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EAST AFR. PROT
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Council

E.A. PROTECTORATE (APPEAL TO PRIVY COUNCIL)
O. IN C. 1909
AMENDMENT OF ARTICLE 6 (a)

1915

13th July

Last previous Paper

4/10
294-13

Submit observations on proposals.

Mr. Rieley

A. J. R.

15/7/15

Sir C. J. J. J.

The PC ~~is~~ ^{is} a double actuated
with ~~the~~ ^{the} to reason, the limit
to a larger price than is wanted
for the ~~the~~ ^{the} and are decidedly
against leaving the security
to the absolute discretion of
the Court - of SS of the ~~the~~ ^{the}
Rules (print herewith) which
are always followed now.

? Copy to Cross, that we
will amend art 6(a) by raising
the limit to Rs 7500 / 4
that with content line

Copy to Com. 577 20 July 15

Next subsequent Paper

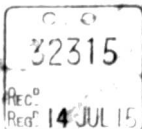
No. 26096

at once
14.7.15

XIA 14/7/15

In any communication on this
subject please quote No. 116,142.
and address—

THE CLERK OF THE COUNCIL
PRIVY COUNCIL OFFICE,
LONDON, S.W.



13th July, 1915.

Sir,

Referring to your letter of the 4th instant, enclosing a copy of a despatch from the Governor of the East Africa Protectorate on the subject of the provisions of Article 6 (a) of the Eastern African Protectorates (Appeal to Privy Council) Order in Council, 1909, I am directed by the Lord President of the Council to offer the following observations on the suggestions contained in the despatch:—

- (1) in the case of the great majority of the Dominions, Colonies, and Possessions the maximum security to be given by an intending Appellant to His Majesty in Council has been fixed at £500.
- (2) in view of the fact that the Respondent's costs of an Appeal from the Eastern African Protectorates to His Majesty in Council may very possibly exceed the sum of Rs. 5,000, it appears reasonable that the maximum fixed by Article 6 (a) should be raised to Rs. 7,000, which would be approximately the equivalent of £500. It should, however, be pointed out in this connexion, that the security in question is only intended to cover the costs of the Appeal to His Majesty in Council, and not the other costs referred to in paragraph 4 of the despatch.

(3)

Under Secretary of State,

Ac., Ac., Ac.,

Colonial Office.

(3) at the time when the present Appeal rules were framed, it was considered inexpedient that the Courts appealed from should have an absolute discretion as to the amount of the security to be given by an intending appellant as a condition of his being allowed to proceed with his appeal, and in His Lordship's opinion this principle should not be departed from.

I am,

Sir,

Your obedient servant,

Herbert H. Row

Council C.A.P.

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Ind *[Signature]*

22 July 1915

Sir,

I have the honor to acknowledge

Recd 44660

receipt of your despatch No 407 of the

13th of May, ^{relative to} on the subject of the

provision of Article 6 (a) of the

Eastern African Protectorates

(Appeal to Privy Council)

Order in Council (1909), and to

transmit to you the accompanying

copy of a letter from the

DRAFT.

A.P. No 537.

S. M. Belfield

MINUTE.

Mr. Jewell 21/7/15

Mr. Bottonlay 21/7/15

Mr.

Mr.

Sir G. Fiddes.

Sir H. Just.

Sir J. Anderson.

Mr. Steel-Maitland.

Mr. Bonar Law.

13 July 1915