

DESPATCH

EAST AF. PROT.  
No. *1110*

C O  
44409  
16 15

1906  
at previous Paper.  
3499

(Subject.)

*Appeal of Max Welner*

*Judge Hamilton in minute, copy enclosed, thinks that amount of copying fees is excessive.*

(Minutes.)

~~Mr. Cox~~  
Mr. Cox

? Copy of dep. & action to  
Meaning for cons on L.F. referring  
to a letter of 19 October on 5/36594

W. B. D.

18/12

J.R. 18/12

~~M~~ 22/12

at home  
J.B. 22/12

*J.R. Elphinstone*

*Copy of Dep. & action 23 Oct 1906*

subsequent Paper

4296

Commissioner's Office,

Mombasa,

November 1905.

44409  
16 DEC 05

No. 628

Sir,

With reference to your despatch No. 471 of the 21st ultimo respecting the amount of the copying fees in the case of Max Werner's Appeal, I have the honour to transmit herewith a copy of a minute by Judge Hamilton on the subject from which it would appear that he is of opinion that the charges in question are not excessive.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Principal Secretary of State  
for the Colonies,  
Downing Street,  
LONDON.

White  
Judge Hamilton.

8/  
130504

C. O.  
44409REC'D  
16 DEC 1951

Mr. Antrobus' despatch of 19th October states the facts correctly. With reference to the suggestion that a reduction should be made in the charges for copies of the proceedings supplied for the use of the appellant, I would draw attention to the established practice of the Court in such matters, which is to make every allowance in favour of a poor man, but to make no reduction where the appellant engages solicitors and counsel, as has been done in this case both in East Africa and in England. I should further add that the copies in question were lengthy and in order that they might be promptly supplied the Court engaged outside assistance at a cost of Rs. 42/8/-, for which no extra charge has been made, the whole sum charged being in accordance with the scale of fees laid down.

If the Treasury are satisfied that there is any

special

special reason in the present instance for reducing  
the fees I shall be happy to do so.

Mombasa,

Sd/- R. W. Hamilton

November 16th 1905.

Judge Hamilton.

Enclosure

in Mr. P. Jackson's deposition  
of 28th of November 1861.