

DOMESTIC

EAST AFR. PROT.

22013

N^o. 22913

Rec^d
for 25 JUN 08

Rep M

Individual

(Subject)

Mr. ...

908

Res. v. ... and others

Form

Official Paper

Notes that five natives are under sentence
of death for murder of the London. Request
to be for authorizing temporary officers pending
application to High Council for leave to appeal.
Enquire whether advice to be given to ...

(Minutes)

Mr. ...

Mr. Cox -
Mr. ...

of ... looks like 'dividing' into another
New London case. Of course the case must not
be brought pending the decision of the High Council.
I should imagine that the first thing this Council
did not then was to inform the Govt of the petition
and request him to request the Govt but I do
not think the SFS can refuse to take up the
the case not.

2 Telegrams accordingly ...
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Copy was
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4202 Avenue

1172 Clement Lane
Lombard Street

near to The King
Mambo & others

142
22013
ON 08
Dohi
GTS

This is a case in which the natives of Africa are under sentence of death for the murder of a European Engineer in London near Lombard.

We have been instructed by Mr. Boyce of England the counsel for the prisoners on their appeal to the Supreme Court in Zanzibar apply to the Privy Council for leave to appeal to the Privy Council & are in possession of materials for that purpose & propose to lodge a Petition forthwith.

In our opinion there is a practical certainty leave being granted - The Chief Justice in a careful judgment - found in favour of the innocence of the accused & was only overruled by the other two judges constituting the full Court in Zanzibar - Very grave

irregularities were admittedly committed in
the head of the prisoners & there is an
important question of law as to whether
or not the witnesses against the prisoners
were accomplices & whether their evidence
should be accepted without further
corroboration -

In the meantime we wish to make
certain that sentences will not be carried
out upon the unfortunate prisoners
in East Africa - We are prepared to undertake
to prosecute the proceedings over here
with all despatch & under the
circumstances would ask the Secy
of State to cable to the Government
officers in Mombasa to temporarily
repeive the prisoners pending the

143
decision of the Privy Council -
We should also be glad to know
whether notice of proceedings before
the Privy Council should be given to
the Secy for the Colonies or to the
Treasury or to the Treasury -

We are yours faithfully
Donald McNeill and Co

Secy of State for the Colonies

Copy M / EAP 144
22513
Sicut Codes read
R 30p
22 GEP
600

25/1/1900

I understand that five

natives have been sentenced

to death possession for

murder of London and

and that an appeal

will be lodged to Privy

Council on the ground of

have irregularities in trial

and on question of law

Presume you are reading

have full report of trial

with all relevant documents

including judges notes

DRAFT

Telegram

Governor

Nairobi

MINUTE

Mr. Davis 25

Mr. Reed 25

Mr. Just

Mr. Anstobus 25/1

Mr. Cox

Sir C. Lucas

Sir F. Hopwood

Col. Seely

The Earl of Cromer

To

Your office should take
no steps to carry sentence
in to effect until you are
further instructed