

1935

38096

CO533/458
KENYA

38096

Judicial Dept Staff

Previous

23199/34

Subsequent

1937

Legal & Judicial is -
Judicial Dept 36ff

1. O.A.G. Tel 84 _____ 11th April 35

Requests that steps may be taken to fill the vacancy caused by the transfer of Mr Edwards, Asst. Magistrate, to Palestine on 4th June, & asks the Chief Magistrate records, abt. of a candidate with practical experience in home courts.

Submit V.F.

C. P. Fross with
12. 4. 35

DD
12/4

See minutes on Prens 93
Jhergott
16/4

2. O.A.G. Confidential No 56 _____ 18th April 1935

(incoming letter from Registrar of Supreme Court)

See on Prens 93

J. H. G. 35

3. O.A.G. Tel. 130/35 _____ 4th June 35

Requests that date of posting of Mr Edwards' successor may be telegraphed as his services are most urgently required.

Appointments Dept.

Can anything be done to hasten the selection of a candidate for the Kenya vacancy please?

(See Prens 93)

C. P. Fross with
5/6/35

Mr. Gossard.

We have had a great deal of difficulty in collating a list of suitable candidates, but have now managed to do so.

We intend to start interviewing them on the 11th of June and will arrange a meeting of the C.S.A.D. hereafter.

When the B.C. will meet, I am afraid it is impossible to say for the C.S. Commissioners are now in the middle

of their 11th C.S. - I.C.S. reference programme and will find it

difficult to give in a few
do our best to arrange a meeting of the Dept.
at the earliest opportunit. It looks that will be
in about a fortnight's time

Thurs. 4/6.

Submit draft tel in reply
to No 3.

A. Brown with
6/6/35

4 Tel to Gov. Kenya, no 1147 ^{conf}
7/6/35

on March
see papers 3 & 4 attached
to forms 93

5 H/Govs. Deputy Pelling 292 (Am Mail) - 15 June 35
Records the promotion of Mr E.S.O. Farrell to
vacancy of Registrar as the result of the transfer of Mr. Jacke
requests that if approved a candidate may be selected
forthwith to fill resulting vacancy & date of sailing
conveyed by tel.

Mr Szel
Mr Burke

This may affect the Uganda T.T. moves
and had better be considered with them. Mr Hutchinson
I am told would like Mr Jacke's job, but Mr O'Farrell
is a very strong candidate
J.L.O.F.
28/6.

I sent Mr O'Farrell's file
the other day with a note that Mr Hutchinson he
had called to see me and said he
would like to be considered for this.

Vacancy. I understand you are going to discuss
with Mr Burke

25 Dec
29 6

I can see no reason for
preferring Mr Hutchinson to Mr
O'Farrell (who incidentally has
practically no prospect of getting
promoted otherwise)

C. J. Joppie
29.6.35

Payee as is & a T.T. Holiday ^{Roms} (750)
but I do like to consider further the
question of Mr Hutchinson.

4/13
2/7
Sir C. Bottomley

I can approve Mr O'Farrell's promotion
I have deleted the T.T. Uganda pp.

W.C.S.
27.35
advice

6
R 205
Promo Board
C.S. 211-1000
to Kenya 5000 (5 mod)

8 JUL 1935

O.A.S. Tel. 163 6th July 35.

Enquires as to the present position regarding the vacancy for Resident Magistrate.

V.F. Caren
Shungu
4/7

Promotion Branch.

To take the V.F. - Deputy Registrar
Vacancy. (See No. 8)

Appointments Dept. Mr Hart.

Please see No. 7 & your minute
of 6th June - (What should
I we reply?)

C.F. Swinburn
10/7/35.

A. Swinburn
10/7

The C.S.A.Da. met on the 9th of July
and mentioned the next of her.

Mr. Shurling to the unit of Resident
Magistrate. The S.O.S. gave his
approval on the 10th. Mr. Shurling's
has an issue with E.A. Dist for
offer. I understand that, if heard 1st,
he will require at least a month
to settle up his affairs here.

Mr Hart, 12/7.

The offer is being drafted.
Just let her know. C.F. Swinburn 12/7/35.

To Kenya Tel. 184 Conf. 18.7.35 on 52019CA
DESTROYED UNDER STATUTE (copy attached)

Be re re
info of promotion of
O'Connell (N.B.)
App to see for re p.f.
R 145
C.S. Dept. (cont'd)
12/7/35

Tell C.A. of Mr. O'Farrell's promotion
(Sgd) L.B. Freestone
10. at once

To C.A. - 21. 9. 35

Note from Promotion Branch - Oct. 1935
Reporting impending vacancy in the post
of Resident Magistrate.

By Air Mail
15.10.35

12 To Kenya No. 844 - Cons. 15.10.35

To Hw tel 177 Conf. (7 am) 12 July 1935
DESTROYED UNDER STATUTE

DESTROYED UNDER STATUTE

Gov? Byrne - No. 529 -

8.10.35

States that the Chief Justice reports that
Mr. Gambler's successor need not arrive in
Kangra until end of April 1936.

This has crossed with No 4.

Plow Branch to note
& Put by

C. Freeston

8/11/35

L. Freeston
S. M.

Presd will have us on to put forward
A new procedure has recently been approved
for filling legal vacancies from outside the
service and if expense is a consideration it is the
hopeful of the Joint Committee of the Bar and of
the Govt. (who are to help with selection in
future) could be told before their meeting on
Nov. 26th that his vacancy will be available
for outside candidate at his date stated.

If you see no objection to this (with child N. M. M. M.
apex) will you please pass to Appts to note accordingly
of this too please.

J. H. M. M.
" " 35

L. Freeston
12/11

Mr. Freeston.

Appointments Department have asked for
V.F. There are certain difficulties in the way
of this:-

(a) The Governor has been asked in No. 4 to
put forward recommendations. A reply to that

despatch is hardly due yet.

(b) The salary scale. The present scale is £720 - £840 - £920 but the new scale will be £600 - £1,000.

I understand that the despatches to Governors regarding the revision of salary scales will issue shortly.

As the selected officer is not required in Kenya until the end of April, 1936, it seems preferable to await the Governor's despatch mentioned at (a) above, and the issue of the despatches at (b) before proceeding to give full details of the appointment. But the meeting of the Joint Committee of Benchers on the 26th of November might be told that the vacancy may arise in the early part of next year with salary of £600 - £920. I suggest the maximum £920 because the £1,000 maximum has not yet been made public.

(I discussed this with Mr. O'Connell & Mr. Jeffries)

C. A. G. [Signature]

14.11.35.

Mr. Hart.

We discussed by telephone. I understand that the suggestion at A is endorsed by Mr. Jeffries.

[Signature] 14/11

we have informed the Press of course as at A in the Governor's minutes but without mentioning anything about the salary attached

9 To Nya Tel 184 Comj 18/11/35 on S2019EA. (copy attached) 6

GA added by informed of the promotion of O'Connell (N6)

Tell Cd. of Mr. O'Connell's promotion

[Signature] 21/9/35

copy of the letter added to R 20/11/35 from branch 10 to G.A. note. G.A. note for C.S. [Signature]

DESTROYED UNDER STATUTE H. H. Gov: Kenya - Tel. 285 - 4.12.35

Enquiries whether an officer has right to select for post of Deputy Registrar etc, date of sending.

Mr. Hart. I think this relates to the vacancy for a Deputy Registrar will be O'Connell. The U.F. has been referred to Appl. Dept. Can you say what the position is please C. A. G. [Signature] 5/11/35.

to be examined [Signature] [Signature]

31/1/36 Bay and [Signature] 22/4 [Signature]

Mr. Greenhill.

We have a candidate earmarked for this vacancy, but we cannot proceed with his selection until the candidates selected for existing vacancies in H.K. accept and are handed first, he being first man for these vacancies. We anticipate, however, that we should be able to go ahead with his selection in about a week's time.

Th.Hart: 6.12.35.

Mr. Greenhill
? Per reply to No 7th Enq
Wait a week, v.s. R297 to Mr
the papers on Monday the 16th Dec
16/12/35
Ch. Green with
6/12/35
B. Hart
6/12/35

Receipt as above
WAS
16/12/35

Mr Hart
Has there been any progress?
Ch. Green with
18/12/35.

Mr Greenhill.

I am very sorry that the selection of the Hong Kong
candidate has not proceeded as smoothly as we had hoped
when I mentioned on 6.12.35. The candidate has received
his letter of offer but is now raising questions about the
conditions of service attached to the post. The letter of offer
to the other candidate was held up until we resolved the
question of the suitability of his qualifications (he was held up
also, of course) by the Government of Hong Kong.

The question raised by the first candidate should be
settled satisfactorily this afternoon, and the letter of offer
to the second candidate should be despatched this
evening. As far as we can tell, they will accept
the offer made to them, but having regard to the
time of year, I am afraid that we cannot now
look forward to completing their selection before the
20th of December. In the circumstances

? Inform the Gov. of Kenya that we wish
to complete the selection of a candidate early in the
new year, and that we shall inform him of the
sailing date of the candidate ultimately selected as soon
as possible.

Th.Hart: 19.12.35

See next page
5-2773 2a
6/12/35

9/12/35
Parker to Hart
Alpha Dept
Settles the
C.F.R.

15/12
Tel to Gov. Kenya, No 359 19/12/35
(4th Ans'd)

16 Gov: Payne - No. 148 Conf. 6.12.35

Encls. form of particulars of vacant office of Resident Magistrate, caused by the forthcoming transfer of F.C. Samble to Kenya, requires views of Chief Justice as to the qualifications required, reminding as to terms of (2) enquiring when a further communication promised in S. 93i despatch No. 807 of 3.10.34 (on 9.12/13/33) would be expected.

Vacancy for a Resident Magistrate in the place of Mr. Samble.

In the first place Mr. Samble's successor need not arrive in the Colony until the end of April.

(See No. 13)

The only local candidate for coroner is Mr. A. Phillips, a District Officer who has acted as a Resident Magistrate for a long time, but I think he is ruled out by the recent decision as regards the admission of Administrative Officers to the Colonial Legal Service, also by the fact that the C.J. particularly wants a barrister with practical experience in the Home Courts.

The Judges of Court have been informed that this vacancy may arise in 1936 the early part of 1936 (see Mr. Hart's minute of the 19th November) but no salary has been mentioned.

In the paper of particulars supplied

by Kenya, the salary of £720-20-0-0-40-920 is proposed.

Is there any objection to a V.F. being prepared on these terms?

C.A. Groom with
9.1.36.

No.

W. Acheson
5-19

The V.F. need not be sent to P.O.

W. Acheson
10.1

The Judges of Court should be notified as soon as possible.

H.B.
11

I have discussed the salary question with Mr. Acheson. The position is this: we have already introduced a new scale (including £630-£1100 for magistrates and crown counsel) in West Africa, and we are only awaiting Treasury consent before sending the E. African scheme to the Governors for final consent. It is safe to assume that no objection is going to be raised to the

As in the
circulation in the
reference in the
out paragraph
the description is
to this matter.

The steps have
gone. *W.A.*

£600 - £1000 scale which we
have proposed for East
African lawyers, and it
is clearly anomalous to
be offering a higher
starting salary (even with
a lower maximum) in
East Africa than in West.

I suggest therefore that we
should act as in draft
herein.

C. J. Dennis

17.1.36.

I am rather concerned about this.
Firstly, because I have never really accepted
£630 as an adequate starting salary for
recruiting from the Bar. I gave way
provisionally because at the time I knew
it was no good doing anything else, but it
was always understood that the Benchers of the
Four Inns of Court, who are now concerned in
this matter, were to be at liberty to make
suggestions, and I think they may do so.

Secondly

Secondly, I think the position has been altered
by our suggestion of making appointments to be
interchangeable between the Crown Counsel and
Magistrates, because some Colonies have always
offered more for the Crown Counsel. Thirdly,
I am not at all sure that the Governments, if they
are not dragooned from here, may not themselves
suggest a higher starting salary, because obviously
it is to their advantage to get the best man.
Fourthly, because in our despatch of the 7th of
January we have asked the Governments to suggest
a common salary scale pending any general revision,
and I should like to see what scale they suggest
without prompting from here.

Personally I would rather leave the
matter alone, and not attempt to anticipate the
revised scales, in other words, observe the
standstill arrangement in East Africa: but at the
worst, I should like the telegram put in a form
which does not give a lead. I am really anxious
about the quality of the legal people, and we
have got to admit that, unlike the doctors, they
have no opportunity for private practice.

18.1.36.

The position is:-

£630 - £1000 has been approved for West Africa
£600 - £1000 is proposed for East but has not yet been
adopted.

Mr. B. B. B. therefore advises that the vacancy vice
Mr. Gamble should be filled on the existing scale of £720 - £920
Kenya wants the man early in March. By that time the new

*Mr. B. B. B.
There is a new
step put in
asking that the
offer selected
vice Mr. Gamble
should be filled
in Kenya about
1st March
18.1.36*

scales will not be in force I should say.
So I think the balance of advantage points to ignoring the "new proposals" and "carrying on" at £720-£920. We don't know what the new scale will be and Govt may wish to comment.

To take Sir G. Bushe's points however:-

- 1) Is for him alone to say.
- 2) In Kenya Crown Counsel and Magistrates are on the same scale (£720-£920)
- 3) I doubt Kenya of all places trying to put up any salary suggested
- 4) I agree that we should not try to give a lead Kenya has put the existing scale down, wants a man quickly & expects to have to pay £720 at any rate till a revision is introduced

Wherefore

? Stick to £720-£920 for this time and go ahead

J.P.O. Hand
21.1.36

Sir C. Bottomley

I had not appreciated that ~~that~~ Sir G. Bushe's acceptance of the new scales was only provisional.

Now that the W.A.P. scales have been announced

and in view of what was said to Mr L.D. Smith in No. 52 on 31889 E.A. I think we should get into a mess if we adopted Mr. Hood's proposal. I should prefer to send the telegram as amended

S.P.P.
22.1.36

Sir J. D. ^{23/1/36} ~~Styeborough~~

In view of Sir G. Bushe's

remarks I send on. I agree with Sir G. Tomlinson entirely on his first point - it is a complete violation of practice to offer a higher salary in East than in West Africa. As regards Mr. D. Smith, of T.T., I have no doubt that if put to it we could wrangle out of any representation he might make, but I don't want to try.

I think the telegram should go.

W.C.S. 23.1.36.

R.P. 23/1/36

at once
5/1/36

To Gov. Kenya. Tel. No. 18. cont. 23/1/36.

Gov. Bygones - No. 4 - 6.1.36

States that it would be appreciated if Mr. Smith's successor could arrive in Kenya about 4.12.36 next.

Await the reply
to No. 1. C. J. Jeffries
24/1

J. J. P. [unclear]
27/1
at [unclear]

19 Gov. Kenya - Trial No. 25. Conf. - 25.1.36

Consensus which proposed to appoint new Resident Magistrate on initial salary of £600 - if possible. Pending announcement of the Commission relative suggests scale offered should be £600 for 2 years, £720 to £840 - £400 - £920 subject to adjustment later if necessary.

This looks as if the Governor is not happy about the proposed new salary scale of £600 - £1000. Presumably we can't fault the views of Court that the Officer will be appointed on a scale of £600, 600 - 300 - 400 - 420 "on the understanding that the scales of ~~proposed~~ ~~Resident~~ ~~Magistrate~~ may be adjusted later if necessary."

May we have your views please? Unfortunately the matter has now become rather urgent, because the Officer selected is required to arrive in the Colony by the 15th March.

C. J. Jeffries
27.1.36

On P. [unclear]

The Kenya Government was the protagonist, at the discussions at the Governors' Conference about general salary revision, ^{and} ^a the proposal to reduce the general maximum of £1,000 for the time scales to £920. No doubt that explains this telegram.

For immediate purposes it is the minimum and not the maximum which ^{is of} ~~has any~~ importance. I should, therefore, accept their suggestion. In that case we should say nothing about subsequent adjustment to anybody. Adjustment if desired can be made later.

From the receipt
point of view which is the
in most cases - ~~both~~
are ~~not~~
I agree J.J.P. ||

C. J. Jeffries
30TH JANUARY, 1936.

I suppose we had better try on this basis, but it would have been far preferable to have coupled the decrease starting pay with the increased maximum, ~~and~~

Yes: the two go together.
J.

C. J. Jeffries
30.1.36

We have now got a suggestion for a new scale which is neither the existing one nor the proposed one, and is to be applicable apparently to one officer. Before we agree to that we ought, at any rate, to

know

know whether the Chief Justice has been consulted and what are his comments, because he is vitally interested. I can hardly believe he has seen it because his sense of humour would, I should have thought, have prevented a telegram which says "in so far as the new proposals reduce the scale certainly anticipate them and prejudice them, but in so far as they give compensating advantage do not, by agreeing to this, prejudice the consideration which has to be given to the comprehensive scheme".

If I am to be instructed to put that proposition to the Joint Committee of the Four Inns of Court, I would suggest that the Secretary of State should see the papers because, frankly, I do not think it is a suggestion which should be made. My advice, if I may offer it once again, is to get back to the principle and logic of which much will be found in Mr. Flood's minute. The existing scale is £720 to £920, that should hold the field until new proposals are finally approved.

Once again let me say that the new scale may have to apply to Crown Counsel and Magistrates, and I do not think it right to prejudice the consideration of that position by all three territories at this stage.

HS 31.1.36.

The cry of "inflated salaries up to £1000" is ever before Kenya. I thought they would agree to a lower starting point and rather expected them to object to the raising of the maximum, forgetting that the one is a corollary of the other. The Gov. does recognize this to some extent by agreeing to revision later, but it isn't the same thing. We can hardly say "The maximum may be increased hereafter" because that would be a promise.

after all £600 - £1000 with a pension fraction of $\frac{1}{50}$ is not as good as £720 - £920 with $\frac{1}{40}$. If we have cut down the pension, as has been done, ~~it seems hard~~ it seems hard to cut salaries too by reducing the starting point. So I would tell Kenya they must agree to either the new maximum or the old rate and ask which they advise.

But we have done so in many other cases.
S.J.7.7

It is not exactly clear what a case means: it may of course refer to good candidates.
W.C.D.

J.T.O. Flood
31.1

Sir C. Bitterley.

It would surely never do to revive the old pension fraction of $\frac{1}{40}$ for any new-app!

I should prefer to tell the Gov that the lowered minimum cannot be offered without the raised maximum.

S.J.7.7

4.2.36

Sir G. Burke

That implies that if the Gov. votes for £600 - £1000 we shall try to get a man. Do you agree to that without any sending on further? As you know, we have got magistrates for T.T. at £600. W.C.D. 6.2.36.

I am extremely sorry to be a nuisance over this, but I feel so keenly that we going the wrong way to work. I daresay we might find a Magistrate at £600, but I am pretty sure we shall not find all we want at £600, nor shall we get the best man at £600. The new proposals have not even gone out to East Africa yet; they are to be considered, and there will be, I think, a good deal of discussion before they are agreed. Why are we to prejudice that by adopting them in advance? The Governor of Nigeria has just suggested that the proper scale would be £750 to £1,000, more than I have ever suggested, but it shows how the wind blows.

I had a long talk yesterday with *Schraabe* Mr. Swartz. He says the Bar is delighted with the new people we have sent, but that some of the old stagers (he mentioned Mr. Lane and Mr. Paletorpe) were quite incompetent. He impressed upon me the extreme necessity of staffing the Magistracy as well as the Bench with really good men, and he told me that he did not think that the unofficials were so interested in the salary as in the quality of the man.

If we can't agree to preserve the status quo until it is altered, I think the best course would be to take up the whole question of these few legal salaries with the Secretary of State, and, in any event, I am

suggesting

suggesting to Mr. Jeffries that we should consult the Committee of the Benchers of the Four Inns as to what they regard as an adequate starting salary to supply the sort of man we require.

I would just remind you that I have all through this business said that I don't care twopence about a maximum of £1,000, what I am interested in is a reasonable minimum, and I should not be surprised if the colonial Governments would not prefer a higher minimum and a lower maximum.

JFB 5.2.36.

70 Gov. Kenya. Tel. No. 42 Conf. — 14.2.36
(Chairing of vacancies is urgent)

DESTROYED UNDER STATUTE

It has now been decided to

2045-3/8/36
Personnel to adopt in principle,

* to apply to the current Kenya case.

a system by which the scale will

be £600-£1000, but selected

* candidates may receive an increment

in the scale for each year of professional

experience after call to the Bar by

which the candidate's age exceeds

25 years, subject to a maximum

of four increments. Candidates

will serve for their two probationary

* That for present Kenya purposes the maximum of £900 will be retained temporarily in acc. with the Gov's wish.

years at the initial salary is arrived at.

The way is now clear for the E.A. Dept. to prepare a VF so that the Dept. can get on with filling the vacancies.

J.P. Mason
19.2.36

I submit VF. I have checked the salary scale with Mr. Robinson. Says tel to the Gov in reply to No 20 here with C.P. Rowan 20/2/36.

& memo. for dep. explaining decision as to the initial salary wh. is being offered.

J.P. Mason
20/2
at once.

Tel to Gov, Kenya, no 39 Conf
20/2/36

I understand that the Govt want to know how long we can give them to supply names for the vacancy above. It is agreed that they should have up to 3 weeks. Completion of selection

Would take another 3 weeks, & after that we should allow the selected officer about a month to get ready. So the middle of May is the earliest on which the officer could leave for Kenya. There are boats on the 14th May and 30th May. We should aim for the 14th May.

I submit draft telegram to Gov. Kenya.
C.P. Rowan
2/3/36.

I spoke to Sir Reginald Rowe today and told him that we should like to have the Joint Committee's recommendations by the 23rd of March at the latest. He said he thought that he would be able to manage this, but made it clear that, in fact, he would like to have the names in advance to get the Joint Committee's recommendations in motion.

If they recommend a suitable candidate by the 23rd of March, we should, unless anything unforeseen happens, be able to nominate him about in time for him to sail on the 14th of May.

5/5
Action. Manning.
Duffell. 20.2.36.

Action is being taken on 20/2/36 Personnel

DESTROY UNDER STATUTE

Mr. Mason
officer

Duffell. 4.3.36

The urgency of course arises from Kenya's reduction of staff; it can't be helped but local immunities may drive home the fact that if you go too far reducing posts will have to be left unfilled.

all the same the delay (due to discussion over salaries etc.) will annoy Kenya. But they will have to grin & bear it.

S.O. 269
 5-3 done

They have the exact number of magistrates that there are posts in an abroad system - as the Court is thus almost permanently understaffed.

Tel to Gov Kenya No 49 Conf - 5th March.

DESTROYED UNDER STATUTE

23. Gov. Kenya - Tel by Conf. - 13/3/36

Refers to a further vacancy for a Resident Magistrate which will occur on the transfer of Mr Shaw to Palestine.

Action as regards the first part of the telegram is being taken on Mr Shaw's file. It will be seen that the former wants Mr Shaw's successor to go out at the same time as the successor to Mr Gamble, i.e. by the boat of the 14th May.

The 1st is sent forwarded on the 20th Febry quia the Gamble vacancy can now be altered to two vacancies.

C.P. Jones with
 11/10

24/3
 V.F. Latham
 22/3/36
 J.P. Rames
 11/3

9 today Told Sir Reginald Rowe of the occurrence of this further vacancy in a Mag. in Kenya.

The Joint Committee meets tomorrow evening: they have, I understand, received quite a number of applications, and do not anticipate any difficulty in recommending two or three sound candidates. We should have their recommendations by the end of the week.

Pm 11 and 16.

Pm! B/A in a fortnight
 C.P. Jones
 16/3/36

16/3/36

Received as directed above.

14/3/36

Tel to Kenya. Conf. 2. 26 March 36.
 Draft on 20453/8/36
 Personnel.

Offer have been sent to
 Mr Reed on 26763 M/L
 & to Mr Morgan on 26978 M/L

They have both accepted.
 Now tel. on in etc.

J.P. Rames
 22/3/36

25 To Gov. Tel. No. 96 - 23 April - 22/4/36

Cons



C. O.

38096/35 Kenya.

23
16

Mr. Passin 22/4.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

at mid.

Coded 22/4
2 pm
22/4

O. D.
R 23 APR
23

and by 10

no. 96

on P.F. Rudd
(52940 E.A.)

Your tel. No 69 Conf.

Two Resident Magistrates

Selected @ Both sailing

14th May @ One is being

married & enquires

whether any objection

to his being sworn

to wife accompanying him

DRAFT. Tel.

Gov.

Standard.

(v. No 8
52940
E.A.)

TTC

FURTHER ACTION.

copy on ~~computer~~
52940 E.A.

5/11/44

copy for 38096/35 Nya
despatch on 20453/8/36
Recd.

24/17

~~CONFIDENTIAL~~ (2)

(2)

(2)

DOWNING STREET,

26 March, 1936.

Sir,

(2.1.17)
(No. 3)

With reference to my confidential despatch of the 7th of January, I have the honour to inform you that I have given further consideration to the question of the scales of salary to be attached to the posts of Crown Counsel and Magistrates in East Africa.

2. In a separate despatch which I am sending to you on the subject of the general revision of salaries I shall propose for your consideration that the standard "legal" scale (i.e. the scale applicable to the appointments of Crown Counsel and Magistrate) should begin at £600 a year and rise to a maximum of £1,000. Until you have had a further opportunity of considering this proposal in conjunction with the revised salary scheme as a whole, it would be premature to apply the maximum of £1,000 in individual cases. On the other hand there is, I think, much to be said for bringing to an end without further delay the present position in East Africa in which varying scales of salary are applied in different Dependencies, and even in some cases in the same Dependency, to these appointments, for which the qualifications are in all cases the same.

3. In the first place, it appears to me that an initial salary of £600 a year should in general be adequate for officers transferred to appointments for Crown Counsel and Magistrates from other posts in the Colonial Service, in which they have been serving at a lower rate of salary, and

THE OFFICER ADMINISTERING

the

THE GOVERNMENT OF

18

the adoption of £600 as the minimum of the scale would not preclude the transfer to these appointments of officers who are in receipt of higher salaries, since in such cases it would be consistent with normal practice to offer an initial salary at an appropriate point above the minimum. As regards officers recruited from this country an initial salary of £600 a year should suffice for young barristers appointed at a comparatively early age. But for officers appointed above the age of about 25 - and the qualification of practical experience for several years at the bar will tend to involve the selection of officers between the ages of 25 and 30 years - it is already apparent that a salary as low as £600 will be likely seriously to hamper the prospects of recruiting the type of candidate which it is desired to attract.

4. The problem therefore is to provide for both classes of officer - the class for which an initial salary of £600 will be adequate, and the class for which some higher rate of initial salary is necessary if recruitment is to be maintained on a satisfactory basis. In all the circumstances I propose while adopting £600 as the minimum of the scale, to institute a system based on that followed in the recruitment of lawyers for the Home Civil Service. The effect will be that in appropriate cases an initial salary above the minimum in the approved scale will be offered, the actual point in each case being determined with regard both to age and to experience. The actual formula proposed is as follows:-

"A selected candidate will be granted one increment of £50 for each year of professional experience after call

19

to the Bar, by which his age exceeds 25 years, subject to a maximum of four increments in all". If it is assumed for practical purposes that, generally speaking, the candidates who will be accepted will be university graduates called to the Bar between 23 and 25 years of age, this formula converted into cash means, assuming that the interval since call has been spent in professional work at the Bar, that a candidate appointed at the age of 26 will receive an initial salary of £630 a year; at 27, £660; at 28, £690; and at 29 or over £720.

5. As vacancies are occurring in appointments for Crown Counsel and Magistrates it is desirable that these arrangements should be introduced without delay. Without prejudice therefore to any further alteration of the scale which may be made in conjunction with the general revision of salaries, I have decided that the scale of salary applicable to all officers appointed in future for service as Crown Counsel and/or Magistrates in the East African Dependencies and in Northern Rhodesia should be £600 for two years, and then, subject to confirmation, £630 rising by annual increments of £30 to £840, and then by annual increments of £40 to £920 with an efficiency bar between £840 and £880, and that the application of this scale in the case of candidates selected in this country should be subject, as regards the determination of the initial salary, to the arrangement indicated in the preceding paragraph. If an officer selected in this country is granted, in pursuance of this arrangement, an initial salary above the minimum, his salary will remain stationary for the first two years of his service, and the grant of increments at the conclusion of that period will be subject

20
to confirmation. Seniority will be determined in the usual way without regard to initial salary.

To 1 only)

8. Steps are being taken to secure a suitable candidate on these terms for appointment to the post of Resident Magistrate now vacant owing to the transfer of Mr. F.C. Gamble.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

(Signed) J. H. THOM.

Copy (23)
Telegram from the Governor of Kenya to the
Secretary of State for the Colonies.

Dated 13th March, 1936. Received 9.5.a.m.
13th March, 1936.

-----000-----

Copy sent (Shaw)

No 69. Confidential.

Your telegram No 54. Shaw gratefully accepts
and has been passed medically fit. In view of
shortage of staff in the Department it will be impossible
to release him until his successor arrives here.
Trust that it will be possible for him to be selected
in time to sail with Gamble's successor on 14th May
vide your confidential telegram No 49 of 5th March.

22

(22)

Ans d (25)

COPY FOR REGISTRATION



Telegram from the Governor of Kenya to the
Secretary of State for the Colonies.

Dated 25th January, 1936. Received 9.40.a.m.
25th January, 1936.

-----oo-----

No 25. Confidential.

(17) Your telegram No 18 Vacancy for Resident
Magistrate. I concur with your proposal to
appoint new Resident Magistrate on initial salary
of £600 if possible. Pending consideration
however of comprehensive scheme to which you refer
I would prefer the scale offered should be £600 for
2 years then by £30 to £840 then by £40 to
£920 on the understanding that the scale ^{of} selected
candidate may be adjusted later if necessary.

R097

38096/30
Kenya

17
Hotel - Bank
7.30 P.M.
23/1/36
[Signature]

C. O.

G. D.
R 23 JAN
3623

No. 18. ans 0/1

Mr. Jeffries (1) 1.1.36
Mr. G. Burke
Mr. Flood
Sir C. Parkinson.

- X Sir G. Tomlinson. 22.1.36
- X Sir G. Bottomley. 23.1.36.
- Sir J. Shuckburgh.
- + Permt. U.S. of S. 23/1/36
- Parly. U.S. of S.
- Secretary of State.

at once
for circula

DRAFT.

Tel. code

Revenue
Nairobi

You conf. des. No. 148

I hope to communicate to you shortly comprehensive scheme for revised salary scales including scale of £600 to £1000 for legal appointments. In order to avoid anomalies resulting from further appointments

in existing scale I to endeavour to fill present propose ~~that~~ vacancy on magistrate ~~scale~~ scale

FURTHER ACTION.

~~App~~ above - mentioned

scale 0 Do you concur?

Secur

RECEIVED

27 DEC 1935

C. O. REGY



16
24

KENYA.

No. 148.

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

CONFIDENTIAL.

6 December, 1935.

Sir,

~~6248 P.F.~~
12

With reference to your predecessor's despatch No. 844 of the 15th October, on the subject of an appointment of Resident Magistrate in the Judicial Department caused by the forthcoming transfer of Mr. F. C. Gamble to Uganda, I have the honour to enclose the usual form of particulars of the vacant office and to inform you that the views of the Chief Justice as to the qualifications required by a suitable candidate are as follows:-

Form.

"The appointee should be a Barrister with practical experience of the Home Courts and who will be in a position immediately on arrival to cope with Magisterial work both Civil and Criminal. It would be of little utility to appoint an officer who has had little or no practical experience as the demands which will of necessity be made on him will be very considerable".

The Chief Justice adds that:-

"Representations have also been made to this effect by the Law Society".

2. In this connection I desire to remind you of the terms of Mr. Wade's Confidential despatch No. 56 of the 18th April last. I shall also be glad to learn whether the further communication promised in Sir Philip Cunliffe-Lister's despatch No. 807 of the 3rd October, 1934, may be expected in the near future.

(2)

I have the honour to be,
Sir,
Your most obedient, humble servant,

9/62/110/33
Rush.

BRIGADIER-GENERAL,
GOVERNOR.

THE RIGHT HONOURABLE
J. H. THOMAS, P. C., M. P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S. W.

RECEIVED

27 DEC 1935

C. O. REGY



16

KENYA.

No. 148.

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

6 December, 1935.

CONFIDENTIAL.

~~6248 P.F.~~
(12)

Sir,

With reference to your predecessor's despatch No.844 of the 15th October, on the subject of an appointment of Resident Magistrate in the Judicial Department caused by the forthcoming transfer of Mr.F.C.Gamble to Uganda, I have the honour to enclose the usual form of particulars of the vacant office and to inform you that the views of the Chief Justice as to the qualifications required by a suitable candidate are as follows:-

Form.

"The appointee should be a Barrister with practical experience of the Home Courts and who will be in a position immediately on arrival to cope with Magisterial work both Civil and Criminal. It would be of little utility to appoint an officer who has had little or no practical experience as the demands which will of necessity be made on him will be very considerable".

The Chief Justice adds that:-

"Representations have also been made to this effect by the Law Society".

2. In this connection I desire to remind you of the terms of Mr.Wade's Confidential despatch No.56 of the 18th April last. I shall also be glad to learn whether the further communication promised in Sir Philip Cunliffe-Lister's despatch No.807 of the 3rd October, 1934, may be expected in the near future.

(2)

I have the honour to be,
Sir,
Your most obedient, humble servant,

BRIGADIER-GENERAL,
GOVERNOR.

THE RIGHT HONOURABLE
J.H.THOMAS, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET LONDON S.W.

9/62/10/33
Rush.

Particulars of the Office of RESIDENT MAGISTRATE *vacant*
in the COLONY & PROTECTORATE OF KENYA.

<p>1. Duties of Office and qualifications required for their performance.</p>	<p>Applicant should be a Barrister with practical experience of the Home Courts who could undertake Civil and Criminal Magisterial work immediately on arrival.</p>
<p>2. Salary of Office.</p>	<p>£.720 x £30 to £.840 x £40 to £.920 per annum, less levy on salary which is now 5% up to £.600 and thereafter 7%.</p>
<p>3. Allowance, quarters, and other circumstances affecting the value of the Office.</p>	<p>Free partly furnished quarters or an allowance in lieu thereof.</p>
<p>Nature, number and account of securities required.</p>	<p>None.</p>
<p>5. Whether free passage is provided for person selected and his family.</p>	<p>Yes, for self and an allowance of £.40 for family.</p>
<p>6. General particulars regarding accommodation, furniture, &c., for information of candidate</p>	<p>See Section 366, Kenya Code of Regulations.</p>

2nd December, 1935.

NAIROBI.


CHIEF JUSTICE.
Head of Department.

1935
C. O.

Mr. Flood. 14 10.35.

Mr.

Mr.

Sir C. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

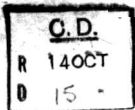
Permt. U.S. of S.

Partly. U.S. of S.

Secretary of State.

6248 E.A.

To go by Air Mail.



Downing Street.

15 October, 1935.

DRAFT.

Sir,

I have the honour to refer to my despatch of the 30th of August, which need no longer be treated as confidential, on the subject of Mr. F.C. Gamble's appointment to be Puisne Judge in the Protectorate of Uganda, and to request that you will now furnish me with the usual particulars of the appointment of Resident Magistrate in Kenya which will become vacant by Mr. Gamble's transfer in January next, and at the same time ^{put forward} furnish me with any

recommendations

KENYA.

NO. 844

GOVERNOR.

FURTHER ACTION.

recommendations which you may wish to make in
regard to filling the vacant appointment.

I have, etc.

(Sgd.) MALCOLM MacDONALD

1) R297
2) R297
in Giffen's file please
a any M.
J. 210.
Mr. Hood.

17. Johnston

11 3
27

A vacancy is impending in the post of
Resident... Magistrate, ... Kenya, Mr. ... F. C. Gamble.
having accepted transfer.

Names noted in Promotions Branch for
consideration are:

- Bourke, P. J. Royal Adviser Seychelles
- Goodman, J. F. Police Magistrate Barbados.
- Henderson, O. W. M. Magistrate Bahamas.
- Wadely, J. G. Police Magistrate Grenada.
- Wood, E. L. Magistrate Barbados.
- McDonald, D. R. Dep. Reg. General etc Fiji

(file in
circ.)

Is there any objection to Appointments
Department being given advance notification of the
probable vacancy.

We should not wish to put forward
any of those named above if you
prefer this can be to Appts as an
advance notification that they are likely
to be asked to fill this vacancy.

J. (Hood)
9.10.31

I am asking Kenya
for particulars & recommendations.
There are no angles.
J. 16/10

M. Hudson

Mr. Hood.

1) R245
2) Mr. Gough's file please
any Mr. Gough.

27

A vacancy is impending in the post of
Resident Magistrate, Kenya, Mr. F. C. Gamble
having accepted transfer.

Names noted in Promotions Branch for
consideration are:

- Spurke, P.T. Regal Adviser Seychelles
- Goodman J.F. Police Magistrate Barbados.
- Henderson, G.W.M. Magistrate Bahamas.
- Wadeley, J.G. Police Magistrate Grenada.
- Wood, E.R.L. Magistrate Barbados.
- McDonald, D.R. Dep. Reg. General etc Fiji

(file in
circ.)

Is there any objection to Appointments
Department being given advance notification of the
probable vacancy.

we should not wish to put forward
any of those named above if you
are not in favour of Appts as an
advance notification that they are likely
to be asked to fill this vacancy.

J. H. Gough
9.10.35

I am asking Kenya
for particulars & recommendations.
There are no angles.

J. H. Gough
16.10

V.

VACANCY FORM.

52773
J. B. Keller
See File 52773 GR
R 997

TA
8

Mr. J. J. Smith 3/7/35

Mr. Campbell 3

REFERENCE

38096/35

X(1) PROMOTIONS BRANCH

11. 16. 9. 35

X(2) PRIVATE SECRETARY (APPOINTMENTS)

COLONY.

Kenya.

VACANCY.

Deputy Registrar of the Supreme Court.

CAUSE OF VACANCY.

(Promotion of Mr. E. J. O'Connell to be Registrar)

EMOLUMENTS.

including any special notes as to

£600 by £20 to £720
subject to salary levy.
Reasonable

(a) Terms of appointment.

(b) Allowances.

(c) Quarters.

(d) Passages.

In accordance
with African 973.

REMARKS.

including any special notes as to

(a) Married Candidates.

(b) Duties.

(c) Qualifications required.

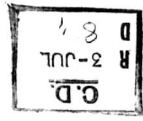
Applicant must be a qualified British
who has had practical Civil and
Criminal experience of Court work,
and the usual Chambers practice.
His duties are similar to those of a
Master although modified to some
extent. He should also have a knowledge
of taxation of Courts. Drafting experience
would also be a useful asset.

58096/35-

C. O.

Mr. Eismuth 27/35
Mr. Campbell 3/2
Mr.

- Sir C. Parkinson.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Perm. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.



8 July, 1935

DRAFT.

Kenya
No. 604
ONG

Sir,
 I have etc. to acknowledge
 receipt of your despatch
 No 292 of the 15th of
 and to inform you that
 I approve the promotion
 Mr E. O'Connell, Deputy
 Registrar, to the vac
 of Registrar which
 arise as the result
 the transfer of Mr
 Jack to Palestine

(5)

FURTHER ACTION.

? The V.F. Committee
 for Kenya
 registration may
 go forward for
 coron at the
 same time as the
 Uganda & T.T.
 Judicial vacancies
 C.H.

2. Steps are being taken
 Obtain a suitable
 Candidate

Candidate

(for the vacancy created
by Mr O'Farrell's

resignation. The mailing
date of the officer selected
will be telegraphed to you
in due course

Yours etc.

Dupl. rep'd. on 22706 th.
(Mr. Jack)

AIR MAIL

KENYA
No. 292.



GOVERNMENT HOUSE
NAIROBI
KENYA

5
50

RECEIVED
24 JUN 1935
C. O. RIMBY

15th June, 1935.

Sir,

With reference to correspondence terminating with Kenya telegram No. 140 of the 13th June, I have the honour to inform you that the Chief Justice strongly recommends the promotion of Mr. E. J. O'Farrell, Deputy Registrar, (Your predecessor's despatch No. 982 of the 27th November, 1934, refers), to the vacancy of Registrar which will arise as the result of the transfer of Mr. Jack to Palestine. I concur in this recommendation which I trust will meet with your approval.

No 59 CR
22706 FA
Jack.

20905 F.A.
E.I.O. of and.

2. If Mr. O'Farrell's advancement is approved a vacancy for a Deputy Registrar will be created and I share the views of the Chief Justice that it is necessary for this vacancy to be filled as soon as possible. I shall be glad, therefore, if steps can be taken to obtain a suitable candidate forthwith. It would be a convenience if the sailing date of this appointee could be communicated by telegraph.

6
David

3. In accordance with standing regulations I transmit forms of particulars in respect of the two vacant offices.

Forms.

I also enclose Mr. Jack's formal acceptance of the Palestine post.

FF. Mr. Jack.
11.6.35.

I have the honour to be,

Sir,
Your most obedient humble servant;

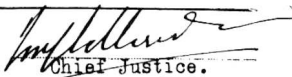
ACTING GOVERNOR'S DEPUTY.

THE RIGHT HONOURABLE
MALCOLM MACDONALD, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S.W.

*Particulars of the Office of Registrar, Supreme Court vacant
in the Colony and Protectorate of Kenya.*

<p>1. Duties of Office and qualifications required for their performance.</p>	<p>Applicant should be a Solicitor with practical experience of Court procedure, both civil & criminal, taxation of costs and the Law of Evidence. His duties are akin to those of a Master in a somewhat limited form. He is responsible for the compilation of the Law Reports of the Supreme Court and the Court of Appeal for Eastern Africa (of which he is ex-officio Registrar) superintendence of the clerical establishment, correspondence, archives, finance and statistics of the Judicial Department.</p>
<p>2. Salary of Office.</p>	<p>£.720 x 30 to £.840 x 40 to 920 less a levy on salary which is now 5%.</p>
<p>3. Allowance, quarters, and other circumstances affecting the value of the Office.</p>	<p>Free partly furnished quarters or an allowance in lieu thereof.</p>
<p>Nature, number and account of securities required.</p>	<p>None</p>
<p>5. Whether free passage is provided for person selected and his family.</p>	<p>Yes for self and an allowance of £.40 for family.</p>
<p>6. General particulars regarding accommodation, furniture, &c., for information of candidate</p>	<p>See section 366, Kenya Code of Regulations.</p>

13th June, 1935.


Chief Justice.
Head of Department.

*Particulars of the Office of Deputy Registrar of the Supreme Court
in the Colony and Protectorate of Kenya.*

<p>1. Duties of Office and qualifications required for their performance.</p>	<p>Applicant must be a qualified Solicitor who has had practical Civil and Criminal experience of Court work, and the usual Chamber practice. His duties are similar to those of a Master although modified to some extent. He should also have a knowledge of taxation of costs. Drafting experience would also be a useful asset.</p>
<p>2. Salary of Office.</p>	<p>£.600 x 30 to £.720 less levy.</p>
<p>3. Allowance, quarters, and other circumstances affecting the value of the Office.</p>	<p>Free partly furnished quarters or allowance in lieu</p>
<p>Nature, number and account of securities required.</p>	<p>None.</p>
<p>5. Whether free passage is provided for person selected and his family.</p>	<p>Yes for appointee and allowance of £.40 for family - on first appointment and when going to and returning from leave.</p>
<p>6. General particulars regarding accommodation, furniture, &c., for information of candidate.</p>	<p>Code of Regulations, Article 366.</p>

14th June, 1935

NAIROBI.

M. J. ...
 REGISTRAR.
 SUPREME COURT OF KENYA
 Chief Justice.
 for Head of Department.



In reply please quote

No. _____
and date

H. M. SUPREME COURT OF KENYA.

NAIROBI, 11th June, 1935.

The Under Secretary of State,
Colonial Office,
LONDON, S.W.1.,

Through

His Honour the Chief Justice.

Sir,

I have the honour to acknowledge receipt of your letter of the 23rd ult., No. 22706 E.A., offering me the post of Chief Registrar of the Supreme Court in Palestine, which I gratefully accept.

2. The date of my departure from Kenya will be intimated to you later by His Honour the Chief Justice.

3. I would take the opportunity of conveying to you the hope that in selecting me for this post I may fully justify the confidence reposed in me.

I am,

Sir,

Your obedient servant,

REGISTRAR,
H. M. SUPREME COURT OF KENYA.

5/29/35

4

C. O.

Mr. *Erwin Smith 6/6/35*
Mr. *Campbell & House*

C. O.
R
B
ZUN

*booked & sent
1:00 pm
7/6/35
hwy*

Mr. Parkinson.
Sir G. Tomlinson.
Sir C. Bottomley.
Sir J. Shuckburgh.
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.

No. 147. Confidential.

(3) Your telegram No 180.

Considerable difficulty has
been experienced in
obtaining suitable
Candidates but I
hope to make ^{towards} selection ~~by the end of~~ ^{by the sailing date}
this month. I will be
telegraphed as soon as
possible thereafter
~~the sailing date of~~
~~Officer selected.~~

Dear

DRAFT.

*tel.
forewar
naivisti.*

16c

FURTHER ACTION.

COPY RECEIVED
E 4 - JUN 1935
C. O. REGY

3
35

Telegram from the Officer Administering the Government of
Kenya to the Secretary of State for the Colonies

Dated 4th June 1935. Received at 3. am. 4th June 1935.

No. 130 Confidential. Reference correspondence terminating in
No. 1 in my confidential despatch No. 66 ~~sent~~ of the 18th April
Vacancy for Resident Magistrate. Shall be grateful if you will
telegraph sailing date of EDWARDS' successor. Services most
urgently required.

*Wait for file which
appears in file 2*

J. J. C.

AIR MAIL

KENYA
No. 56.



1000
20
GOVERNMENT HOUSE
NAIROBI
KENYA

CONFIDENTIAL.

184
RECEIVED

21 APR 1935

C. O. REGY

April, 1935.

Sir,

No 1
With reference to my telegram No.84 of the 11th April, on the subject of the filling of the vacancy for a Resident Magistrate caused by the forthcoming transfer of Mr.D.Edwards to Palestine, I have the honour to transmit a copy of a letter received from the Registrar of the Supreme Court in which are set out the views of the Chief Justice on the qualifications required of the selected candidate.

Letter.
6th April.

2. On receipt of this letter by the Colonial Secretary the attention of the Chief Justice, who is at present on circuit, was invited to the fact that Sir Joseph Byrne in his Confidential despatches Nos.74 of the 30th May, 1934, and 30 of the 21st February last respectively had recommended Mr.A.Phillips, District Officer, for the post of Resident Magistrate in this Colony and in that of the Tanganyika Territory and the following telegram was addressed to Sir Joseph Sheridan by the Registrar:-

"Government proposes submit name Phillips as Edwards successor as Phillips already recommended former vacancy. Have you any objection. Wire urgently".

to which Sir Joseph Sheridan replied:-

"Have already informed Government I require a Barrister with Home experience as Edwards successor. If Phillips has not this experience do not recommend him. Request my letter be forwarded Secretary of State".

3. In this connection, however, I desire to invite your attention to the Governor's despatch No.617 of the

THE RIGHT HONOURABLE

MAJOR SIR PHILIP GUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES

29th

29th November, 1934, in which this Government endorsed the conclusions of the East African Governors in Conference (May 1934) that the filling of vacancies in the Magistracy from the Administration should be the rule and not the exception. Although in my telegram under reference I refrained from advancing Mr. Phillips' claim for consideration in deference to the Chief Justice's views, I consider that apart from his lack of experience in the Home Courts Mr. Phillips is well qualified for the appointment, and that his services in that capacity would prove satisfactory.

I have the honour to be,
Sir,
Your most obedient, humble servant,

A. W. Lodge

ACTING GOVERNOR.

6th April, 5.

The Honourable,
The Colonial Secretary,
Nairobi.

JUDICIAL DEPARTMENT - STAFF.

I am directed by the Chief Justice to acknowledge receipt of your letter S/EST.19/321/II/162 of 5th instant, on the subject of the transfer of Mr. David Edwards to Palestine.

As the result of this transfer His Honour directs me to ask that a cable despatch be sent to the Secretary of State asking that early steps be taken to appoint a successor to Mr. Edwards from England. Mr. Edwards will be on Kenya pay until about 7th June and arrangements should be made to appoint a successor who will leave England as soon as possible after that date. The appointee should be a Barrister with practical experience of the home Courts and who will be in a position immediately on arrival to cope with magisterial work both civil and criminal. It would be of little utility to appoint an officer who has had little or no practical experience as the demands which will of necessity be made on him will be very considerable. Representations have been made to this effect by the Law Society and His Honour is in entire accord with their point of view. His Honour has also discussed the matter with Mr. Justice Webb who shares his view.

I am to ask that this matter be treated as most urgent so that a suitable candidate with the practical experience ^{indicated} may be selected.

MURRAY M. JACK,
Registrar,
Supreme Court of Kenya.

V.

VACANCY FORM.

M. J. Smith 12/4/55

MR. Justice 12/4

REFERENCE.

3809 6/55

(1) PROMOTIONS BRANCH.

(2) PRIVATE SECRETARY (APPOINTMENTS).

COLONY.

Kenya.

VACANCY.

Resident Magistrate.

CAUSE OF VACANCY.

*Transfer of Mr. Edwards to
Palestine on the 7th of June.*

EMOLUMENTS.

including any special notes as to

(a) Terms of appointment.

*£720 by 20 to £840 and by
£40 to £920.*

(b) Allowances.

Subject to Salary Levy.

(c) Quarters.

*In accordance with
Article 97B.*

(d) Passages.

REMARKS.

including any special notes as to

(a) Married Candidates.

(b) Duties.

(c) Qualifications required.

*Should be a Barrister with practical
experience in home courts
who could undertake civil and
criminal magisterial work
immediately on arrival.*

RECEIVED
COPY FOR REGISTRATION
APR 1935
C. O. REG!

Telegram from the Officer Administering the Government of Kenya to the Secretary of State for the Colonies.

Dated 11th April. Received 2.10 p.m. 11th April, 1935.

No. 84.

16184 EA
D. EDWARDS

Your telegram No. 91 I shall be glad if early steps may be taken to fill the vacancy caused by the transfer of Edwards, Resident Magistrate, to Palestine on the 7th June. The Chief Magistrate strongly recommends the appointment of a Barrister with practical experience in home courts who could undertake civil and criminal magisterial work immediately on arrival.