

EAST AFR. PROT

36080

REC'D  
SEP 21 1914

36080

Belleville 1914

1914

August

Last previous Paper.

30  
35453

*Fugitive Offenders, Dresden*

These copies also are to telegram asking that some one should be sent out to identify prisoners. Requests concerning & not to state it has been that of.

3 p. 100 file 100

W. Lindstrom

W. J. Otterby

no need to communicate the contents to Kerly Sons or Krametz or to the Vacuum Oil Co.

The explanation is satisfactory.

? ack. receipt & say that

the explanation is regarded as satisfactory.

send copy of correspondence to FO per inf. & f.

Handwritten vertical text: *30 29 Sept 14*

3

Last subsequent Paper.

37443 stone

1001 136

6030

GOVERNMENT HOUSE  
NAIROBI  
BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE.

AUGUST 18th, 1914.

No. 794.

529

SIR,

*2-252*  
Com. of Police  
5-8-14  
Attorney General  
26-8-14

With reference to your letter No. 721 of the 28th ultimo, I have the honour to inform you that I was absent on our return home when your telegram of June 29th was received and that the matter was dealt with by the Colonial Under-Secretary, who was advised by the Commissioner of Police and the Attorney General that as the Magistrate declined to commit a prisoner on the acceptance of a photograph as evidence of the identity of Diekmann, they considered it desirable that some one should be sent out to identify him. It was so accordingly telegraphed to you to that effect on July 2nd.

*2-4007*

I enclose copies of letters from the Attorney General and Commissioner of Police and agree with them that it was advisable to state certain that such evidence was forthcoming as would produce

Yours

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

the possibility of the case failing.

30  
22442

3. I may observe that the photograph enclosed in your despatch No. 59 of the 28th June did not arrive here till the 1st of July and as the trial did not take place till the 25th inst. I was unable to say whether the Magistrate was satisfied earlier than I did in my telegram of the 20th ultimo which apparently however was too late to prevent Mr. Douglas from starting

530

4. Even so judgment in the case was not actually delivered until the 20th July but the assurance that the Magistrate had accepted the identity of Dickmann by the photograph was telegraphed to headquarters on the 25th instant because the importance of stopping Mr. Douglas was realised if he was not needed.

5. I regret that the Vacuum Oil Company have been put to inconvenience and unnecessary expenditure but I trust you will agree with me that this was quite unavoidable and I hope my explanation will prove satisfactory.

30  
32554

4  
32553

6. I take this opportunity of acknowledging the receipt of your telegram of the 17th instant and of confirming mine in reply of yesterday's date as follows:-

Your telegram August 17th  
leaves per Golconda on 21st instant  
charge

charge of Inspector Roberts who will 531  
 hand him over to Russian Consul at Port  
 Said, who should be instructed to meet  
 steamer and take over prisoner. Reference  
 last paragraph of my telegram No. 212 of  
 June 27th, should actual specie seized  
 be sent or draft for local value. If  
 former should it be insured?"

*W*  
23306

I have the honour to be,

Sir,

Your humble obedient servant,

*H. Lewis*

GOVERNOR.

INCLOSURE

In Despatch No. 75 of 1914

No. P. 470/56/14.

Office of the Commissioner of Police,

P.O. Box No. 135, Nairobi.

25th August 1914.

56080

Identity of Hans Jorgen Dickman alias  
Stanley Chita.

532

Sir,

With reference to your G. 8833 dated 25-8-14

I have the honour to inform you that an endeavour was made to ascertain from the Magistrate whether or not he would accept photograph as evidence with the result communicated to you in my P. 470/21/14 dated 27-6-14 (copy attached).

2. The accused was represented by Counsel and I am of opinion that it was necessary in this as in all criminal cases to endeavour to obtain the best evidence as to identity procurable if an order of committal was desired.
3. Subsequently personal evidence of identity became unnecessary as the Magistrate was satisfied after the photograph had been produced in Court.

I have the honour to be,

Sir,

Your obedient servant,

The Hon'ble

The Chief Secretary,

Nairobi.

(Sd) W. E. Nolley.

COMMISSIONER,

E.A. POLICE.

Office of the Commissioner of Police,

P.O. Box No. 135, Nairobi,

27th June 1914.

Arrest of Hans Johann Wilschke  
Stanley Drive.

Sir,

With reference to your letter dated 24-6-14, I have the honour to inform you that the Magistrate declines to commit Hans. In the matter of the acceptance of a photograph as evidence of identity and to suggest that the Colonial Office should be informed that it is desirable that a person who is able to give evidence as to the identity of the fugitive should proceed to this country.

No mention is made in the cable concerning any arrangements to take over the prisoner; it appears desirable that this country should be informed when the person authorised to receive the fugitive will arrive at Mombasa.

I have the honour to be,

Sir,

Your obedient servant,

(Sd) W. K. Nolley.

Commissioner,

K.A. Police.

The Hon'ble  
The Chief Secretary,  
through, The Hon'ble  
The Attorney General,  
NAIROBI.

509  
INCLOSURE No 2

In Despatch No. 74 of 1914

521

August 26th 1914.

Hon: Agr: Chief Secretary,

Reference No.S.8833. Your Minute of 26th instant.

Hans Jørgen Dickman (Stanley White)

re extradition of:

---  
I agree with the remarks of the Commissioner of Police in reply to (4). It is quite obvious from (7a) and (13) that reasonable doubt was entertained as to the sufficiency of a photograph as evidence of identification and in view of the fact that no expression of opinion could be obtained from the Magistrate as to his views on such means of identification, the Commissioner of Police was justified in urging that if possible the best evidence of identification should be forthcoming i.e. the evidence of some one who knew the absconding offender. It would have been extremely unwise to wait until the evidence of the photograph was rejected before taking steps to procure further and better evidence.  
2. I agree the draft cable.

SU J. W. DART  
ATTORNEY GENERAL.

D. 16 SEP 1944

Gov. 36080/9/4  
E.A.P.

525

DRAFT.

29 Sept. 1944

~~28~~

E.A.P.

No 881

Gov. Sir H.C. Belfield.

Y.P.K. 26/9/44

Bottomley 26/9/44

Sir

I have the honour to acknowledge the receipt of your despatch No 794 of the 28<sup>th</sup> of August

and to inform you that

Accepting the explanation of the circumstances in which

it was decided to despatch your telegram

[In 26007]

on the 2<sup>nd</sup> of July with reference to the identification of fugitive

Hendrick Dieckmann is regarded as satisfactory.

Copy to 29 Sept 1944

SECRET

Handwritten initials