

1911

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Common

Date.

Case of *Harvey & Cole*

25 Oct

Next previous Paper

32844

~~Mr. Edmund Harvey.~~ To ask the Secretary of State for the Colonies, whether, with a view to giving publicity to the facts of the case, he can now see his way to permit or full the judge's report on the trial of the Honourable Gallman Cole, together with the comments of the Governor of British East Africa upon the trial. *(Monday with October)*

Mr. Harvey.

I put immediately below the pertinent papers, <sup>as in the publication</sup> ~~in the minutes~~ <sup>of the 9<sup>th</sup> of August</sup> the question of the 9<sup>th</sup> of August, the <sup>minutes of</sup> Harvey's question of the 22<sup>nd</sup> of August and the 5<sup>th</sup> of 3's reply (27279); <sup>the minutes of</sup> the first attempt at printing in the green paper below.

We have not yet got the affidavit on which the order of deportation was made. It was promised by a mail due to arrive in London on the 23<sup>rd</sup> of October, but that mail has not yet arrived. (See annexed note from G. P. O.)

The report of the proceedings in

23 413 Wt 28.05F 50  
40.000 11 10 A & R W

Next subsequent Paper

34733

The case, & the Gov's comments on it  
in his resp. of the 24<sup>th</sup> of June (22672), are  
already included in the draft print  
below.

It seems to me that there is now  
a further reason for delay in publication.  
We know that solicitors have been  
instructed & that counsel's opinion has  
been taken in the case. The counsel  
should reach England about the end  
of this week. It would probably be  
wise to wait & see how the attack  
develops before giving or even promising  
papers, especially as the nature of the correspondence  
makes certain reticences necessary and in our

? Reply

I regret that I am not yet able  
to say what papers if any it will  
be practicable to publish in this case.

HSB

Oct 26.

210  
Sir J. Anderson

I have some diffidence in offering  
any suggestion on this; but I think that  
it would be expedient to foretell any  
other question by replying to this effect: -

" I understand that Mr Cole's advisers  
are contemplating legal proceedings in  
the hope of bringing before the Court  
reversed by Court of Law. In these  
circumstances the House will understand  
that I cannot at the present time make  
any further statements on the subject or  
indulge in lay papers."

26/10  
The Report of the proceedings is public property,  
and we cannot refuse it. But if Mr Sturges is  
friend of Cole, I would tell him in the first  
instance that he may see the Report at any  
time on application to the Dept. and if after having  
done so he desires its publication, Mr Sturges  
will lay it on the table of the House.  
If Mr Sturges is hostile to the Bill, we cannot  
well refuse to lay it, and should give it at once  
26/10

There is no doubt that Mr St. is hostile to Cole. I see no objection to publishing the report of the trial if Mr St. wishes it alone, but it is obviously impossible to publish the Governor's comments, even in part, because a trial is threatened.

Spent

Reply

26/10  
Simultaneously  
I will answer the question and  
the one from the Hon. member for Shrewsbury  
relating to the case of Cole, of  
Simultaneously

H.P. I will show the report of the  
trial to my hon. friends but  
unless there is a general  
desire in the House I do not  
think any <sup>public</sup> advantage can be  
gained by giving further  
currency to the public story.

H. 26. 10. 11

Official Report (Nov)

Case of Mr. Galbraith Cole.

Sir C. HILL asked the right hon. Gentleman whether he will lay before the House any correspondence which has passed between the Colonial Office, and the Governor of the East Africa Protectorate relating to the case of Mr. Galbraith Cole, and the reasons for the order of deportation which has been issued against that gentleman?

Mr. EDMUND HARVEY asked the right hon. Gentleman whether, with a view to giving publicity to the facts of the case, he can see his way to publish in full the judge's report on the trial of the hon. Galbraith Cole, together with the comments of the Governor of British East Africa upon the trial?

Mr. HARCOURT: I will show the report of the trial to my hon. Friends, but unless there is a general desire in the House I do not think any public advantage can be gained by giving further currency to the story.

THE SECRETARY TO THE POST OFFICE presents his compliments to THE UNDER SECRETARY OF STATE FOR THE COLONIES, and with reference to the note from the Colonial Office of the 23rd instant begs to state that the Mail from British East Africa which was due in London yesterday has not yet been received.

GENERAL POST OFFICE, LONDON.

24 October 1911.