

knowles
EAST AFR. PROT.
N^o. 600 $\frac{01}{05}$

600
Rtd
JAN 08

402

1907

(Subject)

Colonial Prisoners Removal

Suggest that the Act be first applied to the Proto. The Dir C embodying Regns as to prisoners & Criminal Jurisdiction then be promulgated.

GIVE OUT

(Minutes)

Mr. Ashley

my

Mr. Cox

Letter sent to S. Africa, please see page 2 of my
memoir on 20/1/07 under heading 1/

It is noted that Sec of the Africa Div 100,
was proposed by the Board providing for S. Africa
where I am then dealing with the general question
as affecting all my territories & did not enter
into details

The position in respect of Africa

By the London Convention, the S. A. Prisoners &
local jurisdiction is that of local jurisdiction
and is related under the Africa Div 100. This
is shown by act of the S. Africa Div 100.

[I do not know how much of this was that A
Prot. was provided under the S. Africa Div 100
but I suppose that it was from a
small area & therefore among the territories.
The main area was under the Africa Div 100.]

... of the
of the
order of
to
10.00 (... ..)

... ..
of 28 Feb
... ..

271 6/10

272

3, 3

... ..

... ..

7 8/3

atme

404

600
GOVERNOR'S OFFICE,
NAIROBI,
JAN 8 1908

December 26th, 1907.

AFRICA PROTECTORATE,
No. 535.

My Lord,

With reference to Your Lordship's Circular of October 8th forwarding for publication a copy of the Order in Council relating to regulations as to the removal and detention of lunatics under the provisions of the Colonial Prisoners Removal Act, I have the honour to advise Your Lordship's attention to the fact that the Act in question has never been applied to this Protectorate and it would therefore be difficult to comply with the Order-in-Council.

I have the honour to suggest that steps be taken first to have the Act applied to this Protectorate.

Copy on the subject by the Crown Advocate is attached

H.M. Principal Secretary of State

for the Colonies,

Downing Street,

LONDON, S.W.

attended.

I have the honour to be,

With the highest respect,

My Lord,

Your Lordship's most obedient,

humble servant,

W. J. Buller

CROWN ADVOCATE 600

November 12, 1907

Sir,

I have the honour to request that I may be informed as to whether "The Colonial Prisoners Removal Order in Council 1907" has been promulgated in this Protectorate under instructions from the Secretary of State; and if so whether in those instructions any information was given as to when the Colonial Prisoners Removal Act 1884 was applied to this Protectorate.

That Act applies to all territories and places being part of His Majesty's dominions and to such other places in which His Majesty has jurisdiction to which the Act may from time to time be applied by an Order in Council.

So far as I am aware the Act has never been applied to this Protectorate and therefore the promulgation of the Order in Council referred to would appear to be somewhat premature.

It is however highly desirable that the Act should be applied and I would recommend that unless His Excellency has received information on the subject which has not been received by me he should direct the attention of the Secretary of State to the matter in order that steps may be taken to obtain the Order in Council under section 15 of the Act.

I have, Sir, etc.

B. H. COMER

Crown Advocate

The Secretary to the Administration,
Nairobi.

26

Sunderland

DRAFT

E. G. P. Miscellaneous

For Colonel I H Suddell
C.B.

28 February 1902

MINUTE 29 Feb

- Mr. G. Smith 26
- Mr. Peck 26
- Mr. Jun. 1
- Mr. Antrobus
- Mr. Cox 21
- Mr. Lacey
- Mr. F. Hopwood
- Mr. Churchill
- The Dept of High

Sir

I have the honor to acknowledge the receipt of your despatch no 535 of the 7th of December last with regard to the promulgation of the ... in the E. G. P. of the ... On the 7th of ... 1902 ... to the ... and ... of ... under the ... of the Colonel

was saved by Article 61 of
the East Africa Ordinance 1897
as a protection and benefit
within the meaning of that
Article.

The application was
again saved by Article 28
of the East Africa Ordinance
1902, so that the Colonial
Provisions Amendment Act is
still in force in the Protec

1
No.

my receipt of the 23rd which
may be regarded as cancelled

Re