

- Q. 43. How do you know that your husband was hit in the arm and in the side ?  
 A. 43. I was told on the third day.  
 Q. 44. You saw nothing at all after the soldiers fired ?  
 A. 44. I saw nothing after the soldiers had fired as I became unconscious.  
 Q. 45. When did you become conscious again ?  
 A. 45. I became conscious again on the third day when I was told about my husband.  
 Q. 46. Who told you about your husband ?  
 A. 46. My women relatives in the house.  
 Q. 47. Did your mother-in-law tell you ?  
 A. 47. She came up and told me in my ear that my husband and father-in-law had died.  
 Q. 48. Then you do not know what happened to you after the soldiers fired the shot ?  
 A. 48. I do not know.  
 Q. 49. You do not remember being in the oven do you ?  
 A. 49. No, I and my mother-in-law were in a room.  
 Q. 50. And not in an oven ?  
 A. 50. No.  
 Q. 51. Do you remember yourself being in an oven ?  
 A. 51. No I do not remember.  
 Q. 52. Do you remember leaving the village with your mother-in-law ?  
 A. 52. No I do not remember.  
 Q. 53. When you became conscious again were you still in the village ?  
 A. 53. Yes we kept in the village all the time and did not go out.  
 Q. 54. On the Monday don't you remember going away from the village ?  
 A. 54. No we did not and I laid down for 3 days.

RE-EXAMINED BY COUNSEL FOR THE NATIVES.

- Q. 55. When you came back to your senses did you find anything in the house burnt ?  
 A. 55. I saw the roof was burnt.  
 Q. 56. Have you or your mother-in-law got a neighbouring house belonging to you ?  
 A. 56. Neither myself nor my mother-in-law.  
 Q. 57. Where do you keep your cereals, in the same house or in another house ?  
 A. 57. The cereals are kept in another house North of the village ?  
 Q. 58. Did you see that house when you came to your senses ?  
 A. 58. Yes.  
 Q. 59. Was there something burnt in it ?  
 A. 59. All our cereals were burnt.  
 Q. 60. You did see the rest of the burnt cereals ?  
 A. 60. Yes, the cereals are there at present.

CROSS EXAMINED BY THE COURT.

- Q. 61. Has your house got 2 storeys ?  
 A. 61. Yes.  
 Q. 62. Did soldiers go upstairs ?  
 A. 62. I did not see them do so.  
 Q. 63. Were you violated by the soldiers ?  
 A. 63. No.  
 Q. 64. Was your mother-in-law violated by the soldiers ?  
 A. 64. I do not know whether she was violated or not.  
 Q. 65. Were you ever lying on the ground ?  
 A. 65. Yes, I was so frightened I laid on the ground.  
 Q. 66. Of your own accord ?  
 A. 66. Yes from fright.  
 Q. 67. So the soldiers did not put you lying on the ground ?  
 A. 67. No I was frightened and I lay on the ground.

- Q.66. Did any soldier lay on the top of you.  
 A.66. He laid on me. He did not do anything and when he lay on me I shouted.  
 Q.67. Was he lying on you when you first shouted?  
 A.67. The soldier was kneeling.  
 Q.68. Was he kneeling with one leg on each side of you?  
 A.68. One foot was lying on my thigh and then I shouted.  
 Q.69. That is to say, when you first shouted you were lying down on the floor.  
 A.69. Yes.  
 Q.70. You are quite certain about that?  
 A.70. Yes.  
 Q.71. And then your husband came up?  
 A.71. Yes.  
 Q.72. Then why did you state in your evidence that you were standing up when you shouted and when your husband came to you, which is true?  
 A.72. I was standing and I was not lying down.  
 Q.73. Then why did you state 5 minutes ago you were lying down?  
 A.73. Through fright I sat on my backside.  
 Q.74. Then you were not lying down?  
 A.74. No.  
 Q.75. Was your mother-in-law lying down?  
 A.75. I do not know.  
 Q.76. But you were looking at your mother-in-law?  
 A.76. I was fuddled as I was frightened.  
 Q.77. Do you know that your mother-in-law has stated on oath to this Court that both she and yourself were both violated by the soldiers?  
 A.77. I do not know this.  
 Q.78. Then you are quite certain that your mother-in-law's statement that you were violated, is not true?  
 A.78. They did not violate me therefore my mother-in-law's statement as regards me is not true.  
 Q.79. Was anything taken away from the house by the soldiers?  
 A.79. I did not see.  
 Q.80. Did you ever hear of anything being taken from your house afterwards?  
 A.80. My mother-in-law told me that my and my mother-in-law's jewels were taken away and the jewels of the daughter of my mother.  
 Q.81. Did your mother-in-law ever mention anything else being taken away by the soldiers?  
 A.81. She told me that they took away £50.  
 Q.82. Are you quite sure that the sum was £50?  
 A.82. I am sure the sum mentioned was £50.  
 Q.83. Did your mother-in-law tell you the value of the jewellery that was taken?  
 A.83. She did not mention it.  
 Q.84. Do you know this jewellery?  
 A.84. Yes. A gold necklace and gold ear-rings of my own, one necklace and ear-rings and another necklace belonging to the daughter of my mother.  
 Q.85. Would should be the value, in your opinion, of all this jewellery?  
 A.85. From £100 to £150.  
 Q.86. Did your mother-in-law tell you that they had taken anything else out of the house?  
 A.86. She only mentioned the £50 and a note of £10.  
 Q.87. Did you see the soldiers fire the rifles into the ceiling?  
 A.87. Yes I saw them.  
 Q.88. Did you see the ceiling catch fire at once?  
 A.88. Yes.  
 Q.89. Did it break into flames at once?  
 A.89. Yes.  
 Q.90. Was this after/pun husband and father-in-law had been killed?  
 A.90. Yes.

- A.93. Yes.
- Q.94. And when the roof burst into flames, what did you do?
- A.94. I did not do anything, I was giddy and I laid down.
- Q.95. Then how was it you ~~was~~ not burnt to death inside the house?
- A.95. I was far away from the fire.
- Q.96. But you said you were in the room when the soldiers fired at the roof?
- A.96. The witness is unable to give a satisfactory reply.
- Q.97. Are you quite sure you saw the 4 soldiers fire into the roof and then the roof burst into flames?
- A.97. Yes.
- Q.98. Where were you standing when you saw this?
- A.98. The house has 4 doors and I was standing between 2 doors.
- Q.99. Then you were inside the house?
- A.99. Yes I was on an earthen couch.
- Q.100. Then you were in the same room with the soldiers?
- A.100. Yes.
- Q.101. Then when the roof burst into flames what did you do?
- A.101. I walked along to the mustaba (earthen couch) and laid down.
- Q.102. And was this mustaba in the same room?
- A.102. It was at the mouth of the door.
- Q.103. Inside or outside the door?
- A.103. Inside the door.
- Q.104. And then what happened?
- A.104. I did not see anything else.
- Q.105. You fainted.
- A.105. Yes.
- Q.106. And the roof was burning above you?
- A.106. The fire was burning in the roof in which the soldiers fired.

THIRTY FIRST WITNESS.

8/1  
 SEREA the daughter of Kha/aga (Father) and daughter of Zamab Bint Khalil (12th witness) having been duly sworn states:-

"On Sunday the 30th March in the afternoon we were in our house. We heard shots. My mother and my father and 4 children were in the house with me. My father told us to shut the door from the outside when we heard the firing. The English soldiers came to our house after sunset and asked us to open the door. We refused to open the door. The soldiers then pulled away part of the wall and then entered. The soldiers asked "Where is the Walid". We replied there was no Walid there are women here. One of the soldiers took me and threw me on the ground and lay upon me. I and my small brothers and my mother shouted. My father who was inside in another part in the house came out and said "Shame, Mister". Five soldiers took my father and went out of the house and five were left in the house. One of the 5 who were left in the house threw me on the ground and lay upon me. His arms were bare to ~~xx~~ the elbows. I do not know how he was dressed but he slipped one foot out of his garment and left the other foot in the garment. When he threw me I became unconscious. I being unconscious do not know anything more. Afterwards my mother said to me. "Come along as the fire is approaching us". My mother carried me on her shoulder and we went into another house belonging to us which my mother told me was on fire. My mother then said "Let us go to the Western bank of the canal". We went there. I and my mother and brothers were at the canal all the night. Next morning we heard people shouting. One of them said that the men taken away by the British soldiers had been killed. I do not

- probably has forgotten my orders. If I had known this enquiry was going to be held I would have kept every Field Message and Orders.
- Q.127. But Lieut. Randall seems to have executed the second part of the order, namely, that no villager should come out of the village?
- A.127. He did arrest one or two people according to his own evidence who were coming out of the village, and sent to the train.
- Q.128. These people were subsequently released?
- A.128. Yes.
- Q.129. Did you not send any other platoon to execute the same orders which you gave to Lieut. Randall?
- A.129. Yes, the same orders applied to the platoon to the South of the village.
- Q.130. You did not introduce any change in your orders given to Lieut. Randall during the night?
- A.130. No I did not alter my orders.
- Q.131. I can see that Lieut. Norrington's work only lasted for about one or 1½ hours and he was withdrawn and Lieut. Randall was sent out on another mission?
- A.131. Lieut. Randall was sent out on another mission.
- Q.132. I see that Lieut. Randall's mission lasted the whole night?
- A.132. It lasted until his platoon was withdrawn in the morning.
- Q.133. The 5 men who were sent in by Lieut. Norrington, where were they kept until the morning?
- A.133. They were shut up in the train but I cannot remember exactly the details.
- Q.134. And Lieut. Norrington did not tell you what the charge brought against them was exactly?
- A.134. No he did not because I asked the Political Officer to investigate the case.
- Q.135. You did not see the Political Officer speak to Lieut. Norrington about this matter?
- A.135. I have already stated I was not within hearing during the investigation.
- Q.136. In the report produced by you today to the Court I can see no explanation of the fact how Major Clarke was convinced that these 5 people were the ringleaders and were firing at the soldiers. Did he (Major Clarke) not tell you anything more than what he has written in the report marked "D"?
- A.136. I cannot now remember what he said to me about the case but as I said in my former evidence I believe he investigated witnesses but I did not actually see it.
- Q.136.A. He did not tell you anything?
- A.136.A. I cannot remember.
- Q.137. Was this report given to you at the time?
- A.137. As far as I recollect Major Clarke handed me the written report at the end of the period I was in command of the Construction train.
- Q.138. He did not therefore give it to you on the day when these five men were brought to the train?
- A.138. He told me the same as he had written in the report. I know that and I have already stated that.
- Q.139. But you told us just now what he said to you?
- A.139. Your question to me was whether he said anything more and I cannot now recollect.
- Q.140. When did he tell you that he was convinced that these five people were the ringleaders and were firing at the soldiers?
- A.140. He told me that in the evening of the 30th.
- Q.141. Do you not think it more just if you had given these five people an opportunity to defend themselves and to have got a thorough investigation made to find out whether they were the real offenders or not?
- A.141. I had to decide quickly in an emergency and I leave it to the General who is President of this Court to decide whether my action was right or wrong.

142. Therefore you made up your mind directly he told you that that you would have them shot?
142. I made up my mind that evening after due consideration and the order that these men were to be shot was issued that night.
143. During the night, after the return of Lieut. Norrington's platoon, no trouble took place since then?
143. There were no shots fired at the train during the night.
144. That is to say the trouble did not continue?
144. Not so far as any attack on the train was concerned.
145. Therefore can you see any necessity for shooting 5 men without any trial or defence on their part?
145. My orders were to shoot any man found interfering with the line and I considered that this fight which took place on the edge of the railway line was a clear interference.
146. You did not mention this matter of shooting the 5 persons to any other Officer and explained to him why you had them shot?
146. When an Officer is in command he has to make up his own mind and issue his own orders, and the responsibility was mine.
147. I am not referring to any Officer who was with you on the train but I am referring to General Longley?
147. I have never discussed this matter with Genl. Longley but he had my report.
148. Have you seen the official communique published in the newspapers or anywhere with regard to this matter?
148. Not in the newspapers but I saw the summary of the evidence taken on oath from my Officers on this question with a criticism signed by Genl. SHEA and also by the Corps Commander. I understand though that they were confidential and I should not be allowed to repeat anything I saw there.
149. Was it not attributed to these 5 persons by you when you were speaking to any other person that they were shot because they were found breaking the line?
149. No I have never said that, but I have always reported what the Police Officer told me that the village of Shobak el Ghaffara was responsible for the break in the line we were then mending.
150. Did this thing which the Police Officer reported to you have any weight in making up your decision that these people should be shot?
150. Not only that but all the things which the Police Officer said weighed to a certain extent in my mind.
151. The Police Officer did not designate these 5 men, or any other person?
151. I already stated in my evidence that the Police Officer told me that these men were the worst characters in the village and the ringleaders in the trouble.
152. The Police Officer in his evidence given before this Court said that he did not. Do you think that he is telling an untrue statement?
152. I do.
153. When we went to the village yesterday we saw the place from where the dead bodies were dug out, and they were ~~not~~ sufficiently long, in my opinion, to take the bodies from foot to head lying straight?
153. In my opinion they were and they would have been longer 3 months ago, than they are now.
154. Do you think that the evidence given here by the persons who dug out the bodies and the statements they made about the fact that they found some bayonet wounds on the bodies is true or not?
154. I believe the evidence of my own Officer who was in charge of the firing party who states that no bayonets were used at all.

- Q.155. Next morning when the Police Officer came, these 5 persons were already shot?
- A.155. Yes.
- Q.156. You told the Police Officer that they were shot?
- A.156. I do not think I told him myself. I think Major Clarke told him, but he certainly knew.
- Q.157. When Lieut. Randall returned back after having completed the search in the village did you speak to him?
- A.157. I do not think I did. I believe at the time I was in my carriage and his return was reported to me.
- Q.158. You stated that you saw some fowls, and sheep hanging up in the train - 2 sheep and some fowls?
- A.158. Yes I did.
- Q.159. Where did you see them?
- A.159. I saw my men plucking them and I saw 2 sheep hanging up in the carriage. The quantity I saw was nowhere near the number as stated by the natives. It was not a large number. I should estimate I saw about 20 different kinds of poultry.
- Q.160. Lieut. Randall when he came back to the train from the village, did he reach the rear of the train first?
- A.160. Yes.
- Q.161. And then he would pass by the train?
- A.161. He would pass along to wherever his platoon was in the train.
- Q.162. Was the Officer's carriage put in front of the soldier's carriages or behind the soldier's carriages?
- A.162. As far as I remember the company to which Lieut. Randall belonged was in the rear part of the train.
- Q.163. Did he stay in the same compartment with the soldiers?
- A.163. No he would not.
- Q.164. I am referring then to his own compartment?
- A.164. It was probably in front of his own men's compartment.
- Q.165. Then to get to his compartment he would have to pass by the soldiers carriages?
- A.165. He would pass by some of them - Yes.
- Q.166. And he could see if any fowls were hanging in the train or not?
- A.166. I suppose he could if there were any at that time.
- Q.167. When did you see the fowls hanging?
- A.167. I saw them hanging up towards the time when the train went on.
- Q.168. You did not see them before that?
- A.168. I do not remember noticing them earlier.
- Q.169. Lieut. Randall came a little time before the train departed?
- A.169. I believe he came in somewhere about 10.30.
- Q.170. When he came had you already seen the fowls hanging or not?
- A.170. I may have done so but I am not quite certain of the exact time I saw them. After 3 months it is very difficult to say when I saw the fowls hanging up.
- Q.171. Lieut. Randall says there were no fowls hanging up at all?
- A.171. I think he stated his men did not bring any.
- Q.172. Lieut. Randall stated he did not see any looted articles on the train?
- A.172. If he makes that statement I concluded he did not.
- Q.173. You thought that this was a punishment to the villagers to have some of their fowls and sheep taken?
- A.173. Yes. I thought it was a just punishment for the unprovoked attack made upon us.
- Q.174. Did you not think it was sufficient punishment for them to get the village burnt down and 5 of the men shot without any trial?
- A.174. I considered the village required a lesson.

- Q. 238. When were the 5 men informed that they would be shot at dawn on the 31st. of March ?
- A. 238. I am not certain whether they were informed in the evening or in the morning. I do not remember. Do you know who informed them ?
- Q. 239. No Sir.
- A. 239. Do you know if they were ever informed ?
- Q. 240. They would have been informed by the Officer who took them out at to shoot them if they had not been informed before.
- A. 240. Did you not as Commanding Officer of the train take any steps yourself to tell these men that they were going to be shot at dawn and to give them a chance anyhow of saying their prayers ?
- Q. 241. Major Clarke investigated the case and Major Clarke would tell them in Arabic anything which they should be told. I cannot speak Arabic.
- A. 241. But you as Officer commanding the train ~~was~~ responsible for the decision to shoot them and not Major Clarke. Therefore was it not your duty to inform the natives yourself, through an interpreter, or to see yourself that they were informed that they were going to be shot at dawn ?
- Q. 242. I looked upon it that Major Clarke was the judge of their actions and that I had to administer the punishment as Commandant of the train.
- A. 242. Then you think that this duty devolved upon Major Clarke ?
- Q. 243. I think he should have informed them.
- A. 243. At what time did you detail the firing party ?
- Q. 244. In the evening of March 30th.
- A. 244. Did you detail it ?
- Q. 245. My Adjutant did.
- A. 245. Did you instruct your Adjutant to detail it ?
- Q. 246. Yes.
- A. 246. Did you give any specific orders re this firing party as to the number of men etc ?
- Q. 247. I believe I specified the number of men but I cannot remember how for certain.
- A. 247. Did you select an Officer on purpose who was particularly reliable in order to see it carried out ?
- Q. 248. Yes.
- A. 248. Did you select him by name yourself ?
- Q. 249. Yes.
- A. 249. Who was he ?
- Q. 250. Lieut. Woodruff and special men were picked out for the firing party.
- A. 250. Did Lieut. Woodruff make any written or verbal report to you after he had executed these men ?
- Q. 251. Yes, he came to me and gave a verbal report that the order had been carried out.
- A. 251. When making this report did he say that the men had been buried ?
- Q. 252. Yes.
- A. 252. After Lieut. Randall returned to the train on the morning of the 31st March did he make any written or verbal report to you, firstly, the events during the previous night, and, secondly, on the result of his search in the village on the morning of the 31st ?
- Q. 253. I expect he must have made a verbal report but I cannot remember now.
- A. 253. Can you remember anything of the verbal report ?
- Q. 254. No, I cannot remember.
- A. 254. Who was Lieut. Randall's Company Commander ?
- Q. 255. Captain Bradford.
- A. 255.

- Q. 256. The same company commander as Lieut. Norrington.  
 A. 256. Yes.  
 Q. 257. Did you see or did you not see any natives on the evening of the 30th March actually firing with fire arms from the house tops of Shobak village?  
 A. 257. Yes I did.  
 Q. 258. You saw them with your own eyes?  
 A. 258. Yes.  
 Q. 259. Were they using smoky powder or smokeless powder?  
 A. 259. They were using smoky powder. I saw the puffs of smoke.  
 Q. 260. There were certain Military Stores on the train were there not?  
 A. 260. Yes.  
 Q. 261. Amongst them was there any petrol or petroleum?  
 A. 261. Not amongst my Military stores.  
 Q. 262. After the train had left Shobak did you notice any of the men in possession of undue amounts of money?  
 A. 262. No.  
 Q. 263. Did you notice the men in possession of any native jewellery?  
 A. 263. No I noticed no kind of loot at all except what I have said in my previous evidence which was some poultry and 2 sheep.  
 Q. 264. Can you estimate the approximate number of native men firing during the first burst of fire from the village?  
 A. 264. I should roughly say 20 to 30.

THIRTY SECOND WITNESS.

Captain E.S. GOODLAND M.C. 1/5th Somerset Light Infantry having been duly sworn, states:-

"The train arrived at a spot just of Mazghouna Station at 1830 on March 30th. There was a break in the line there. This spot is about 200 yards South of the village called Shobak el Gaffara. Immediately the train stopped I got out of the carriage and I went to the head of the train, as was my custom, because it was part of my duty to arrange the men's food and the meals depended a good deal on the length of time the train would be stationary. About 5 minutes had elapsed when heavy firing broke out from the village of Shobak el Gaffara. I immediately turned back and proceeded to the rear of the train where the men's compartments were. On my way along I had to pass the Officer's compartment and I ordered several Subaltern Officers to return to their platoons immediately and await orders. I proceeded to where the men were and on my way I saw a party of about 12 of our men hurriedly coming back from the village. These men were unarmed and several of them had been wounded. I started to get the men out of the carriages and to organise as quickly as possible. I reported to the commanding Officer and asked him what orders he wished carried out. I should like to say that during the time I was at the rear of the train firing from the village continued and shots were passing over the train and round the train. The commanding Officer decided to send a platoon to take the village and Lieut. Norrington's platoon was detailed for this duty. The platoon under the command of Lieut. Woodruff was ordered to support Lieut. Norrington's platoon. This attack was very quickly organised and Lieut. Norrington's platoon proceeded along the road leading from the train to the village. I watched the attack develop from the train. As our men proceeded towards the village I saw a quantity of natives retreating due Westwards. Lieut. Norrington's platoon very quickly reached the village and soon after the



It was ultimately decided that the 5 prisoners should be shot at dawn. I was ordered by the commanding Officer to detail an Officer's firing party for this duty. I detailed Lieut. Woodruff and 12 men I think it was. These men were shot at dawn, the operation being carried out in a strictly Military manner and that volley was the last shot that was fired that morning. The platoons who were on night, with the exception of Lieut. Randall's platoon, were withdrawn to the main body which had remained on the embankment by the side of the train during the night soon after dawn. The commanding Officer had decided to make a search of the village and therefore Lieut. Randall's platoon was left in position so that it could remain there during the time the village was searched. The Police Officer arrived at about 7. a.m. that morning. He was told exactly what the present position was and that the 5 men had been shot. He expressed satisfaction at this because he said that they were bad characters and had been responsible to a large extent for the troubles in the neighbourhood. The search party was then organised and I sent a message to Lieut. Randall to say that the commanding Officer wished him to undertake the search and that he was to meet the Police Officer at the edge of the village. A party of 12 men under an N.C.O. were given to Lieut. Randall for this duty. During the morning a small party of women children and men, as far as I can remember, 4 or 5 women, 2 or 3 children and 2 old men, were sent in by Lieut. Randall. This party was interrogated by the Political Officer. They were given biscuits and water and were allowed to go back to the village unoppressed. The search must have lasted as far as I remember, about 1 1/2 hours. During this time the work on the line had been proceeding and it was practically complete by 10 o'clock and arrangements were therefore made to prepare to move. I sent a message to Lieut. Randall after he had reported the search complete, that he was to bring his platoon back to the train and I also ordered the bugler to sound the "assemble" as we always did when the train was going to move on. The bugler blew this "assemble" outside Headquarter's carriage. The train moved southwards at 10.45 a.m. I should like to add that the attitude of the Police Officer throughout was very friendly. I remember we were particularly impressed with his story of how he had defended the railway station and a note praising him was added to the daily report which was sent to H.Q. On the morning of the 31st March I was always in the neighbourhood of the train where I certainly could have heard any firing in the village and I am confident that there were no shots whatever fired after the volley which carried out the execution of the 5 prisoners. The first indication that we had at H.Q. of the burning of the village was very soon after Lieut. Horryngton's men had attacked it. All I saw was an isolated column of smoke and certainly the fire spread to some other houses during the operations but I did not go into the village. I was told afterwards that most of the fire was on the Northern side of the village which could not be seen from where the train was. This first column of smoke I saw was in the N.E. corner of the village. The Omdah was brought in on the morning of the 31st. He was found, I believe, by the search party. He was brought to the train and handed over to me. He was questioned by the Political Officer and it was decided to take him on to WASTA in the train. I placed him under guard and I personally saw that he was given food and exercise daily. When we arrived at WASTA he was handed over to the civil Authorities for disposal. I saw some poultry on the train just prior to its moving off. I saw 2 sheep ~~xxxxxxx~~ hanging in the train but no effect. I saw no money and no jewellery of any description. I should like to add that naturally a number of derelict and homeless animals were wandering about on the

house in the village. It was the middle of the village so far as East and West was concerned, but whether North or South I cannot say. I notice the smoke very soon after Lieut Norrington's platoon had left the train. The platoon had reached the village but I am unable to say if they had reached the house. I remember it crossed my mind at the time that the platoon could not have got there yet. I saw natives on the tops of the houses at the beginning of the village, I had seen them all the time. I saw puffs of smoke from the tops of the houses at the beginning. I also saw natives dashing down the road from the village towards the train after the soldiers. About that time, 5 prisoners were sent in by Lieut Norrington. They were sent in under guard. Shortly after the platoon started the prisoners were sent in, 4 men and a Corporal brought them, and they were sent as witnesses against them. About that time, I cannot say if it was before or after the prisoners had been sent in, the Police Officer arrived. I immediately took him to the O.C.'s Compartment. He had established his Headquarters in a compartment on the train. I introduced the Police Officer to Major Urwick. Major Urwick instructed me to tell the Police Officer everything that had happened, which I did. The Police Officer then said that Shobak el Ghaffara was the only one of his villages which was bad and that they had been responsible for the damage done to the line. They had attacked the Station three times and he (the Police Officer) had with 6 policemen resisted these attacks and kept the Railway Station intact. He had also on one occasion to ride for his life from these people. He said they were quite out of his control and that he was very glad they had now received punishment which they deserved. He did not seem at all surprised that they had attacked us. It was apparently on a par with the rest of their behaviour. A part of this conversation took place in my own compartment which was next to the O.C.'s compartment, and part of it during the time that he and I were interrogating the prisoners. During this conversation I noticed that desultory firing was still going on and that houses were burning in the village. The evidence against the 5 prisoners, furnished by one Corporal and 4 men of Lieut Norrington's platoon, was that all these men had been seen firing from the top of the house both in the first instance, when the men had gone out to clear the village. They had been driven from the roof of the house on which they were, and got into another house where they were caught. Lieut Norrington's platoon brought in some firearms but these man had not actually been found in possession of firearms when they were caught. I have made it quite clear that the Corporal and 4 men sent up as escort were amongst those who had gone in the first place towards the village unarmed, and had again gone as members of Lieut Norrington's platoon, and there was therefore no doubt about their identification of the 5 men. They set out that they had all fired and that they had been shouting to the crowd in the road egging them on to attack. I questioned all the prisoners in Arabic and I told them that they must tell me where their arms were and also tell me all the names of people who had got arms in the village and must produce them. I ascertained the names of these 5 men and I made a note of them at the time. Three belonged to the Tolba Family. I understood from the Police Officer that the other two were either servants or labourers or tenants of the Tolba family. They were the Sheik of the village, his brother and son, and these two other men. All 5 men were present when the Police Officer was there. All 5 men denied everything flatly. I told them that they would be shot if they did not tell me the whole truth. They still said that no one had any firearms and that no one had fired. I asked the Police Officer, in view of the fact that it was such a serious matter, if he could explain to them in Arabic, perhaps better than I could, that there one chance was to tell the truth. He spoke,

to them aside. I did not hear his conversation, but he came to me in a few moments and said to me they are very foolish and very bad men and they deny everything, or words to that effect. The Police Officer saw me at that point some details about this Tolba family. He said that they were the ringleaders in all the disturbances in which the village had taken part, that is the attacks on the station and the breaking of the line, that the ex-Omdah belonged to the same family, and that they were constantly trying to get the present Omdah into trouble. He also stated that they had been responsible for a murder in the previous year of ~~xx~~ a man from Cairo called I think Senowi, a man to whom they owed money and that the Sheik had gone to Cairo the day on which the murder was committed at the village in order to establish an alibi. I questioned as many of the wounded British soldiers as I could, and they all stated that immediately they approached the village, they were ~~met~~ upon by a crowd/fasses (an instrument like a hie) and sticks, and were fired at from the roofs and from the road. I questioned as many of the men as possible who had gone to the village at first in order to try and find out the origin of the attack. I questioned these 5 prisoners and the Omdah the next day and some people who had been brought to the train on the 31st of March, and all of these native people denied that anyone in the village had fire-arms or that there had been any firing. I was therefore forced to the conclusion, an opinion which I still hold, that the attack was pre-meditated and organised.

The 5 prisoners were searched but they had very little on them except a few purses and few papers, and I instructed that these prisoners should be put in the guard-room at the back of the train. I told the ~~Sergeant-Major~~ that if they wished to speak to me at any time during the night he was to come and tell me. I then reported all that I have told the Court to the ~~Commanding Officer~~, and we discussed the matter as to what should be done with these prisoners. After full discussion of all the circumstances it was decided that they should be shot at dawn. This was probably about 8 p.m. late in the evening, perhaps after 8 p.m. The advantage of swift punishment in the circumstances were overwhelming. There was no doubt that these men were ~~guilt~~ guilty for having taken part in the attack. Major Urwick had received orders to shoot anyone interfering with the line, and I certainly agreed with him that these orders covered this case. I fully concurred with him in his decision and I have never had the least doubt but that he took the correct action. During the night I heard a few shots before I went to sleep and at dawn I heard a volley. That was the last time I heard firing before the train left. Some people had been sent up to the train in the early morning. I spoke to them and asked them about the incident. They were given food. There were no charges against them and they were ultimately sent back to the village with the Police Officer. The Police Officer came to my compartment on the morning of the 31st., and I told him then that the 5 prisoners had been shot. He said it was a very good thing as they were among the worst characters and ringleaders, and that this would have a most excellent effect on the whole district. I handed him the effects which had been taken from the prisoners. He looked through the papers and other things and told me that they were all valueless. They were mostly receipts and accounts and he said throw them into the canal. I placed them in my kit where they have reposed ever since, and I can now produce them in Court if necessary. One of them was a little tin which looked to me as if it contained gun-powder. There was also a 50 P.T. note, (the witness handed these effects in a bag to Mr. Devonshire, Counsel for the Military, on Thursday last). I forgot to say that on the evening of the 30th March the ~~Commanding Officer~~ told the Police Officer that he was to take steps that no one was to

Tuesday 1st July 1910.

SIXTEEN D.V.

Lieut. G.A. WOODRUFF, 16th's Regiment, attached to 17th's Somerset Light Infantry having been duly sworn states:-

CHIEF WOUNCH WITNESS.

"I was on the construction train and Capt. Bradford was my Company Commander. I received orders on the afternoon of the 30th March from Capt. Bradford to take my platoon out and line the canal which runs at right angles to the railway line and South of the village. Before I received these orders as the train stopped about 10 minutes elapsed during which time I was preparing the tea, meal and suddenly there was a burst of fire from the rear part of the train. I looked out of the carriage window to see what had happened. I saw from the carriage window some natives standing on the roofs of the houses, one was a whitish coloured one and one was a greyish coloured one. I saw 3 natives fire from the roofs of the houses. This was at the S.E. corner of the village. I saw some puffs of smoke along the roadway. As soon as I saw this I went back into my carriage, and ran along to my Company. My Company got out of my carriage, and ran along the village. I ran along the West side of the train. There were a few soldiers getting out of the train at that time to see what the noise was about. As soon as the Company had fallen in with rifles and equipment I received the orders above mentioned from my Company Commander. I carried these orders out. I took my platoon along the Southern bank of the canal above mentioned. My platoon consisted of about 36 men. My platoon extended out to 50 paces which brought the left just a little west of the Palm Groves. As soon as they got out I was telling them to fire when the few men on the left opened a sudden burst of fire. I could not see at the time what they were firing at. I immediately doubled over to where they were firing, and stopped them firing, and I asked the N.C.O. what they were firing at and he said that some natives had come out of the village and were coming in his direction and when the natives saw my men going out they (the natives) stopped and they (the natives) fired a few rounds and ran away in a N.W. direction. I saw the natives going away. They were carrying arms, two of them were in the open and I could see that they were carrying guns. The others were in the cornfields and had something in their hands but I could not see what it was. My platoon never fired again during the 30th/31st March except when we carried out the execution of the 5 men at dawn on the 31st March. My platoon was withdrawn about 5.30 p.m. on the 30th March and came back to the train. While I was out there, and as soon as I had stopped the men firing, I received a written note from the Adjutant telling me not to fire unless absolutely necessary, also to form a post facing West, which orders were carried out. About 8 p.m. that evening (30th March) my platoon Commander (Capt. Bradford) gave me an order to take a firing party at dawn the next day for the execution of 5 natives and to take a firing party with me and that I should find the prisoners in the guard room. I instructed my platoon sergeant to detail a party of 15 men, to be comprised if possible of all N.C.O.s, also to detail a small party for escorting the platoon this party to comprise 5 men and a Sergeant, to be paraded at 4.45 p.m. next morning. After I had dismissed my platoon, when it came back to the train, I was walking back to my coach to get my tea and I saw a group of people standing along the line comprising Major Clarke, an Egyptian Officer, whom I found out afterwards to be the Police Officer, and Egyptian soldier, 5 natives and 2 British soldiers. The next morning I went along to the platoon at about 4.40 a.m. when the men who had been detailed for both parties were

falling in. As soon as they had fallen in I ordered the Sergeant who was in charge of the escort party to go to the guard room and take over the 5 prisoners and bind their hands behind their back. I then sent half a dozen men to get 4 shovels and 2 picks. As soon as this was done I marched the party off to the place allotted for the shooting of these men by the Company Commander. As soon as I arrived out there I gave the Sergeant in charge of the escort party orders to blind fold the 5 prisoners, which they did. I then marched my firing party into position, which was about 20 to 25 yards away. The prisoners were facing towards the East. As soon as everything was ready I gave the soldiers who were escorting the prisoners orders to stand on either side and to see that they did not escape. I then stood on the right of the firing party and gave the order to load, present, and fire. As soon as the volley was fired I gave the order "unload". I then went up to see if the 5 prisoners were dead. One of them I thought not to be dead, so I drew my revolver and fired into his head. I then went back to my firing party and examined arms. After that I ground arms and told them to take off their equipment. While they were doing the latter I selected a place for the graves for the 5 prisoners. I then detailed the men to dig their graves. The graves were dug in a row, side by side, about 18 inches to 2 feet between ~~each~~ each grave. They were about 6 feet long, about 2 feet deep and about 3 ft. 6 inches wide. When the graves had been dug each man was lifted separately and placed in a grave. They were then covered in and I ordered the party to fall in and march back to the train. As soon as I dismissed the party I reported that I had carried out my orders. I personally saw the graves being filled in. The body of each man was completely covered with earth."

CROSS EXAMINED BY COUNSEL FOR THE NATIVES.

- Q.1. Were you on the construction train when it left Cairo ?  
 A.1. Yes.  
 Q.2. What day and what time did it leave Cairo ?  
 A.2. On the 28th March at about 9 a.m.  
 Q.3. About how many soldiers were there on the train ?  
 A.3. I do not know.  
 Q.4. Were there some Australians among them ?  
 A.4. I do not know.  
 Q.5. Did you see the Commandant speak to any General at the Station?  
 A.5. Yes.  
 Q.6. Can you give us please the name of this General ?  
 A.6. I saw my own Brigadier General on the Station and there was another but I do not know who he was.  
 Q.7. At what time did the train arrive at the village of Shobak el Ghaffara ?  
 A.7. About 4.30 p.m.  
 Q.8. The train came to a standstill and then you heard firing or did you hear the firing first ?  
 A.8. The train stopped, about 4 or 5 minutes elapsed and then the firing started.  
 Q.9. You looked out of the window to see what was the matter ?  
 A.9. Yes.  
 Q.10. And you saw 3 natives firing from the tops of 2 houses ?  
 A.10. Yes.  
 Q.11. What were they firing at ?  
 A.11. I could not see.  
 Q.12. Did a few soldiers come out of the train to see what was going on ?  
 A.12. Presumably that was what they came out for.

- Q. 13. What were the rest of the soldiers doing?—  
A. 13. They were getting ready for tea in the carriage.
- Q. 14. You did not see other soldiers than those few who got out to see what was going on?  
A. 14. Only when the company was ordered to fall in.
- Q. 15. You did not see some soldiers near the village?  
A. 15. No.
- Q. 16. Did you see some wounded soldiers?  
A. 16. No.
- Q. 17. Did you see some soldiers running back from the village towards the train?  
A. 17. No.
- Q. 18. What time elapsed between the first firing that you heard and the marching off of your platoon from the train?  
A. 18. About 8 minutes.
- Q. 19. During those 8 minutes did you look towards the village?  
A. 19. No.
- Q. 20. When your platoon took up the position South of the canal which runs at right angles to the railway, could you see the village?  
A. 20. Indistinctly through the trees.
- Q. 21. Could you see the path that led from the train to the village?  
A. 21. From one position yes, from another no.
- Q. 22. From which position could you see, that near the train?  
A. 22. If you were down by the train practically looking straight along the path.
- Q. 23. After the extension of your platoon along the South bank of the canal was complete what time elapsed before the left section opened fire?  
A. 23. Practically as soon as they arrived there.
- Q. 24. What they opened fire had you already given orders that they should not fire?  
A. 24. Not to that section.
- Q. 25. Then the orders you gave were to the eastern section?  
A. 25. Yes.
- Q. 26. How many shots were fired before you were able to reach the Western section and order them to stop firing?  
A. 26. Probably 15 to 20 shots.
- Q. 27. When your platoon was ordered to withdraw did you come back to the train yourself?  
A. 27. Yes with my platoon.
- Q. 28. When you arrived at the train, did you see any wounded soldiers?  
A. 28. No.
- Q. 29. After you went back to the train what were you doing?  
A. 29. I dismissed my platoon, walked along the line towards my carriage when I saw the party outside, and then I went to have my tea which was waiting for me.
- Q. 30. You passed along the West side of the train from the rear end of the train to your carriage?  
A. 30. Yes.
- Q. 31. Were there other carriages to the South of your carriage?  
A. 31. Yes.
- Q. 32. How many?  
A. 32. I do not know. I did not count them.
- Q. 33. When you entered your carriage could you see if there were wounded soldiers beside the carriages which were South to your own carriage?  
A. 33. No.
- Q. 34. When you were going from the rear of the train to your carriage you are facing South?  
A. 34. Yes.
- Q. 35. And therefore if there were some wounded soldiers outside one of the carriages which was South, that is to say in the direction of your sight, but beyond your own carriage, you could see them?  
A. 35. I did not see any.

- Q. 36. The next order, after the order concerning the falling in of your platoon, was it the order you received from your Company Commander at about 8 p.m. to detail a shooting party?
- A. 36. Actually from my Company Commander, Yes.
- Q. 37. Did you receive any other order from any other person before this, between the time you returned from the canal up to 8 p.m.?
- A. 37. No not between the time I returned from the canal and receiving the order at 8 p.m. for the firing party.
- Q. 38. Before you returned from the canal did you receive any other orders from any other officer?
- A. 38. Yes.
- Q. 39. Name please?
- A. 39. The Adjutant.
- Q. 40. Was it the order that your platoon should not fire except only when necessary?
- A. 40. Yes.
- Q. 41. ~~Was~~ Was there any other order?
- A. 41. I also received an order to bring my platoon when another platoon went out to take up its night position.
- Q. 42. During the night did you hear firing going on?
- A. 42. Up to about 10 p.m. I heard an occasional shot. After that I do not remember as I went to sleep.
- Q. 43. Next morning at dawn you ordered that the 5 prisoners should be led to the place where they were to be shot?
- A. 43. The whole party marched there.
- Q. 44. Did the 5 prisoners and their escort go out first or did you and the firing party go out first?
- A. 44. The 5 prisoners were leading with their escort.
- Q. 45. When you put them in position where they were to be shot, were they in a row?
- A. 45. Yes.
- Q. 46. Had they all their clothes on?
- A. 46. Yes.
- Q. 47. How many soldiers were to the right and to the left?
- A. 47. Three on either side, including the Sergeant.
- Q. 48. Did you notice any struggle on the part of the prisoners.
- A. 48. No struggle at all.
- Q. 49. Either when they were taken out of the train, or when they were put in position to be shot?
- A. 49. No.
- Q. 50. Did they know they were going to be shot?
- A. 50. I think so.
- Q. 51. How do you know that the 5 prisoners knew they were going to be shot?
- A. 51. Because they were saying their prayers. I presume they were saying their prayers. It was in Arabic and I cannot understand the language?
- Q. 52. Were they making certain movements from which you drew that conclusion?
- A. 52. They were not talking to one another. Their lips were moving as if they were saying their prayers.
- Q. 53. When they stopped in the position in which they were to be shot, had their feet been tied up?
- A. 53. No.
- Q. 54. Were they in a position from which they could hear the loading of the guns?
- A. 54. Yes.
- Q. 55. And in spite of that none of them tried to run away or to change his position?
- A. 55. No.
- Q. 56. Did you notice any of your men use any sort of violence with the 5 prisoners?
- A. 56. No.
- Q. 57. Had your men bayonets fixed?
- A. 57. Some had and some had not.

- Q. 59. The party which formed the escort had they their bayonets fixed ?  
 A. 59. Yes.  
 Q. 59. Did you see any other soldier go back to the place where these 5 prisoners were shot after you had executed them ?  
 A. 59. No.  
 Q. 60. If it is proved that the bodies of the 5 men had some bayonets wounds on them can you give us an explanation as to the cause of those bayonets wounds ?  
 A. 60. No I cannot.  
 Q. 61. The graves your men dug were they sufficiently big to take the men's corpses ?  
 A. 61. Yes.  
 Q. 62. And when the men were put in the graves were they completely covered with earth ?  
 A. 62. Yes.  
 Q. 63. And the tops of the graves did they take the same level as the ordinary ground ?  
 A. 63. No.  
 Q. 64. Were they a bit elevated ?  
 A. 64. Yes a little bit.  
 Q. 65. Was it about one inch or two inches ?  
 A. 65. About 6 or 7 inches, something like an English grave.  
 Q. 66. Were the 5 men shot inside the Palm groves or outside in the fields ?  
 A. 66. Inside the Palm groves.  
 Q. 67. Near the place where they were buried ?  
 A. 67. About 2 or 3 yards.  
 Q. 68. To the West or to the South. In what direction ?  
 A. 68. To the South.  
 Q. 69. The bodies were buried with their clothes on, were they ?  
 A. 69. Yes.  
 Q. 70. Had they got some turbans on ?  
 A. 70. I do not remember.  
 Q. 71. Did you hear if any of the villagers were informed of the execution ?  
 A. 71. No.  
 Q. 72. You made a report to your Company Commander of what you did ?  
 A. 72. I made a verbal report.  
 Q. 73. Did you tell him that one of the men you thought was not dead after the men had fired and you shot him through the head with your revolver ?  
 A. 73. I cannot remember if I told him or not.  
 Q. 74. Did you notice the next morning (Monday) any fowls or household effects in the train ?  
 A. 74. I saw some fowls hanging up just as the train was about to go.  
 Q. 75. Did you see any sheep ?  
 A. 75. I do not remember.  
 Q. 76. Did you see any carpet or carpets ?  
 A. 76. No.  
 Q. 77. On the morning of the 31st March did you see some soldiers going from the train towards the village and come back ?  
 A. 77. No.  
 Q. 78. Did you see any soldier at any time go to the village from the train ?  
 A. 78. Only on the previous afternoon.  
 Q. 79. You saw Lieut. Horrington's platoon go to the village did you ?  
 A. 79. Going along the pathway, yes.  
 Q. 80. Were they the first detachment of soldiers you saw going to the village ?  
 A. 80. The only detachment I saw at all.  
 Q. 81. Therefore you did not see any before this detachment or after this detachment go to the village ?  
 A. 81. No.



- Q.88. When they were going to the village (I refer to Lieut. Worrington's platoon) did they open fire ?
- A.88. Not as they were going along.
- Q.89. Then did they open fire ?
- A.89. I do not know. I did not see, my attention was taken by my own men.
- Q.90. While they were going to the village, was there firing going on ?
- A.90. I do not remember now.
- Q.91. The first shots you heard in the train after it had stopped on Sunday the 30th. of March, how long did they continue ?
- A.91. I do not remember.
- Q.92. Approximately ?
- A.92. I went back into my carriage. It may have been going on then; it may not. I then went on to my Company and my mind was concentrated on that.
- Q.93. When you went to your Company, was firing still going on ?
- A.93. I do not remember now.
- Q.94. Did you see any soldiers fire at the village either before or after your western section opened fire ?
- A.94. No.
- Q.95. When your platoon had fallen in, did you notice any guards on the bridge leading to the village ?
- A.95. Yes.
- Q.96. How many were there ?
- A.96. I did not stop to count them.
- Q.97. Did you see any guards at the rear of the train ?
- A.97. I was not down at that end of the train at all.
- Q.98. Did you see or hear these guards open fire ?
- A.98. No.
- Q.99. When you first went with your platoon to the canal, how far away were you from the guards at the bridge ?
- A.99. What I was on the right of my platoon, I was about 20 yards and when I was on the left of the platoon I was 200 yards.
- Q.100. If the guard at the bridge did fire at all, even when you were at the western end of your platoon, you could have heard them ?
- A.100. Yes.
- Q.101. And during all the time your platoon were south of the canal did you hear them fire ?
- A.101. No.
- Q.102. Did you speak to the Police Officer ?
- A.102. No.
- Q.103. Did you notice any villagers other than the 5 prisoners near the train either on the 30th. of March or on the 31st. of March ?
- A.103. I do not remember.
- Q.104. Have you ever entered the village ?
- A.104. No.
- Q.105. Have you ever seen a native woman or a native child near the train ?
- A.105. One native woman.
- Q.106. Therefore you remember that you saw one native woman ?
- A.106. Yes.
- Q.107. Was she alone or was she with others ?
- A.107. She was alone.
- Q.108. Was she under escort or was she free ?
- A.108. She was running on the other side of the canal. I think she was mad, and the soldiers were throwing bully-beef towards her.
- Q.109. Did you receive any orders direct from the Commandant of the train ?
- A.109. No.

FIFTYFIFTH WITNESS.

CAPTAIN A.R. SPENCER., R.A.M.C., having been duly sworn states:-

a Territorial Officer. I am a Captain in the R.A.M.C., and my medical qualifications are M.D., (London), M.R.C.S., (England) and L.R.C.P.

"In the afternoon about 4.30 p.m. on the 30th of March, I was on the construction train when we arrived at the village of Shobak. Soon as the train stopped, soldiers got out of the train and went towards the village. Perhaps about 12 soldiers. I went along to the front of the train to see what damage had been done to the line. I heard some shots fired and I came to the conclusion that we were probably being attacked, I could not say from which quarter. I went back to see where my orderly was. He was coming along with a British soldier already wounded. This was the first wounded man I saw. He was hit in the head. I took it to be a gun shot wound. After that, wounded soldiers kept coming in one after another. I did not see them coming in, as of course I was dressing the wounded. I dressed one man on the west side of the train, and as the whole attack appeared to be coming from the village we passed under the couplings of the train and established a dressing station farthest from the village, i.e., on the east side of the train. I could not say if any shots came near the train. I dressed the wounds of 9 soldiers. One had a gun shot wound as I had before., another had a lacerated wound on the shoulder and neck and I could not say how he had got it. Others were chiefly bruises, and had been made even perhaps with sticks. For instance, there was a cut on the forearm right down to the bone which the man had stated had been done with a stick. It might easily have been done with a sharper weapon. I think there were two scythe wounds on the leg and forearm. The others were very bad bruises chiefly on the back, and one fellow I know was hit on the abdomen and one had broken ribs; he came in quite late. There were really about 6 or 7 stretcher cases, but on sending the wounded off next morning, I think there was only room for 4 stretcher cases, so the rest had to sit on the train. I had no opportunity of judging what a kind of bullet had been used. The gun shot wound was a wound on the forehead as far as I can remember. It was a piercing wound. I did not extract the bullet from the wound, that was always left to be done later. The wounds made by the sticks were deep wounds and were very severe. They caused a good deal of anxiety to me, the abdominal one especially, and the man with the broken ribs. The abdominal wound was a wound from a stick. There was one soldier I remember, he evidently had to swim the canal, as he was thoroughly wet, and he was bruised all over, multiple wounds, the back, front, and limbs too; I should think it had been caused by sticks. He was one of the stretcher cases sent off next morning."

CROSS EXAMINED BY COUNSEL FOR THE NATIVES.

Can you please tell us how many rifle shot wounds you found?

I cannot say definitely if they were rifle shots wounds at all.

Can you tell us the number of wounds that may have been caused by any firearm?

There was only one definite wound, the lacerated wound in the neck and shoulder might have been caused by a shot gun wound, certainly.

And they may have been caused by something else?

Yes.

"I told the other two platoons to pile arms and get their tea. At about 5.30 I was ordered to send out two more platoons, one to the N.W., of the village, and one to the S.W., south of the canal. Lieut. Randall commanded the former, and Lieut. Board the latter. I indicated to Lieut. Board where he should take his platoon, and I went personally with Lieut. Randall to see him post his platoon. We got to the N.W., of the village by going along the east side and the N.E., corner of the village thus avoiding entering the village. As we passed the east side of the village Lieut. Norrington's platoon was collecting on the east side of the village, I noticed that a lot of Lieut. Norrington's platoon had arms, that is, guns, pistols and sticks. I should have said that before going out with Lieut. Randall's platoon I warned them that we did not want a lot of indiscriminate firing, and they were not to fire unless they were obliged to. Lieut. Norrington's platoon consists of about 35 to 40 men, and Lieut. Randall's platoon about 35 men. After seeing Lieut. Randall post his men on the north and west of the village, I returned to the train the same way as I had gone out. Later that evening, I was ordered to detail an Officer and firing party to execute 5 prisoners who had been taken from the village. I detailed Lieut. Woodruff and told him to take 15 men from the Company and execute the 5 prisoners at dawn next morning. I told him they were in charge of the guard at the rear of the train. Lieut. Woodruff's platoon was withdrawn somewhere about 5.30 or 5.35. Next morning I was awakened by hearing the shots fired by Lieut. Woodruff's firing party. Afterwards Lieut. Woodruff told me that he had carried out the orders with regard to the firing party. I received orders that morning to withdraw Lieut. Board's platoon, but to leave out Lieut. Randall's platoon until the village had been searched for arms. I therefore arranged to have the breakfast sent out to Lieut. Randall's platoon. Later I myself went out to visit his platoon. This was about 9.15. I found them in position as posted the night before. Lieut. Randall was not then with his platoon, as he was accompanying the Police Officer in the search of the village, but while I was by one of the posts at the west of the village, I saw Lieut. Randall (and I believe I spoke to him) and his search party at the west of the village. After that I returned to the train the same way as I went out, by the N.E. corner. About 10.30 the bugle sounded and Lieut. Randall's platoon returned to the train. After that, I went down to the rear of the train to satisfy myself that all the Company were present and on board. Shortly after that the train went off. None of Lieut. Randall's party were wounded, but I cannot say whether any of Lieut. Randall's platoon had been wounded on the previous day. My orders to Lieut. Randall on the evening of the 30th., were to allow no one to approach the village. When I went out with Lieut. Randall to post his platoon he said to me, suppose some of the villagers try to get away through my lines, what am I to do. I said, you should allow none of them to go through your lines whether they are going towards the village or away from it."

CROSS EXAMINED BY COUNSEL FOR THE NATIVES.

- Q.1. Were you with the train when it started from Cairo?  
 A.1. Yes.  
 Q.2. On what day and at what time did it start?  
 A.2. On the 28th March, about 9 a.m.  
 Q.3. Can you please tell us how many soldiers approximately were on the train?  
 A.3. I should think about 330 to 440.  
 Q.4. How many Companies had you got on the train?  
 A.4. Two.  
 Q.5. One under your command and one under, who?  
 A.5. Captain Moore.

## THIRTY-NINTH WITNESS.

No. 24068 6, R.S.M. BURROWS W.J., 1/5th. Somerset Light Infantry, having been duly sworn states:-

"I was in the construction train which left Cairo on the 28th of March. Just before the train got to the village of Shobak el Ghaffara on the 30th of March, I was standing up in a carriage I was in the front part of the train. The train at that time was going slowly. I was looking out of the carriage window. As we were passing the village I saw a crowd of natives standing at the entrance to the village. They seemed very excited; they were waving sticks and waving their hands about pretty freely. When the train did actually come to a stand-still, about a dozen soldiers got out of the train and went towards the village for the purpose of getting some bread and eggs. I, immediately the train came to a stand-still, got out of the train. The Adjutant got out at the same time. I told him I was going to place a guard on the bridge. He told me at the same time to tell the R.Q.M.S., to get the tea going for the men. I was just opposite the guard on the bridge, and heavy firing came from the direction of the village. The men going towards the village were unarmed and were all dressed in shirt sleeves. They had no sticks or arms of any sort. I looked towards the village and I saw the soldiers running back. Some Australians were in the rear part of the train saw what was happening, i.e., they saw our men running back and the natives following them close on their heels, so they fired a few rounds to cover our men's retreat back to the train. Immediately the men came back I asked them what had happened, and they said just as they got to the end of the village the natives fired on them and attacked them with sticks and knives and that several were wounded. I reported same to my Adjutant who consulted with the C.O., and a platoon was sent to clear the village. I saw two wounded British soldiers, one was wounded in the head, and the other was wounded in the leg. The former I would say was a cut I could not say what the wound in the leg was done with. An Australian who was in the rear of the train got a shot wound across the forehead, but not bad enough to report to the Medical Officer. This Australian was not one of the men who went to the village; he was in the rear part of the train. They were attached to the R.E's. All the above took about 10 minutes. It occurred from about 4-30 to 4-45 p.m. I did not see Lieut. Norrington's platoon arrive at the village. From where I was I did not see what was going on in the village after the unarmed British soldiers had returned. When our soldiers were running back from the village I could see they were closely followed by the natives. During the night I only heard a few shots being fired. I could not say at what time as I had turned in to sleep. I never entered the village myself. I never left the train. To my knowledge there was no petrol or petroleum on the train. I did not see Lieut. Norrington's platoon after it came back. I did not know what the dispositions of the platoons were during the night. I saw the platoons come in next morning except the platoon on the far side of the village which came in with the search party. I did not see the latter platoon return to the train. I saw a few fowls in possession of the men, but no money or notes. I saw the men bringing back an old-pattern gun and an old pistol. These were the men that came back with the search party. I saw the 5 natives come to the train who were sent in by Lieut. Norrington's platoon in the afternoon. They were sent back under an escort of a Lance Corporal and 4 men. On the morning of the 31st I saw close to the train 3 native men and about 4 women and about a couple of native children. I saw the Police Officer on the morning of the 31st., at the train. At that time I was standing outside the C.O's carriage. On the same morning I

EIGHTEENTH DAY.

Friday 4th July 1919. *Lathe li*SPEECH BY COUNSEL ON BEHALF OF THE MILITARY. *Hat*

May it please the Court, all the available evidence having now been heard by the Court, it is my duty to address you on behalf of the Military and I shall do so as briefly as I reasonably may having regard to the very serious nature of the allegations which form the subject of the Enquiry. The Court has heard a large number of witnesses and I think it only right that I should, at the outset, express on behalf of the Military, as well as on my own behalf, the grateful appreciation of the assistance which has been rendered to the Court by my learned friend Mr. A.F. Ibrahim who represent the villagers of Shobak el Ghaffara, and whose knowledge of English, as well as of Arabic, has been of great service in assisting the Court in the interpretation of the evidence of the native witnesses.

The allegations which form the subject of the Enquiry are contained in the complaint signed by 19 inhabitants of the village bearing no date but forwarded by the Mudir of GIZA to Major General Longley on the 17th April 1919. That complaint is as follows:-

" To:- H.E. The Mudir of GIZA.

" On Sunday March 30th about 3 p.m. the armed train carrying  
" out repairs of railway lines arrived at SHOBAK EL-GHAFFARA  
" village. The soldiers got off the train, came down to  
" the village and started to loot. They took fowls, sheep  
" and good/ without any resistance offered on the part of the  
" natives. It was due to the cry for help of one of the women  
" who was treated in a disgusting manner so that her husband  
" came to her assistance. This caused the dispute between  
" the soldiers and the husband who was defending his wife's  
" honour. The soldiers then began to set fire to the houses  
" in different part of the village, shooting anyone who  
" attempted to escape. The Sheikh and four notables were  
" ordered to attend the British Officer in charge of the  
" armed train. They were then half buried in the ground and  
" when thus placed with half their bodies in the earth, they  
" were murdered, their heads covered with grass. The fire  
" and shooting lasted until 10 a.m. on Monday. Those men and  
" women remaining alive were taken to the armed train  
" together with the Omdah. Lieut. of Mazghouna Police Outpost  
" then arrived and the women and some natives were released.  
" On his way to the village the Police Officer heard a cry  
" for help, went towards the voice and found three soldiers  
" raping a woman. He got her released and she went away  
" choked with tears and thanking him for his assistance. The  
" casualties are 21 dead and 12 wounded. 144 houses have been  
" destroyed by fire. The cattle shot are 20 buffaloes, 20 cows  
" 15 donkeys, excluding what have been taken of sheep and fowls.

" We therefore the notables and natives of the village humbly  
" appeal to the high authorities submitting our complaint  
" against these revolting doings of raping women, burning  
" houses and killings of harmless old men and children. We beg  
" that these doings shall be stopped, or we shall be compelled  
" to leave this country which has no governing power"

There follows 19 signatures, and of these 19 persons only 2 of them came before this Court. I shall deal with their evidence later on. That document is indeed a terrible indictment and if it were substantially true it would reflect

the village was a bad village and moreover that he knew that these villagers has been concerned in the attack on the Railway Station, and in the destruction of the line.

I ~~was~~ to call the attention of the Court to the condition of things immediately before these events of the 30th. of March. It appears from the evidence of Mr. THOMAS, one of the engineers of the Egyptian State Railway, that on and after the 17th. March he had found the railway line broken up in many places between Cairo and Wasta. He told us that although he had repaired the line between those places he was unable to return to Cairo by railway because after his arrival at Miniah the line had again been broken up in many places, and that in view of that fact and of the hostile condition of the country, he was obliged to return to Cairo by water.

The facts with regard to this construction train are shortly these. On the 28th March about nine in the morning, Major F.E. Urwick, D.S.O., T.D. Commanding the 1/5th. Battalion, Somerset Light Infantry, left Cairo on the construction train with a force consisting approximately of 450 Officers and men. He was accompanied by Major Clarke, Political Officer and by Mr. THOMAS and Mr. HARLE, of the Egyptian State Railway, and a large gang of Egyptian railwaymen under the orders of Mr. Thomas. We know from the evidence of Major Urwick that this force was for the most part composed of soldiers taken from the Demobilization Camp, and belonging to a number of different Regiments. The train arrived at a break in the line a few hundred yards to the South of this village at about 3.30 on the afternoon of Sunday, 30th March. The nature of the damage to the line is shown by the evidence of Mr. Thomas on page 211. I need not read the details, but he says that the destruction must have necessitated the work of some hundreds of men; I should say probably 200 as a minimum. For the repair of the line he had to use 60 or 80 experienced railwaymen and they worked for about 6 hours in order to repair one of the lines. They could not have done it even in that time if they had not requisitioned native labour from the village of Mazghouna to pick out the rails from the canal. That was the work of destruction of which the Omdah, in his evidence said, he had never heard. That was the work of destruction to which no allusion whatever is made either in the complaint or in the evidence of any of the village although it had taken place within sight of any of the villagers although it has taken place within sight of some of the principal houses in the village, and although, as we were told by the Police Officer some at all events of those engaged on that work of destruction were the inhabitants of this very village.

As soon as this train came to a standstill, a small number of soldiers (some 12 or 15 number) jumped down from the train and began to make their way to the village, in order to do which they had to pass over a small bridge, crossing a canal, such small bridge being approximately opposite to the rear or north end of the train. The position of the village and of the train is shown on the map which has been handed in to the Court. These 12 or 15 men were wearing no tunics, some of them are stated even to have been without their hats, they carried no sticks in their hands, and they were entirely unarmed. A guard was immediately placed on the bridge to prevent any other soldiers from straying into the village. Within a few minutes after these 12 or 15 men had started for the village a fusillade of fire was opened from the village open these men and upon the train. It is not necessary for me to go into the details of the evidence given by the Military witnesses on this point. It is clearly established that there was firing upon these men and upon the train, and that firing lasted for an appreciable time. There is abundant evidence to show that this firing took place partly from the roofs of the houses in the village, and partly from the natives standing on the ground. These soldiers immediately ran for the train, but many of them had received serious wounds, some by gun shot fire, some by scythes,

low, on the next morning these 5 men whom I have already referred to were shot at dawn in execution of a Military Order by the Commanding Officer. I will deal with that matter ~~separately~~ separately. Two or three of the witnesses amongst the Officers and those who accompanied them say that after the volley which killed these five men, there was no other firing either in or near the village up to the moment when the train went away at about 10.30 or 10.45. That same morning, between eight and nine o'clock, a small search party was sent into the village to search for arms. It consisted of apparently not more than twelve men, in fact the Police Corporal said six or seven. It does not appear to have been placed under the command of a British Officer until it reached the village where it was joined by Lieut. Randall, who had received orders for that purpose from his superior. There is a discrepancy in the evidence of the Police Corporal, the Oytashi as he is called, because he says the search party was accompanied by a British Officer from the train. That search party was also accompanied by the Police Officer or Malahoz as to whose evidence I shall have to say something presently. The search for arms took place and very little in the way of arms was found on that occasion, and as soon as the work on reconstruction of the line had been completed, that small party was recalled from the village. Lieut. Randall's platoon which was the only platoon which had been left out during that morning, the men of which had had their breakfasts served to them in the position they had spent the night, also returned to the train, and the train went away. Now, I made reference to a few arms that were found on the occasion of the search party going into the village. It must not however be forgotten that Captain Goodland, the Adjutant, in his evidence told the Court that a very considerable number of fire arms of different kinds were brought in by the men of Lieut. Norrington's platoon in the afternoon of the 30th. Captain Goodland produced to this Court a certain number which he told us formed part of the arms brought back by the men on that occasion. There does not appear to be any doubt that Lieut. Norrington's platoon did bring back that day a large number of fire arms of different kinds, but some of them appears to have been retained by the men, and I think I am justified in assuming that the arms produced to this Court by Captain Goodland were only a small proportion of the arms brought back by the troops which composed Lieut. Norrington's platoon. Now, if, as I think is clear, the Court is satisfied that the only men who went into this village at all (Men I mean belonging to the troops), were the men composing Lieut. Norrington's platoon and the men composing the search party on the morning of the 31st, it follows as indeed was stated by Major Urwick, that in the whole not more than fifty British soldiers went into that village. It therefore follows that all these alleged acts, rape, murder, pillage, and incendiarism, if they happened at all, must have been committed either by these 55 men or some of them, who went into the village on the afternoon of the 30th, or by the 8 or 12 men who constituted the search party who went into the village on the morning of the 31st. I now come to the allegations made in detail by the native witnesses. The complaint which I have already read says that there were twenty one dead and twelve wounded. The Police Corporal sated that he thought that 17 bodies that he counted included the five men who were shot by Military Order. The Police Officer Taher said he thought that that was so. I am going to assume that there were 21 or 22 persons killed altogether, and 12 wounded, although it must not be forgotten that one or two of the native witnesses said that they believed that one, if not two, of the wounded had subsequently died. Now apart from the five men who were shot by order of the Commanding Officer, there is evidence ~~stated~~ before you of the alleged murder of nine people. They are as follows:-

1. The husband of Aziza Bint Khodeir. See the evidence of Abdul el Latif Abou el Magd on page 1, and of Aziza Bint Khodeir herself, page 56.
2. Mohammed Sayed el Mohr. See the evidence of his brother, Hussein Sayed el Mohr, page 12, and that of Ayaasha Bint Metwalli on page 22, and of Khadega on page 69.
3. The sister of Mahmud Ibrahim Abdul Hadi, whose evidence appears on page 28.
4. Zeidan, the husband of Saada Bint Houssein, and Eweis the son of the same woman, as to which we have the evidence of this woman, Saada Bint Houssein, on page 50, and of her daughter-in-law Zenab Bint Ridwan, on page 147.
5. Abdul Latif Mohammed el Dadruri, as to which we have the evidence of Fatma Bint Hag Hassan Abou Taleb, on page 55.
6. Mazina, the sister of Mohammed el Kordi, whose evidence is given on page 59.
7. The wife of Soliman Mohammed el Fouli, whose evidence is given on page 58, and
8. Abdul Wahed Tolba, as to which we have the evidence of his son, Gaill Abdul Wahed, on page 75.

that there are 7 alleged cases of murder, as to which no evidence is given at all. Why is there no evidence given at all, is not a fair assumption that the absence of any evidence that these 7 cases is due to the fact that their deaths must have occurred in the fighting in the village, to which fighting allusion is made either in the complaint itself or in the native evidence.

With regard to the 12 alleged cases of woundings, only one case has been mentioned, that is the case of the child of Waida Bint el Sabri which is referred to in the evidence before the Honour of Abdul el Latif Abou el-Magd. The Court will remember that that child is alleged to have been wounded under the eye by a bullet, and that he was operated upon. There is also in the evidence of Abd el Halim Ibrahim Tolba, on page 56, an allusion to the ex Omdah having been shot in the leg which was broken. No evidence as to where or how this happened has been given. I must now deal with these allegations as quickly as I can, and I am not going to weary the Court by going through the details of that native evidence, for I think that quite unnecessary. I am going to confine myself to pointing out some of the more remarkable statements of the witnesses. First of all, let me take the case of Aziza Bint Khodeir, page 56, coupled with the evidence of Abdul el Latif Abou el Magd, page 1, and not forgetting in that connection the evidence of the Omdah, who is the father of Abou el Latif Abou el Magd, on page 17. It is put forward in the complaint and in the evidence of Abdul el-Latif Abou el Magd that the whole of the trouble in the village was due to an indecent assault committed by some of the soldiers on this woman, and that upon her crying for help, her husband came out of his house to defend his wife's honour, and that thereupon he was immediately shot. Abdul el-Latif Abou el-Magd has given evidence before you as to which I have no hesitation in asking you to come to the conclusion that the greater part of it is false. He stated that he went into the village, and that his father went into the village on the afternoon of the 30th, accompanying the soldiers. That statement is obviously false; no natives went into the village that afternoon



accompanied by soldiers (Counsel read extracts from his evidence on page 1.) He said that his father was there, and saw the whole thing. His father the Omdah, on page 21, is asked this question. Counsel quotes questions and answers 82 to 88. Abdul el Latif Abou el Magd, whose evidence at all times is picturesque, says that the soldier who shot the husband was the soldier who was hit on the head by the husband. At another part of his evidence, he admits that he had stated to the Mamour that it was another soldier who fired at and killed the husband, but now in question 25 and answer thereto, he says that the man who shot the husband was the soldier who was hit on the head by the husband. Now let us see the evidence of the woman herself which is given on page 56. Counsel read questions and answers 43 to 45 on page 56. Abdul el Latif Abou el Magd in his evidence before the Mamour said, Counsel read question 39 on page 3 of his evidence. The expression intended to be given by Abdul el Latif Abou el Magd clearly in his evidence before the Mamour that there was an unprovoked attack of an indecent nature upon this woman by the British soldiers, that there were a number of people there, that there was what he called a tumult and that when the husband saw this woman intervened to save his wife's honour, he was immediately shot dead. The woman herself in her evidence says that there was no natives there at all except Abdul el Latif Abou el Magd. The questions were put to her on page 57, questions and answers 11 to 19 were read by Counsel. By way of comment, as I pass, I should like to call the attention of the Court to this fact, that it has happened many times in the course of this inquiry, that as soon as a native witness is asked a question, the answer of which gives him or her a difficulty, he or she has said that either I was confused, or I was ill, or I was insensible, or I do not know what I was doing, and that has happened again and again. I need hardly point out to the Court how extremely unsatisfactory that kind of evidence is, and I think that this is perhaps a convenient moment for me to refer upon the general question of the credibility of this evidence. A statement which was made before another Court of Inquiry by a well known Member of the Egyptian Bar, Mr Tewfik Doss, who said to the Court that it was the usual custom in this country for natives to give false evidence especially when they had a grudge against the people who were affected by it. Upon this case of the husband of Aziza Bint Khodeir, I ask the Court to treat the evidence of those two witnesses as unworthy of credence. The two testimonies do not agree together, the testimony of Abdul el Latif Abou el Magd is altogether incompatible with the facts testified to by the Military witnesses. It appears to me that the extreme probability of the case is this, that that husband whose name I have not found, was killed, if he was killed at all, in the fighting which took place in the streets or lanes of that village, and that there is not sufficient evidence of that case for the Court to come to the conclusion that there was even time on the part of any British soldier to indecently assault Aziza Bint Khodeir. I now turn to the case of Mahommed Sayed Mohr, and especially to the evidence of his brother, on page 12. This man, the brother, Hussein Sayed el Mohr, if I may use the expression, joins in the chorus which we have heard from almost all the native witnesses, that some of the soldiers were armed, and some were not, and that some had jackets on and some had not. These are the phrases which are to be found again and again in the evidence pointing, as I submit, clearly to a very distinct understanding between the native witnesses as to what they were to say with regard to the arms and the clothing of the soldiers. This witness says I saw British soldiers coming fast from the train towards the village, some were armed, and some were not. That statement we know is not true. He says that they came up to the door of his house, and found it shut. He says that there were many soldiers, and he says that afterwards his brother, the man who was subsequently killed, came along and knocked at his door, and that finally he opened the door and his brother came in, and the soldiers remained outside.

is that likely to be true? The soldiers who were in the village formed part of the Platoon whose orders were to clear the village, and if they were so, as indeed it was, if they had come up to the door of this man's house with Mahomed and said Mohr they would not have remained outside but would have turned this man out of the village. He says later on that after he had let his brother in the soldiers came and forced the door, and that his women were in the house, and that there were from 14 to 17 soldiers, that is to say, taking the larger figure, nearly half the strength of the whole platoon. Counsel read extracts from this evidence. His evidence goes on to the fact that from the wound thus received his brother died in the next morning. He tells us that he sent for a doctor and that he paid him 120 rupees (Question and answer 49 and 50, page 15). That Doctor has not been called as a witness. He might have had an opportunity of ascertaining and then the Court would have had an opportunity of ascertaining what was the nature of wound from which this man died, and have had perhaps some further details as to how allegations as to the murder of this man, which, of course, is mixed up with the allegations as to the violation of this witness's wife whose name is Ayeesha. The evidence given in cross examination is very long and is very contradictory. I particularly wish to call the attention of the Court to one or two points although they will necessarily have to be considered in connection with the allegation that the wife was violated. He says that of the 15 or 17 soldiers 5 or 6 were in the upper room, and 7 or 8 down below. He is asked the question, "Did the 7 or 8 soldiers down below wait for the 5 or 6 soldiers who were upstairs?" and he answered "I do not know," and had already said that the 5 or 6 soldiers upstairs were there for half an hour or more and in Q.32, 33 and 34 he wishes the Court to believe apparently that for a considerable time, I do not wish to mind a native witness down to five minutes, he says half an hour, there were 7 or 8 soldiers in the lower part of the house and 5 or 6 soldiers in the women's room and that they remained there for half an hour after they had violated his wife Ayeesha their time being apparently being occupied by searching for what they could loot according to him. He says that there was a second wife and his Mother in that room but he admits that they were not touched by the soldiers. On this point we have the evidence of both women which I shall have to refer to upon the question of violation, but upon the question of the murder, which I am dealing with at the moment, the whole story given by this man seems to me to be so remarkable that it is difficult indeed to believe that all of it is true and that great doubt is caused upon the truth of any portion of it. Now this man gives details with regard to the violation and the woman who is alleged to have been violated gives her evidence on page 22 (Counsel on page 68, gives her evidence and it comes to this that she saw nothing at all, but she says she heard a rifle shot and she says that Mahomed was fired at, and she gives a reason for not seeing anything at all that she and the other woman which was the Mother and the children, were hiding in the same room and that therefore they could not see. The Court is asked to believe therefore that the 15 or 17 soldiers went into one of these houses and that while some half of them remained downstairs the other half were upstairs and that they were there half an hour, that one of them violated the wife of the owner of the house and that when the brother of the owner of the house intervened he was at once shot dead. I think no evidence was given as to what the soldiers downstairs were doing all this time and the evidence of

Officers at the train when the platoon started. That part of the evidence therefore may be taken as untrue. Now this witness, who, according to his own story, as soon as he saw that his sister was burning ran up to the roof of his house without making any attempt to go to her assistance, although at that time the soldiers had gone according to his story and this is the witness who wishes you to believe that he spent the whole of that night jumping about from one burning roof to another until 10 o'clock that next morning, (see answer 84, page 31,) and that as he says in answer 85 from a time which was a little before sunset. Is the Court going to come to a conclusion that a witness whose evidence is so obviously untrue in many of its respects is to be believed when he says that a British soldier after having violated his sister, and knowing, according to his story, that another soldier had immediately previously violated her proceeded deliberately to scatter some inflammable liquid upon that woman's clothes, and then proceeded deliberately to set fire to her, not setting fire to her by striking a match, but, as the witness says, by getting another soldier to go out into the street where the houses were burning, and to bring in some burning material. The whole story is such that I have no hesitation whatever in asking the Court to reject that evidence as untrue. I wish here to make this observation, that it was obviously necessary for this native witness, in order to bear out the general story, told in the complaint, to account for the alleged murders and rapes and other offences in some way or other, and you will find that it is in almost every case the fact that the only way by which they can account for the deaths of so many people and for the destruction caused is by telling these remarkable stories in the greatest detail of what a number of soldiers appeared to have done. You will never find, I think I am right in saying, a single case in which it is alleged that one soldier only was concerned in these alleged atrocities. The result of that is that when you come to look at all the cases together it would seem as if these 35 men, at all events as to the majority of them, could have been doing little or nothing else during the hour during which they were in the village than committing these abominable offences under the eyes of each other, and in close proximity to their own Officer. The next case is the case of the husband and the son of Saada Bint Hussanein, page 50, (Counsel read extracts from this evidence). By it shortly she said that both she and her daughter-in-law were violated, and that as soon as she screamed for help, her husband and son came to her assistance, and that they were both shot dead. I should like to point out here that the son was stated by her to have been newly married, and she gave that as an excuse for having stayed in the house. Her daughter-in-law gave evidence, see page 147, and although it is not noted on the evidence, I dare say the Court will remember that that woman came back into the Court Room afterwards, and said she was not really the daughter-in-law, but that she was going to become the daughter-in-law, and that she was not actually married to the son of Saada Bint Hussanein. I mention that because it is not entered on the notes of that day we spent in the village. Now let me point out to you at once that this daughter in law, as she is called, gave evidence at the village of Shobak when the Court was there. She stated in fact she was not violated, the reason being, as she said, that the soldier had no time, but the ~~her~~ evidence is absolutely unworthy ~~of~~ to be believed because at one time she says she was standing at another time that she was lying on the ground, and she also says that she fainted, or lost consciousness, at the moment when the soldier was about to violate her. Her mother-in-law's evidence, however, to which I will return (page 50), and following pages, goes into great detail as to what took place. She is unable apparently to answer some of the questions which were put to her in cross examination. She says ~~XXXX~~ that those

soldiers came in, that 4 had rifles, and that 2 had not, that the 2 who had not rifles assaulted her and her daughter-in-law, and that while this was going on, the other 4 were looting. She says that her husband and son (Question 37, page 52) did not come into the room until about half an hour; she says that her husband and son were hiding in another room for half an hour. She says that the 2 soldiers were assaulting her and her daughter-in-law during 7 or 8 minutes, and question 40, page 52, is this "so that your husband, your son were in the other room for more than 20 minutes after the soldiers had finished", and her answer was "Yes". Then she was cross examined about when she screamed, and when they came, and then she was asked question 45 "then what do you mean by saying that after the soldiers had finished violating you your husband and your son remained 20 minutes in the other room", and the note is "it was impossible to get an answer out of the witness on this point". She had admitted previously that her husband and son came into the room directly she screamed. She gives details of how the men were dressed. She says that the two who assaulted them were in shorts and in shirt sleeves, and that the others had jackets on. She says that the others also had slacks, trousers as she calls them. She says that there were 4 soldiers who fired upon her husband, and upon her son, and that her husband was wounded in the chest, and that her son, was wounded in the arm and the side, and then if the Court will remember she told us that she and her daughter-in-law had taken refuge in the oven, and that they could see from that place that the soldiers were looting, and they say also that they saw the soldiers set fire to the house; that they say this was done by the soldiers shooting into the ceiling, and the ceiling therefore caught fire. Upon that point, I leave it entirely to the Court, but I do not know, no evidence has been given upon it, if it is possible for a bullet fired from a service rifle, either near or at a long distance, to set fire to inflammable matter. That is the question the Court can deal with much better than I can, but it is well to bear it in mind because this is not the only case in which it is said these inflammable roofs were set fire to by shooting. The evidence of these two women must of course be compared, they do not agree except in some details, but the other woman, Zenab Bint Redwan, is quite clear upon one point, and that is, she was not actually violated, and that she did not see what happened after the soldier first touched her. There ~~again~~ again, that must be left into the hands of the Court whether they think there is sufficient evidence to satisfy them that in this case there was cold blood murder, for it would have been nothing else, by two British soldiers in the presence of four others, of two men in their own house. The only apparent motive for that cold blooded murder is that these two men were attempting to intervene when two of the soldiers were violating, or had violated these two women. I pass on to number 6, which is the case of Abdul Latif Mohammed el-Dadruri, on page 55. You have the evidence of the wife of this man, and here I want to call particular attention of the Court to this point; that some of the cases of murder are alleged to have taken place on the afternoon of the 30th, and some on the morning of the 31st; this is what this woman says. (Counsel read this witness's evidence, page 55). She says that 7 soldiers came into the house. She told the Mamour that there were four. Her explanation was that she was upset, and she did not count them correctly. She says the soldiers fired one shot. Who then could have been these 4 or 7 soldiers, who, on the morning of the 31st, shot this man. We have already seen that the evidence of the Military witnesses is that there was no firing heard in or near the village after the volley which killed the 5 men. We have been told, and I think there can be no doubt about it, that there were no soldiers in the village that morning except the 6 or 7 or 12 men who went with the search

party, and we have it on the evidence of the Police Officer and his man that the search party was accompanied by an Officer who was in fact Lieut. Randall. How then could this alleged murder have taken place. There is no suggestion of any attempt to violate her. She says that there was firing in the top of the roof, but she did not see the soldiers set fire to it, and then in answer to the Court (question 14, page 56), she says "Can you tell us approximately what time the soldiers came to your house. How long after sunrise", and she answered "just as sun was rising". That seems to me to put an end to her evidence so far as the truth is concerned because I believe the other evidence that it was impossible that there were any soldiers, certainly not 6 or 7 soldiers together, in the village just as the sun was rising.

Now to pass on to Mazina, who is a sister of Mahommed el Kordi, whose evidence is given on page 59, (Counsel read extracts from this evidence). He in cross examination gives details about the first soldier who violated his sister. I wish to point out to the Court what wherever you get in this case evidence of a witness who say that they have seen the violation, you find them all say the same thing. That the trousers or shorts, as they may be, are loosened, but they are left on one foot. It is a most extraordinary coincidence, and I think I am correct in saying that in each of these cases you will find that this is what is supposed to have happened. In this case the witness says that the second soldier was standing by the head of his sister holding her down by the head. He says that there were only two soldiers there, and that the one who was holding her down by the head shot her. It appears from his statement that she struggled to try and get away, and as she was running to get away, she was shot. Now, the total number of soldiers, according to him, that came into the house, was 8; what the others were doing during this attempt at violation does not appear. It is for the Court to say whether they believe that it is reasonably thinkable that while 6 soldiers that remained in the house are doing nothing in particular as far as I can see, that one should hold this girl down on the ground in order that his companion may violate her, and that when his turn is coming he wishes to do the same, finding that the girl endeavours to escape, shoots her dead. Is that likely to be a statement of the truth. This is the case in which the witness says the house was burning when he got back to it, but that the body was not burnt. He says, and this is noteworthy, that the part of the house where his sister was had no roof to it. He says that part of the house was roofed, and part not roofed, and that she was violated in that part which was not roofed. There is this evidence as it stands, and I shall leave it to the hands of the Court to appreciate the value of it.

Then comes the case, which is number 8, of the wife of Soliman Mahommed el Fouli, page 63 (Counsel read this evidence). This man was cross examined, and he said that 4 soldiers came in, and he is the witness who goes into considerable detail as to the cloth which the soldiers were wearing. It will be remembered that when he was cross examined by the Court he said distinctly that 2 soldiers had Sam Browne belts on, and that their collars were turned down, and not turned up. He described how the belts were across the shoulder, and he went on to say that there was a big thing hanging at the side in the case of two of these, and that these things were made from the same stuff and the same colour as the belt; in other words, he clearly indicated that these two men were Officers. That seems to me to make his evidence of little value as a whole, because we know that there were not two Officers in the village on that afternoon, the afternoon of the 30th, and that this witness also is the man who could not give any satisfactory explanation as to how the soldier who is alleged to have shot his wife in the side could have done so seeing, as he stated at one time, his wife was shot

while one of the soldiers was actually lying upon her. When he finds himself in a difficulty on that point he said his wife kicked with her foot and that the soldier was practically kicked off. He says that the soldiers went away directly his wife was shot. He says that he did not even go to look at his wife, or to give her any assistance because in answer to Q. 55, page 66 he said Q. "You did not go to see whether she was alive or dead" and he answered "No because she was dead". He says that she was dead because she did not lift either foot or hand, and so, according to his story, he left his wife lying there and went away and he never came back to the village until the next morning and he says that when he did come back his wife's body was burnt, the limbs were burnt but the trunk was not burnt but the body was as black as his coat. He also says that a part of his house was burnt. That is the evidence of this man and there is no other evidence before you relating to this case.

The ninth and last case of murder is the one of Abdul Wahed Tolba. Upon that we have the evidence of his son, a boy, on page 75. (Counsel read to the Court this evidence). When he was cross-examined it is quite clear, that according to him because he was asked a good many questions about it, that it was in the morning after sunrise that this alleged murder of his father took place. The Court will remember he told a long story about there being 25 soldiers inside the house, and that perhaps is only a native exaggeration, but it is quite evident that all his statement about what took place in the afternoon - the looting and so on - may be ignored for he admitted he had seen nothing of it, but here again the allegation is that this murder took place at the time when there could have been no soldiers there, unless you are to assume, which is an absurdity that the murder took place and was actually committed by the soldiers of the search party. I ask the Court to come to the same conclusion with regard to that evidence as I do with the others but I wish to say that with respect to this evidence there seems to have been a considerable desire on the part of this witness, taken as a body, to show that the men had been staying quietly in their house on the afternoon of the 30th and that many of them were in their houses during that night. If you take the evidence of the Military witnesses and consider it in all its bearings it is quite obvious that there must have been a number of armed men in that village who had been firing upon the soldiers and upon the train in the afternoon, and that as soon as ever the soldiers came in, that is the platoon of Lieut. Norrington these men would have done one of two things, they would either have ran away out ~~the~~ of the village or that they would have hidden themselves in their houses, but it seems to me that the object of most of this evidence, which has such a strong family resemblance is to show that these men must have been entirely innocent of participating in anyway on any attack on the soldiers and that they were peaceably in their houses. That we know was not the fact with regard to these.

With regard to these violations I have dealt with some of them in passing in dealing with the alleged murders. The Court has well in mind, there are, as far as I can make out, ten cases in two of which there is no allegation of any violation. There are those also of Aziza Bint Khodeir, which I have already dealt with, Fatma Bint Hag Hassan Abou Taleb, which I have also dealt with in dealing with the allegation of the murder of her husband. Then with regard to the alleged violation of Ayesha Bint Metwalli I need not go over that evidence again because it is the same evidence which deals with the murder of Mahommed Sayed El-Mohr. Then there is the case of Om el-Bint Sayed Mahommed on page 23. (Counsel read extracts from this evidence). Now unless the evidence which we have heard as to what soldiers were in the village that night and when the search party were there in the morning is incorrect, then this evidence cannot be true. If this evidence were true then the evidence of Lieut. Randall that there were no

other soldiers in the village that morning, except the search party cannot be true. She says that it was 2 men who came in one of whom violated her and that afterwards 3 more men came in and in her evidence before the Court she said that these 3 men did not attempt to violate her, but when she was giving her evidence before the Mamour she said that those 3 men entered and attempted to repeat the shameful act with me. Her explanation in answer to that is that when the soldiers came in they began pulling her person all over for money. She says the man in the tarbush came in that morning while the 3 soldiers were in the house and that those 3 soldiers went out of the house before she went out with the man in the tarbush. That is the only evidence before the Court with regard to that I do not think this was the case in which there was any identification by the Police. I leave that case in the hands of the Court and I pass on to the fourth case, which is the sister of Mahmud Ibrahim Abdul Hadi, page 28. I have already dealt with that. That is the case where he ~~says~~ says his sister was burnt alive and I do not think it necessary to go through that evidence again. The evidence deals with both murder and violation.

I pass on therefore to the next case which is that of Serea the daughter of Khafaga Marzouk. She is also the daughter of Zenab Bint Khalil. Now the evidence of the mother of this girl is at page 43, and the evidence of the girl herself is at page 151. The girl herself was very closely cross examined by the Court and she stuck absolutely to her story that she had in fact been violated by a soldier. The mother's evidence, which, I have said is at page 43, says that, according to her, there were 5 or 6 or as she said at another time before the Mamour 10 soldiers, came in. She says it was after sunset and the detailed description which she gives of what the soldiers did who violated her daughter is almost exactly the same as that given by other witnesses in other cases and in this case, as in one or more of the other cases, the Court will find that the soldier who is alleged to have committed the act was not carrying a rifle and ~~that~~ that the other soldiers were carrying rifles. The particular point about this case is that the father of the girl is alleged to have been there at the time when this took place and he was taken away, they say, by the soldiers. Now this man Khafaga Marzouk was actually one of the 5 men who were shot at dawn on the 31st. He was therefore, according to the clear evidence of several of the witnesses for the Military, actually at or alongside the train long before sunset and probably very shortly after 5 o'clock the previous day. There again why should the woman be so anxious to say that this man Marzouk had been in the house all day and that he had not gone out at all? Obviously as it seems to me, because he not only had not remained in the house all the day but that he was a man who had been concerned in this attack on the soldiers, and, be it remembered, that he was one of the men who, as we are told by the Political Officer and as appears from the evidence of Lieut. Norrington, was actually identified as having been firing on the soldiers and egging on other natives to attack them. Now this Mother of this Girl was asked whether her daughter was present and she said No she has been very ill (see page 46 Q. & A. 44). I think I am right in saying the Court will find that in no single case was any complaint made by any of these villagers to the Police Officer. That is a general observation which applies to all the alleged offences. This is another of those cases where, if the evidence of the native is true, then you have to sweep away as untrue the very clear evidence of the Military witnesses, and where on the other hand it is impossible to accept the evidence of the Military witnesses without coming to the conclusion that the evidence in support of this allegation of violation is untrue. This is also one of those cases where ~~xxxxxxx~~ that there is an allegation that (one of the soldiers was there at a)

one of the soldiers was there at a time when the Mother said it was dark and that the soldier set fire to the house. She says that one soldier set fire to the house by firing his rifle at what is translated as furniture, but was afterwards explained to be courra stalks, which formed the roof. I ask the Court without any hesitation to come to the conclusion that that evidence with regard to the daughter of Zenab Bint Khalil is not to be relied upon.

The next case is that of Saada Bint Hussanein (page 50). This is the case of a woman, as the Court will remember which I dealt with just now in dealing with the alleged murder of her husband and her son, and therefore I do not think I ought to take up time of the Court in going through that again, but on the question of violation there is the same remark which occurs to one as to the men who carried arms and how they were dressed. The two who are alleged to have assaulted the woman were in shorts and shirt sleeves and the others in long trousers. If you come to the conclusion that the evidence of the murder of the 2 men, that is the husband and son of this woman, is to be relied upon, then there is no reason why you should not believe her statement as to her having been violated. The events are all alleged to have taken place at or about the same time, and the remarks which I made with regard to the soldiers who are alleged to have been there would apply also to the case of the alleged violation. I ought, however, to call attention to the evidence of those 2 Police Officers. One is Mahommed Hamdy Hussein (page 34). He says, amongst other things, that in one house which they entered they saw about 20 or 30 British soldiers opening the boxes and searching them and that British soldiers were in all the houses. This witness said that there were 6 or 7 men with one Officer who constituted the search party. This witness, who among other statements which are open to comment, stated before the Mamour with regard to looting, that the soldiers under their shirts had lots of things which made them look like pregnant women. This is the witness also who said that there were 700 or 800 men altogether amongst the soldiers, and in fact this is the witness who makes a very large number of statements which may be described as exaggerated, to say the least of it. He was asked a question with regard to the identification of a woman whom he saw in one of the houses. This is also the witness, who, when he appeared before the Mamour, made this extraordinary statement. I quote it "We entered some of the burning houses. We found some women in danger of being burnt as the British soldiers had stopped them from escaping". When he was cross-examined upon this he said that that was not what he meant. I have no further observation to offer about the evidence of this Police Officer Mahommed Hamdy Hussein.

Then, Sir, There is the case of Zenab Bint Redwan which I have already dealt with, her evidence is at page 147, and I need not go over the same again. I have already dealt with it, as I say, in connection with the alleged murder of her husband, or, as she said afterwards, the man she was going to marry.

The next case I have already dealt with Fatma Bint Hag Hassan Abou Taleb in which no violation is alleged, but assault is alleged and then we come again to this story of Soliman Mahommed El Fouli. His evidence appears on page 63, and I have already dealt with this man's evidence at some length already with regard to the alleged murder of his wife.

The last one is the sister of Mahommed El Kordi. That I have also dealt with in connection with the evidence of her alleged murder.

I must now deal generally with the question of looting first and burning of the houses afterwards. It is admitted that a certain small quantity of poultry and sheep were sent to the train when it went away, and it is admitted, that they were brought from the village by some of the men; what particular time it is difficult to say but that is of no material importance.



The Court has heard what Major Urwick has said about that; I do not think it necessary to go further into it but when you come to read the evidence as to looting which is put forward by the native witnesses it becomes absolutely ludicrous the story which is told. You will find that in some cases it is said the soldiers took everything out of the house. You will find allegations of their having taken carpets, chairs and pots and pans, and the extraordinary thing about that is that if there were any truth in that it would have been impossible that Officers on the train should not have seen these men in Lieut. Norrington's platoon overloaded as they would have been, with all this amount of household goods, but, on the other hand, it must not be forgotten that a great many of these native witnesses make definite allegations of theft of money and Jewellery. I need not go into details but you will find that the total amount of money alleged to have been stolen is very large indeed and that if all the allegations of theft of Jewellery were true that it would be almost impossible, I submit, for the soldiers who brought back the Jewellery not to be discovered as being in possession of it. You have heard the evidence with regard to the kit inspection. You have heard it stated that no undue or unusual amount of money was found on the men, in fact they were asking for their pay as it is alleged they had no money, and if you come to compare these various statements as to looting with each other and with the evidence of the Officers on the train; I think you will be justified in coming to the conclusion that the allegations of the native witnesses are not sufficiently proved, and you will be justified therefore in rejecting the evidence as to that. I am referring to money and Jewellery.

With regard to the burning of the houses I do not want to go over the ground again. The only evidence of actually setting fire to houses on the part of the soldiers is so fantastic that I think it may be set on one side, especially in view of the evidence of Lieut. Norrington, and other witnesses, as to the manner in which and the time at which the fire first broke out in the village. You will remember that this complaint, which I have ventured to stigmatise as an infamous document, speaks of the killing of children. All I have to say about that is that not one word of evidence in support of that allegation has been brought before the Court.

Now I come to the question of the 5 men. These 5 men it is now clearly established were sent in to the train from the village by Lieut. Norrington under an escort consisting of a Corporal and 4 men who were able to give evidence as to the complicity and active participation of these 5 men in the unprovoked attack on the armed soldiers. These 5 men were, after they had been questioned by the Political Officer and by the Police Officer, condemned to be shot. They were shot at dawn on the 31st. March by a firing party under the Command of Lieut. Woodruff. That Officer alleges, and he is not in the least doubt about it, that the execution took place in a military manner. He was asked by the Court detailed questions about this and he stated that the firing party consisted of 15 men and that the escort consisted of an N.C.O. and 5 men, that 3 of the men of the escort stood on one side of the prisoners and the N.C.O. and 2 men on the other side, that that escort had their bayonets fixed and that they were standing at ease. He stated that the 5 prisoners who had their hands tied behind their backs were properly and effectively blind-folded, that 3 men of the firing party were detailed for each one of the 5 men to be shot. He told you that these 5 prisoners were standing up on the ground when the command to fire was given, and he tells you that he himself, on going to satisfy himself that the 5 men were dead, fired his revolver to the head of one of them whom he did not think was dead. He tells the Court that those 5 men were buried in graves which were 8 feet long

or thereabouts, side by side, that is to say the graves were side by side, that the graves were about 2 feet deep and he tells you that he was sure the bodies were entirely covered with earth after they had been placed in the graves. All those statements cannot, I think, be questioned for a moment and they dispose absolutely of this monstrous allegation against the British troops that they buried these 5 men alive up to their waists and that they mutilated them with rifle shots and bayonets. The Officer in command of the firing party states that not one of his men ever touched either of the bodies with his bayonet. Now it is a remarkable thing that not one single villager was called before you to state that he found these graves.

You will find that the evidence of the natives with regard to these 5 bodies is given by men who had heard from someone else that there were 5 bodies buried in the Palm Grove. There must have been some one person, if not more, who first discovered that there were 5 graves and who could have been questioned before this Court as to what was first condition of the graves when they were discovered, but no such witness came. The witnesses that you did hear were not entirely in agreement but they were substantially in agreement. They admitted that the heads of all those 5 men were lying on the ground, they all asserted that the heads were covered with grass, and some of them rags, but when they were cross-examined as to the condition of the bodies they were only able to say between them that 2 of those bodies appeared to have received wounds which they thought were bayonet wounds, one in the mouth and the other on the arm, although even upon this point their evidence did not agree because one witness said that the wound was under the elbow and another said it was above it. I need not go further into that case because I have no doubt whatever the Court will come to the conclusion that this horrible accusation of burying these 5 men alive is without any foundation whatever. Then how comes it that this complaint, much of which is not supported by evidence at all, and much of which is supported, if at all, by obviously false evidence, how comes it that this complaint, I say, is only sent in a long time after these events have supposed to have occurred. Is there not some reason to come to the conclusion that there is a considerable family likeness between the style and tone of the complaint on the one hand, and of the so-called evidence of the Schoolmaster on the other. The name of this Schoolmaster is Mahomed Ahmed Goma. He apparently, from what we learnt from the Police Officer, was one of the very few educated men, if not the only educated man, in the village. He lived in this village but worked at Giza, and before the Mamour he told his story in such a way as to produce the impression that he was there, but in fact he was not at the village at all until the 2nd. April, and before this Court he admitted that his evidence was only hearsay evidence and of no value. I am only referring to this man's evidence because I want the Court to take this into consideration. The question naturally presents itself in the mind of any one reading these documents, how is it that these false statements are made, and how is it that so many of the witnesses say the same thing. I am going to read now what he says to the Mamour and may I say in parenthesis that he said this to the Mamour on the 12th. April, according to the document itself, although in his evidence before this Court he says he made his statement on the 7th. April. (Counsel read to the Court what he said to the Mamour). Is there any doubt in the mind of anyone who looks into his evidence and compares it with the complaint itself, is there I say, any doubt in the minds of any reasonable man that the whole body of this evidence has been concocted under the tuition and guidance of that Schoolmaster. That is what I ask the Court to carefully consider because I do not see how you can other wise account for that extraordinary

likeness between the evidence of the one and the evidence of another. There is one more observation I should like to make about the value of this evidence. The Court will remember that again and again I asked the witness with whether they had talked over this matter among others and the reply was No. I also asked one of the party who went in a boat all the way from Shobak el-Ghaffara to Giza whether they had talked about it and the reply was No. It appears from the evidence of these natives that they preserved among themselves absolute silence with regard to the happenings, which if they had really happened, would have justified anyone in discussing the matter not only once or twice but every day and all day until justice was done. Why then were they, according to their statements, absolutely silent about it. It is it not clear that those who were associated in getting up this case against the Army, I say is it not clear, that those persons had impressed on all these natives the absolute necessity of saying they had never talked about it to anybody because if they had admitted in cross examination either to me or to the Court that they had talked about this case amongst themselves it may naturally have been said, they all say the same thing because they have been comparing notes, therefore they go to the other extreme. I am sure you cannot and will not believe that at no time after these events took place on the 30th and 31st March they ever talked about it among themselves or to anyone else and when you take that in connection with the fact that the Police Officer said that none of them complained to him I think you are justified in coming to the conclusion that there can be no grounds for any of these allegations, and before I conclude, Sir, I think I ought to say just a few words about the evidence of Sawi Effendi El Taher (page 88). With the exception of what I have already quoted I have come to the conclusion that that witness was not in fact a witness of truth upon all the points, although he may have endeavoured to give to this Court a true story of what took place as far as he could remember. His statement that he never saw more than 3 of those 5 prisoners at the train cannot be accepted in view of the detailed evidence given by Major Clarke. His statement that when he went into the village with the search party he found a number of soldiers already there cannot be accepted if you are to believe Lieut. Randall. I do not think it necessary to go through that man's ~~evid~~ evidence in detail. He had rendered, it must be admitted, loyal service to the Egyptian Government at a very difficult time and he had incurred the hatred, if not the desire for vengeance, on the part of many natives, and one may easily appreciate the difficulty of his position. He was asked if he could reconcile the difference in tone, as well as in detail, between his statement before the Mamour and his evidence to this Court but his answer to that was not very satisfactory. I make this comment upon his evidence because I do not think that if you should find his evidence in conflict with that of the Military evidence upon any material point, you would be justified in assuming that that Police Officer was a witness of truth.

I am grateful to the Court for hearing me so patiently, I feel even now that there are many points which may have escaped my attention but this is a case where the Members of the Court have all the details and the evidence fresh in their minds. It must, as I submit be largely a matter of impression as to whether this evidence is true, this evidence on the part of the natives, because, as I have already stated, and this is a fact which will not be forgotten, that not one of those soldiers who are accused of these grave offences has had an opportunity of being heard

by this Court. I ask the Court to deal with the whole matter with a full appreciation without giving undue weight to the mentality of the inhabitants of that village at the time of these events and subsequent to these events. I am not asking the Court to come to any particular conclusion with regard to the sentence by which these 5 men were condemned to be shot because I do not apprehend that it is part of my duty to do so. The Court is convened mainly for dealing with the allegations contained in the complaint supported, or more or less supported, on some points in the native evidence.

I do not think it would be necessary, or indeed proper, for me to go further with regard to those 5 men than to say that they were put to death by a sentence emanating from Military Justice and that the allegation that they were murdered and buried has no more foundation in fact than any of the allegations contained in that complaint.

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On Friday the 4th July Mr. Ibrahim, Counsel for the natives, did not appear at the Court of Enquiry but sent a substitute. This substitute made a request purporting to come from Mr. Ibrahim that the Court should not sit on Saturday the 5th July but that Mr. Ibrahim's address for the natives should be heard on Monday the 7th July.

This request was overruled by the Court on the following grounds :-

- Firstly: that they had already agreed not to sit on Thursday 3rd July at the special request of Mr. Ibrahim.
- Secondly: That Mr. Ibrahim was notified on Tuesday 1st July that his address must be ready on Saturday 5th July and he accepted this date and stated he would be ready on that date.
- Thirdly: That throughout the sitting of the Court Mr. Ibrahim's convenience had been consulted on every possible occasion in spite of the inconvenience caused to the Members of the Court.

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SATURDAY, 5th July 1919.

NINETEENTH DAY.

The Court ~~re-assembled~~ reassembled to hear the address of Counsel for the natives. Mr. Ibrahim, Counsel for the natives, did not appear and at 10 a.m., after waiting half an hour, the President closed the Court to consider their opinion as the Court considered that Mr. Ibrahim had been given notice on Tuesday 1st July that his address would be heard on this day, which gave him plenty of time to make his arrangements and that he had notified the Court that that day (Saturday 5th July) would be convenient for him to attend and address the Court.

SHOOTING OF PEOPLE ATTEMPTING TO ESCAPE FROM BURNING HOUSES.

9. All native witnesses appear to have been careful not to make specific allegations against the British soldiers on this point. The Egyptian Policemen (Ombashi), the 11th M brass who made apparently such statement to the Major Zapt entirely withdraws the charge ( vide Q. 116 et sequitur ) in his cross examination. To the Court he explained that "I mean that the women were afraid of coming out of their houses while the British soldiers were there".

In the cross examination of Lieut. E.F. Rendall his answers to Questions 23 and 61 and 63 appeared unsatisfactory, so he was recalled by the Court and explained that on the night of the 30th/31st March "No one tried to issue from the village and approach my picquets" and that "I am absolutely certain that I ordered all my picquets not to fire towards the village and that they did not do so during the night in question", and that he had orders from his Company Commander "to take anyone prisoner that comes from the village and send them to Headquarters".

The Court therefore, considers that there is not the slightest foundation for the allegation that soldiers attempted to shoot people attempting to escape from burning houses and they consider further that no such allegations were actually made by the witnesses.

ALLEGED MURDER OF SHEIKH AND 4 WOMEN.

10. The Court find that 5 men, viz :-

- 2  
5
- (a) Abdal Ghani Ibrahim Tolba (sheikh of the village)
  - (b) Abdal Rehid Isackim Tolia.
  - (c) El Se'f Abdal Ghani Tolba.
  - (d) Karam' Marzouk.
  - (e) Abdal Samed Aboul Sound (el Cukby).

were shot at dawn on 31st March 1919 by order of Major F.R. Urwick the Commandant of the Train.

This Officer gives the following reasons for his decision

viz :-

(e) That the orders to shoot say native found

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Again before the Honour he stated,

Q. "We entered some of the burning houses where we  
found some women in danger of being burnt as the  
British soldiers had stopped them from escaping".

This terrible charge, on cross examination by this Court  
is explained by him as meaning,

A. "that the women were afraid of coming out of their  
houses while the British soldiers were there."

Again before the Honour he says,

A. "The Officers saw the soldiers carry away their  
plunder and did not prevent them, etc."

This charge is repeated by this man before this Court  
(vide Q. 95 of his cross examination ).

The Court considers this statement on oath of this witness  
to be absolutely false.

The Court further considers this witness to be absolutely  
untrustworthy, and the whole of his evidence should be regarded  
with the greatest suspicion and they regard with surprise the  
fact that a man of this calibre should not only be in any Police  
Force, but should hold the rank of N.C.O. in such a Force.

(Sgd.) H.A. SIMPSON SAIKIE }  
Br. General, R.A. } PRESIDENT.

(Sgd.) R.V. MURRAY, Major, }  
R. Innes. Fus. attd. }  
10th M. G. Bn. } MEMBERS.

(Sgd.) L. BITTER, Capt., }  
1/4th Essex Regt. }

CAIRO,

7th July 1919.

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X

CONFIDENTIAL

Proof.

~~Nov. 17/20~~

Correction  
Please insert  
new matter (see p. 5)  
Let me have 6 proofs.  
JK.

Jan. 8/20

X Corrections in ink only X  
to be done. JK

Reply to Charges brought against British Troops  
by Egyptian Delegation in Paris during  
Egyptian Disturbances.

Reply to Charges brought against British Troops by  
Egyptian Delegation in Paris during Egyptian  
Disturbances.

[127953]

Field-Marshal Viscount Allenby to Earl Curzon.—(Received September 11.)

(No. 402/7988.)

My Lord.

The Residency, Ramleh, August 25, 1919.

WITH reference to your despatch No. 329, of the 12th July, 1919, I have the honour to transmit to your Lordship a detailed reply to the charges made against the conduct of His Majesty's troops in Egypt in the course of the recent disturbances. The answers to these charges have been drawn up in the form of annexes, which reply individually to corresponding annexes to the memorandum submitted by Saad Zaghoul Pasha to the President of the Peace Conference.

As to the affair alleged to have taken place at Embabeh, and referred to in pages 6 to 7 of Annex I, it is alleged that on the 8th April, 1919, while passengers in a passing train were waving flags in sign of joy that the Egyptian Delegation had been allowed to depart for Europe, British soldiers fired on them, killing two. Rumours similar to this had considerable currency in Egypt during April and May. In this case the incident never happened, and the allegation is untrue.

All complaints made against the conduct of British troops during the disturbances were immediately and thoroughly investigated before Military Courts of Enquiry, and the annexes report digests of these Courts, on which further comment is unnecessary. With regard to these Courts of Enquiry and to the Summary Military Courts which were subsequently set up, and which are attacked in Annex 1 of Saad Zaghoul Pasha's memorandum, they were at first, naturally, feared and disliked by the Egyptians. Finally, however, the fairness with which all cases were treated had an appreciable effect on local opinion, which was undoubtedly impressed by the fact that defending counsel were provided by the prosecution, and that the sentences were on the whole less severe than those which would have been dealt out by a native court. In this connection I would draw your Lordship's attention to the fact that, with very few exceptions, the charges upon which prisoners were arraigned were taken from the Egyptian Penal Code.

The charges made by Saad Zaghoul Pasha and the replies which I am now forwarding to your Lordship are so irreconcilable as to require an explanation. I would draw your Lordship's attention to the following facts. The Pasha's charges are not made in the interests of justice—they are part of an organised scheme of propaganda, and have ulterior political motives. The replies which I now submit are bald statements of fact based upon legal documents. Again, the Pasha and his friends in Paris were not in a position, and perhaps had little inclination to verify the facts which they quote. They left Egypt when excitement was still high, and when it was impossible to appreciate accurately the situation which had been created. They have been absent from Egypt since May, and have not seen the gradual return of the country to better conditions.

I have, &c.

E. H. H. ALLENBY, F.M.

Reply to Annexes 1, 2, and 3

AZIZIA AND BEDRASHEEN.

These villages lie to the south of Cairo, on the main line leading to Upper Egypt. The important sugar factory of Hawamdia is situate a few miles to the north of these two villages. The area in which all these villages are situate lies from 10 to 15 miles from Cairo.



At the time in question the whole of Upper Egypt was in revolt. The lines had been cut and stations burnt. The murder of the officers in the train at Deirut had taken place. Mr. Smith had been murdered at Wasta, the first stopping place for expresses leaving Cairo, and between Wasta and Cairo the line was cut in many places. On the 20th March the railway station at Hawamdia had been burnt and the line cut. The sugar factory was in great danger.

On the 21st March Lieutenant-Colonel Olden, D.S.O., 10th Australian Light Horse, was ordered to proceed to Hawamdia with an emergency force composed mostly of convalescents from the 14th Australian General Hospital. By written order before me, he was instructed to form a strong post in the neighbourhood of Bedrasheen, and informed that he would be responsible for the maintenance of order and for the prevention of damage to material by inhabitants of Hawamdia and Bedrasheen or by Bedouin in that neighbourhood. He was also instructed to inform omdahs of villages that they would be held personally responsible for any damage committed in the vicinity of their villages, and should arrange for any existing damage that could be repaired by local labour to be taken in hand by the omdahs, i.e., replacement of telegraph poles, repairs to roads or small bridges.

On the 23rd March Colonel Olden proceeded to Hawamdia. He states that the attitude of the natives on the way was truculent, and found it necessary at one spot to disperse, without firing, a concentration of about seventy-five people on a bridge.

On arrival at Hawamdia he interviewed the manager of the sugar factory, and found he was apprehensive of the attitude of the villages of Bedrasheen and Azizia. He also interviewed the police officer, who was equally apprehensive of danger, and who informed him that a very large proportion of the inhabitants, both of Bedrasheen and Azizia, were armed, and it was therefore unsafe for small parties to approach the villages. He therefore decided to make a search in both villages. Major Bell, M.C., 15th A.L.H. Regiment, with a party was ordered to Bedrasheen, and Captain Lyall, M.C., 10th A.L.H. Regiment, was likewise ordered to Azizia. These two officers were ordered to move under cover of night and partially to envelop both villages before daylight. At daylight they would enter the villages, demand the omdahs and sheikhs, and order them to deliver arms, ammunition, or explosives which might be found in the villages. If this was not immediately done, and they showed any disinclination to carry out the orders, they were to commence a search, using only such force as was considered necessary to ensure the success of the undertaking. If necessary, a number of houses were to be burnt, in which case they were to take care to ensure the removal of the women and children. On completing the search the omdahs were to be brought to the sugar factory to Colonel Olden. Colonel Olden took up his position with the remainder of his mounted men at a position midway between the two villages.

The two villages were searched. Subsequently the omdahs of Azizia and Bedrasheen made the complaints contained in Annex 1 of the Delegation's report (pp. 1 and 2).

A Court of Enquiry was appointed which heard the evidence of Colonel Olden, Major Bell, and Captain Lyall, and of the six other junior officers who acted under their orders. The omdahs of Bedrasheen and Azizia were also fully heard and several of the sheikhs and gaffirs of both villages, and a sergeant and a corporal of the Egyptian police who accompanied the detachments that searched the villages, and one or two witnesses from Hawamdia.

There is no doubt as to what happened in general at the two villages; the dispute being as to the conduct of the soldiers during the searches made.

The two officers (Major Bell at Bedrasheen and Captain Lyall at Azizia) appear to have understood the orders given them by Colonel Olden differently. Major Bell took the view that no houses should be burnt provided no resistance was made to the men—and no objection to the houses being entered—and in fact no houses were set fire to except two or three which occurred probably by accident. Captain Lyall took the view that although no actual violence was offered, seeing that the inhabitants not only refused to hand over arms, but also in some cases escaped with them, it was necessary to burn houses as a measure of coercion or punishment. This accordingly was done in each of the four hamlets composing Azizia, and, the native villages being very inflammable, the fires once started spread rapidly, and a considerable number of houses were burnt.

The following orders under martial law had been issued and made known to the villagers:—

"The G.O.C. Force in Egypt warns all whom it may concern that any person who destroys, damages, or tampers in any way with railway, telegraph, or

telephone communications, or who attempts to commit any of these said acts, shall be liable under martial law to be shot:

"March 13, 1919."

"Any further damage or destruction of railway stations or railway property will be punished by the burning of the village nearest to the scene of the destruction. No further warning will be given.

"March 21, 1919."

In this case it is difficult to ascertain accurately what damage had been done by the villagers, as the officers concerned have gone back to Australia. But I find the following matters mentioned in the matters before me: Offences committed against Egyptian Government property and the property of the French sugar factory, also against British officers and householders and Egyptian police, rails, sleepers, telegraph-poles, &c., which had been torn up and dumped into the canals, and so on.

The Court of Enquiry found that three houses in Bedrasheen were burnt and the village of Azizia was partially burnt. They consider that Colonel Olden was not justified in ordering huts and houses to be burnt in the search for arms.

The omdah of Bedrasheen speaks of three persons having been killed and four wounded by shots and bayonets. This matter was not gone into by the Court of Enquiry, so one does not know how these occurred. In Colonel Olden's official report I find the following passage:—

"Owing to the surprise nature of the reconnaissance nothing in the shape of an organised resistance was encountered, but a few cases of individual opposition had to be dealt with according as the gravity of the situation required, in one or two instances with fatal results."

The remainder of the complaints of the villagers consist of allegations of assaults on women and of robbery of valuables.

Major Bell states that the only complaint made to him at Badrasheen was that of a native who alleged that an Australian had taken 5*l.* from him. He was at once asked to identify the soldier, but could not do so. He states:—

"No cases of ill-treatment of women came to my knowledge, and I feel certain that nothing of the kind was done. I consider that, owing to the short time the men were in the village, it was impossible for them to have committed the alleged degradations. The men were kept well in hand by their officers. I do not believe there were any cases of robbery. I will swear that no poultry or geese were brought away from Bedrasheen by my men, as they could not have been hidden from me."

Lieutenant Garvie stated that his orders from Major Bell were that only force that was necessary to carry out the job was to be used, that women must be respected, and that our men must be kept in hand, &c.

"The party under me was kept in one body, and I am confident that there was no ill-treatment of women. I was accompanied by the stationmaster (Egyptian) of Bedrasheen, whose house was the second we entered. . . . To the best of my belief no money, jewellery, or property was removed by my men."

The evidence of two other officers was of the same tenour.

The allegations of the omdah as to outrages which took place in his own house are clearly false, as Major Bell categorically states that he was the officer who entered the house of the omdah, and that the room where the women folk were was not entered.

In the case of Azizia, the omdah does not hesitate to allege that officers and men robbed his house, dragged his wife by the hair, &c., &c. The evidence of Captain Lyall, who entered the house of the omdah, gives a clear account of what happened. He was accompanied by two policemen and a soldier, and states that the wife and children of the omdah were not interfered with in any way.

"I personally opened the safe in the omdah's house with his key, found nothing of importance, locked it up, and handed the key back to him. Nothing was removed from the safe. I personally know nothing of any case of ill-treatment of women. I have no knowledge of any money, jewellery, or other property being taken by individuals. The only case I know of was that one of

the men handed me a watch back to the nearest the sugar factory search was being carried

The evidence of the omdah, and are certain that the omdahs and native women, which do not suggest in their houses. The

is regarded other violence isolated soldiers, no specific was committed. The

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is as follows:— "All the evidence really happen.

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commanding XY covering letter forwardin

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It is admitted that have already animadver should have made these

General Headquart August 1919.

The facts as stated only intended to appl perfectly well. They t

the men handed me a watch he had got from the sheikh. I personally handed the watch back to the sheikh. Some poultry was taken from the hamlet nearest the sugar factory. No complaints were made to me during the time the search was being carried out."

The evidence of the other officers is equally strong. They kept their men together, and are certain that no cases of interference with women or robbery took place, except that some geese and poultry were taken.

The omdahs and natives gave their evidence. As regards the assaults upon women, the allegations are of the vaguest character. The statements of the two omdahs, which do not suggest anything in the nature of rape, but do allege violence towards women, are not corroborated, and are categorically denied by the officers who were in their houses. The allegations are, in my opinion, untrue, and it may be noticed they are not supported by the native police sergeant-major of Bedrasheen. As regards other violence towards women which might have been committed by isolated soldiers, no specific cases were brought forward which could be investigated, and in the absence of such, in my opinion, it cannot be presumed that anything serious was committed. The officers are all positive they kept their men together and there was no straying.

The finding of the Court of Enquiry is unsatisfactory. Unaccustomed to Egyptian evidence, they seem to have been bewildered by the impossibility of reconciling the directly opposite evidence of the natives and the soldiers. The finding is as follows:—

"All the evidence was very contrary, and it is impossible to say what did really happen.

"The Egyptian sheikhs and omdahs all say that there was robbery and a certain number of women were abused, whereas the Australians say no such things occurred.

"It is impossible to say what really happened. The probability is that no women were hurt beyond being searched.

"Captain Lyall was in error in the way he treated and carried out the search of Azizia.

"Lieutenant-Colonel Olden was not justified in ordering huts and houses to be burnt in the search for arms."

The evidence before us does not prove that any women were searched. The Court of Enquiry does not lay down in what way Captain Lyall was in error. The evidence is that Colonel Olden only gave orders that resort was to be had to burning in certain contingencies.

On the evidence before me, and with twenty years' experience of natives and their peculiar attitude of mind, I have formed a stronger opinion than that of the Court of Enquiry. I cannot put that opinion in better form than has been done by General Bulfin, commanding XXth Corps, after consultation with his legal adviser, in his covering letter forwarding the enquiry to General Headquarters, which is as follows:—

"I am of opinion that there is no foundation for the allegations made respecting rape or ill-treatment of women, nor is there any proof that money and jewellery was stolen. A surprise search was made of the men when they returned to Cairo, and nothing was found."

It is admitted that some geese and poultry were taken. In my principal note I have already animadverted on the question as to why the natives of these villages should have made these charges.

J. F. KERSHAW, *Lieutenant-Colonel,*  
*Legal Adviser.*

General Headquarters,  
August 1919.

Reply to Annexes 4 and 5.

KENEH.

The facts as stated in this annex are substantially correct. The proclamation was only intended to apply to the fellabeen, as these gentlemen who complain knew perfectly well. They took advantage of the general terms of the proclamation to make

*Take in Reply  
& Annex 3 (New  
matter)*

an incident. The President of the Tribunal met the Commandant who at once met his objections by proposing that British officers should commence by saluting high functionaries and notables who should then return the salute. The president, of course, accepted that. However, when he referred the matter to his hotter-headed and younger colleagues they at once rejected the solution on the ground that it was of a nature to establish a distinction between a small fraction of and the bulk of the people; and that they considered themselves as integral and indivisible from the people.

These gentlemen cannot have it both ways. With one breath they associate themselves with the fellaheen and so accept responsibility for the murder of unarmed officers and men and the excesses committed by the fellaheen throughout Egypt. With the next they dissociate themselves entirely, deplore the excesses and all responsibility for same. As a matter of fact their attitude is pure nonsense. It is the custom of the country that fellaheen stand up and salute their superiors. The President of the Court is so saluted wherever he goes, and if he were not those who had shown such a lack of respect would very soon hear about it from him. The British have never insisted on the observance of this custom as regards themselves, and my Egyptian friends have often commented on it to me, and stated that we were making a mistake in not doing so. The people do it, however, of themselves without any compulsion. When one visits an omdah or passes through a village in a car, or on a horse, the villagers stand up and salute just as one takes off one's hat in the presence of a lady. If they do not salute you, or you salute them, it is considered a breach of good manners. Just as in France I was rebuked before the war, by a peasant in the country, for passing him without giving him a salutation. "Ah, monsieur," said he, "ne savez-vous pas qu'on salue dans la campagne?"

During the present troubles near Mit Ghamr, in the Delta, a small notable holding no position to speak of but being a little richer than his neighbours, headed a mob of his village and tore up the railway line after beating the gaffir who was guarding it. The only witness against him was the gaffir, the defence was that this gaffir could not be believed as a month before when the accused was sitting before his house the gaffir had ridden by on a donkey without dismounting as a sign of respect. Our patriot had seized and beaten him and complained of him to his omdah, who had sent the gaffir to apologise. No mention was made in Court that this incident was anything but natural, and the gaffir admitted the justice of it. The indignant patriots of Kenh would have taken the same course as this small landlord. I wonder what would have been Saad Pasha Zaghloul's feelings before this movement if he had gone anywhere as an ex-Minister and the company had not risen at his entry.

After the murder of the British officers on the train it was necessary to restore our prestige and force the fellaheen to acknowledge it. I cannot see that there is anything outrageous in insisting on their performing what is considered in this country as the ordinary usages of politeness. The Delegation which sent this annex to M. Clemenceau is perfectly aware of that. One can only regard it as a particularly misleading piece of propaganda, and that it was intended to be misleading.

General Headquarters, August 1919.

J. F. KERSHAW, *Legal Adviser.*

*Reply to Annex 6 (A) and 6 (B).*

CAIRO CASES.

Annex 6 (A) consists of an alleged extract from the police day-books of the El-Waili quarter, so I have to rely on information supplied me by the police in reply to same.

The first point to be noted is that no one may obtain a copy of entries in these books except after certain formalities. No application was made for a copy, and no formalities gone through. This copy was taken therefore and sent to the Delegation by some unauthorised person without the cognisance of the police authorities.

I have before me the police report on these cases which states as follows:—

No. 3—(i.) *Mohamed Dakrouri* was sitting near the metre station at Manchiet-el-Sadr. He was fired on by someone from a passing metro and killed. No person accused and offender never known.

(ii.) *Mohamed Sulieman* was wounded by a shot at Manchiet-el-Sadr on the night of the 8th April, 1919. The person that fired the shot not known.

(iii.) *El Hag Mohammed-el-Arabi* (see Annex 6 (A)). Nothing is known of this, which was not reported to the police. Presumably this extract is not in the original book.

No. 14—(iv). *Angelo Stambulo*.—Keeps a small lemonade and cigarette stall situated in the street under the tramway bridge at Abbassia. He complained on the 9th April, 1919, that the show cases had been broken and lemonade and cigarettes stolen. He accused the military, but never saw them nor had he any proof. His place was exposed to any person who had an inclination to rob same.

No. 23—(v). The three persons mentioned 1, 2, and 3 were the only persons who came to the caracol on the night of the 8th April, 1919, and probably are the only persons who were actually robbed. All others referred to under No. 23, including a long list of names additional to those mentioned in Annex 6 (A), did not come to the caracol till the following morning. It will be noticed that in no other case than 1, 2, and 3 is it alleged that soldiers were the perpetrators, except in the last in the list 28, and concerning this person the police report before me states that there is nothing to prove that theft was from the military. As has been before intimated, natives always make these charges of theft when they have been assaulted, and there is no reason to believe that this man was robbed at all.

General Mabrouk Pasha and his two friends failed to identify the soldiers who had robbed him in the mamour's enquiry. The mamour says some British officers went to the Pasha's house with the mamour of police and made an enquiry. As the Pasha knew nothing of his assailants, these enquiries do not help us.

With regard to Annex 6 (B), no one was killed in the incident mentioned in the fourth paragraph.

Details (i-v) have been already dealt with.

Detail (vi): Nothing to prove this from the military.

Detail (vii): Nothing known. No report made to the police.

The other details down to 19 were not reported to the police, except in so far as they were mentioned in Annex 6 (A), and nothing is known of them.

(Signed)

J. F. KERSHAW,  
Lieutenant-Colonel.

### Reply to Annex 6 (c).

#### MATARIA CASES.

Annex 6 (c) is a report by Mahmud Sabry to the Egyptian Delegation in Paris. This case was investigated by a Court of Enquiry, among several others, arising out of the searching of the village of Mataria, a suburb of Cairo. The papers are very voluminous as the enquiry was made with great care. I extract those which immediately deal with the complaint above-mentioned.

The reasons why this village was searched are given in the report of Brigadier-General Rice, which is appended (marked "A"). It will be recalled that the demonstrations against the Armenians in Cairo resulted in many of them being killed, and it became necessary for a refuge camp to be made in which they had to be placed for their protection.

The result of the search is also mentioned in that report.

The orders issued for the search and to the search parties are attached (marked "C").

It would appear from the evidence of the officers in charge of search parties and police officers, that these orders were strictly adhered to. The military authorities considered that to avoid collisions between the inhabitants and the troops, the inhabitants should be removed from their houses. This was done. The inhabitants were ordered by the police to take their valuables with them and to leave their houses. The men were kept in one place and the women in another.

The search was made and the people afterwards returned to their houses.

Subsequently charges of robbery were brought by these inhabitants whose houses had been searched, among them Mahmud Sabri.

My personal belief is that few thefts took place at all, and that they are alleged for purposes of revenge or profit as has been already pointed out in this report.

If they did take place, then they were not committed by the soldiers, except in the case of one Gallabieh and two watches found on Sepoys which were taken from

them and they were put under arrest. The soldiers were all searched immediately after the village had been searched, and again when they got back to camp.

There seems to have been a misunderstanding between the military and Egyptian police who assisted them. Owing to the misunderstanding a certain number of natives were not removed from the town. It is possible that some of these natives entered and robbed some of the open houses. (Notice this point in the finding of the Court of Enquiry marked "E".)

Attention is drawn to the evidence taken in the case of Mahmud Sabri (marked "D").

The first point which shakes one's belief in this man's integrity is the serious discrepancies between his statement to the Delegation and his evidence given before the Court of Enquiry. There is no mention in the former of the theft from his person of a gold watch and 60 piastres. There is also no mention of his being present during the search, which he states to the Delegation took place in his absence. In the face of these discrepancies, and after contrasting his evidence with that of Captain Beattie and others, one cannot help but draw the conclusion that his story is false and that in fact no robbery took place.

Captain Beattie is clear on the point that no bank notes or jewels were found in the house at all, in which case they could hardly have been stolen by anyone entering the house after the search party left.

As instance of the reckless and unconscionable way in which natives, even of position, will make grave charges, attention is called to attached papers marked "B" and "F." That marked "B" speaks for itself. The petition marked "F" was put in by one of Mahmud Sabri's fellow villagers and probably one of his friends, an ex-omdah of Mataria named Hassan Badr-el-Din. This gentleman does not hesitate to allege against Miss Baird, the daughter of Sir Alexander Baird, that she informed the Indian soldiers guarding the women that it was customary for native women to conceal jewels in their drawers and that they should tear these off. He was sent before a Military Court charged with malicious libel. It was proved that Miss Baird was not there at all on the day in question. Hassan Badr-el-Din was taken sentence by sentence through the petition, and with the exception of one immaterial matter, he confessed that the allegations contained in that petition were untrue. The Court sentenced him to one year's imprisonment and 100*l.* fine. But the law of libel was a little too complicated for a Military Court, and it made a special finding, in the face of which the finding could not be confirmed, which is to be regretted. It will be noticed that some of these allegations are similar to those made by Mahmud Sabri.

J. F. KERSHAW, *Lieutenant-Colonel,*  
*Legal Adviser.*

*General Headquarters, August 1919.*

(A.)

*Subject: Cairo Defence Scheme.*

General Staff, Cairo District.

In amplification of my T/64 of the 26th April, 1919, the following points which led up to the search instituted of the village of El-Mataria, are forwarded:—

1. On the 22nd March, 1919, the underground electric cable to Heliopolis was cut. The cable was cut in the Mataria district, and only a short distance outside the village, and from information received, it was the work of eight men living in the native quarter of the village.

2. A hostile demonstration—some hundreds strong—armed with heavy sticks and cutlasses organised in Mataria, was made against the Armenian inhabitants of the village of Zeitoun.

3. Between thirty and forty natives employed at the school of instruction living in the vicinity of Mataria, were intimidated within the village from coming to work.

4. A rifle of the British Guard at the caracol, within the village was stolen.

5. A few days before the search was instituted, a British sentry on duty was stoned by the mob within the village.

6. Riots within the village occurred on two consecutive days during which many shots were fired by the natives. One man, a syce, from a camel hospital, being wounded and sent to hospital.

Many reports received  
On two occasions  
Instructions were  
that Dr. Wilson, living  
As events proved the  
of the village and  
A large amount  
houses, two flint lock  
of knives, swords, &  
and heavy sticks  
in the village and de  
A company of the 4th  
at 5 p.m. The troops  
week, and the Road Co  
in the vicinity.  
A marked difference is  
The sullen and de  
British officers or t  
rioting or disturbances.

Zaitoun, May 12, 1919.  
To be attached  
May 14, 1919.  
For information.  
May 15, 1919.

Subject:  
Staff, Cairo District.  
The attached proce  
I have instructed  
are further into two  
by the Court of  
I may state that I  
knowledge. The  
back, and all parts  
with the money he had  
could any trace of  
in writing to that  
identify any of the  
The case was dismissed  
Zaitoun, May 13, 1919.

Proposals. Abridged Com  
"A" Company to pro  
"B" Company: one p  
"D" Company: one p  
[1919]

7. Many reports received of Government property being stolen from camps in the vicinity.

8. On two occasions Sir Alexander Baird telephoned urgently that rioting and hostile demonstrations were anticipated in Matariid. On one occasion I understood him to say that Dr. Wilson, living in the village, was his informant.

As events proved the results attained very fully justified the steps taken, so far as the search of the village and the occupation by troops of the village for one week were concerned. A large amount of Government clothing, boots, mess-tins, &c., were found in the houses, two flint lock rifles, two double-barrelled shot guns, two revolvers, and a quantity of knives, swords, &c., were also found. Besides that, a very large number of naboots and heavy sticks which in no way could be used for peaceful purposes were taken in the village and destroyed.

A company of the 47th Sikhs was billeted within the village, and all the cafés closed at 5 P.M. The troops have now been withdrawn after occupying the village for one week, and the Road Control Post stationed at the caracol, is the only guard now left in the vicinity.

A marked difference is observed in the general attitude of the inhabitants of the village. The sullen and defiant looks, which were most marked before the search, towards British officers or troops passing through have gone, and there have been no more rioting or disturbances.

CECIL E. RICE, *Brigadier-General*,  
G.O.C. Area "E".

Zeitoun, May 12, 1919.

Note.—To be attached to proceedings of Court of Enquiry, when they come in.  
H.D.W.

May 14, 1919.

(A.) For information.

R. BRUCE, *Major G.S.*,  
Cairo District.

May 15, 1919.

(B.)

T/64/7.

Subject: *Cairo Defence Scheme Courts-Martial.*

General Staff, Cairo District.

1. The attached proceedings of a Court of Enquiry are forwarded herewith.
2. I have instructed Lieutenant-Colonel Sanders, President of the Court of Enquiry to enquire further into two cases of alleged robbery with violence, as the cases dealt with so far by the Court of Enquiry have been cases of alleged theft from houses.
3. I may state that I personally enquired into one case which was brought to my personal knowledge. The complainant stated that he had been "wounded about the arms, back, and all parts of his body by rifles," and had been made in consequence to part with the money he had on him. The man was made to strip, and on no part of his body could any trace of wounds or bruises be found, and he then stated that his complaint in writing to that effect had been made in error. He also stated that he could not identify any of the eight soldiers and one N.C.O. who were alleged to have committed the assault and robbery.

The case was dismissed as frivolous, and without doubt his statements as to assault were false.

CECIL E. RICE, *Brigadier-General*,  
Commanding Area "E".

Zeitoun, May 13, 1919.

(C.)

*Abridged Copy of Orders issued for the search of Matariid.*

4. Picquets.

- "A" Company to picquet from bridge A (exit) to O, D, F, E, and well F (exit).
- "B" Company: one platoon from bridge A (in it) along canal to lane B and C (in it).
- "D" Company: one platoon from C (exit) to H, K, and road at L.

Picquets to prevent, by force if necessary, any natives from entering or leaving the village. No firing.

*Note.*—March timings arranged so that all picquets will be in position by 4:30 A.M.

#### 5. Dispositions.

"A" Company: Company Headquarters and one platoon on road at E, two platoons at well F, under Subadar Mit Singh.

"B" Company: Company Headquarters and three platoons at bridge X (south of canal).

"D" Company: Company Headquarters and one platoon on road at I, two platoons under Subadar Charanji Singh at well M.

Battalion Headquarters at Y.M.C.A. house on road.

Company Commanders will remain at Company Headquarters till search orders are sent. An Indian officer will remain at Company Headquarters when the search begins.

7. At dawn (4:45 A.M.) Battalion Headquarters, with Political Officer and police, to arrest the omdah and give him orders to warn all villagers to leave the village. Police to assist in clearing the village. All men go up the road to well F.

All women and children go up track to well M.

Men at well F to be in charge of Subadar Mit Singh and two platoons, who will arrange picquets to prevent them running away. One platoon, under Subadar Charanji Singh, will guard the women.

To each search party will be attached one or more ghaffirs and one interpreter.

#### *Orders for Search Parties.*

Each search party will consist of one British officer and one Indian officer, with the ghaffir and the interpreter and half-platoon. No one to enter a house except under an officer.

When a house has been searched the door will be chalked.

No looting; men of the search parties will be searched at the completion of the search for loot.

No one to enter the village except the search party.

In case of resistance force will be used—if necessary, the bayonet, but no firing.

Collect all arms, knives, sticks; any liquor found to be placed under a guard.

Natives found loitering in the village will be arrested and sent under guard to the Battalion Headquarters.

Search parties will not start work till they receive orders from Battalion Headquarters.

The remaining half-platoon will follow up search parties to act as guard to prisoners, take charge of contraband, and to provide any sentries required. This half-platoon will prevent straggling and looting and will not search on its own.

Besides the search parties, no unauthorised person to enter the village.

#### *Areas of Search.*

"A" Company—

(1.) Lieutenant Bennett and half-platoon search ward E and gardens at D.

(2.) Lieutenant Hill and half-platoon to search ward G.

"B" Company—

(3.) Captain Beattie and half-platoon to search ward A.

(4.) Lieutenant Tiffen and half-platoon to search ward C and gardens.

(5.) Lieutenant Schofield and half-platoon to search ward N.

"D" Company—

(6.) Captain Connolly and half-platoon to search ward H and gardens north of the lane.

(7.) Half-platoon under Subadar Charanji Singh (after he has arranged the guards over the women) will search all houses west of the road; Subadar Channan Singh will then take charge of the women.

11. . . . . (administrative orders).

True Copy:

....., Lieutenant-Colonel,  
Commanding 47th Sikhs.



(D.)

General Staff, 20th Corps, Heliopolis.  
His Excellency would be glad to receive, in due course, a note on this case.

A. W. K. B.

June 6, 1919.

*Report.*

To his Excellency the Extraordinary Special High Commissioner of His Majesty the King of Great Britain, of the calamity that has befallen El-Sayed Mahmud Bey Sabry, son of Ismail Pasha Sabry El-Tobgy, in Mataria attack that took place on Tuesday the 29th April, 1919.

On the 29th April, 1919, at 6 o'clock in the morning we were attacked by two troops of more than eighty Indian armed soldiers in a very severe and terrible state. One of the troops was directed by an English officer and the other by an Indian one. With them was a translator.

After they entered the house, their translator ordered us to open all doors, wardrobes and boxes and leave the house, all of us women and children, and who will not leave the house will be shot at once. So we left the house after opening all doors, wardrobes, and boxes.

Then we were driven away by the armed Indian soldiers for about a kilometre and half off our house, and stayed in that place for more than seven hours, we, our women and children, all without food, barefooted and bareheaded, and we were surrounded by armed soldiers and their ametrallieres (machine guns) with them.

At 2 o'clock in the afternoon of that day we were ordered to return home. On entering the house we found that all our money and women's jewels, clothes and all that we have were stolen.

One of the most terrible things that these soldiers have done was that they, after eating all the bread in the house (they shitted in the bread basket).

Then immediately I went to the police station, and there all that happened was officially registered.

On the 30th April I went to the Ministry of the Interior, and there I met the adviser and told him all that happened to us. He regretted much and gave me a private letter to your secretary, through whom I would be able to inform you about my terrible calamity. Then I went to the British Agency, and met the before-mentioned secretary, and offered him the letter and told him all about the calamity. He regretted much and after that he telephoned that to you, told me that you too are very sorry and he asked me to wait as the case would be discussed carefully.

On the 1st May a Court Nastigal (Immediate Enquiry) was held in the Indian camps of Helmiq-Mataria under the general of these camps. I went to that Court which began to discuss my case with great care, and a report was made which I signed.

More than twenty days have passed and unfortunately no result was seen. I don't know why.

I am quite sure that you disapprove such an attack like this.

Helmich, Mataria, May 27, 1919.

*El-Said Mahmud Sabri.*

First Witness.

El-Said Mahmud Sabri, Mataria, states:—

"I was awakened about 0600 hours on the 29th April, 1919, by some neighbouring women coming into my house crying and complaining to my wife that they had been turned out of their houses by soldiers. I got up and invited them to come inside.

"Immediately afterwards one British officer and an interpreter knocked at my door and said that they had come to search the house.

"They entered with one Indian officer and about sixty Indian other ranks. They commenced to search the house.

"The British officer and the party went to one room and the Indian officer and the remaining men went to the room opposite.

"I was present when the search commenced, and opened wardrobes and locked boxes for the search. I went to the room which had been searched by the Indian officer, and one of the soldiers put his hand into my pocket and took out my gold watch and about 60 piastres.

"The soldier showed the watch to the Indian officer, who told him to keep it.

"I was then told to leave the house and go to the place where all the men were collected, and my women to the women's place.

"I was allowed to return to my house about 1400 hours, where I found bedding turned over and clothes strewn about the floor.

"The following articles were missing from our house:—

"£ E. 150 (in £1 notes, which were wrapped in a handkerchief in one of the drawers in one of my bedrooms).

"18 pairs of golden bracelets, value about £ E. 100, and other jewellery to the value of £ E. 80.

"7 European suits of clothes.

"7 or 8 fancy shirts.

"18 pairs of vests and pants.

"Also drawers and underwear belonging to my wives.

"5 pairs of boots were also stolen.

"A basket of native bread from my kitchen had been eaten, and the basket had been ordated in.

"I also lost a large quantity of household linen; in fact, there was hardly anything left in my house.

"The first intimation of any unusual occurrence that morning was the arrival of the British officer.

"The police did not come to my house to turn me out, and I heard no orders shouted to that effect."

*Question by the President.*—Are you sure that there were sixty soldiers entered your house as stated in your evidence?

*Answer.*—There were more than sixty.

(Signed)

EL-SAID MAHMUD SABRI

Certified true copy:

G. McDOWELL, A/Staff Captain.

#### Second Witness.

Captain J. G. Beattie states:—

"I was in charge of the search party which searched the house of El-Said Mahmud Sabri.

"My party consisted of an interpreter, an Indian officer, and twenty other ranks; the remaining half-platoon, viz., twenty other ranks, remained outside the house.

"After the householder had been sent out he was allowed to return to open certain locked boxes and doors.

"The Indian officer was in the same room with me throughout the search, and no room was searched unless I was there.

"A silver watch was shown to me which was found in one of the drawers. I replaced it in the drawer, and I am certain it was there when I left the house.

"I was the last to leave the house.

"When the search of my area was completed I had a minute search of my men with the exception of their turbans, and no loot of any kind was discovered with the exception of a few pieces of soap.

"There was no sign of any jewellery in this house that I could discover, nor was there any trace of banknotes.

"The gaffir of this area accompanied me during the search, and left when the search was completed and was allowed to return to his beat by the police.

"I noticed a considerable number of natives wandering about in my area who had not been collected by the police.

"As far as I can see, no efforts were made by the police to collect these men; I therefore had them rounded up and sent to the compound in the course of my round.

"The householder was with me the whole time he was in the house. Had anything been stolen from his person while he was in the house I could not have but

noticed it. In any case, if any would have lodged a complaint "The kit and tents of nothing was found."

*Question by the President.*  
witness native (Egyptian) food.  
*Answer.*—Yes; they would

Third Witness.

M. P. Jean, interpreter, I

"I was interpreter who a  
Sid Mahmud Sabri

"I was present with Cap  
taining by the search party.

"Only one room was se  
the search.

"The Indian officer was  
the room which was being se

"I saw no sign of an  
exception of the silver watch  
at the order of Captain Bea  
house was left."

Fourth Witness.

Subada

*Questioned by the Court*  
Mahmud Sabri?—*Answer.*

Q. Were you always p  
being searched?—A. Y

Q. Were you ever in a

Q. Did one of the soldi  
front?—A. A soldier show  
Beattie:

Q. What did Captain I

Q. Did you see it put l

Q. During the search o

Q. Were you present i

Q. Were you present i

Q. Did you find any lo

Q. Did you find any lo

Q. Would the men o

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noticed it. In any case, if anything had been stolen from his person in the house he could have lodged a complaint at once.

"The kit and tents of my platoon were again searched on the 2nd May and nothing was found."

*Question by the President.*—Would the men of your platoon have any objection to eating native (Egyptian) food, more especially bread?

*Answer.*—Yes; they would not consider it clean.

J. G. BEATTIE, *Captain.*

*Third Witness.*

M. P. Jean, interpreter, P. of W. Staff, states:—

"I was interpreter who accompanied Captain Beattie in his search of the house of Said Mahmud Sabri.

"I was present with Captain Beattie as he searched each room. I saw no sign of looting by the search party.

"Only one room was searched at a time, and I was present in that room during the search.

"The Indian officer was also present the entire time, and I did not see him leave the room which was being searched at the time.

"I saw no sign of any jewellery or banknotes during the search with the exception of the silver watch which was found in one of the drawers and was replaced at the order of Captain Beattie, and to the best of my knowledge was there when the house was left."

M. P. JEAN, *Interpreter.*

*Fourth Witness.*

Subadar Mehar Singh, 47th Sikhs, is called.

*Questioned by the Court.* Were you present at the search of the house of El-Said Mahmud Sabri?—*Answer.* Yes.

*Q.* Were you always present with Captain Beattie and in the same room while it was being searched?—*A.* Yes.

*Q.* Were you ever in a room in which Captain Beattie was not?—*A.* No.

*Q.* Did one of the soldiers of the search party show you a gold watch which he had found?—*A.* A soldier showed me a watch from a drawer, which I showed to Captain Beattie.

*Q.* What did Captain Beattie say?—*A.* Put it back in the drawer.

*Q.* Did you see it put back in the drawer?—*A.* Yes, I put it back myself.

*Q.* During the search did you see any jewels or bank notes in one of the drawers or boxes which were searched?—*A.* No.

*Q.* Were you present when Captain Beattie's platoon was searched?—*A.* Yes, I was present, and on return to camp I again searched the platoon, removing all their kit, including turbans.

*Q.* Did you find any loot during either of these searches?—*A.* I found a few bars of soap in the first search, which may or may not have been looted. At the second and more minute search nothing further was found.

*Q.* Would the men of your platoon eat Egyptian food if they found it—more especially bread?—*A.* No; they would not touch it.

G. M. D.

*Opinion.*

The Court are of opinion that in the ten cases submitted the evidence is insufficient to definitely place the onus of the alleged thefts on any particular section of the community.

There is only one clear case of a soldier being found in possession of loot—that of a sepoy in possession of a "gallabieh."

There appears to have been a misunderstanding between the military authorities and the police as regards the clearing of the village previous to the commencement of the search. As the orders to the police were verbal this cannot be substantiated. The result appears to be that the village was not wholly cleared of natives, as was intended,

and it is possible that some of the alleged pilfering was perpetrated by villagers who remained behind. A complaint by one native against another of a theft committed on the 29th April, which has been laid before the Court but not yet investigated, tends to substantiate this opinion.

The conduct of the search parties appears from the evidence to have been excellent, and the Court are of opinion that any looting which took place cannot be ascribed to any individuals of the search party. The fact that the search parties were searched immediately on completion of their duties and that nothing was found on them appears to prove this beyond any doubt, provided that the search was sufficiently stringent, which the Court has reason to believe was the case.

It also appears difficult to the Court to understand how some of the bulky articles—such as suits of clothes, oil-stoves, and rolls of cloth—could have been conveyed away without the aid of some kind of transport.

The evidence of native witnesses in many cases appears to be unreliable, and some statements, especially those as regards losses, are undoubtedly exaggerated.

No witness was able to produce evidence as to possession, and the fact that these witnesses had very indifferent and varying ideas of the times at which different events occurred has not simplified the investigation of the Court.

The Court are of opinion that no useful purpose would be served by investigating all the cases which will be laid before them, as, judging by the nature of the evidence which has already been produced and which, it is reasonable to assume, will be similar in future cases, it will be impossible to arrive at any definite conclusion, and the Court submit the evidence in the ten attached cases for the opinion of higher authority as to the desirability or otherwise of the Court continuing their session.

J. M. SANDERS, *Lieutenant-Colonel,*  
*President.*

R. P. ELLIS, *Major*  
C. K. RHODES, *Lieutenant* } *Members.*

(F.)

On the 29th April, 1919, at 5 A.M. Indian troops under the command of British officers came, in company with the inspector, Cairo City Police, to Mataria (Cairo suburb) and ordered the inhabitants, male and female, to evacuate, and go to the lands which are at distance of 1 kilometre from Mataria. Men were secluded from women, and a large number of troops were detailed to guard them. All means of communication between these people and their houses were cut off. On returning to their houses at 3 P.M., after having been searched, they found doors thereof open, jewels and money, contained both in the cupboards and boxes, missing. This took place as a result of the inhabitants being be-iegged outside the country. The sun has meanwhile greatly affected the inhabitants, more so women and boys, a thing which nobody with sensitive feelings would allow. However, it is quite admitted that it is impossible to effect the search of a house without inconvenience being caused; however it is belied that the purport of a search is not to loot property, beat men, taking away meanwhile any money, &c., which they might have on them, in addition to damaging cultivation. And what was the result of these searches except the finding of some worn-out clothing in the possession of certain individuals who were in the employ of the authorities, and who obtained same against payment. What a pity, their soldiers sell their old clothing with a view to buying liquor, and the responsibility falls on the country or the public, although about twenty persons were concerned in the case. However, the country has been blockaded, and the inhabitants suffered enormous losses. Inhabitants number about 10,000 persons. This is a case which reminds us of the Denshewai affair, but the difference between the two is that the inhabitants of Denshewai defended themselves, whereas those of Mataria surrendered themselves, money, jewels, property, to the Indian troops so that they might dispose of them any way they liked. Although inhabitants of Mataria are many, however, they followed the advice of the wise men amongst them, in view of which fact they offered no resistance, especially on account of the great number of troops and various arms used, viz., machine guns, &c. This proved that we are peaceful men, but they commit such acts, with the view of enticing us to rise, when they will accuse us of revolting, assaulting, &c., of which we are quite innocent. What took place yesterday at Mataria can be attributed to no reason but revenge, or so that the country might be the prey of the Indian troops, or else the search could have been effected in the usual manner. What further proves that what took place, and what

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was done to the inhabitants of Mataria was for revenge, is the notice issued that nobody is to leave his house after 8 P.M. or 5 A.M., and that everybody should salute a British officer whilst passing through a street in the country. To-day an incident happened when four British officers happened to be passing through the Mataria main road; on reaching a café on the said road, they assaulted those present for failing to salute in accordance with instructions. This is the result of the peaceful demonstration celebrated by the inhabitants of Mataria, imitating the Cairo demonstrations. If this is the treatment the inhabitants of Mataria receive at the hands of the British, what guarantee shall we have for safeguarding of our lives, honour, and property. For about five years we have served the army with great devotion and faithfulness, and although we hear the High Commissioner urging for peace and tranquillity, we see his men looting, intentionally killing the inhabitants. We therefore claim cost of property looted, jewels, money, valuable clothing, and compensation in respect of damaged cultivation, in addition to which we ask for the trial of the assailants for ill-treatment for no offence or crime committed, except faithfulness in serving the British Army. In addition to the foregoing, on the 30th April, 1919, at 10 A.M., Indian troops came under the command of Mr. Alexander Baird's daughter, with the view to searching houses. They ordered women to quit their houses, and Indian soldiers were informed that as it is customary for women to conceal jewels in their drawers, they should tear these off. Having met to-day with this ill-treatment, which exceed what took place on the last occasion, we left the country at 2 P.M., for Cairo, with the view of complaining to the party concerned.

HASSAN BADR-EL-DIN,  
Ex-omdah of Mataria.

May 1, 1919.

Note on Annex 7 (A).

The information conveyed in this annex is erroneous owing to two cases having been confused. After the firing on the trolley patrol, (see reply to Annex 7 (A)) an outpost was posted at the village mentioned. A woman went out during the night, to pass water in the open as is the custom among villagers. She was seen and challenged by the outpost, who had no knowledge as to whether it was a man or a woman, and as she did not reply to the challenge she was shot. The villagers had been warned that they must not go out after a certain hour.

The other case happened when the village was searched for arms. A door was locked against the searchers, and someone blew the lock out with a shot. The bullet hit inside not a woman but a donkey.

J. F. KERSHAW, Lieutenant-Colonel,  
Legal Adviser.

General Headquarters, August, 1919.

Note on Annex 7 (B).

On the night of the 11th April, 1919, a trolley patrol carrying a picquet of British soldiers was passing on the railway line the ezbah (small village) Bilal-el-Abid, in the district of Choubra, situate close to the railway line. It was fired on from the village and some men were killed.

In the early hours of the following morning the village was raided and searched for arms. Annex No. 7 (B) is a report sent in to his chief by the mamour of Choubra. The matters were investigated. It is not true that the mamour was sent before a council of discipline, but when after investigation it was found that the report was grossly exaggerated the mamour was very properly censured by his chief for sending in such a report without having made any attempt to ascertain whether the facts alleged were true or the contrary.

1. The statement of Abdel Rahman Halim, that the British troops had set fire to some houses and that the natives extinguished same, was found to be untrue.
2. Mohammed Lamie Effendi, ticket collector, reported to the non-commissioned officer in charge of the Sharabia outpost, as stated in the Annex. He did not go to the mamour or to the military to prove his statements when called upon to do so. No native of his position who had lost 240l.—his whole fortune—would have allowed such a loss to pass, if it was true.
3. Afifi Mohammed, cabdriver.
4. Ibrahim Khalil, carter.

} Both complained of having been wounded.

It is possible that they are two of the five persons wounded in the fields at the time of the raid. No one had been killed.

5. It is true that a soldier of the Egyptian army stated that there were fifteen (not sixty-five) persons wounded around the village. Five only were found to be wounded.

6. A *gaffir*, at Ezhet Bilal, stated that some of the British troops fired at the village between 10 and 11 A.M., took some jewels and violated some women. This was found to be untrue. The *gaffir* himself stated that he heard a rumour to this effect in the village and was not able to find out the person who reported it to him.

In a report before me by Bimbashi Jarvis, sub-Commandant of Police, Cairo, he states that he went with Captain Southcott, 1/6th Essex Regiment, and some men to the village, and questioned many of the women. No one said any one had been violated and no one alleged that any fire had broken out. There was no evidence of any fire.

Only one claim was made for damages which was in respect of articles which complainant alleged had been stolen from his shop. Enquiry was made and the sheikh of the village stated that the articles alleged to have been stolen never existed in the shop of the complainant.

General Headquarters, August 1919.

J. F. KERSHAW, Lieutenant-Colonel,  
Legal Adviser.

Notes on Annex No. 8.

At 2 A.M. on the 14th March, 1919, policeman Tewfik Mabrouk, on beat duty at Hallayac, Boulac, reported by telephone to the caracol that he had found the body of a dead girl in the street in front of the house of one Abdel Salam Abdel Aal.

At 2.25 A.M. Mulahbez Mohammed Sadek, police officer on duty at the caracol, Boulac, went to the spot. He found the body on the ground dressed in a galabiah. Her drawers were off and laid on her. They had signs of blood on them. There were also marks on the throat indicating that she had been strangled by a rope. A *post mortem* examination made later showed that the girl had been violated, and would appear to have been strangled by a rope during the action.

The policeman Tewfik Mabrouk stated that he was at the spot at 12.5 A.M., and the body was not there then. When he passed again at 1.45 A.M. he found it.

The neighbours were questioned, but they were able to give no information of any kind.

Next morning Mohammed Ali Elulu, carpenter, Boulac, presented himself at the caracol and stated that his daughter, Zeinab, aged about 10 years old, had 1) the house the previous evening at 6 P.M. to purchase something in the market close by and had not returned. He was sent to the hospital where the body lay, and recognised it as his daughter. He had no suspicion as to the murderer. The girl's stepmother gave the same evidence.

That evening the Mulahbez Mohammed Sadek above mentioned came on duty at 7.30 P.M. He stated that he was returning to duty in a tram-car and met another police officer named Mohammed Ahmed Magdyassim from Kafr-el-Dowar, near Alexandria. This officer told him that he had heard from Abdel Latif Abdel Nebi owner of a workshop, Boulac, that he and a friend, Abdel Halim Said, had noticed whilst walking in Shariq Boulac on the evening of the crime some British soldiers who were holding a little girl who was crying.

Mohammed Ahmed Abdel Magd three months later (the 4th June, 1919) testified that he had made the above statement to Mohammed Sadek a/m.

At 10.45 A.M. on the 15th March, 1919, Abdel Latif Abdel Nebi stated:—

"At about 10.30 P.M. on the 14th March, 1919" [probably the 13th March, 1919, as natives count date from sunset the previous day—J. F. K.] "I was walking in the Shariq Abbas with my friend Abdel Halim Said, and we saw at the distance of about 100 metres away five soldiers holding a little girl. She was shouting a sheikh standing by said 'The girl is shouting because the soldiers want to violate her.' I and my friend then went away. The policeman on beat duty 100 metres in the opposite direction, and did not attempt to do anything."

Abdel Halim Said, questioned three months later (the 1st June, 1919), corroborated the above statement.

Galal Osman, the policeman referred to, who was on his beat in the Tera-el-Boulakia, stated that he saw no such incident as above, nor did he hear any shouting.

On the 23rd July, 1919, four months after the crime, the father of the girl brought the following witness, whose evidence was taken:—

Abdel Shaker Hoksha, sheikh of El-Azhar University, stated that about 11 P.M. on the night of the 14th March, 1919, he saw a number of English soldiers violating a child near the wooden bridge in the Sharia Abbas. He approached, but they ran after him, so he went away as he was afraid.

(Note.—The wooden bridge at the Sharia Abbas at night is isolated. The spot where the body was found at 1.45 A.M. is 300 metres distant, and in the centre of the thickly-populated quarter of Hallayat.)

At the time when this crime took place all Cairo and Egypt was in a ferment. British soldiers were frequently being waylaid and murdered. It was impossible and dangerous for them to be about except together in considerable numbers, and even then they were attacked in the principal streets of the town. The quarter of Boulac and Hallayat is a rabbit warren of natives, many of them the worst characters and the most fanatical in the town. The first thought that comes into the mind is that, knowing how the Moslems protect their women kind, had such an incident occurred as is mentioned by Abdel Nebi and his friend, there would have been such a riot as would have put all other disturbances in the shade, and the British soldiers would have been torn to pieces.

But let us test this evidence.

The first remarkable point is the way in which this knowledge came to the police officer Mohammed Sadek. The two witnesses, who had not complained to the police on the night before, or, according to their own account, taken any steps to prevent an abominable crime from taking place, do not hesitate to inform a police officer after a crime has taken place, and they approach the officer who is making the enquiry through another officer who apparently is a friend of theirs, so they must be of a certain social position. Again, it will be noticed that between the time when they gave their private information to the police officer and the time when Abdel Nebi gave evidence the story has grown. Abdel Nebi has now added to his evidence the story of the sheikh. By "sheikh" in this context is meant the sheikh of the "hara" or quarter, who is one of the judicial police, otherwise it would be stated what kind of sheikh he was. This official is standing watching what he believes to be, at any rate, an attempt at rape. He converses about it with strangers passing by. Candidly one cannot believe it. If it had been true, why was the sheikh not called to give evidence? One had only to telephone for him. The fact that he was not called is strong evidence that this part of the story, at any rate, could not be substantiated. The difficulty of the policeman on his beat could not be got over. He had to be called. He stated that he neither saw nor heard anything of the kind.

One need not waste one's time about discussing how Abdel Nebi and his friend could see the incident in a crowded thoroughfare from a distance of 100 metres, or how in the same conditions they were able to locate the policeman on his beat at a distance of 200 metres. He had to be placed at some distance from the incident to guard against his evidence not corroborating them, but then if he could not notice an incident 100 metres from him no more could they.

I have no hesitation in stigmatising the evidence of Abdel Nebi and his friend as pure fabrication. The evidence of Abdel Shakir Hoksha need not be taken seriously. He gave evidence over four months after the crime took place. The El-Azhar sheikh and students have been at the back of every calumny. Why did this educated person not inform the police of this atrocious crime? And if his story is true, how was it possible for British soldiers in uniform to have carried the body of this unfortunate child a distance of 300 metres through a crowded quarter and placed her where it was found without being observed by anyone? Apart from the population, there is a gaffir or a policeman every 50 yards of the way.

The only solution of the puzzle is that the child was done to death at some house in the vicinity where the body was found, and then as soon as the policeman on duty had passed it was placed where he found it on his next round.

It may be asked why this story should have been fabricated at all.

In the first place, if suspicion is thrown on the soldiers, it is diverted from the real offenders. It also saves police officers a lot of trouble, as they need make no further enquiry. There is also the fact that rancour was aroused against the soldiers for putting down a rising which the agitators had believed must succeed. Every

undetected crime was laid at the door of the soldiers. It is difficult for people who do not know Egypt to realise to what lengths this malice will carry Egyptians against their enemies.

The second incident mentioned in the Annex No. 8 refers to a row which took place on the 18th March, 1919, between soldiers exasperated at the way their comrades were being murdered and a crowd in Boulac. It was soon taken in hand by the A.P.M. on the one hand and the Cairo police on the other. The damage done was trifling, and amounted to exactly £ E. 50 (taken from detailed police report), and not 500l. as alleged in the annex referred to. There is no evidence to show whether it was done by soldiers or natives. An enormous amount of looting was done by natives.

General Headquarters,  
August 1919.

J. F. KERSHAW, Lieutenant-Colonel,  
Legal Adviser.

Reply to Annexes 9 and 10.

SHABANAT.

In connection with the burning of Shabanat (Sherkieh province) about the 24th or 25th March, no formal enquiry was held. On my appointment as legal adviser to the 75th Division, in whose area (the eastern half of the delta) Shabanat is situate, the facts of the case, which happened previous to my appointment, came to my knowledge, and I was immediately concerned in investigating the cases which arose out of that affair. I also met frequently the officers of the detachment which burnt the village, who gave me what information they had.

On the 24th March a Gurkha sentry on the main line between Cairo and Port Said, posted opposite the village of Shabanat, was deliberately murdered in broad daylight. It was not known by whom the man had been murdered, but there could be no doubt that the villagers knew the offenders. The man was murdered in broad daylight, his rifle and "kukri" (Gurkha knife), and ammunition was taken, the body was dragged across a field in the near vicinity of which was evidence of very recent manual labour, and thrown into a canal while the villagers were going about their daily tasks. In the subsequent investigations, made under my direct supervision, it was clearly established that the murder had been witnessed by several inhabitants of the village. Therefore every single man, woman, and child in the village knew of the murder in detail very shortly after the murder took place, and by whom it had been committed.

It should be mentioned that at this time the lines and communications (telegraph and telephone lines) were being cut and destroyed in the most systematic way all over Egypt, and it was essential for feeding and supplying the troops that any rate the main line between Port Said and Cairo should be kept open. Proclamations had been issued that anyone tampering with the lines rendered himself to the severest penalties. The safety of the sentries guarding the lines was essential to the safety of the line. The matter was naturally regarded very seriously when it was reported to the nearest headquarters at Zagazig, and a strong detachment from one of the Australian Light Horse regiments and a detachment of the 3/3 Gurkha Rifles with a competent interpreter were sent out. The village was surrounded, and the officer commanding sent for the omdah and sheikhs (headman and elders, his assistants) of the village. They stated in the most positive terms that they had no knowledge as to who were the perpetrators of the crime. It was pointed out to them that, owing to the circumstances of the case, it was impossible that they should not know. They persisted in their refusal to give the names of the offenders.

A consultation was held, as a result of which the omdah was informed that if he did not give up the names of the offenders the village would be burnt, and a delay of some hours was given within which to comply with the order, failing which the village would be set fire to.

At the end of the period allowed, as the omdah refused to comply with the order, the village was partially burnt.

This was the position when I took up my appointment. I at once ordered the mamour (Egyptian police officer) to make an enquiry into the murder. When he found he could discover nothing, he brought the omdah of Shabanat, sheikhs, and others to

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me, believing that being a judge of the Appeal Court and well known in the country, I might be more successful. I explained the situation, and reasoned with them until one of them, more intelligent than the rest, made a sign to me that he wished to see me alone. He then informed me that a band of brigands from a neighbouring village had committed the crime, but that the people were so much afraid of them that they were afraid to inform, but that if the band were secured, they were prepared to tell the truth.

About the same time some of the band were arrested after attacking a native weekly market, which they looted after shooting one villager dead and wounding others. By this and other crimes the country was now thoroughly exasperated against them and assisted me, with the result that I was able to send before the Court six of the band who had murdered the sentry. The case was proved on the clearest possible evidence of eyewitnesses from Shababat. The accused had a headquarters at Shababat itself, at a house kept by the mistress of the chief of the band, whence they had issued to commit the crime, and it is possible that some of them were present in the village at the time it was burnt.

The village of Shababat sheltered this band, and doubtless benefited by its transactions. It must not be understood that the other members of the village are without speck or stain. The greater part of the large farms in this province were looted and burnt without rhyme or reason by thousands of patriots who now complain of the burning of Shababat. Cattle were driven off, everything was looted down to the window frames, and damage to the extent of some hundreds of thousands of pounds committed. In several of these cases inhabitants of Shababat village were found participating, and convicted, before the case of the murder of the sentry occurred.

It must be understood that at this time the whole of this part of the country was out of hand. The Cairo and local revolutionary committees had informed the fellahen that the Government had ceased to exist, and there was now no Government. The resources of the military authorities were severely taxed saving Greek families and others from their farms and protecting the railways. The people believed that there was no Government, and went for and looted every farm, or satisfied their private affairs of vengeance. Public markets were attacked by armed bands, men were robbed on the highways; for a period it was nearly true that there was no Government. The British dislike of severe measures was mistaken for weakness. At such a time the burning of Shababat gave the revolutionaries to pause. They suddenly realised that perhaps we were serious after all. In my opinion, it did more to pacify this turbulent province than any other action. From that moment we began to get a hold of things. It had a very wholesome effect. About the same time an Australian picquet on the line of four men had been rushed, and one of them beaten to death. Other picquets had also been menaced and attacked. After the burning of Shababat, these attacks on picquets and sentries on the line ceased.

The burning of such a village is very different from what it would be in Europe. An Egyptian village is a series of mud houses of not much value, and the villagers could soon put it in repair again. Practically all they have to do is to put a new roof on. The inhabitants sleep in the fields or outside at this time of year. If the writer of Annex 9 was moved to tears at the sight of their sleeping in the open air, he should be treated for hysteria.

The report (Annex 9) is the usual mixture of falsehood and misrepresentation. I frequently saw the chief men of Shababat, I speak Arabic fluently, and on one occasion they came to ask me to get compensation for their village. I am well-known in the country and used to receive daily personal complaints from the highest to the lowest. The story of the woman forcibly removed in child-birth I must have heard of had it been true. No one was removed forcibly from the village or otherwise. Only one complaint of robbery was made and that no less than four months after the event. It was manifestly false. One picquet under the Gurkha Officer Commanding was the only one which went into the village at all, and that only to see that no animals or persons had been accidentally left behind. The people were ordered to leave and come out with their cattle. I am certain that no woman died, as, if so, it would have been reported officially, as internment is forbidden until cause of death is known and permission given. With the one exception cited above, no complaint was made of robbery or violence of any kind. It will be noted that the writer of Annex 9 reports to the Delegation in Paris direct, where investigations cannot be made. The report is sent for propaganda purposes.

No formal enquiry was made, as no complaints or allegations against the conduct of the troops were made.

Attached is a copy of a letter by Lieutenant-Colonel Shaw, Officer Commanding, 3/3 Gurkha Rifles, replying to the allegation of robbery made four months after the Shaabnat affair above referred to.

J. F. KERSHAW, Judge, Court of Appeal,  
Late Legal Adviser 5th Division.

August 6, 1919.

(A.A./26/7.)

Reference your SC/M/154, dated the 23rd July, 1919.

I am quite sure that there is no truth whatever in this complaint.

As reported by me at the time to the headquarters 4th A.L.H. Brigade, under which I was then operating, every precaution was taken by me to prevent looting in any form. During the whole operations only 10 Australians and 10 Gurkhas entered the village under me personally, the remainder of the force being kept outside, guarding the inhabitants, and as a cordon round the village.

The only searching done in the village was to ensure that no living persons or animals remained in the buildings before the village was burnt.

During the long time that elapsed after the event, when I was commanding the Tel-el-Kebr sector, no complaint of any description was made as to the alleged looting.

The discipline of the soldiers, both Australian and Gurkha, on this occasion was perfect, and I am quite certain that nothing of any sort was taken from the village.

H. D. SHAW, Lieutenant-Colonel,  
Officer Commanding 3/3 Q.A.O. Gurkha Rifles.

Headquarters, 233rd Infantry Brigade,

July 26, 1919.

Reply to Annex II (A).

SAFT-EL-MALOUK (including neighbouring villages), CHOUBRA-EL-CHARKA, and  
KAFF-EL-HAGGA.

The facts in this case were as follows: The Officer Commanding Damanhour, was charged with guarding a portion of the main railway line between Cairo and Alexandria, between Kaff-el-Zait and Alexandria, a distance of 105 kilometres. This portion of the line was patrolled and picqueted along its length. At the time of the incident, known as the Saft-el-Malouk incident, the wheat and barley crops, wholly or nearly ripe, were standing in the fields right up to the railway embankment which is raised above the surrounding flat country. From the excellent cover of these crops continual sniping was going on of the picquets and patrols who formed tempting marks when silhouetted on the embankment, to such a degree that it was found necessary shortly afterwards to remove the crops from the fields within 200 metres of the railway line in the districts where the troops guarding the line were being sniped. Up to the time of the Saft-el-Malouk affair no deaths had taken place. Attempts at cutting the lines and communications were continually made at night and therefore patrols were out along the line every night.

On or about the night of the 12th April a patrol of two Australian soldiers were on patrol between Tehel Baroud and Saft-el-Malouk. Both of these men were old soldiers, very popular in their regiment, one of them having served on three fronts—Gallipoli, France, and Palestine. They were both shot dead.

The camp of the regiment of these men was at Damanhour. The news seems to have reached it about the same time that it reached General Borthwick, Officer Commanding Damanhour. The Australian rank and file were furious, and at once, ignoring their officers, leapt on to their horses in the lines, and without saddles or bridles, galloped off to the scene of the crime with the object of themselves punishing the villages neighbouring.

A very serious position had arisen. At once, on the matter being reported to him, General Borthwick, with Mr. Hugh Jones (Political Officer) and his staff, jumped into cars and pursued the Australians. He managed to arrive before anything happened.

The omnis of the neighbourhood were sent for and asked to produce the murderers. They denied all knowledge of the crime or perpetrators.

There can be no doubt that the murderers were known. A dug-out had been made in which were found cigarette ends and matches, showing that they had made in a considerable time, and it is quite impossible that the digging of this been done and the laying in wait for the patrol could have taken place in any village in dug-out without practically the whole population knowing about it. I speak from my long experience of the country, and Mr. Wild, senior Inspector of the Interior and Chief Political Officer of this district, is also of the same opinion.

In any case, at the time when the murders were committed the local omddhs were responsible, and knew that they were responsible, to see that no attack was made on the railway line, the communications, or patrols. They and the inhabitants of their villages know that they were held responsible for any outrage that occurred.

General Borthwick was faced with a very serious situation. His patrol had been murdered in cold blood. The Australians were in a very dangerous temper. The murderers were never discovered, though Mr. Wild states there is no doubt they came from these villages. Under the circumstances a drumhead court martial was held, and a certain number of the villagers were flogged, receiving twenty lashes each. This action was not so much punitive as deterrent.

It was entirely owing to the strong action taken by General Borthwick that nothing more serious happened. The Australians were in a dangerous mood, and but for the General's prompt action those villages would have been burnt and serious casualties would have resulted. The inhabitants subsequently informed Mr. Wild that on consideration they thought they had come well out of it.

J. F. KERSHAW, *Lieutenant-Colonel,*  
*Legal Adviser.*

*General Headquarters, August 1919.*

*Note on Annex II (b).*

#### THE PHOTOGRAPHS.

Six photographs have been added at the end of the report of the Egyptian Delegation illustrative of the alleged floggings at Saft-el-Malouk and Kafr-el-Sheikh. It will be noticed that these are photographs of photographs. These photographs were made in Cairo, and through the Commandant of Police I have endeavoured to get hold of the original plates. Our efforts have been in vain. When one sees that there is at least one palpable fake it will be understood that the possessors of the plate would not wish them to see the light of day. Attention is drawn in photograph No. 5 to the end figure to the left with the name "Abdel Hamid Omran (notable)" written over it. If the mark on the right shoulder going from left to right is followed, it will be noticed that the line is continued beyond the shoulder across the arm (which if he had been flogged would have been extended above his head, so would not be hit) into the space between this and the man next to him on the right. A red arrow mark indicates the mark in question. Others who have been present at floggings have examined the photos and have pointed out to me other fakes. Not being an expert in such matters, I cannot express an opinion; but the example on No. 5 is plain enough for a child to understand. And if one photo is proved to be faked that is sufficient to render all the others valueless.

*General Headquarters,*  
*August 1919.*

J. F. KERSHAW, *Lieutenant-Colonel,*  
*Legal Adviser.*

*Reply to Annex 12.*

#### KAFR-EL-SHEIKH.

This was the worst district in the whole area of the province of Gharbiel. Complete anarchy prevailed. The fellahs, having been informed by Cairo agitators that no Government any longer existed, was out for loot and plunder. Armed bands, consisting of the whole male population of entire villages, started their depredations.

They began with the properties of the State domains, which were completely looted. They then went on to the estates of Syrians and foreigners, e.g., the estates of Paris Nimr, New Egyptian Company at Moghrabian, the Behera Land Company, &c., which were treated in like fashion. From information received it was intended, their appetite being once whetted, to go on to the estates of the big Egyptian landowners. I have before me a heap of cases from the districts of Kafr-el-Sheikh, among which are charges of firing on troops, looting, and attempt to murder (attempt to shoot a witness for the prosecution), murder, &c.

The first task of the authorities was to restore order and protect the properties not only of Europeans but of Egyptians, which had not yet been looted.

The policy adopted was that instigators of the riots and looting and ringleaders were arrested and tried and sentenced by military courts. The rif-raft were dealt with summarily. The machinery did not exist to deal with them in any other way. It was impossible to put each of them under arrest and make an enquiry into his case. This would have meant also his being detained indefinitely in prison, and the prisons were full, so that there was no accommodation available. One could not arrest the whole male population. Mobile columns moved through the country. Mr. Wild tells me that on occasions at night the sky was red with conflagration caused by these patriots, who now complain with tears in their eyes of occasional burnings punitively by the military. The rif-raft caught red-handed were, where possible, tried summarily and beaten, and as whole villages were looting it was a practical impossibility to beat the wrong man.

It is difficult to see what other course could have been taken.

J. F. KERSHAW, *Lieutenant-Colonel,*  
*Legal Adviser.*

### *The Incident of the Harem Ladies Procession.*

(Mentioned on p. 1 of Delegation's Letter.)

Four Egyptian ladies, the two Misses Bakri and two Misses Sabry, came to see General Watson at the Savoy Headquarters to ask for permission to hold a demonstration. They were told that all processions were forbidden. I asked the Governor of Cairo to interview them, which he did, but failed to dissuade them.

I referred the matter to General Bulfin and received definite orders to prevent the procession at all costs, that I was to do it with Egyptian police, and that I should have British troops in support.

It was obviously the intention of students and others to join in the procession and use the presence of the ladies as a shield against the troops and police. The ladies arrived next morning in carriages and motor-cars and amused themselves driving up and down Sharif Qasr-el-Aini.

Eventually they got out of their carriages and started to march towards Saad Zaghloul's house.

I had a body of police in hiding in the neighbourhood and the use of three lorry-loads of British troops.

The police and troops were then disposed of in such a way that the procession was blocked in from every direction.

The British troops were only used to block one road, and, as soon as the dismounted Egyptian police could be brought up, they were placed in front of the British troops so that it would be the Egyptian police who would have to oppose the ladies if they should attempt to force their way. They made no such attempt, and it is incorrect to say that any of them were threatened with the bayonet.

I then spoke to Miss Bakri, who was at the head of the procession, and pointed out to her that it had been fully explained to her overnight that the procession would not be allowed to take place, and that she and the assembled ladies were wilfully disobeying the orders of the general.

Various ladies in the procession began to dispute Miss Rakri's right to represent them or speak on their behalf, and a considerable amount of talk ensued.

I explained to the ladies that I could not alter the general's orders without referring the matter; I, therefore, left them and went to the Savoy Headquarters where I was kept busy for some time on this and other urgent matters.

I was amused at the courtiers  
 who were very  
 these ladies that  
 which were called  
 their own do so  
 about that an

August 6, 1919.

After about an hour I returned to the ladies and found them very resive. I explained again that the procession could not proceed, but that anyone who wished to go home, could do so. Within a few minutes everyone was asking for her carriage or car; these were called up for them by the police and allowed to go at short intervals. The ladies were at no time exposed to any violence or insult, though they were naturally somewhat tired with their unaccustomed exercise.

I was amused afterwards to hear from several sources that the ladies were very pleased with the courteous way they had been treated by the police.

T. W. RUSSELL, *Commandant, Police.*

August 6, 1919.