

EAST AFR. PROT
36935

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REC'D
JUL 17

009 tel
Banning 100

1917
21 July

Last previous Paper.
36123

CONFICT LOVESAY

In reply to tel of 20th July Court of Resident Magistrate, Nairobi.

Mr. ~~Riley~~ Reed

2. Now substitute Court of the Resident Magistrate, Nairobi for the first phrase in brackets in the rentals added in ms. to the order attached to 20710 and Court for the second phrase in brackets. get the amended order signed by the S. of S. in duplicate, send a copy of the telegrams and a signed copy of the order to the H.O. by telegraph date & signature to the C. of G. send by despatch signed copy of order enclosing copies of the

2 Aug 17
to, copy tel 20 July
order to file 200
copy come No.

Last subsequent Paper.
100

2/13

2/7/17

There are the necessary
alterations in the amended
Order of Removal (file 20710)

As proposed

JSA

20/3/17

at once

H. J. R.

24/3/17

ORDER OF REMOVALTHE COLONIAL PRISONERS REMOVAL ACT, 1934

WHEREAS Henry William Lovesay was on the 26th day of August, 1916, convicted before His Majesty's High Court of East Africa of the offence of cheating punishable under Section 420 of the Indian Penal Code and sentenced to rigorous imprisonment for the term of eighteen months and is now undergoing the said sentence in the East Africa Protectorate and whereas the said Henry William Lovesay was on the 26th day of October, 1916, convicted before the aforesaid High Court of the offence of criminal breach of trust punishable under Section 406 of the Indian Penal Code and sentenced to rigorous imprisonment for the term of twelve months and WHEREAS the said Henry William Lovesay was on the said 26th day of October, 1916, further convicted before the aforesaid High Court of the offence of house breaking with intent to commit theft punishable under Section 454 of the Indian Penal Code and was sentenced to rigorous imprisonment for the term of three years AND WHEREAS the aforesaid sentence of twelve months rigorous imprisonment by the order of the aforesaid High Court runs concurrently with the aforesaid sentence of three years rigorous imprisonment

AND WHEREAS the aforesaid sentence of three years rigorous imprisonment was on the 5th day of April 1917 reduced by the Court of Appeal for Eastern Africa to a sentence of twenty months rigorous imprisonment

AND WHEREAS under the provisions of Section 315 of the Criminal Procedure Ordinance, 1913, the said

sentence of twenty months rigorous imprisonment commences at the expiration of the aforesaid sentence of eighteen months rigorous imprisonment.

AND WHEREAS the said Henry William Lovesay belonged at the time of committing the aforesaid offences to His Majesty's regular military forces.

AND WHEREAS the said Henry William Lovesay was on the 16th day of July 1917 convicted before the Court of the Resident Magistrate, Nairobi of the offence of escaping from the custody in which he was lawfully detained for the aforesaid offences punishable under Section 224 of the Indian Penal Code and sentenced to rigorous imprisonment for the term of six months.

AND WHEREAS the aforesaid sentence of six months rigorous imprisonment by the order of the aforesaid Court commences at the expiration of the aforesaid sentence of twenty months rigorous imprisonment.

NOW I DO HEREBY in pursuance of the Colonial Prisoners' Removal Act, 1864, with the concurrence of the Government of the said Protectorate, order that the said Henry William Lovesay be removed to the United Kingdom there to undergo the residue of his said sentences (with such variations of the conditions thereof as are or shall be provided by any regulations in force for the time being under the said Act) in accordance with the said Act.

GIVEN under the hand of the undersigned
one of His Majesty's Principal Secretaries
of State, this 27th day of July 191

Walsby

TELEGRAM

REC 23 JUL 17

From the Officer Administering the Government of the East Africa Protectorate to the Secretary of State for the Colonies.

(Dated 21st July, Received Colonial Office 9.55 p.m. 21st July, N/17).

36123

July 21st. Your telegram 20th July Lovesay Court of Resident Magistrate, Nairobi.

BOWRING.

Tel. No. — "SIGNALLY, AVE." LONDON

Telegram No. — 3632 LONDON WALL TELEGRAPH

189

TELEGRAM

ISSUED FROM CHIEF CABLE

FINSDURY PALMERS

REPLIES 5 1 1 1 1 0 DERED

via Eastern

Doubtful words should be OFFICIAL
No inquiry respecting any law
of form law

SVI
Clerk's Name and Date
21 JUL 17

[Handwritten signature]



36935

XLA 53 21 NAIROBI TO NO GVT BGL

CHAPLIES LN

July 21 *sent at 20 July*

Court of Resident Magistrate

4.21 JEREMIAS UNHIGH LOVESAY CROGIDA MACHLODK

NAIROBI = BOWRING *

Booked sent 5.15 p.m.

28 July 1917

enclunder

Encl tel 2 July

Lovely order amended

repulseke

as required signed

jetaboo

27 July will be

sackraceo

sent as soon as possible

DRAFT. Tel. code

Power in main ob.

MINUTE.

Copy to 2 Aug 17

28/7/17

Letter 20 at once

long

Mr. Grindie.

Mr. Lambert.

Mr. Read.

Sir G. Fildes.

Mr. Steel-Maitland.

Mr. Long.

...

...
...
...

97

Downing Street,

2 Aug 1917

Sir,

DRAFT

THE UNDER SECRETARY OF STATE,
HOME OFFICE.

MINUTE.

Mr. Mächting 31 / 7/17

Mr. *Br. Ken*

Mr.

Mr. Grindle.

Mr. Lambert.

Mr. Read.

Sir G. Fiddes.

Mr. Steel-Matland.

Mr. Long.

With reference to the letter from this Department, 20710, of May 3rd, I am directed by Mr. Secretary Long to transmit to you to be laid before Secretary Sir George Cave, the accompanying copies of further telegraphic correspondence with the Officer Administering the Government of the East Africa Protectorate regarding the removal to England from East Africa of Convict H.W.Lovesay.

- to C.A.G. E.A.P. 18th July Tel. (36123)
- to C.A.G. E.A.P. Tel. 20th July. (36123)
- l. from C.A.G. E.A.P. 21st July. (36935)
- l. to C.A.G. E.A.P. 28th July. (36935)
- Order for Removal (in original)

2. An amended Order for the removal of this prisoner is also enclosed.

I am, etc.

(SD)

7 47

Stamp: 21 JUL 1917

U.A.S. 36935 East Africa Protectorate

Downing Street,

20th July, 1917.

DRAFT

Sir,

EAST AFRICA PROTECTORATE
THE OFFICER ADMINISTERING
THE GOVERNMENT OF
THE EAST AFRICA PROTECTORATE.
MINUTE.

In confirmation of my telegram of July 28th, I have the honour to transmit to you the accompanying further amended Order

- Mr. Mächtig 31/7/17
- Mr. Butler 31/7/17
- Mr. Grindle
- Mr. Lambert
- Mr. Bond
- Mr. G. Fiddes
- Mr. Steel-Matland
- Mr. Long

for the removal of the prisoner Henry William Lovesay.

2. The removal of Lovesay will no doubt have been arranged in advance of the receipt of this Order.

I have, etc.,

(SD)

Order of Removal 31/7/17
copy signed by the S. G. B.

WALTER H. LONG

2 dfts