

EAST AFR. PROT.

41796

No. 41796

14 NOV 08

Governor No. 113

(Subject.)

1908

2301

Misconduct of P.C. Blunden and Rutherglen

Last previous Paper

CA

(European Colonies)
Send papers & report termination of her appointments.

29/12/07

8th ^{Head} ~~Office~~ (Minutes.)

See also 41797. There can be no question of the propriety of these dismissals.

The passage money deposits are properly withheld - of similar cases of Ilcock & Sault below.

copy despatch, enclose in case for return, to W.O. inf.

Yes, these men are a pair of fools
I'm glad we only let the
you have 15 (there are 9 left)

Copy to W.O. 24 Nov

Next subsequent Paper

41795

41796
R
10/11/08

11/11/08

10/11/08

To proceed
1. 2. 3.
18/21

Mr Cox

Two clear cases

As proposed

Chord Seely

I have tried make
out why Thunell was left off
with an admittance, but he
was. We shall probably hear
of him again

WBC
9/11

To proceed.

SR

41796

Governor's Office

Wairarapa

23rd October 1908.

EAST AFRICA PROTECTORATE.

Confidential (115)

No. 4.

My Lord,

I have the honour to report that two members of the European Police Force, Police Constables Blunden and Rutherford have shown themselves unfit for further duty in East Africa and I have consequently under clause 9 of their agreements terminated their appointments and directed that they be returned to England.

2. They have been given second class passages to London and the passage money so far deposited by them under the provisions of clause 9 has been forfeited as a penalty for their misconduct.

3. Full reports on the two cases, and copies of their defaulter sheets are enclosed, and the perusal of these papers will I think convince Your Lordship that no other course was possible.

I have the honour to be,

With the highest respect,

My Lord,

Your Lordship's most obedient,

Public servant,



In the absence of H. B., the Governor.

H. M. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES,

BRIDGE STREET,

LONDON. S.W.

Ewart 29:9:08
enclosures

Defaulter sheet
Rutherford

Defaulter sheet
Blunden

ENCLOSURE No. 1
Cons. No. 118 of 22/23, 23/24

41796

14 No. 68
Police Head Quarters.

The Ag. Inspector General,
N. A. Police

Nairobi,

To,
The Secretary to the Administration, September, 20th, 1906.
Nairobi.

Sir,

I have the honor to request the sanction of His Excellency the Governor's confirmation to my order passed in the case of P. G. Rutherglen.


I submit the evidence, and attach a list of the previous licenses since his arrival in Nairobi in September last.

I would therefore suggest that this license be granted by the first steamer to the shortest possible period, as it is detrimental to the interests of the Police to keep the agent in the service.

I have the honor to be,

Sir,

Your most obedient servant,


Ag. Inspector General,
N. A. Police

Nairobi.

25th September, 1946

Inspector R. Inspector Hellyer.

2. Inspector Hellyer.

Constable Rutherford.

Offences. 1. Absent from his beat.

2. Disrespect to a superior Officer.

Corporal Hellyer.

On Sunday afternoon (27th) Constable Rutherford was detailed for beat duty on Government Road from 5 until 7 p.m. Shortly after 5 p.m. I patrolled the length of Government Road but could not find him. I went to Inspector Hellyer and reported this who accompanied me to Hagarth's bar in search of the constable, we did not find him there so went to the Police Station, did not find him there and again went the length of Government Road and saw him near Victoria Street. He told us that he had been on his beat in Government Road and vicinity all the time.

Inspector Hellyer.

On Sunday evening at about 6-30 p.m. Corporal Hellyer came to me and reported that Constable Rutherford could not be found on his beat. I went with the Corporal to look for him at Hagarth's and the Police Station and from the latter place we went the whole length of Government Road and when we were near Victoria Street we heard some one talking and did on turning see Constable Rutherford. I asked him where he had been and he said on his beat in Government Road and vicinity. I told him that we had sought for him for a long time in Government Road and that we had not seen him and he answered "I was fed up with this sort of thing and used most filthy language to me. I told him not to use such language and to "shut up" and "leave his beat". He used the same expression again and shortly afterwards we went to Hagarth's

Further and worse abused him

The Barman in Nasareth's told me that constable Rutherglen was in the bar when I approached, but on seeing me left by the back door.

Asst. Sub-Inspector Patterson told me that at about 6-30 p.m. constable Rutherglen was at the Police Station with another constable, in the latter's sleeping apartment.

H.W. Kelly, Waiter at Nasareth's bar.

I know constable Rutherglen, he was in our bar on Sunday evening at from 4-30 to 5 p.m.. He came about 15 or 16 minutes before Inspector Reilly came. I did not see him leave. He was with Babu Anraj, Mr. Anand and Mr. Agas. I took them Ginn and a Whisky. Constable Rutherglen was in uniform.

Note. Inspector Reilly went to Nasareth's at about 6-30 p.m.

Asst. Sub-Inspector Patterson.

I saw constable Rutherglen at the Police Station between 6-30 and 6-45 p.m. on Sunday. He went to the constable's sleeping room. He was in uniform.

P.C. No. 106 Yuluku was Dechu.

I was on duty in Government Road from 6 p.m. until 10 p.m. on Sunday. I did not see constable Rutherglen during my tour of duty. I saw Inspector Reilly and Sergeant Hallyer.

Constable Rutherglen.

I did not leave my beat on Sunday. I go round the backs of the houses when on duty. I went to Nasareth's bar but not during my duty hours. I did not go to the Police Station during my duty hours. I used the language mentioned to Inspector Reilly because I was very angry. My duty leaves me no time to go anywhere. I am fifteen hours in uniform and the people wonder what I am.

Note. Accused has 4 hours duty in the 24 for 4 days a week and 2 1/2 hours duty in the 24 for 3 days in the week.

I find constable Rutherglen guilty of leaving his beat in Government Road on the evening of the 29th instant and being

filthy and abusive language to Inspector Reilly, so filthy
that I abstain from putting it in writing.

Sentence.

I recommend that the Accused's agreement be termi-
nated and he returned to his Regiment subject to the ap-
proval of His Excellency the Governor.

Sd: H.H. Smart.

Ag: Dy: Inspector General,
R.A. Police.

INC 5111
No. 113
41796

14 NOV 08

Police Head Quarters,

Nairobi,

October 9th 1908.

No. 120.

From,
The Agt. Inspector General,
N.A. Police,

To,
The Secretary,
to the Administration,
Nairobi.

Sir,

I have the honor to send an enquiry against P.C. Blunden and a report from the Officer in charge of the Detachment Captain Bustace.

From the enquiry it is seen that Constable Blunden was the cause of a disgraceful scene apart from his un-galled for interference and obstruction.

Constable Blunden was ordered to attend this orderly room to answer the charge brought against him. He absented himself and was ultimately found drunk and had to be confined in the Police Station.

I would also mention that there is still another very serious charge of House trespass, and causing hurt to several of Mr. Hashim Hais tenants. In committing the trespass he broke several doors the damages of which amount to Rs. 100. This latter case is still pending as Mr. Grant, Solicitor, is willing to have the case settled out of Court by the Constable paying the damage caused.

It is clear that Constable Blunden is a disgrace to the Force and should not be retained any longer than

can be helped.

I beg to recommend that Constable Blunden be fined £.10 and be returned to his Regiment by the first homeward vessel.

I have the honor to be,
Sir,
Your obedient servant,

[Signature]
for Ag Inspector General,
H.A. Police.

A.G.D.

Copy.

From A.D.S.P.

Nairobi.

To Ag. I.C.P.

Nairobi.

Sir,

I have the honour to forward herewith statement of Mrs. Cooke and Messrs. Leonard & Charlesworth.

I have on several occasions had to report on the conduct of these European Police, and this man in particular has been unsatisfactory.

I would strongly urge that they be all returned to their regiments, and suitable men engaged in their place.

I have etc.,

(signed) R.W.B. Rustace

A.D.S.P.

Nairobi 8:10:08

Copy.

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From A.D.S.P.
Nairobi

To Ag.I.G.P.
Nairobi,

Sir,

I have the honour to report that P.O. Blunden of the European Police, who was ordered to appear in your Orderly Room at 9-30 a.m. to-day, to answer a charge of being drunk and creating a disturbance in Mrs. Gerke's house on the 19th September, failed to appear. He however returned to the Police Station at 10.5 a.m. and I instructed Inspector Anderson on the telephone to send him to this Office at once. Inspector Anderson then informed me that the Constable was drunk and in an unfit state to appear. I have therefore ordered him to be confined in the Police Station and would strongly recommend that he be discharged from the Police at once, and that he be confined in the Fort at Mombasa pending a steamer going to England, as it is quite impossible that he be kept on here.

I have etc., etc.,

(signed) R. W. B. Easton

A.D.S.P.

9:10:08

Copy

From A.D.S.P.

Nairobi

To Ag. I.G.P.

Nairobi

Sir,

I have the honour to report that P.O. Blunden of the European Police, who was ordered to appear in your Orderly Room at 9-30 a.m. to-day, to answer a charge of being drunk and creating a disturbance in Mrs. Gerke's house on the 19th September, failed to appear. He however returned to the Police Station at 10.5 a.m. and I instructed Inspector Anderson on the telephone to send him to this Office at once. Inspector Anderson then informed me that the Constable was drunk and in an unfit state to appear. I have therefore ordered him to be confined in the Police Station and would strongly recommend that he be discharged from the Police at once, and that he be confined in the Fort at Mombasa pending a steamer going to England, as it is quite impossible that he be kept on here.

9:10:08

(signed) R. W. B. Easton

A.D.S.P.

From A.D. 1906

To A.D. 1906

Sir,

I have the honor to reply that P. O. Sullivan of the
 European Police, who was ordered to appear in your
 Office Room at 9-30 a.m. on 10th, to answer a charge
 of being drunk and creating a disturbance in Mrs. Clarke's
 house on the 10th September, failed to appear. He
 however returned to the Police Station at 10.15 a.m. and
 instructed Inspector Anderson on the telephone to send
 him to his Office at once. Inspector Anderson then
 informed me that the Constable was drunk and in an
 unfit state to appear. I have therefore ordered him to
 be kept in the Police Station and will attend
 record and that he is to be kept in the Police Station
 and that he is to be kept in the Police Station
 a statement being made as to the facts of the case
 and a report to be made to the Police Station.

I am, Sir, yours faithfully,

(Signed) W. J. Reilly

A.D. 1906

A.D. 1906

Mrs. Clarke states:-

On the 19th instant Constable Blunden came to my
 house and came up the front stairs, and said he wanted one
 of my boys. He did not say why he wanted him and I called
 Mr. Yates and asked him to attend to him as I had a
 number of guests, and wanted to entertain them. He went
 down the stairs, and Mr. Yates, Charlesworth and Mr.
 Leonard accompanied him. Afterwards I heard a noise, as
 if people were fighting at the back. I believe the
 Constable wanted to inspect the house. He was under
 the influence of drink at the time and was not in uniform.

Sd/- W. J. Reilly
Inspector in Charge.

30-9-1906.

W.A. Charlesworth

Driver, Uganda Railway.

States:

On Saturday the 19th of September Constable Blunden came to Mrs. Cooke's house where I and my wife had been invited to spend the evening. It was about 12 p.m. when he came. He came up the front stairs and wanted to come into where Mrs. Cooke's guests were. Mr. Yates met him at the door and told him he could not come in; he went round to the back and arrested two boys. I went round to the back, and found that one of the (Mtoto) boys was mine, I asked him why he arrested the (Mtoto) boy he told me that the Mtoto was at the back door trying to get into the house (Mrs. Cooke's house) this particular Mtoto I had taken to look after my youngster which is about two months old. The Mtoto explained that he had been to attend a call of nature. Then Constable Blunden lifted up a Americans lamp and asked the Mtoto if I was his master. The Mtoto replied, yes. I told the Constable to take the Mtoto away if he had committed any offence. Then he started making use of obscene language. I asked him to discontinue the language, as there were ladies listening. Then he turned to me, and said in a loud voice "fuck the ladies" I told him to go away otherwise he would get himself into trouble. Then he lifted his hands and tried to strike me. I hit him and knocked him up against a fence. Then he said "I've had enough" and said he was to blame as he brought the

trouble

trouble on himself when he came to the house he was drunk but after I hit him he seemed to be sober up and said he didn't arrest the boys. There was an askari with him all the time holding the two boys. I asked the askari why he arrested the two boys; he replied that the Constable ordered him to do so. I threatened to send for Inspector Reilly; he said he didn't care a...d for Inspector Reilly and that he would like to see him. I saw it was no use arguing the point with him so I left him and went back into the house eventually he let the boys go and went away. He was not in uniform. I dont know the askari's number but I think it was 175 or 475 and he said his name was Omaradoo when he came first to the house he asked if Mrs. Corks had got a licence to have an "Ngoma" after 12 p'm and said she was breaking the law by dancing after 12 p.m. as he was drunk nobody took any notice of him.

Sd/- W.A. CHARLESWORTH

Driver

October 1st 1908.

T.J. Leonard

Corroborates above statement of Mr. Charlesworth, and further adds that he told Constable Whittan all about the matter.

Adjutant

Ask P.C. Blunden if he will pay the Rs. 150 or
face the Court proceedings.

Sd/- C. Riddick
Ag. Inspector General of Police.
24-9-1908.

No. 3069.

Asst: District Superintendent of Police,
Nairobi.

I will see Constable Blunden in my office at
8 p.m.

Sd/- R.M. Ewart
for Ag. Adjutant.
24.9.08.

Asst: District Superintendent of Police, Nairobi.

It has come to my notice that Constable Blunden
also misconducted himself at Mrs. Clarke's house last
Saturday week. Please enquire into it and report to me.

Sd/- R.M. Ewart
Ag. Deputy Inspector General of Police.
24-9-1908.

C.O.
41796

Nairobi, P.O. Box 44-NC 08

September 23rd 1908.

Without Prejudice.

Sir,

I am in receipt of your office letter of 22nd instant in regard complaints against Police Constable Blunden.

As far as my clients are concerned they would be satisfied if the officer in question pays damage and costs which would amount to about Rs.150. The matter can then be treated as an Orderly Room one failing that they wish to take the matter into Court..

If you require my clients to bring their evidence tomorrow they wish me to represent them in case an amicable arrangement is not come to.

Yours Ac., &c.,
Ed/- Commanding Officer.

The Ag.By. Inspector G.I. of Police,
Nairobi.

Ag. Inspector General of Police,

The Solicitor cannot represent them in the Orderly room. If the complainants claim Rs.150 damage I think the case should go to Court. In case of a conviction you will probably have the man returned to his regiment.

Ed/- R.M. Ewart
Ag. By. I. G.I. of Police

23.9.08.

Police Headquarters,

Nairobi.

22nd September 1908.

No. 5049.

Sir,

Your letter of date complaining of the conduct
of Constable Blunden.

Please inform me if you wish to take the case
to the Court on behalf of your clients or if you wish
it enquired into and decided in the Orderly Room ?

If the latter, will you kindly cause the
complainants and their evidence to be at this office
at 9.30 a.m. on the 24th instant for hearing.

I am &c., &c.,

Sd/- H.M. Ewart

Acting Deputy Inspector General of Police.

Edmund Burke, Esq.,

Solicitor,

Nairobi.

Nairobi,
P.O. Box 34,

September 22nd 1909.

Sir,

I have the honour to enclose herewith copies sworn statements with reference to complaints against a European Constable, since identified at your office as Police Constable Blunden. The action of the Constable seems to be quite inexcusable and as my clients allege it is not the first complaint against the conduct of the Police they trust the fullest enquiry will be made. They lay the matter before you without prejudice to any legal remedies they may have.

I have &c., &c.,

Sd/- Oswald Tonks

The Ag. Inspector General of Police,

Nairobi,

Inspector General,

for perusal and orders please.

Sd/- R. W. Ewart

Ag. Dy. Inspector G.I. of Police
22-9-09.

I Abji Tinabux make oath and say as follows:-

I am a mason living in Heshambhai's premises. On Monday last at about 12 midnight I was in my room and was awaking as I have got my hand broken and it was paining. I was hearing the noise of knocking the door. One European (since I have identified as Police Constable Blunden) came to my room and knocked the door - which was open. He entered my room and abused me and hit me with his fist on my chest. I told him I was ill. He then went to another bed which was in my room and asked me where my wife was. I replied I was single. He then went away.

I David make oath and say as follows:-
I am a boy in Mr. DuBois. I live in Washburn's
premises behind East Africa Stores. On Monday last at
midnight I was in my room with my wife. One European
(since I have identified as Police Constable Blunden) came
there and knocked my door twice thrice. I asked who he
was "Hani". He did not reply and broke open the door. I
told my wife to go away she left the room. He entered
the room and asked me who I was. I said I was Mr. DuBois
boy. He asked me to go with him and caught hold of me
by the arm. I accompanied him to another room (occupied
by Indians). He kicked the door twice or thrice and
some one inside opened the door. He entered the room.
There was a lamp burning in it. He began to slap one
Indian I don't know his name. The Indian got up. Mr.
Blunden left him and began to assault another Indian
and I don't know his name. When his nose began to bleed
on account of assault he left him and asked me to take

the

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the Indian's lamp and go with him I took the lamp and
went to another room while he was ricking the door of
another room. I ran away with the lamp to my another
house (behind the Cooperative Society on Government
road) I was threatened by him that if I don't take the
lamp and accompany him he would assault me.

I make oath and say as follows:-

I live in the premises of Hasmabhai with my wife. On the 14th (Monday last) at about 1 a.m. One European (since I have identified him as P.C. Blunden) came to my room and knocked the door twice or thrice. I got up and opened the door, Mr. Blunden entered the room and knocked me down and began to assault without replying my and my wife's questions to him as to why he was assaulting me. He abused my wife saying "Shut up you bloody cow" when tired of assaulting he said " don't you know I am a police and why did you not open the door". I asked my wife to give my pants so that I may go to Police Station and report. While my wife was giving me my pants he dragged me out of my room and took me to the room of Eulien Marie. Mr. Blunden kicked the door of Mr. Eulien Marie's room twice and broke the same open. He entered the room and commenced to assault Mr. Eulien Marie. my wife requested him not to assault him as he was old man.

Mr. Blunden

Blunden then left him and took me again by the arm and dragged me to the room and asked me who I was. I said I was boy in the Norfolk Hotel and showed my keys to him, he then went away. While going he said he was Head of the Police and whenever he comes I must open the door for him otherwise he would assault me again.

I Hashabhai Jannahomed make oath and say as follows:-

I am Manager of Allidina Wierum Nairobi. I have got my buildings behind the East Africa Stores Nairobi. There are 15 rooms in it. On the 15th instant at about 8 a.m. some of the tenants of my rooms came to me and reported that one European (since I have identified as P.C. Blunden) had been there at about 1 a.m. on Monday night and had assaulted some of them and had broken doors of some of the rooms. I went to the buildings and found four rooms doors broken. I estimate the damage at about Rs.30/- After this occurrence two of the tenants have vacated the rooms and gone away - and others are also going to vacate the rooms.

In last July two Police Constables named Miller and Sparrow had entered the premises and committed assault on one of my tenants named Emilian Marie and his wife.

Ambaram son of Yammall make oath and say as follows:-

I am a carpenter working in Nairobi. I live in one of the rooms behind the East Africa Stores Nairobi. The premises belong to Hashambhai Jannahomed. On the 14th instant at about 12 midnight or 1 a.m. I was sleeping in my room with three others named Valabh son of Vanerashi, Premchand Kalidass and Narehi Matnu. One European came there and kicked the door of my room. He entered my room and slapped me twice thrice on the face. I got up and while I was sitting in my bed, he left me and went to the bed of Valabh and began to slap him. I was sitting in my bed and the other two were also sitting when Valabh's nose began to bleed on account of assault. He left our room and ordered the boy whom he had brought with him to take away our lamp. After leaving our room he broke open two or three other rooms.

I L. Emilien Marie make oath and say as follows:-


I am a compositor in "Leader" Nairobi. Live in Hashambhai's premises. On night Monday last one European came to my room and broke the same open. I and my wife were sleeping inside. He entered my room and wished to assault me when Augusting told him not to assault me. He then left me and went away. I am living in that house for last 22 months. In last July two European Police named Miller and Sparrow came to my room and knocked the door of my room I opened the door they entered the house and asked me to send my wife with them. I said she was my wife and I would not allow her to go with them, they said she was not my wife but she was Eva or Mr. Du Bois boy, I said she was not Eva, they kibokod my wife and assaulted me very severely. I reported the matter to the Police and the reply I got from the Police is attached hereto. When they kibokod my wife she ran away and came a short time after with a white Constable. I was senseless at that time. I was sent to the Hospital where I was for 10 days.

I Valabh son of Vanarashi make oath and say as follows:-

I am a carpenter living in one of the rooms of Hashanbhai behind East Africa Stores Nairobi. On Monday last the 4th instant at about 1 a.m. one European (since I have identified as P.C. Blundon) came to my room where I and three others were sleeping inside, and began to hit me on my face with his fist and when my nose began to bleed he left me and ordered a Swahili whom he had brought with him to take away our lamp and they both went away with the lamp.

Date.	Rank & Name.	Report.	By whom reported.	Facts as reported.	Officer's signature.
4.10.07	P.O. Rutherford.	Found off his beat at 3.30 a.m.	Corporal Glendon.	Absent.	[Signature]
8. 9.08.	P.O. Rutherford.	1. Absent from beat in Govt. Road. 2. Disrespect to a superior officer viz: Inspector Kelly.	Inspector Kelly. Corporal Kellyer. Evidences, N.A. 1000 unit in possession of A. Sub-Inspector Patterson. P.C. Yalton No. 100.	Adjudged until 20.9.08 for further evidence. S.A. J. Dwyer Recommended to be returned to his regiment.	[Signature] Ag. [Signature]

I certify the above to be a true and correct copy.


 Ag-Inspector
 S.A. Police.

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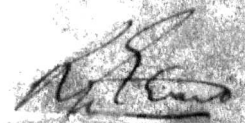
European Detachment Miner Offences.

No.	Name	Rank	Offence	Witness	Punishment	By whom awarded
1	...	S. G.	Irregular Conduct.	Corpl. Glaiden.	Admonished.	G. Smith, Capt. Adjutant.

Certified true extract from Miner Offence Book.

Nairobi,

23. 10. 1913



Ag Inspector General,
 N.A. Police.

For
4796/08
e.a.P.

98
25

DRAFT

Handwritten mark

Secy.

W.O.

24 Nov 08

- MINUTE. 19/11
- Mr. Naall 21/11
- Mr. Ellis 22/11
- Mr. Judd
- Mr. Andrews
- Mr. Cox
- Sir C. Lucas
- Sir F. Hopwood
- Col. Seely
- The Earl of Crewe

Sir,
 With reference to your
 Lt. N. 0165/5681. a.g.s of the
 23rd of July 1907, I am directed
 by the E of Crewe to transmit
 to you to be laid before the
 Army Council, copies of
 two despatches from the Ag
 for of the e.a.P., with their
 enclosures, reporting the
 dismissal from the Palace

For Conf 11/11
For Conf 12/11
For Conf 13/11

House of the Paste. of
Lance Corporals A. S. Parsons,
T. Blunden and J. Rutledge
of the Military Police.

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