EAST AFE PRO

30731

5

175

920

DEPEND BY GOVERNMENT LEGAL ADVISER

Reports difficulty arises out of ruling by Acting thief Justice that Govt Land advisors cannot properly appear for the defence of ver details of base in point i.e. of the Chaolan Stupk in circumstances recommends refund of Re 530 the expense he incurred in his defence.

he distry

The your stown from the Mines

The the transfer way of the segment of

spendation work?

648. 20.6

we also in highly a risk the first that er

mit rem that the property of the paperty of the pap

Considering a perfect of the constant of the c

The second of th

The reality of the prosperitor

176 by one grow on a secondary be defered hypermer. relation of the respectation of the second LONG WAN IN THE TENE WAY A PACALLE ... re- De detented by Crown Mourise. Ad so . Te : Tours he on the artification by wholeten a exception of and the state of the contractors of the same as a growse base over the company of the company of the company of The leaves position to give the first personal design of the state of the test the color of the section of the section of the The state of the s The state of the s gir on wase in je en ge untae July 1 th south and a first engine of the confine The name of a tradery to appear for the transport is the said of a fallow to a set of the field the said. The I willing ye " une expense such to toyto the to. strop and the arrest rout the good desertified approximation of the state of the solitage Gocton Statement of the the state of the s . . . 1791 BEBRES C. \*\*\* Reply to the same of

BRATISH EAST AFRICA

1920.

official action.

My Lord.

I have the honour to bring to Your Lordship's motion a difficulty that has arisen out of a ruling by the Acting Chief Justice that the Legal Advisers to the Government cannot properly appear for the defence of a Covernment servant charged with a oriminal offence, the outcome of

In the case in point Sat Bachan Singh an Indian Sub-Inspector in the Bast Africa Police, was charged with having given false evidence in the case of Rex v. Sajand Hussein in which he was an investigating officer and one of the principal witnesses for the Crown. Sajaad Hussein was found guilty of murder and the advocate for the accused subsequently obtained permission to prosecute in the case of perjury, and it was clear that, were prosecution for perjury to be sustained against the Sub-Inspector, the arguments to be put forward by the prisoner under sentence to the court of appeal wentd be materially strengthened thereby.

RIGHT MONOURABLE

VISCOURT WILNER, P.C., G.C.BI, G. C.M.G.

SHCHETARY OF STAIN FOR THE COLUMNS, DOWNING STREET

LONION, S.

- 5. The Asting Attorney General was willing to defend machen Singh but withdrew in view of the Asting Chick Justice's ruling.
- the alternative of conducting his own defence against an European Advocation of employing counsel at his own expense. It is an undoubted tact that laymen and particularly non-Europeans are severely handicasped in a court of Law when, themselves unaided by Counsel, they are faced with a pressoution conducted by an advantate, a handicasp that eight result in an unjust conviction. Bechan Singh adopted the second alternative, thereby incurring expenses entirely beyond his means. He was acquitted of perjury and his character completely cleared.
  - 5. No provision exists here for the payment of the fees of Counsel emplayed in the circumstances detailed above as. I believe, is the practice in India, and I strongly recommend, for Your Lordship's favourable consideration, the refund of the expenses incurred by Bachan Singh in his defence. The fees in this case amount to Re: 800/-.

I have the honour to be, Your Lordship's humble, obedient servane,

Sowy

ACTING GOVERNOR.

-30731/80 DRAFT. I form to make to real to real 'qqo" franches as my factor flowing on MINUT the subject of the surling lights sportly grown 10 feets 10 1 12 that the top above to to but count froget Sind, Lambers byten for transferrer of a public servent charged Sur H. Read. Str G. Friddes. of a council your, the subscient of opposed. Ook Amory Lord Mileter The state of the s farefuses much by bulan Sugh to there 46 Ameter in the E.a. Police, in his before for perfor 2) & but the general grave is grave for I grave grave and the opposing of the legence of 5000 sommet I do ust consider that the accused were through he

It to the alternature of a sering to eace or gouploying towards the man former in get leave a policiona at the mercy of his were persones was the finder against hear it who the side with a bout fatty to assist him grown are advised that it should be to business of the and of the Notice to decide white any returner at it we in which the wish thould be privally anded a few front breakless had been become and lamined for experience to a second of the great of not form forward that have been top top a compression can to the defence of the line of their decided to the way the expuse it to be were trythe the weeks. We present is an acquibal a secondation also in which to and office decided against an opposed force would probably not be surveyord the question refunding to expenses of he aroused could be hailed in cach in coling the west is each east in the most of the case un Deticular cont to who gra the state of the s

REGISTERED No. 2

## NOTICE TO BINDER

PLEASE LEAVE SPACE HERE FOR INSERTION OF SCHEETS

Date 18 7 4 9 0

Marie Carlos Control of the Control

Dante not available at time of thethe