

We have asked Kenya whether the above expenditure will be included in the annual accounts of the Colony but as these are for the calendar year the expenditure for the March Quarter 1936 would not appear until the account for 1936 is received about a year hence. In these circumstances it is desirable if you see no objection, that the statements now furnished should be separately certified.

*H. R. [Signature]*

Accounts Department,  
Colonial Office.

8 December, 1936.



C.O.

37

Mr. Boyce 24/11/36  
 Mr. Paskin 26  
 Mr. Flood 26/11/36  
 Sir C. Parkinson  
 Sir G. Toddinson  
 Sir T. Hamilton  
 Sir J. Sturges  
 Perm. Off. of S.  
 Parly. Off. of S.  
 Secretary of State

98066/7

2/NOV  
 D 1 1936

- 8 DE 136

**DRAFT.**

*SS*

KENYA

NO. 477

GOVERNOR.

Sir,

With reference to your  
 despatch No. 582 of 2 November 1936  
 enclosing audited statements of  
 expenditure in respect of the special  
 measures taken in connection with  
 the Italo-Ethiopian frontier barrier  
 the financial year 1935-36, I have  
 etc. to enquire whether the  
 expenditure in question will be  
 incorporated in the annual account  
 of Kenya. I note that the total  
 expenditure in respect of the  
 £1,071,400 in excess of the grant  
 of £14,000 voted in the United

FURTHER ACTION.

2 Copies to Mr. Boyce  
 Return by Mr. Boyce  
 for further

*Official*

Kingdom Supplementary Estimate for 1938.

This excess ~~will~~<sup>was</sup> be taken into account

in determining the amount of any further

grant which ~~may be necessary~~<sup>might be made from general fund</sup> in respect of

the expenditure incurred <sup>(by Kenya)</sup> during

the present financial year.

I have etc.

(Signed) ... SOHE.

AIR MAIL

KENYA  
No. 583

RECEIVED

14 NOV 1956

C. O. R.



GOVERNMENT HOUSE  
NAIROBI  
KENYA

5th November, 1956.

Sir,

3.  
I have the honour to refer to correspondence terminating with your telegram No. 251 of the 30th October regarding a grant in aid of £14,000 paid to the credit of this Government in respect of special measures taken in connection with the Italo-Ethiopian dispute during the financial year 1955/56, and to transmit, as requested in Mr. Thomas's despatch No. 161 of the 16th March, four copies each of the audited accounts, personally signed by the Auditor, containing the expenditure on account of which the grant has been made.

2. It will be observed that the total expenditure incurred during the period in question is in excess by £1,687.14.6d of the amount credited to this Government, and it is presumed that this will be adjusted when provision is made for a further grant in respect of special expenditure incurred during the present financial year.

I have the honour to be,

Sir,

Your most obedient, humble servant,

*G. M. Wood*

GOVERNOR'S DEPUTY.

THE RIGHT HONOURABLE  
W. CRISBY-GORE, P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, E.C. 1.

22 131/8

AIR MAIL

KENYA  
No. 583

RECEIVED

14 NOV 1936

C. O. R.



GOVERNMENT HOUSE  
NAIROBI  
KENYA

5th November, 1936.

Sir,

37

I have the honour to refer to correspondence terminating with your telegram No. 251 of the 30th October regarding a grant in aid of £14,000 paid to the credit of this Government in respect of special measures taken in connection with the Italo-Ethiopian dispute during the financial year 1935/36, and to transmit, as requested in Mr. Thomas's despatch No. 161 of the 18th March, four copies each of the audited accounts, personally signed by the Auditor, containing the expenditure on account of which the grant has been made.

It will be observed that the total expenditure incurred during the period in question is in excess by £1,827.14.84 of the amount credited to this Government, and it is presumed that this will be adjusted when provision is made for a further grant in respect of special expenditure incurred during the present financial year.

I have the honour to be,

Sir,

Your most obedient, humble servant.

*G. M. M. M.*

GOVERNOR'S DEPUTY.

THE RIGHT HONOURABLE  
W. CHURCHILL, F.R.S., M.P.  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET.

56086/1/36

29 OCT 30

AIR MAIL

Morning 3.00 p.m.

C. O.

Mr. Grogan (1) 4/10/36

Mr. ~~Parkin~~ 28/12

Mr. ~~Boyer~~ 29 x 36

Mr. ~~Flood~~ 29/10

Sir C. Parkinson

Sir G. Tomkinson

Sir C. Bottomley

Sir J. Shackleton

Post U.S. of S

Paris U.S. of S

Secretary of State

DRAFT.

REVA

D. 882

SECRET.

(24)



the ... and to convey to you

my covering sanction for the issue of a Special Warrant for £1,000 to meet the

requirements of the Internment Camp for Italian deserters ...

up to the end of December, ...

the ... of the ... Foreign Office.

I take this opportunity to refer to my ... despatch

no. 361 of the 15th of March regarding the ... of £1,000 to cover

the cost of emergency expenditure incurred by the ... Government

to the list of March last, in connection with the Italo-Abyssinian conflict etc.

FURTHER ACTION.

2 copies of telegraph  
4/10

furnished with a statement of emergency

~~expenditure actually incurred up to~~

~~expenditure from that date~~

~~together with an estimate of the expenditure which will be incurred during the period next to include~~

~~the cost of maintaining the internment~~

8

furnished with a statement of :-

- (a) emergency expenditure actually incurred up to the 31<sup>st</sup> of March 1936,
- (b) a similar statement in respect of the six months ending 31<sup>st</sup> of Sept. 1937, and
- (c) an estimate of the emergency expenditure (including the cost of maintaining the internment camps) in respect of the six months ending 31<sup>st</sup> of March 1937.

(81.)

2. In my telegram No. 251 of the 21<sup>st</sup> of October

I have requested you to furnish me with a statement of the emergency expenditure incurred in connection with the Indo-Abyssinian conflict up to the 31<sup>st</sup> of March last. I also desire to be glad to be furnished with a similar statement in respect of the six months ended the 30th of Sept. & with an estimate of the expenditure including the cost of maintaining the winter camp, which it is anticipated will be incurred during the six months ending the 31<sup>st</sup> of March 1933.

3. My attention has been drawn to the fact that the statement transmitted ~~under~~ <sup>by the Auditor</sup> ~~to~~ <sup>describes to</sup> the Director of Colonial Audit in

(32)

a letter No. 324 of the 19<sup>th</sup> of September includes charges for various non-expendable stores (e.g. motor lorries, arms, equipment, uniforms, <sup>protection</sup>) which will have a residual value when the emergency comes to an end. I request that you be furnished with your views on how this residual value should be handled.

C. O.

Mr. Paine 28/7.  
Mr. Boyce 29 X 34  
Mr. Flood 29.10 above

Sir C. Parkinson  
Sir G. Tomlinson  
Sir C. Bottomley  
Sir J. Stuchbury  
Form. U.S. of S.  
Part. U.S. of S.  
Secretary of State.

DRAFT. Tel.

Governor  
Nairobi.



(11)

38066/7/26.

No. 257

My des. of 18<sup>th</sup> March No. 181

Please send to account  
before end of November  
statement of emergency  
expenditure incurred  
up to 31<sup>st</sup> March last by  
on basis of statement  
sent by auditor to  
Director of Colonial Audit  
of 19<sup>th</sup> September.

By [Signature] 30/4/26

W. H. ...  
of ...  
...

(30).

FURTHER ACTION.

Received by [Signature]

30-6  
No: 3557/3.

Mr. Boyse,

(in original)

I forward herewith, in original and for return, the Auditor of Kenya's letter of the 19th of September last enclosing a signed statement of special expenditure incurred up to 31.12.35 in connection with the Italo-Abyssinian dispute.

I understand that you wish to see the statement at once, and in view of paragraph 2 I think you should see the Auditor's letter also. I shall be glad to know whether you can say what reply I should send to paragraph 2.

*A. Harding*

Director of Colonial Audit.

2 October, 1936.

33  
Orig. encls to D.C.A.

RECEIVED  
1936  
SEP 11 1936

Sir,

I have the pleasure to acknowledge the receipt of your letter of the 2nd instant in respect of the special expenses incurred in connection with the ...

2. I enclose a statement of the expenditure incurred up to the 31st December, 1935, which ... I shall be glad if you will inform me whether this statement will meet the requirements of the Comptroller and Auditor-General. On receipt of your reply, I will endeavour to ...

3. The ...

4. I might mention that it was ...

I have, etc.

The Director of Colonial Affairs,  
Green Lane, London, E.C. 2  
85 St. Martin's Lane  
London, W.C. 2

SUMMARY OF ADDITIONAL EXPENDITURES INCURRED UP TO THE 31st DECEMBER, 1935, IN CONNECTION OF THE ITALO-ETHIOPIAN SITUATION

Details	Amount	Total	Gr. Ct.
<b>Military</b>			
Reservists' Pay and Allowances	1,427.91		
Transport, Expenses of Reservists etc.	2,422.48		
Transport of Troops	11,019.49		
Use of camels for transporting patients	3,000.84		
Arms, Equipment, Uniforms, etc.	3,200.22		
Outfit Allowances	100.70		
Miscellaneous Stores	3,039.34	22,338.97	4,112.15
<b>Police</b>			
Pay of Extra Police for Northern Frontier District	10,330.00		
Rail fares of Extra Police to Misurata	100.39		
Rations to Extra Police	116.73		
Arms and Equipment for Extra Police	1,700.00		
Uniforms for Extra Police	2,000.00		
Miscellaneous Stores and Transport	2,000.00		
Fuel, Oil, etc. for lorries	4,000.00		
Wires of motor lorries	2,000.00		
Mileage Allowance, etc. for lorries	2,000.00		
Subsistence Allowance to Officers on special patrol	1,144.00		
Food for transport animals	200.00		
Indemnity Allowance to extra staff	118.70		
Purchase of two motor lorries	10,000.00	22,338.97	4,112.15
Carriage	100.00		

Details

Amount  
SRS. CTS.

Totals  
SRS. CTS.

S. TS

a

Forwarded - 1,200,000.00 = 7 1/2 4.50

Miscellaneous

Preparation and maintenance of landing grounds for R.A.F. aircraft	15,000.00	
Travelling in connection with preparation of landing grounds	1,000.00	
Sent guns Field Equipment supplied to R.A.F.	2,000.00	
Labour for construction of Petrol Store at "Ficus"	50.00	
Improvement of roads in Northern Provinces District	3,000.00	
Telegrams and Cables	4,275.00	
Telephone charges	100.00	
Overtime in respect of telegraph traffic	40.00	
<b>Total expenditure to date February 1940</b>	<b>17,000.00</b>	<b>17,000.00</b>

REMARKS

(S) J. G. Smith  
Aldrich  
19.5.40

TRANS WARR

I certify that all the expenditure included in this statement was for the use of military and air force establishments incurred as a direct result of the Italian-Greek Campaign.

1. Treasury  
2. Air Force  
3. Army  
17th April 1940

(S) J. G. Smith  
Colonel  
Commander, Northern Provinces, S.A.S.

I certify that all the expenditure included in this statement was for the use of military and air force establishments incurred as a direct result of the Italian-Greek Campaign.

(S) J. G. Smith  
Colonel  
Commander, Northern Provinces, S.A.S.

AIR MAIL.

KENYA

NO. 522

29  
3rd October, 1946.

Sir,

I have the honour to refer to paragraph 3 of Kenya despatch No. 398 of the 6th August last, and to seek your covering approval of a special warrant for £1000 to meet the running expenses of the Internment Camp for Italian deserters at Isiolo up to the end of December, this year.

As this extra provision is unavoidable and urgently required I have signed the warrant in anticipation of your approval.

In this connection I wish to invite reference to correspondence concluding with your despatch No. 667 of the 27th August.

I consider it essential that, in view of the considerable expense involved in providing for these deserters, an attempt should be made as soon as possible to reach some agreement with the Italian Government in regard to their disposal.

I have the honour to be,

Sir,

Your most obedient, humble servant,

Brigadier-General,

G. V. R. R. R.

THE RIGHT HONOURABLE

HERBERT H. H. H. H.

SECRETARY OF STATE FOR THE COLONIES.

AIR MAIL

KENYA

No. 480



20  
GOVERNMENT HOUSE

NAIROBI

KENYA

20 September, 1936.

Sir,

I have the honour to seek your covering approval of a Special Warrant for £1,148 under the head "Military Extraordinary" to provide further funds to cover the cost for the last quarter of the year of the two officers and one hundred King's African Rifles Reservists called up for the purpose of guarding the Italian deserters detained in the Detention Camp at Isiolo.

2. Expenditure on this service has formed the subject of previous correspondence, and as the expenditure is unavoidable I have signed the Warrant in anticipation of your approval.

I have the honour to be,

Sir,

Your most obedient, humble servant,

*Arnold*

GOVERNOR'S DEPUTY.

THE RIGHT HONOURABLE

W. OMSBY CORE, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W. 1

32  
25.

R. H. H. Y. A.

Bowring Street.

NO. 62

27 August, 1946.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 500 of the 6th of August, and to convey to you my covering annotation for the issue of a special warrant for £1,000 to cover the expenses to the end of September of the Internment Camp at Isidolo.

No decision has yet been reached regarding the disposal of the Italian deserters now interned at Isidolo, and pending further instructions, the rifles, revolvers and other equipment handed over by these men and the rifles taken from the Ethiopian soldiers at Moyale should be retained by Government.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

GOVERNMENT,

ENTRUSTED OFFICER,

BY JOSEPH STARR, O.C.M., I.C.S., F.S.M., I.C.S.

Original signed in 3066/14/36 (Secret)

240

AIR MAIL.

KEHYA.

NO. 388

RECEIVED  
24 AUG 1936  
O. O. REQ

6 AUGUST, 1936.

Sir,

I have the honour to refer to your despatch No. 388 of the 5th June, 1936, in which you conveyed your covering sanction for the issue of a Special Warrant for £1,510 to meet the running expenses of the Internment Camp, at Isidolo and to seek your covering approval of a further Special Warrant for £1,000 to cover the expenses of the Camp to the end of September.

2. At the time that the Special Warrant for £1,510 was signed it was hoped that this provision would suffice until the end of September but unforeseen expenditure incurred through the escape of some of the internees, and the necessity of making a new issue of clothes, and the award of a small cigarette allowance to the internees, has rendered the issue of the present Special Warrant for £1,000 necessary to carry on the Camp. As this expenditure is unavoidable and urgently required Sir Joseph Byrne has already signed the warrant in anticipation of your approval.

3. You will observe from the statement annexed to this despatch that the expenses incurred in connexion with the internment of the Italian deserters has already reached a total of £8,325 and that a further Special Warrant will be necessary to provide for the maintenance of the internees after September. In view of this increasing expenditure I shall be glad to be informed whether any decision has yet been taken regarding the

disposal

THE RIGHT HONOURABLE  
S. CRADBY-COKE, F.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
POWELL STREET.

disposal of these men. It will be impracticable to allow them to remain in Kenya and I presume that the question of their return to Italian territory under adequate safeguards will be taken up with the Italian Government in due course.

4. I could also take this opportunity of requesting your instructions as to the disposal of the 554 Rifles, 71 Revolvers and other equipment which were handed over by the Italian detachment, and of the Rifles taken from Ethiopian soldiers at Moyale, the owners of which have since returned to Ethiopia.

I have the Honour to be,

Sir,

Your most obedient, humble servant,

A. DE V. WADE

GOVERNOR'S DEPUTY.

75

LIST OF SPECIAL WARRANTS ISSUED IN 1958  
IN RESPECT OF INTERNMENT CAMP.

(C)

	£.
NO. 15. Constructing Camp, feeding and transporting deserters.	1,500
" 29. Constructing approach roads to Camp.	250
" 40. Running expenses of Camp.	1,510
" 40, n. Cost of calling up and maintaining 100 Reservists and 2 officers for 6 months, to guard deserters.	2,265
" 101. Running expenses, and expenses in connexion with escape of some deserters, fresh issue of clothes, cigarette allowance.	1,000
TOTAL.	<u>£. 6,525.</u>

6

Cont. on 38004/55 (Estimates)



Extract from a letter dated 27th May, 1936, from  
the Treasury. (No. S 37489/01/36).

\* \* \* \*

My Lords note that the Estimates do not contain any provision for the special expenditure which is still being incurred on abnormal services rendered necessary by the Italo-Abyssinian conflict and they will be prepared to consider any representations that the Secretary of State may wish to make in this connexion at a later date.

\* \* \* \*

Am. in 3,800/15 (Estimated)

22  
27

Amend 2?

Extract from a letter dated 14th May, 1936, to the Treasury.

In this connection I am to invite their Lordships' attention to the fact that the Estimates do not contain any provision for the special expenditure which is still being incurred on abnormal services rendered necessary by the Italo-Abyssinian conflict. The estimated cost of these Services up to the 31st of March was £15,500. While it is clearly impossible at the present time to form any idea as to what the cost will be during the year 1935/36, it may be observed that until the international situation becomes less uncertain, it will be necessary to continue the precautionary measures which are being taken. Having regard to the circumstances to which attention has been drawn in the preceding paragraph and to the necessity for building up a fluid reserve balance, in order to put the finances of the Colony on a satisfactory basis, Mr. Thomas trusts that their Lordships will agree that the abnormal expenditure still being incurred in Kenya should continue to be met from Imperial funds. This question can however be dealt with separately from the Estimates now under consideration.

16

Army Regt. n. 191. 2/35-36

TREASURY CHAMBERS,  
WHITEHALL, S.W.1.  
23th March, 1935.

R.18088/25/01.

Dear Lloyd,

In your absence yesterday I discussed with Palmer the points raised in your letter of March 23th about issues from the Supplementary Vote for Colonial and Middle Eastern Services, 1935. I write now to confirm our conclusions.

(1) Somaland.

It does not appear that expenditure to March 31st will fall short of £25,000, by any very substantial figure, and in view of the current rate of special expenditure I think that you are safe in issuing the full amount.

(2) British Guiana and (3) Kenya.

It is clear that the full amounts provided may be issued in these cases.

(4) Malta.

I agree that the right course is not to issue from the 1935 Grant substantially more than is likely to be spent by March 31st. There is bound presumably to be further special expenditure after this date but it seems impossible to fix on a figure which would both be likely to meet requirements and yet would not be in danger of substantially exceeding them. As regards the £500 on road improvement, I think that there was a question of principle behind Speed's contention that the charge should be against Army Funds and that you should pursue this point further. I suggest that you issue either £59,000 or £40,000 apart from the £18,000 for the Relief of Maltese in Turkey which will be issued in full.

(5) Adm.

(5) Adm.

This is being dealt with separately.

Yours sincerely,

(30p.) D.P. SANDLEY.

15 40

Colonial Office,  
Downing Street . . . . .

26 March, 1956.

Dear Sir,

As I understand that you have taken over from Speed certain work in connection with Colonial Office services may I trouble you with the following points:

Now that our Supplementary Vote Colonial and Middle Eastern Services 1956, is made available we are anxious to get all the issues on which can be justified

Smallland.

Smallland grant will continue to be so indefinitely as far as to leave the whole £25,000 as any under- or over-issue can be adjusted in a subsequent year of account. The £25,000 is of course provided to meet special emergency expenditure but on the conditions requiring this grant continue there is bound to be

Special

special expenditure after 1st March, and it appears that  
agreement has been reached by the Treasury that any main-  
tenance required in 1936 for this purpose will have to  
be provided in a supplementary estimate. The Comptroller  
has been instructed to claim from consolidated funds  
the actual special expenditure incurred by that  
territory for which more £1,000 was included in the  
grant for consolidated.

British Guiana.

There is a slight error in calculation  
the amount due to British Guiana in respect of  
expenditure in connection with the Egyptian Expedition -  
see Speed's letter to Symon of the 11th of March  
1935/36 - as a result of which the £2,360 provided  
is somewhat less than British Guiana should receive and  
propose to issue the amount in full.

Levy.

enclose a copy of a telegram which has  
been received from the Governor showing that the  
probable total of emergency expenditure will amount to  
£14,500. This appears to justify the issue of the  
full £14,000 provided.

Ed. G.

Malta.

I also enclose a copy of a telegram from the  
officer administering the Government of Malta from  
which it appears that the special emergency  
expenditure to 31st March 1936 will amount to  
£39,162 only compared with the provision of £50,000  
in the estimate.

Although apparently liability for various  
services etc. in excess of the £39,162 has been incurred  
but will not mature until after 31st March,  
I assume that we shall not be in order to spend  
the £50,000 grant more than £39,162 actually  
to 31st March. The saving however of  
point raised in paragraph 11 of the report of the  
13th February 1936. A copy of the report  
sent to you on the same date; and you may  
would refer to it and let me know whether you think  
that the expenditure in Malta should be  
should in the circumstances be charged to the  
to Malta instead of to my name. I had  
was to reduce the amount of the vote but now that we  
have more than we require there does not seem to be  
anything in it.

Malta.

I also enclose a copy of a telegram from the officer administering the Government of Malta from which it appears that the special emergency expenditure to 31st March 1936 will amount to £39,168 only compared with the provision of £63,000 in the estimates.

Although apparently liability for various works etc. in excess of the £39,168 has been incurred but will not mature until after 31st March, assume that we shall not be in order in issuing from the 1935 Grant more than Malta will actually spend to 31st March? The Acting Governor refers to a point raised in paragraph 3(c) of our despatch of 15th February 1936. A copy of this despatch was sent to Speed on the same date; and perhaps you would refer to it and let me know whether you agree that the expenditure in point (which is only £300) should in the circumstances be charged to this grant to Malta instead of to Army funds. Speed's view was to reduce the amount of the vote but now that we have more than we require there does not seem to be anything in it.

he

The expenditure for the relief of Maltese  
in Turkey is given as \$18,000 as provided.

Aden.

We are still awaiting a reply to a telegram  
to the Resident and if necessary will communicate with  
you later about this.

I shall be grateful for a very early  
intimation of your reaction to our proposals as the  
time in which the payments must be made is getting  
short.      telephone message will suffice.

Yours sincerely,

(1000) W. H. BOYCE.

FOR REGISTRATION

1/24

CYPHER telegram from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 25th March 1936. Received 3.54 p.m 25th March 1936.

No 86 Secret.

Your No 65 Estimated cost of emergency expenditure up to 31st March exclusive of R.A.F. expenditure is £15,500 allocated as follows. Military £8500 Police £3350 Miscellaneous £3250.

58066/7/36

O. B.  
H. L. MAR  
77

C. O.  
Mr. *de Smith* 14/3  
Mr. *Boyer* 14/3  
Mr. *Lee* 16/3  
Sir C. Parkinson  
Sir G. Tomlinson  
Sir C. Boltonley  
Sir J. Shuckburgh  
Prmi. U.S. of S.  
Parly. U.S. of S.  
Secretary of State

*N. Pasterin 16/3 8*

*March, 1936*

DRAFT. *Conon*

Kenya

No 181

Governor

*(Library (K. P. M.), 10/11/36)*  
*Copy sent to 16/11*

*Dear Sir,*  
I have the pleasure to enclose herewith for your information a copy of the Supplementary Estimate usually prepared to Parliament to meet unforeseen also also for a grant in aid to Kenya during the year 1935/6 of a sum of £25,000 in respect of special measures taken in connexion with the State.

*Alysonian stipendi*

**FURTHER ACTION.**

*Copy for 14/3/36*  
*Copy to 16/3/36*

the footnote to page 6 of the supplementary  
estimate that Parliament has been informed  
that the Comptroller and Auditor General  
will be furnished with the audited  
accounts covering this year and with  
any report thereon by the Director of  
Colonial Audit. This requirement, normally  
applicable in the case of all grants from the  
Imperial Exchequer, is for the purpose of supplying  
the appropriation account of the Vote for Colonial  
and Middle Eastern Services for which the Colonial  
office is responsible.

3. I have accordingly to request that I  
may be supplied with four copies of the <sup>audit</sup> ~~statements~~  
containing expenditure for which the above grant has  
been made. I have also to request that the Auditor  
may be asked to append his personal signature  
to the audit certificate covering the account on  
I have etc

10  
Mr. S.W. Smith. 14/3.  
Mr. Boyse. 14/3.  
Mr. Lee. 16/3.  
Mr. Paskin. 16/3 at once.

38066/7/35.

PARAPHRASE TELEGRAM from the Secretary of State for the Colonies to the Governor of Kenya.

(Sent 7.0 p.m., 16th March, 1936.)

No. 65. Secret.

(5) Please see my telegram No. 34. Supplementary estimate will be available for issue before the 31st of March. It is proposed to make cash issue before that date to Crown Agents for account of Kenya Government. In order that amount issued may accord as nearly as possible with actual money spent by Kenya I shall be obliged if you will telegraph as soon as practicable and in any case not later than 27th March an accurate estimate as possible of expenditure likely to be incurred by 31st March.

3 drafts.

Copy for sés.

97  
2nd March, 1936.

Dear Sir,

In the course of the debate on the Committee of Supply on Thursday last, Mr. J. H. Thomas undertook that, before the report stage, an opportunity would be taken to consider the question whether it would be possible under International law for this country to submit a claim to Italy for the repayment of the whole or any part of the cost of maintaining in Kenya the Italian native deserters who recently took refuge there. Please see column 771 of Hansard of the 27th February.

We have discussed the question with the Foreign Office, and Sir William Malkin, the Foreign Office Legal Adviser, has now prepared a memorandum, of which a copy is enclosed, setting out his opinion on the point. In the absence of Sir Gratian Busho, Malkin's memorandum has been shown to Duncan, the Assistant Legal Adviser, and he is in full agreement with it.

Robert A. Swan, Esq., O.B.E.

Mr.

Mr. Thomas will be very much obliged if Sir Donald Somervell (who intervened in the debate last Thursday) would consider this memorandum and the conclusion arrived at in the last paragraph. If Sir Donald agrees with Sir William Malkin's opinion, he assumes that he will be prepared to make a statement on these lines in the House when the Report stage of the Vote is taken this week.

Yours sincerely,

(Signed) E. B. BOND

8  
49

This question relates to a certain number of native deserters from the Italian forces who crossed into Kenya and are being detained there under supervision in a camp. They are therefore persons whom His Majesty's Government are not bound, under the rules of neutrality which are being applied in this connexion on a de facto basis, "to intern"; they have been allowed to remain in Kenya because, for humanitarian reasons, it was considered ~~undisable~~ <sup>undisable</sup> to compel them to return to Italian territory, and they are being maintained in a camp because, in the interests of the colony, it would be undesirable to have them roaming about without any supervision. They are therefore to be regarded as "deserters" and not as "internees".

The law as regards persons in this position is thus stated in Oppenheim's International Law, 5th Edition, Volume II, page 583:-

"Different from the case of fugitive soldiers is the case of fugitive deserters. If they desert and cross the neutral territory for the purpose of joining the enemy, their case is hardly different from the case of men who pass through neutral territory, intending to enlist in the army of a belligerent. For this reason they need not be interned if they come individually; but they must be interned if they come in a body. On the other hand, if they desert without any such intention, they need not be interned, even though they come in a body."

The practice of the Dutch and Swiss Government in this respect during the war is thus described in Fauchille's "Traité de Droit International Public" 8th Edition, Volume II, page 690:-

"Le gouvernement néerlandais, pendant la guerre de 1914, décida que les déserteurs des forces armées belligérantes, perdant le caractère de belligérants vis-à-vis de l'Etat neutre sur le territoire duquel ils se sont rendus, ne devaient pas être internés, mais devaient être laissés en liberté, à la condition que leur désertion fût bien établie. La Suisse toléra sur son territoire les déserteurs des armées en guerre en leur imposant un lieu de résidence et en exigeant d'eux certaines sûretés "pour les inconvénients de droit public et de nature économique résultant du fait de leur présence" (arrêtés du Conseil fédéral des 30 juin, 1916 et 14 novembre 1917)."

In these circumstances it is not considered that Article 11 of Hague Convention No. 5. (neutral Powers and persons in land warfare)/

as in the case,

warfare) is applicable in the case of deserters who enter neutral territory without any intention of joining the enemy forces. That article imposes on the neutral Power "which receives in its territory troops belonging to belligerent armies" a definite obligation to "intern" them, but deserters in these circumstances are not regarded as "troops belonging to belligerent armies" for the purpose of this article. The neutral is entitled if it likes to allow such deserters to remain on its territory and to exercise such measure of supervision over them as they think proper, but it is under no obligation to "intern" them. If so, it follows that the provision in Article 12 of the Convention "at the conclusion of peace the expenses caused by the internment shall be made good" is not applicable either. This, moreover, is reasonable; for ~~while~~ <sup>since</sup> a neutral is compelled to intern belligerent troops in consequence of its neutrality obligations it is obviously right that the neutral should not have to bear the expense of internment; but in the case of deserters the neutral is under no obligation to intern them, and the belligerent from whose forces they have deserted would presumably be quite content to get them back again, so that if the neutral prefers, for sufficient reasons, to maintain the deserters in its own territory, there is no reason why the expense involved in doing so should be made a charge upon the belligerent.

For the above reasons it is not considered that we have a legal right under international law to reclaim from the Italian Government the expenses involved in maintaining these deserters in Kenya.

AIR MAIL

KENYA  
No.  
SECRET.



GOVERNMENT HOUSE  
NAIROBI  
KENYA

15th February, 1956.

Sir,

With reference to your Secret telegrams No. 352 of the 18th November, 1955, and No. 54 of the 12th February, 1956, I have the honour to transmit a statement of emergency expenditure for 1955 induced by the Italo-Ethiopian situation, under the heads Military, Police and Miscellaneous. This statement has been compiled from returns submitted to the Treasurer by the officers concerned, but he is not yet in a position to check its accuracy.

I regret that I am unable to give any particulars regarding Royal Air Force expenditure, but I suggest that approximate figures may be obtainable from the Air Ministry.

2. As regards the estimate of similar expenditure for the first quarter of 1956, I submit a purely tentative figure of £5,145 allocated as follows:-

Military .....	£ 2,500
Police .....	£ 1,500
Miscellaneous .....	£ 1,145.

I regret that it is impossible to give more precise figures at this stage.

I have the honour to be,

Sir,

Your most obedient, humble servant,

Brigadier-General

GOVERNOR

THE RIGHT HONOURABLE  
J. H. THOMAS, P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET.

*Answered (2)*

119/205  
5

## EMERGENCY EXPENDITURES ON DEFENCE, 1955.

Head.	Details.	Rs.	Cts.	Rs.	Cts.
<u>Military</u>	Reservists' pay, and allowances	1,578	31		
	Transport expenses of reservists, etc.	5,799	06		
	Transport of troops	71,819	48		
	Hire of camels for transporting rations	7,044	55		
	Arms, Equipment, uniforms, etc.	5,280	22		
	Miscellaneous stores	8,889	11		
	Outfit allowances	40	00	92,410	50
<u>Police</u>	Pay of extra police for R.A.F.	10,088	88		
	Rail fares of extra police to Duglaxi	150	80		
	Rations to extra police	7,118	75		
	Arms & Equipment for extra police	1,474	71		
	Uniforms for extra police	2,455	70		
	Miscellaneous stores transport	3,712	73		
	Petrol, oil, etc. for lorries	1,117	15		
	Hire of motor lorries	7,088	87		
	Mileage allowance, camel hire etc.	1,75	31		
	Subsistence allowance to officers & special patrol	1,130	70		
	Fodder	124	00		
Frontier Allowance to extra clerks	1,130	75			
<u>Police Extraordinary</u>	Purchase of two motor lorries	1,710	80	50,000	90
<u>Miscellaneous:</u>					
<u>Administration</u>	Travelling in connection with preparation of landing grounds	1,689	24		
	Labour on construction of petrol store	2,430	00		
<u>Miscellaneous Services</u>	Preparation & Maintenance of landing grounds for R.A.F.	10,694	49		
	Overseas Telegrams	5,925	45		
<u>Post Office &amp; Tels.</u>	Overtime in respect of telegraph traffic	47	40		

Mr. Lee.

27.1.36

38066/7/36

Kenya.

Secret.

Mr. Flinn

27

Mr. Boyse

Sir C. Parkinson

Sir G. Tomlinson

Sir C. Bottomley

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Semi-official for Mr. Boyse's signature.

Downing Street.

29<sup>th</sup> January, 1936.

**DRAFT.**

E.B.B. SPEED, ESQ., M.C.  
TREASURY.

To Gov. 17th Jan. 1936.  
(2)

Fr. Gov. 25th Jan. 1936.  
(3)

Dear Speed,

I have already written to you about the emergency expenditure necessary in Somaland on account of the Italian-Abyssinian war. This letter deals with such expenditure in Kenya.

I think that the position will be clear to you if I enclose copies of recent telegraphic correspondence with the Governor. You will see that, exclusive of any R.A.F. expenditure, the cost of emergency measures in the Colony up to the 31st March next is

estimated

FURTHER ACTION.

estimated at £14,000, and that the  
monthly estimate for emergency expenditure  
thereafter (assuming no change in the  
position and exclusive again of R.A.F.  
expenditure) is put at £1,000 a month.

You will see also that the  
Governor states definitely that Kenya  
in the present circumstances cannot afford  
the emergency expenditure which it is being  
called upon to meet. I am asked by the  
Department to say that they fully endorse  
this view. The financial position of  
Kenya will be well known to you. *On its  
1936 estimates Kenya has no money  
to spare.*

*Yours sincerely*

*(Sd) Lord Bryce*

---

Cypher Telegram from the Governor of Kenya to the  
Secretary of State for the Colonies.

Dated 25th January, 1936.

Received 9.40 a.m.  
25th January, 1936.

No 26. Secret.

Your telegram to 21 of 17th January Secret.

Answers to your queries are

1. £14,000.
2. I do not consider that the Colony can reasonably be asked to bear any share of this emergency expenditure. In existing circumstances Colony cannot afford it.
3. Officer Commanding Royal Air Force is unable to give figure of excess cost but suggests that approximate figure might be obtained direct from the Air Ministry.
4. £1,000.

Mr. Flood 17.1  
Mr. Lee 17.1  
x Sir C. Bottomley 17 at once

2 56

39066/35

8 CYPHER TELEGRAM from the Secretary of State for the Colonies to the Governor of Kenya.

Sent 7.p.m. 17th January, 1936.

No.11. Secret.

119

My telegram 18th November No.332 Secret. In order to help preparation of supplementary Estimate which must be presented to Parliament in February please telegraph as soon as possible

(1) Estimated total of emergency expenditure incurred during financial year up to 31st March exclusive of Royal Air Force.

(2) What proportion can be borne by Kenya without assistance

? omit (3)  
I think we  
might see if  
Kenya can  
produce  
figures.

(3) If possible what in excess expenditure of Royal Air Force

(4) Estimated monthly amount which will be expended after 31st March assuming situation does not alter materially.

copy original Dept on 1914/35-36/4

57  
END

URGENT.

Treasury Chambers,  
Whitehall, S.W.1.  
10th January, 1936.

Dear Boyse,

You will remember that it has been decided to take a Supplementary Vote in February to meet that part of the emergency expenditure in the Colonies which cannot be borne by the Colonies themselves. I am aware that you have not yet received estimates from all the Colonies concerned, but you no doubt have some idea of what the figure is likely to be, and I should be most grateful if you could let me have an early note giving what you regard as the maximum figures for Malta, Aden and Somaliland. Perhaps you would also say whether it is still considered probable that Kenya will be in a position to pay for her own charges with the exception of the charges for the aeroplanes. It is clear that if the present state of emergency does not end soon there will be continued emergency expenditure in the financial year beginning on the 1st April next. The supplementary will only cover such expenditure up to the 31st March. If, therefore, you could also say what you consider to be the maximum monthly expenditure in each Colony after April 1st, it would be of assistance to us here. This expenditure should properly be provided for in the Estimates for 1936.

M

Yours sincerely,

(Signed) E.B.B. SPEED.

V.H. BOYSE, ESQ., O.B.E.,  
COLONIAL OFFICE.