

PREVENTION OF CRIMES ACT

ARRANGEMENT OF SECTIONS

SECTION

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An Act for the more effectual prevention of crime.

[25 of 1922. 33 of 1936.]

[16th November, 1922]

[Commencement.]

1. Short title

This Act may be cited as the Prevention of Crimes Act.

2. Interpretation

In this Act, unless the context otherwise requires-

"**crime**" means any felony as defined in the Criminal Code;

"**criminal**" means a person convicted of a crime;

"**superior police officer**" includes an administrative officer in charge of police and such other person as may be authorised in writing by a superior police officer within the meaning of the Police Act to perform the duties of a superior police officer under this Act.

3. Persons twice convicted may be subjected to police supervision

(1) Where any person is convicted of a crime, and a previous conviction of a crime is proved against him, the court before which he is convicted may, in addition to any other punishment which it may award, direct that he is to be subjected to the supervision of the police for a period not exceeding five years commencing immediately after the expiration of the sentence passed on him for the last of such crimes.

(2) Every person subjected to the supervision of the police who is at large in Nigeria, shall notify the place of his residence to the nearest superior police officer and, whenever he is about to change his residence, shall notify such intention to the said superior police officer, stating the place to which he is going, and also, if required, and so far as is practicable, his address at that place, and so soon as he arrives at his new place of residence he shall forthwith notify his arrival to the superior police officer stationed nearest to such last-mentioned place.

(3) Every such person shall once in each month report himself at such time and in such manner as may be prescribed by the nearest superior police officer, either to such officer himself or to such other person as that officer may direct.

(4) If any person fails to comply with any of the requirements of this section, he shall be guilty of an offence against this Act, unless he proves that he did his best to act in conformity with the law and was prevented by circumstances beyond his control, and shall be liable on conviction to imprisonment for one year.

4. President may remit requirements of section 3

The President may, by order under his hand, remit any of the requirements of section 3 of this Act either generally or in the case of any person subject to supervision of the police.

5. Penalty for harbouring thieves, etc.

(1) Every person who occupies or keeps a lodging house or any premises licensed under the Liquor Act, or any place of public entertainment or public resort, and knowingly lodges or knowingly harbours thieves or reputed thieves, or knowingly permits or knowingly suffers them to meet or assemble therein, or knowingly allows the deposit of goods therein having reasonable cause for believing them to be stolen, shall be guilty of an offence and shall be liable on conviction to a fine of twenty naira or to imprisonment for four months.

(2) The court before which a person is convicted under subsection (1) of this section may, in addition to or in lieu of such punishment, require him to enter into his own recognisance with or without sureties for keeping the peace and being of good behaviour during twelve months, and may order him to be imprisoned until such recognisance, with sureties, if so directed, is entered into: but so that the imprisonment for not entering into recognisance shall not extend for a term longer than two months.

(3) Any licence for the sale of intoxicating liquor, or for keeping any place of public entertainment or public resort, which has been granted to the occupier or keeper of any such house or place referred to in subsection (1) of this section, may, in the discretion of the court, be forfeited on his first conviction of an offence under this section, and on his second conviction for such an offence his licence shall be forfeited, and he shall be disqualified for a period of two years from receiving any such licence.

6. Power to make regulations

The President may make regulations for all or any of the purposes following-

- (a) providing for the registration and photographing of criminals and persons detained by the police or in custody awaiting trial, and the manner, form and places in which registers of criminals and such other persons shall be kept;
- (b) prescribing the duties of officers of police or officers in charge of prisons in connection with the registration and photographing of criminals and persons detained or in custody awaiting trial;
- (c) providing for the taking by any authorised person of the fingerprints of criminals and persons charged with or being suspected of having committed any felony, misdemeanour, or other offence punishable by imprisonment for one month or more and for the taking of the fingerprints, for comparison, of any person reasonably suspected of having made a finger impression on any document or object likely to become an exhibit in a criminal case;
- (d) generally for the purpose of giving effect to the objects and purposes of this Act.

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

I. Prevention of Crimes Regulations.

PREVENTION OF CRIMES REGULATIONS

[2 of 1937.]

under section 6

Short title

1. These Regulations may be cited as the Prevention of Crimes Regulations.

Interpretation

2. In these regulations, unless the context otherwise requires-

"**central registrar**" means the person for the time being in charge of the central registry;

"**habitual criminal**" means any person who has been twice convicted of a crime;

"**offence**" means any felony, misdemeanour or other offence punishable by imprisonment for one month or more;

"**police station**" means the office of a police officer (as defined in the Police Act), or the office of an administrative officer in charge of police;

"**superintendent**" means a superintendent of police.

3. (1) There shall be appointed a central registrar, who, subject to the directions of the Inspector-General of Police, shall be responsible for the carrying out of the provisions of the Act and of these Regulations.

(2) Superintendents, subject to the directions of the Inspector-General of Police, shall be responsible for their own internal arrangements to ensure that the movements of all or certain habitual criminals, within their provinces, are properly recorded.

Central registry

4. (1) The central registrar shall keep the following books and records-

- (a) register of offenders;
- (b) register of habitual criminals;
- (c) register of persons sentenced to police supervision;
- (d) A copy of the fingerprints of all persons convicted of an offence.

(2) The registers referred to in (a) and (b) of paragraph (1) shall be in the Forms C.R. 3 and (c) in the Form c.R. 5 in the Schedule in each case, and the copy of the fingerprints referred to in (d) of paragraph (1) shall be taken on Forms C.R. 4 and 4A in the Schedule. [Forms 3, 4, 4A and 5.]

5. In the register of offenders shall be entered particulars of every person convicted of an offence.

6. When a person is convicted a second time of a crime and thereby becomes an habitual criminal, his name shall be transferred from the register of offenders to the register of habitual criminals.

7. Particulars of every new conviction of an offence shall be entered in the Form C.R. 2 of the person convicted and filed in Form C.R. 16 in the Schedule.

[Forms 2 and 16.]

Duties of superintendents

8. (1) Superintendents shall keep the following records-

- (a) register of habitual criminals in his province;

(b) register of persons sentenced to police supervision in his province.

(2) The registers referred to in (a) and (b) of paragraph (1) shall be in the Form CR. 3 and Form CR. 6 in the Schedule respectively.

[Forms 3 and 6.]

9. When an habitual criminal permanently leaves the colony or a province notice shall be given by the superintendent of that province to the superintendent of the province to which he has gone (such notice shall be on Form CR.8 in the Schedule) and his name shall be transferred to the records of the province to which he has gone. When an habitual criminal is haunting several provinces his name is to be entered on the records of each of them.

[Form 8.]

10. When an habitual criminal dies his name shall be struck out from all registers and the central registrar informed.

11. The superintendent or other person in charge of a prison shall notify the superintendent of the province in which the prison is situated, on Form CR.12 in the Schedule, of the date of discharge of every prisoner sentenced to imprisonment for two years or more, such notification to be made not less than 28 days before the date of discharge.

[Form 12.]

Powers of Police

12. (1) All persons charged with having committed and all persons convicted of any offence may be photographed and measured and their fingerprints may be taken at any time during their detention or imprisonment.

(2) When a fingerprint is likely to become an exhibit in a criminal case it shall be lawful for any police officer to take, for comparison, the fingerprints of any person who is reasonably suspected of having made that fingerprint.

Procedure

13. The fingerprints of every person in the custody of the police, charged with having committed any offences shall be taken and forwarded to the central registrar with Form CR. 13 before such person appears before the court.

[Form 13.]

14. All copies of fingerprints received in the central registry shall be carefully compared with the fingerprints filed in the central registry. If the central registrar finds a set of fingerprints in his collection corresponding to any set received he will at once forward the necessary information concerning the previous criminal record of the person thus identified to the police station concerned, with Form C.R. 14. The fingerprints will be retained by the central registrar. In the event of no set of fingerprints being found identical, the fingerprints will be returned to the police station with Form CR. 15.

[Forms 14 and 15.]

15. The photographs taken under regulation 12 may be either in the dress of the prison, or in the dress that the person wore at the time of his arrest or trial or in any other dress

suitable to his ostensible position in life. The photographs taken shall include a photograph of the full face and a photograph of the true profile of the person.

16. Fingerprints shall be taken on Forms CR. 4 and 4A in the Schedule and shall be a record of the external filament of the fingers and thumb of each hand, to be taken by pressing them, first on an ink plate, and then upon paper or cardboard, so as to leave a clear print of the skin surface.

[Forms 4 and 4A.]

17. The measurements to be taken shall include the prisoner's height when standing without boots, the description of all tribal marks and the relative position of every scar and distinction mark on any part of the body.

Fingerprints and photographic records to be destroyed in certain cases

18. When a person who has not previously been convicted of an offence is discharged by the magistrate or acquitted upon his trial or is not charged, all fingerprint impressions, photographs and records of measurements, taken or made under these Regulations shall forthwith be destroyed.

Police supervision

19. Every person sentenced to police supervision (in these Regulations called a supervisee) shall on his release report himself to the superior police officer of the district in which he is released in order that his particulars may be registered and such superior police officer shall carefully instruct him in the requirements of the law.

20. The superintendent or other person in charge of the prison from which a prisoner sentenced to police supervision is about to be discharged, shall serve upon such prisoner a notice in Form CR. 9 in the Schedule before his discharge. The form shall be explained to the prisoner and he shall be directed to report as stated therein.

[Form 9.]

21. (1) On a supervisee making his first report he shall be served with Form CR. 10 in the Schedule. This form is to be explained to him and he is to be particularly instructed that he must report himself personally to the person named therein between the hours of 9 a.m. and 5 p.m. on the day of each month stated in the form.

[Form 10.]

(2) The supervisee shall produce this form when reporting and the officer to whom he is required to report shall enter the date of the report and sign it in the space on the back thereof.

22. If the supervisee states his intention of removing from one police district to another he is to be served with Form CR. 11 in the Schedule and informed that he must personally report his arrival to the superior police officer of that district as soon as possible on his arrival there.

[Form 11.]

23. When a supervisee changes his residence from one district to another the superior police officer receiving the report shall immediately notify the superior police officer of the district to which the supervisee states his intention of removing and also notify the superintendent. Where the change of residence is from one province to another the superintendent receiving the report of the change of residence shall notify the superintendent of the province into which the supervisee has removed. Form CR. 8 in the Schedule shall be used for this purpose.

[Form 8.]

24. (1) The superintendent or other officer in charge of a prison shall, 28 days before the release from such prison of any person sentenced to police supervision, inform the superintendent of the province in which the prison is situated, on Form CR. 12 in the Schedule, of such intended release, and of the place and district which the prisoner has notified as his intended place of residence.

[Form 12.]

(2) The superintendent shall enter the information on his register, and will forward an extract from his register to the superior police officer of the district where such person intends to reside.

General

25. (1) Whenever Forms C.R. 4 and 4A in the Schedule are forwarded to the central registrar, they shall be accompanied by a covering letter in Form CR. 13 in the Schedule.

(2) Correspondence respecting identification of fingerprints shall as far as possible be conducted on Forms CR. 14 and 15 in the Schedule.

(3) All records (other than Forms CR. 4 and 4A) pertaining to a person registered in the central registry shall be filed in Form CR. 16 in the Schedule.

(4) On conviction of a first offender, Forms CR. 1, 4, 4A and 7 duly completed, together with the photographic negative of the accused, shall be forwarded to the central registrar.

(5) On conviction of an offender who has been previously convicted and registered in the central registry, Form CR. 14 will be completed and forwarded together with Form CR. 7 and the photographic negative (if not previously recorded) of the offender, to the central registrar.

Forms

26. The forms set out in the Schedule to these Regulations, with such variations as the central registrar may from time to time require, shall be used for the various purposes to which they relate.

[Schedule.]

SCHEDULES

FORM C.R. 1

NAME			OCCUPATION				NATIVE OF	
<i>Date of birth</i>	<i>Height ft. in.</i>	<i>Complexion</i>	<i>Hair</i>	<i>Eyes</i>	<i>Build</i>	<i>C.R. No.</i>	<i>Album Page No.</i>	Negative No. Size Box No.

Marks and peculiarities

Finger classification

REMARKS

Cards should be in different colours, i.e. white for persons convicted; Red for habitual criminals; Blue for police supervision; Green for convicts on licence, etc.

FORM C.R. 1 (Reverse)

Method

FORM C.R. 2

[Regulation 7 of 2 of 1937. Cap. P27.]

C.R. No.....	
Prison Register No.	
Name	{ (Photograph)
Alias	
Alias	
To be discharged otherwise than under section 3 of the Prevention of Crimes Act on the day of 20	Distinctive marks and peculiarities
Date of birth	Rt.
Tribe	Head Lt.

FORM C.R. 2—continued

Trade or occupation	Rt. side
Height (without shoes)	Lt. side
Complexion	
Hair	
Eyes	
Remarks	
Intended Address	

Convictions (in chronological sequence)

<i>Sentence</i>	<i>Court and place</i>	<i>Date</i>	<i>Offence of which prisoner was actually found guilty</i>	<i>Full Christian names and surname</i>

This form in two colours – White for persons convicted; Blue for police supervision.

FORM C.R. 3
[Regulation 7 of 2 of 1937. Cap. P27.]

Year

<i>No.</i>	<i>Name</i>	<i>Date registered</i>	<i>Classification</i>	<i>Remarks</i>
0
1
2
3
4
5
6
7

FORM C.R. 4
[Regulation 7 of 2 of 1937. Cap. P27.]

This form is not to be pinned

C.R. No.

MALE

B

Name

Aliases Classification

No.

Prison

Prison Reg. No.

RIGHT HAND

1.-Right
Thumb

2.-Right
Forefinger

3.-Right
Middle Finger

4.-Right
Ring Finger

5.-Right
Little Finger

(Fold) _____ (Fold)

Impressions to be taken so that the flexure of the last joint shall be immediately above the black line marked (Fold). If the impression of any digit be defective a second print may be taken in the vacant space above it.

When a finger is missing or so injured that the impression cannot be obtained, or is deformed and yields a bad print, the fact should be noted under REMARKS.

FORM C.R. 4—continued

LEFT HAND

6.-Left
Thumb

7.-Left
Forefinger

8.-Left
Middle Finger

9.-Left
Ring Finger

10.-Left
Little Finger

(Fold) _____ (Fold)

LEFT HAND

Plain impressions of the four fingers taken
simultaneously

RIGHT HAND

Plain impressions of the four fingers taken
simultaneously

Impression taken by Remark

Station Date

Superintendent's signature Date 20

Classified by Date 20

Tested by Date 20

FORM C.R. 4—continued

Name		REMARKS
Age Tribe.....		
Marks other than Tribal		
Height ft. in.		
 *Sentenced at *Sentenced on *Sentenced to	

FORM C.R. 4A
 [Regulation 7 of 2 of 1937. Cap. P27.]

This form is not to be pinned

C.R. No.

MALE

B

Name

Aliases

Classification

No.

Prison

Prison Reg. No.

FORM C.R. 4A—continued

RIGHT HAND

1.-Right Thumb	2.-Right Forefinger	3.-Right Middle Finger	4.-Right Ring Finger	5.-Right Little Finger
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(Fold) _____ (Fold)

Impressions to be taken so that the flexure of the last joint shall be immediately above the red line marked (Fold). If the impression of any digit be defective a second print may be taken in the vacant space above it.

When a finger is missing or so injured that the impression cannot be obtained, or is deformed and yields a bad print, the fact should be noted under REMARKS.

LEFT HAND

6.-Left Thumb	7.-Left Forefinger	8.-Left Middle Finger	9.-Left Ring Finger	10.-Left Little Finger
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(Fold) _____ (Fold)

FORM C.R. 4A—*continued*

LEFT HAND

RIGHT HAND

Plain impressions of the four fingers taken
simultaneously

Plain impressions of the four fingers taken
simultaneously

Impression taken by Rank Police Force

Classified at H.C. Registry by Date 20

Tested at H.C. Registry by Date 20

Prisoner's signature

Name	REMARKS
Age Tribe.....	
Marks other than Tribal	
Height ft. in.	
.....	
Remanded at	

FORM C.R. 5
[Regulation 7 of 2 of 1937. Cap. P27.]

Name Occupation Native of

<i>Date of Birth</i>	<i>Height ft. in.</i>	<i>Complexion</i>	<i>Hair</i>	<i>Eyes</i>	<i>Build</i>	<i>C.R. No.</i>

Marks and Peculiarities

Finger Classification

REMARKS

Cards should be in different colours, i.e. – White for persons convicted; Red for habitual criminals; Blue for police supervision; Green for convicts on licence.

FORM C.R. 5 (Reverse)
[Regulation 7 of 2 of 1937. Cap. P27.]

Method

FORM C.R. 6
[Regulation 7 of 2 of 1937. Cap. P27.]

Name	<i>Age</i>	<i>Height</i>	<i>Complexion</i>	<i>Hair</i>	<i>Eyes</i>	<i>Build</i>	<i>Office No.</i>	<i>Super-vision expires</i>
Aliases								
Occupation								
Native of								
Marks and peculiarities, head Rt.								
Rt. side								
		ft. in.					 day of, 20.....

FORM C.R. 6—continued

<i>Date registered</i>	<i>Sentence</i>	<i>Court and place</i>	<i>Date</i>	<i>Offence for which prisoner was convicted</i>	<i>Address while reporting, etc.</i>	<i>Date reporting or when last seen</i>	<i>Remarks</i>

FORM C.R. 7

[Regulation 7 of 2 of 1937. Cap. P27.]

NOTE – This Form is to be used in all cases of reports relating to the reconviction of persons registered in C.R.

NIGERIA POLICE FORCE

Station Division

..... day of, 20 Register No.

Office No. Name

I beg to report that the above-named was sentenced at

on day of, 20, to*

..... for†

Value of property stolen How effected

Convicted in the name of Arrested by

Convictions proved by with whom

convicted Names of officers present

at conviction

Also known to

Address given

Remarks

.....

Signature

*If prisoner has the option of paying fine, state if paid or whether time allowed for payment.

†State the offence in full, e.g., stealing ₦100 from a Bank; stealing from shop, house, etc.

FORM C.R. 8
[Regulation 7 of 2 of 1937. Cap. P27.]

NOTE – This Form is to be used in all cases of reports relating to the reconviction of persons registered in C.R.

NIGERIA POLICE FORCE

Station Division
(Date) day of, 20 No.

MEMORANDUM

From To
..... The Registrar
re Office No.

I beg to report that with reference to the above-named I am informed that he is leaving this district and that—

he proposes to remove to the District

His new address is at present unknown.

Signature

FORM C.R. 9
[Regulation 7 of 2 of 1937. Cap. P27.]

NIGERIA POLICE FORCE

NOTICE TO A PERSON SUBJECT TO THE SUPERVISION OF THE POLICE.

Under the provisions of section 3 of the Prevention of Crimes Act you are required to report yourself personally, on liberation, to of the district in which you reside, or to such other person as he may appoint.

TAKE NOTICE, THEREFORE, that I, the undersigned, the SUPERINTENDENT OF POLICE for the Province have appointed or his representative, to receive your declaration of residence on liberation, and I require you to report yourself to him personally at the office.

If you neglect so to do on liberation, you are liable to be sentenced to twelve months' imprisonment.

Signature

Notice served by me on who was liberated from the Prison at m., on the day of 20....., and who is directed to report forthwith to at

*Superintendent or other officer in Charge of
the Prison*

FORM C.R. 9—continued

Date 20

NOTE.—This Form to be counterfoiled.

FORM C.R. 10
[Regulation 7 of 2 of 1937. Cap. P27.]

NIGERIA POLICE FORCE

NOTICE to a person subject to the SUPERVISION of the POLICE

Under the provisions of section 3 of the Prevention of Crimes Act, you are required to report personally your entry into and removal from a Police District to the Superintendent of Police of the said district, or to such other person as he may appoint, and you must also report yourself personally, once a month, at such time and place as may be prescribed by the said Police Officer; and any change of address within the said district must be declared in like manner.

TAKE NOTICE, THEREFORE, that I, the undersigned, the Superintendent of Police for the
..... Province, being the Superior Police Officer of the District, require
you to report yourself personally to
between the hours of 9 a.m. and 5 p.m. on the day of each month, and any
change of residence shall likewise be declared to the said officer before your removal.

If you leave this Police District and again return to it you must immediately report such return personally to the aforesaid officer.

The penalty for neglecting to do as above directed is one year's imprisonment.

.....
Superior Police Officer

This form is served by me on Office No

.....
*Officer delegated by the Superior Police
Officer to serve this notice*

Date 20

FORM C.R. 10 (reverse)
[Regulation 7 of 2 of 1937. Cap. P27.]

Date of Report and Signature of Officer receiving same

<i>Date</i>	<i>Signature</i>	<i>Date</i>	<i>Signature</i>

FORM C.R. 11
[Regulation 7 of 2 of 1937. Cap. P27.]

NIGERIA POLICE FORCE

NOTICE to a person subject to the SUPERVISION of the POLICE.

Under the provisions of section 3 of the Prevention of Crimes Act you are required to personally report your entry into, and removal from a Police District, also your place of residence to the superior police officer of the said district, or to such other person as he may appoint, and so long as you remain in that district you must report yourself personally, once a month, at such time and place as may be prescribed by the Superior Police Officer or his delegate.

TAKE NOTICE, THEREFORE, that I, the undersigned, require that you report yourself personally, as soon as possible after arrival, to the superior officer of police of District, to which place you have reported your intention to remove.

If you again return to this district, you must immediately report such return, personally, to the superior police officer.

Penalty for neglecting to do as above directed will, on conviction, entail a sentence of twelve months' imprisonment.

.....
Superior Police Officer

This notice is served by me on, who is hereby directed to report to the superior officer of police at as soon as possible after his arrival there.

.....
Officer delegated to serve this notice

Date 20

NOTE – This Form to be counterfoiled.

FORM C.R. 12
[Regulation 7 of 2 of 1937. Cap. P27.]

(Date) day of, 20 No.

MEMORANDUM

From To
..... The Provincial
Registrar

I beg to inform you that Prisoner
Prison Register No. who was sentenced at the
Court on the day of, 20, to
years and months imprisonment, and
years and months police supervision for*
is due for release from this prison on day of, 20

The prisoner has informed me that he proposes on release to proceed to,
in the District,
and to reside at

He will in due course be served with Form and directed to
report to the superior officer of police at

.....
Superior

*Give offence as described on criminal warrant.

FORM C.R. 13
[Regulation 7 of 2 of 1937. Cap. P27.]

NIGERIA POLICE FORCE

Station Division
(Date) day of, 20 No.

MEMORANDUM

From To
..... The Registrar

1. I beg to forward herewith the fingerprints of Prisoner
who is charged at with the offence of
and remanded until, 20

FORM C.R. 13—continued

2. Please cause search to be made of the records in your possession and if traced, forward the descriptive form together with the Prisoner's criminal record to as early as possible.

Signature

FORM C.R. 14
[Regulation 7 of 2 of 1937. Cap. P27.]

NIGERIA POLICE FORCE

(Date) day of, 20 No.

MEMORANDUM

From To
..... The Registrar

1. The fingerprints of the Prisoner, charged at the Court with have been received, search has been made in compliance with your request, and the Prisoner identified as whose criminal record is herewith enclosed for your information.

2. Please let me have the result of the case on the form below when returning the descriptive form.

.....
Registrar

(Date) day of, 20 No.

MEMORANDUM

From To
..... The Registrar

The Registrar

The case against the Prisoner your office
No dated day of 20 was disposed of as under—

FORM C.R. 14—*continued*

<i>Date</i>	<i>Place and Court</i>	<i>Offence in full</i>	<i>Sentence</i>	<i>Full Christian name and surname in which convicted</i>

Committed to the Prison at

Signature

FORM C.R. 15

[Regulation 7 of 2 of 1937. Cap. P27.]

NIGERIA POLICE FORCE

(Date) day of, 20 No.

MEMORANDUM

From To

..... The Registrar

1. The fingerprints of the Prisoner, charged at the Court with have have been received, search has been made in compliance with your request, with the result that no record of a previous conviction has been traced.

2. I shall be glad if you will enter the result of the case below, together with particulars of any previous convictions, which without doubt refer to this person, and return this letter to me as soon as the case has been disposed of.

.....
Registrar

(Date) day of, 20 No.

MEMORANDUM

From To

..... The Registrar

The Registrar

FORM C.R. 15—*continued*

The case against the Prisoner your office
 No dated day of 20 was
 disposed of as under—

<i>Date</i>	<i>Place and Court</i>	<i>Offence in full</i>	<i>Sentence</i>	<i>Full Christian name and surname in which convicted</i>

Committed to the Prison at
Signature

FORM C.R. 16
 [Regulation 7 of 2 of 1937. Cap. P27.]
 GENERAL CRIMINAL REGISTRY

Name No., 20

REFERENCES	MINUTES