

and I am to witness

when you treat care

should be taken to

should be suspended

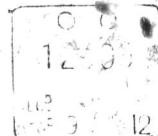
so to what injuries

you

(Signed) H. A. M. S.

EAST AFR. PROT.

12.009



do & Co

1912

18 Apr.

previous Paper.

Henry J. Langgate

States that it is necessary to take the evidence of
Mr. Cleas Langgate, who is now at Westerland
Molo, East on Commission or otherwise. Enquires
whether there is any public or legal official there who
could be made to take the required evidence. -
also asks for the name.

Mr. Simpson

Have you any names to make, please,
especially in regard to the last
paragraph?

Adm

22/4

I see no objection to proceeding by
Official Receiver of the parties
present.

Mr. Butler

Molo is on the Railway between
Nakuru and Lorian. Nakuru. You
appear to be situated there, but
there is a magistrate at Nakuru and
Adm. Miers at Nakuru & Ruiru.

Subsequent Paper

12.009

11. WE 25, 946 17. 40,000. 11/11. A.E.W.

as to Westland. Doubtless it is the name
of a farm or house.

I ask receipt [say that C.O. has no
objection to their proceeding in the
way that they suggest in para 3.
of the case] that Molo is a
station in the Colony a distance that
be inland is probably a mile or
more but that the name is not known
in this dept. that the nearest
station at which a Magistrate or Admin.
Officer is posted appears to be Nakuru
~~about~~ 35 miles near the coast on
the railway - that [acc. to the Jan.

Half last the magistrate there was
not in position to
but I. Strange who but that Dr. [Carrying]
what officer is stationed here
say definitely whether he is still there
from time to time
or has been transferred to another station]

+ that he cannot say what the
minimum time for the man would
be to travel to this country w^t he
but that about 3 weeks would be allowed
for a letter from England to Mombasa
+ that the journey by rail from
Mombasa to Nakuru ~~area~~ is
449 miles.

Recd
22/2

W. R. Ridley
Sir G. Fiddes

I would br.

proposed with the following modification
I would omit the words placed in brackets
and put in those inserted;
to add at the end of the proposed reply
that, in view of the impossibility of giving
the name of an officer who could take
desired evidence, it is for the parties to
decide whether it would not be better
to apply for a letter of request to the
Supreme Court of the P.E. to examine
their client.

397

Hab.

April 23.

I see no objection to proceeding as
proposed (see Dots) on the
other hand the solicitors may be
permitted to know of the procedure
by letter - re. to the fact that
there is no necessity to mention this
in a certificate of service as it is
incidental to the main point
I enclose a copy of the letter
written. Perhaps it will be more
convenient for you to concern
if they do proceed by letter of
request. Otherwise it seems sensible
to do so.

As regards to better advice see No. 264

LINDO & CO.,
SOLICITORS.

S. H. BROWN,
TELEGRAPHIC ADDRESS:
TOWER LONDON.
LINDO, 415 CENTRAL

398
2 & 3, WEST STREET,
FINSBURY CIRCUS.

LONDON, 18th April, 1918
E.C.

Sir,

YOUNG v. WINGATE.

We are acting as solicitors for the defendant in the above suit which is pending here, and it is necessary that the evidence of our client, who is now at Westerland, Molo, British East Africa, should be taken on commission or otherwise.

The object of our troubling you with this communication is to ask you to be good enough to inform us the situation of Westerland and Molo respectively, whether there is any public or legal official at either place who could be instructed to take the required evidence, and in that case, his name and description? If, to your knowledge, there is no suitable or competent person at Westerland or Molo, who could undertake the proposed examination, we shall feel much obliged if you will let us know the name of the nearest town having such an official. At the same time, perhaps you can kindly state approximately the minimum amount of time which must be allowed before the evidence could be transmitted to this country.

The Right Hon: H. M.'s Secretary of State
for the Colonies.

We propose in preference to applying for a Writ of Commission or Letter of Request to ask the Master to make an order appointing some person as Special Examiner to take the examination, to which course we presume your department would not offer any objection.

Awaiting your reply and thanking you in advance,

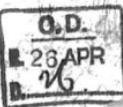
We have the honour to be, Sir,

Your obedient Servants,

*✓
Jendo TCO.*

The Right Hon: H. M.'s Secretary of State
for the Colonies,
Downing Street.

DRAFT.



standard

as follows

26 April

Gentlemen:

I am etc to acknowledge the receipt of your letter of the 18th of April relating to the taking of certain evidence in the Young v Wangoli case & to inform you in reply to your inquiries that Nkolo is a station on the Uganda Railway in the Protectorate ~~East~~ between Nakuru & Nairobi. It is said that Westerland is probably a house or farm in the vicinity, but that the name is not known.

Yours etc
Muller 26 Apr 23

in this Dept; & that
the nearest Station
at which a magistrate
or administrative
Officer is posted appears to be
Nakuru, which lies about
50 miles nearer to the
Coast than Molo.

2. Mr. H. H. however, is not
in a position however, to say definitely
what Officer is stationed
at Nakuru from time
to time, nor can he
say what the immi-
nent for the transmission
of the evidence would be; but
a period of ^{about} three weeks
will be allowed for a letter
from Mombasa to Nakuru
and the journey by rail
from Mombasa to
Nakuru is 449 miles

101

3. With regard to earliest
date of your letter, I am
to observe that
in view of the impossibility
of giving the name of
an Officer who could
make the desired enquiry
it would be better to advise
whether it would not
be better to apply
for a Letter of Request
to the Supreme Court of
the Rail. & examine
your Client

M