

EAST AFR PROT.
No. 194

C.O.
1943

No. 666

1905
27 Dec

of previous Paper.

Max Weber

In memoranda as to alleged attempt to break out of gaol and as to his treatment while in gaol

(Minutes.)

Mr. Ridley

Mr. Cox

Mr. Butler

5
12/20/05

Reply that up to the time of his leaving the Nairobi gaol for Mombasa, Weber was treated as an ordinary European prisoner & that after his departure it was found that a screw had been removed from one of the compartments in that of his cell & the hole filled with soap - that there was therefore ground for assuming that he had contemplated a escape if he had removed logs in the first place - that it appears from the report received from the Colony that there was no ground whatever for the statement that he had been party to the escape - that he was received very soon after the commencement of his sentence on 1st Dec 1905 - the walls of the cell being (No. 1200) = 4' 6" high

1905 12/27/05
1111
1905 12/27/05
1111

1905 12/27/05

response to the President's letter -
copy of one to the Com. 12/7/11

W. J. R.

19/11

The proposed reply puts the late party and at the same
time makes the best of the very unsatisfactory allegations
as to business transactions made by the late Com. 12/7/11

766,05

W. J. R.

Afternoon 10/11

W. J. R.

11/11

17/11

C. J. ...

C.O.
1949
RECEIVED
13 JAN 1950

Commissioner's Office,
Nairobi.

December 27th 1905. 195

WEST AFRICA PROTECTORATE.

No. 666

(Incl. 2.)

My Lord,

With reference to Mr. Lyttelton's despatch No. 416 of October 31st last respecting the treatment experienced by the prisoner Max Wehner I have the honour to transmit herewith memoranda by the officers responsible for the Nairobi and Mombasa Gaols.

2. From Mr. Ainsworth's remarks it would appear doubtful whether Wehner really made any effort to escape though it is possible that he might have done so had he remained longer at Nairobi.

3. The statements made by Messrs. Sanderson, Adkin, Lee and Eddis as to the alleged persecution of the prisoner are in my opinion quite unfounded. I understand that, as

stated

Principal Secretary of State

for the Colonies,

Downing Street,

LONDON.

30-9-05
Ainsworth

1/11/05

136
stated in Mr. Lane's memorandum, he has always been
treated with every consideration.

I have the honour to be,

With the highest respect,

My Lord,

Your Lordship's most obedient,

humble servant,

Henry Smith

C.O.
1949

Reference C.O. No. 485 of the 31st. October 1906 making
for particulars of Max Wagner's attempt to escape from
prison.

197

In conformity with the instructions contained in Mr. Jackson's minute of the 27th. 1906, the honourable report is follows:-

Up to the time of Wagner leaving the Maitoti Goal for Mombasa he was treated here as an ordinary European prisoner.

I had no reason to suspect that the prisoner was making any attempt to escape. After the return of the Police Inspector, (Rayne) who accompanied Wagner to Mombasa, he (Rayne) stated that he believed had Wagner remained longer in the Maitoti Goal he would have tried to escape, and that Wagner had told him that he had removed a screw from one of the zinc sheets in the wall by making a hole in the beam and that by these means he would eventually have removed a sheet and got out. On examination it was found that a screw had been loosed and the hole in the wall wood filled with soap, but whether Wagner really did this or not I have nothing to go upon except Mr. Rayne's statement. As nothing of a serious nature had happened and no real damage had been done I took no action in the matter, and the information re the affair must have reached the late Commissioner unofficially, personally I did not report it. Personally as the time I could not conceive why Wagner should tell the Inspector in charge of the prison that he wanted to try and escape and was arranging to do so. I considered it quite possible that Wagner had told Rayne that he could have escaped as a screw was put out of one of the sheets &c.

The Assistant Superintendent of Police on duty in Maitoti at the time Wagner was sent from here to Mombasa only specially to inform me immediately the train had

left that he believed an attempt would be made on the way
down during the night to rescue the prisoner, and that
some friends of his had come down in the same train. I
thereupon wired special instructions to the police at
Makindu to call out 3 Indian Constables to join train
there and proceed to Voi. No incident however was reported.

W. A. G. ...

155
REC-48
MAY 27

200

N F S O.

Ref. C. O. No. 486 of 21-10-05 asking for particulars of Max Werner's attempt to escape from prison.

There was a rumour that Werner had attempted to escape from the Nairobi prison, and there was apparently some truth in it, as it was found on examination, that a screw had been removed from one of the corrugated iron sheets of his cell, and the hole filled in with soap. It was evidently thought that he might attempt to escape from the Mombasa Gaol as I received instructions by cypher telegram to have him specially guarded.

There is no truth whatever in Messrs. Sanderson, Adkin, Lee and Eddis' statement that the prisoner has not received fair treatment at our hands, he has received every consideration from the very commencement of his sentence, and owing to his bad state of health has not done any hard labour. The so called condemned cell is one of the best in the Mombasa prison and

Werner

201
Wehner was put into it because it was cooler than
others. There have been several European prisoners in
it since Wehner was transferred to another cell, and
I have received no complaints about it. The Jail is
visited every week by visiting justices and had they
had reason to believe that Wehner was being treated
with undue severity the matter would have been reported
to me at once. The size of the cell is 80 feet 3 inches
long, 18 feet wide, and 12 feet 3 inches high, and has 3
iron barred windows, an iron barred door, and 2
ventilators.

Chas. Lane

Hobbs,

December 2nd, 1908.

January 1906

DRAFT

Mr. Sanderson Adkin
Lee and Eddis

Gentlemen,

In further reply
to your letter of the

MINUTE.

- Mr. Bottomley 20/1
- Mr. Read 20
- Mr. Risley 20
- Mr. Astrobus 12/1
- Mr. Cor. 22
- Mr. Lucas.
- Mr. Graham.
- Sir M. Ommancey.
- The Duke of Marlborough.
- Mr. Lyttelton.

5th of January I am
directed by the Earl of
Elgin to inform you that
he has now received
a report from the
Comms of the East
Africa Protectorate
on the subject of the
treatment of the
prisoner Max Kuma
at Wehwa and of his
attempted attempt to
break out of there.

for review

Copy to [unclear] July 21/06

30 January 1948

DRAFT

Mr. [unclear] Address
[unclear]

Gentlemen,
In further reply
to your letter of the

MINUTE.

- Mr. Bottomley 20/1
- Mr. Read 20
- Mr. Paisley 20
- Mr. Antrobus 12/1
- Mr. Cox 22
- Mr. Lucas.
- Mr. Graham.
- Sr. M. Osmanney.
- The Duke of Marlborough
- Mr. Lyttelton.

5th of January, I am
directed by the Lord of
High to inform you that
he has now received
a report from the
Comms of the East
Africa Protectorate
on the subject of the
treatment of the
prisoner Max Kwan
and Weber and of his
attempt to
break out of prison.

for [unclear]

Copy of [unclear]

1/1

24/5

in the yard
remained longer, at

Harvest.

3. It appears from the report received from the Protectorate that there is no ground for objection for the statement that the prisoner has not been fairly treated, but that, on the contrary, he has received every consideration from the commencement of his sentence and that, owing to his bad state of health, he has not done any hard labour. The so-called condemned cell is one of the best in the house as a prison, and DeLacy was put into it because it was cooler than others there. It is understood that DeLacy

Colonial

1949 07/6

East Africa

(V)

31 January 1906

DRAFT

The Treasury Solicitor

Sir,

With ref. to the

letter from this Dept.

of the 23rd of December

last and to previous

correspondence, I am

directed by the Earl of

Elgin to transmit to

you, for your info.

the accompanying copy

of correspondence

on the subject of the

treatment of the

prisoner Max Heiman

Dehann, convicted of

murder in the East Africa

MINUTE.

Mr. Hoareby 20/1

Mr. Read 20

Mr. Astor 21

Mr. Cox 22 27/1

Mr. Lucas

Mr. Graham

Sir M. Ommancey

The Duke of Marlborough

Mr. Lyttellon

Handwritten notes: 20 Oct, 37/10/05

Handwritten notes: 27 Dec (1905), no 666

Handwritten notes: 30 Jan (1906)

20/1

From Messrs. Sanderson, Adkin, Lee & Eddis.

To The Under Secretary of State,
The Colonial Office, S.W.

40, Queen Victoria Street, E.C.
2nd February, 1906.

Sir,

re Wehner.

We thank you for your letter of the 30th Ultimo.-
No. 1940/1905-6 which we are communicating to Mr. Wehner's
friends here on behalf of whom we wrote.

We are suggesting that they should send a copy to Mr.
Wehner, and ask him for explanations, because we understand
that he has always most strenuously denied any attempt on his
part to break out of jail.

We are, Sir,

Your obedient servants,

Messrs. Sanderson, Adkin, Lee & Eddis