

EAST AFRIC PROT.

43746

N<sup>o</sup> 1, 3<sup>rd</sup> Lib

70 08

No.  
536

1908

Nov

PREVIOUS Paper:

29/11/08

(Subject.)

Eastern African Protectorates Court of Appeal  
Order in CouncilSubmitte draft Order specifying existing  
Order C & remodelling the Court of Appeal

(Minutes)

Mr Cox.

H. J. R.

1/11

Mr. Re. v

W.H.

2/12

for my word for his and concurrence in the  
specie. It is presumably the work of the  
Judge of both Protectorates and of course will  
apply to both & also to Uganda - see 16870

J.S.R. 10/12

Mr Read  
Mr Cox

This is to inform you  
that I have  
affidavit the  
resolution of  
the Court  
as follows

to whom has been legated concurrence - see 47185 - and  
can proceed with the OrdC. Negotiated concurrence  
is not necessary (see minutes of 8/12/08)

The off OrdC

This records mutual understanding the existing OrdC  
of 1908 was amended in 1908

The Off Drs are all right & I think the new article  
9(3) is desirable - (Art 11 covers art 10-12)

[They have inadvertently allowed article 10-12 of  
the 1902 Ordinance to appear to the P.C. However,  
according to the ship's pass & their passport to her  
been eliminated.]

Can we take, in copy, for the P.C. to meet  
these articles 10-12 through which I have run  
one point, art 9 being followed by the 3 new  
articles numbered 10-11]

Art 10-12 of the 1902 Ord. are to be replaced by  
the new (separate) OMC dealing, with appeals  
to the P.C. - see 43822 herewith

It is obvious that these 2 OMC should be  
dealt with simultaneously, as one transaction  
and should come into force on the same day.  
I therefore send as the African Ord. with  
these.

I think it is preferable that the General Dept.  
still deal with both OMC - it will be fully  
convenient for the African Dept. to deal with  
the Off Ord. and in turn (if need be) to deal with  
the Appeals to the P.C. order. (This dealing  
with the whole series of similar orders from  
the various colonies or Probs.)

Ques. that African Dept. will signify its  
convenience in this arrangement?  
the keeping of the PC  
of so large a part of that we send both  
the OMC together with no covering letter  
(that, Gen Dept) influencing with regard  
to this OMC that with F.O. convenience  
has been deemed to establish a  
Appeal for over 3 Pds. in the  
place of the present limit of 6 months  
arranging, with regard to the other  
that are proposed in my minute  
on 43822

### The Off Rules of Court

These several hours to make up these

beats the  
a measure

Indigo  
tumid  
Hedysarum  
Pectocarpus  
Thea

you do these Off  
and court concern  
PC as they do not  
the appeals  
to the P.C. 1881

Indigo  
Hedysarum  
Pectocarpus  
Thea

A

Off Ord. only  
not the Off  
Rules of court  
no

17  
Off Rules. Let & think that the best course would  
be to run them until the 2nd week term begins  
January.

It will then be for the S Afric Govt to send out  
the OMC to the 3 Prots and at the same time  
to transmit our criticisms upon the Off Rules  
of Court which the judges will then be able  
to settle & publish in due course.

First? Proceed as at "A"

J.S.R. 7/1

[I do not think that we require F.O. concurrence  
in this Off Ord. or in the Off Rules of Court, as  
henceforth (from date to be fixed) neither the Court  
nor the rules will concern the F.O.

All that is still required F.O. concurrence is in  
the date of commencement to be fixed under  
Art 11, and we can set this when the Ord.  
is issued - see 2nd letter from me on 6/8/90  
in compliance with which not to have been  
inserted in the Off Ord.

7/1

H.J.R.

7/1

Second agree on all points  
at once after

1st point not been done to Registration  
as original & when he considers this  
fairly for final government  
order

As to the Off Rules of Court  
see next page USA

~~heretofore~~  
by C.R.

I may as well deal with these Rules of Court now, but, as I suggested at the end of my first minute on this paper, we shall & think send out our criticism on the Rules together with the new OMC when passed, after fixing with S.C.究竟 when the date of commencement of the latter (art 11).

No doubt the date will be sufficiently far ahead to enable the judges to receive & publish the Rules of Court as soon as the new Court comes into being or at long afterwards.

The word in the Rules shows words of "new" and "old" so I will call draw special attention to innovation - to which see my objection

Rule 9. In view of the alteration in Rule 8(1) I will substitute "Served upon" for "Presented" in line 1, & also in line 6. of Rule 9.

Rule 12. By an error in referring to the law book, but as the preceding words have been omitted after "made" - "and therefrom copies of such paper or writing shall be made" - they should be inserted.

Rules 17 & 18. of C.R. in Appeal Act 1907 sec 1(2) & (4)

Rule 19. I agree with the omission at the end of the Rule (see old Rule no. 17).

Rule 20. In (b) they have left out "in original case" - so that by consent of the parties one, and appeal may be heard by a judge. It does no injustice to the other party who dislikes a judge, Court can refuse his consent.

Rule 21. I believe it was proposed to provide enough land beyond the walls of the court in accordance with sound principles.

Rule 24. New sentence to carry out our views, but not  
any clearer.

straightforward that under S. 2 Africa's  
legislature get back suddenly on nothing, judges,  
so that sentence must consist of one judge and  
two acting judges - the one time, it's wished to  
award (Para 4 of new draft in 687)

? Project this out as suggested meaning of the words  
"of the High Court" which are not really necessary  
and lead to the confusion pointed out above

Rule 25. New of Curr. Africat Act 1907 sect 1(2) + 9(2).

There seems to be some doubt about this, at a lecture  
from the Curr. Africat Act 1907 sect 1(2) and it is no  
doubt a simpler provision as to criminal appeals.  
But it extends also to civil appeals and under it,  
unless the Court directs to the contrary, there will be  
to only one judgment delivered by the Court as  
a whole. Presumably, if the Court is divided  
in opinion, it will "Direct to the contrary"  
so that the judge in minority may allow  
his dissenting judgment. But I incline  
to think that the Rule can't prevent from  
still being confined to criminal appeals.

Rule 26. Is unnecessary provision and as the Rule can't have  
any effect on contained in the Draft (as Draft says)  
it need not be there.

Rule 27. Taken from the Indian Criminal Procedure Code  
1442.

Rules 24-25. New Curr. Africat Act 1907, sects 10, 11-13 (1)  
in Rule 24, it will be simpler if the words "and  
the unanimous opinion of the Court" (or words to  
that effect) are substituted for - according to  
instances to be given from time to time by  
M.R.S.

Project to Draft & consider this point

Rule 28. The term "presently" in the 1907 Draft (1923) has  
been replaced by "within" as follows in  
1923 (See W.L. Report March, 1923)

The first sentence substantially, the same (or after amending),  
in the off-hand way

? A decision might be taken now on the various points  
referred to above action thereon being postponed  
until the Draft is forward as suggested at the  
beginning of their meeting

S.A.  
167

H.J.R.

167

Agree with points

- Aborigines  
167

167

Rule 24. 167

7396

And the majority  
when to do so  
say, are "the  
(Rule 19)

Agree 167

167

G. 8

GOVERNOR'S OFFICE NO. 46

Colonial

CAPE OF AFRICA PROTECTORATE.

November 4th 1905.

No. 258

(Incl. 1)

173

My Lord.

X/  
1687  
Order in Council

With reference to paragraph 2 of Your Lordship's despatch No. 258 of the 21st of May last, I have the honour to submit for Your Lordship's consideration a draft Order in Council providing for the repeal of the existing Order in Council and the proposed re-constitution of the Court of Appeal.

2. The draft of this Order in Council was ready for transmission to Your Lordship some little time ago, but the receipt of Your Lordship's Confidential Circumstances of the 27th of August necessitated a further delay in order to eliminate all that portion of the draft Order in Council which related to appeals to the Privy Council.

3. The draft Order in Council relating to Appeals to the Privy Council was forwarded for Your Lordship's consideration in my despatch Confidential (115) of the 29th ultimo.

63822  
(Circular  
Letter Repeal)  
with  
the  
same  
date

I have the honour to be,  
With the highest respect,

My Lord,

Your Lordship's most obedient,  
humble servant,

H.M. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

J. T. Agius-Bullock

INCLOSURE

C. O.

5364 MZ 3 1905

43746

70 NOV 08

Memorandum on draft of new Eastern African  
Protectorates Court of Appeal Order-in-Council

New Draft	O. in C. 1902		174
reamble	-	Nyasaland inserted	
article 2	2	'Britannia' omitted. This article has been slightly simplified on basis of VII Ed. cap. 22.	
-	3	Taken from the Eastern African Protectorates Court of Appeal Order-in-Council 1906.	
-	4	'Acting Judges' added to remove doubts.	
-	5		
-	6	'Duly qualified' for 'members' 'Members' used throughout to cover all persons who may sit on the Court.	
-	7	Variety to suit new circumstances.	
-	8		
-	9	(1) For Court read '3 members one of whom shall be the Senior Member'. Otherwise it might be necessary for rules to be made for all the members of the Court.  (2) is now.	
		Rules are to have effect as soon as contained in the order, provision should therefore be taken in the order for varying them.	

Годуване на земеделие въз основа на земеделските  
пълномощия на земеделския инспектор

W.F. —

between business  
and social life, because 'impossible'  
can try to stand no bulwarks without

Course of Quality Design Techniques  
for Electronic Components

THE TOWER OF FORTINOTTE BELL 'SCHOOLMEN  
WALK AND NO ONE CAN GET IN.'

(L) Mr. Gault: That is about it.  
Mr. Justice McLean: I think so.

...sup. m2 (4)

*Almanac notáciuovoj, imbie sút si hľadaj  
výhľad výhľad sút si výhľad výhľad*

19091 .3 .n1 .0 : 22-70

10

O. ins. C. 1902

2-10-11

19

31

These articles will go out as they are provided for in the appeal to the Privy Council Order-in-Council.

### Necessary results

Final date for submission of abstracts

1

2001.D.117.0

三九五

*U.S. GOVERNMENT PRINTING OFFICE: 1913*

*W. E. GALT* *1880-1950*

• 140 •

10

1

**ORDER IN COUNCIL.**

**Eastern African Protectorates (Court of Appeal) Order in Council, 190**

Whereas by Treaty, grant, usage,  
sufferance, and other lawful means His  
Majesty has power and jurisdiction over  
in the territories of Africa known as  
the East Africa, Uganda, and Nyasaland  
Protectorates (in this Order referred  
to as "the said Protectorates")

And whereas it is expedient that a Court should be established for the hearing and determining of appeals from His Majesty's Courts in the said Protectorates:

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by "The Foreign Jurisdiction Act, 1890," or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:-

4. This Order may be cited as the "Eastern African Protectorates (Court of Appeal) Order in Council,"

“ENVIOS AL MUNDO”

#### **Model 1: All losses from population growth of**

Abbott) Order in County, 190

and one 1000V 10Amp 100Watt DC motor with a 12VDC 10Amp 100Watt DC motor. The 12VDC 10Amp 100Watt DC motor is connected to the rear wheel via a 10mm diameter steel shaft and a 10mm diameter steel bearing. The 12VDC 10Amp 100Watt DC motor is connected to the front wheel via a 10mm diameter steel shaft and a 10mm diameter steel bearing. The 12VDC 10Amp 100Watt DC motor is connected to the rear wheel via a 10mm diameter steel shaft and a 10mm diameter steel bearing. The 12VDC 10Amp 100Watt DC motor is connected to the front wheel via a 10mm diameter steel shaft and a 10mm diameter steel bearing.

וְאֵלֶיךָ אֲנִיבָה וְאַתָּה תְּמַלֵּךְ בָּהּ  
וְאֵלֶיךָ קָדְשָׁנוּ בְּבִירָבָה וְאַתָּה  
וְאֵלֶיךָ תְּמַלֵּךְ בָּהּ וְאַתָּה תְּמַלֵּךְ  
בָּהּ וְאֵלֶיךָ תְּמַלֵּךְ בָּהּ וְאַתָּה  
וְאֵלֶיךָ תְּמַלֵּךְ בָּהּ וְאַתָּה תְּמַלֵּךְ

W. ,Weiss air presented work  
showing that the extension of the primary  
abnormal material seen by Blader did not  
still not determine the "true" rate note  
the low of "normal" at before treatment  
as shown with air to explain and  
so, therefore referred to it was, under

AN-80010 OF THE 1960'S AND .1  
AN-80010 OF THE 1960'S AND .1  
AN-80010 OF THE 1960'S AND .1

2. A Court shall be constituted called His Majesty's Court of Appeal for Eastern Africa (in this Order referred to as "The Court of Appeal"), which shall be a superior Court of record, and shall, for the purposes of and subject to the provisions of this Order, have full power to determine in accordance with this Order any question necessary to be determined for the purpose of doing justice in the case before the Court, and shall exercise such appellate jurisdiction and such other powers in relation to the High Courts and other Courts in the said Protectorates as may from time to time be conferred by Ordinances passed under the provisions of the Orders in Council relating to the said Protectorates respectively.

A CONGREGATIONAL CHURCH  
SERMON TO CHILDREN  
TODAY'S SERMON IS ON THE  
"LAW OF LOVE".  
TO TEACH CHILDREN HOW  
TO LOVE OTHERS.  
THE LAW OF LOVE IS  
NOT A NEW LAW.  
IT IS THE OLD TESTAMENT  
LAW OF LOVE.  
IT IS THE LAW OF  
LOVING OTHERS.  
IT IS THE LAW OF  
LOVING GOD.  
IT IS THE LAW OF  
LOVING YOUR NEIGHBORS.  
IT IS THE LAW OF  
LOVING YOUR ENEMIES.  
IT IS THE LAW OF  
LOVING YOURSELF.  
IT IS THE LAW OF  
LOVING YOUR PARENTS.  
IT IS THE LAW OF  
LOVING YOUR SIBLINGS.  
IT IS THE LAW OF  
LOVING YOUR FRIENDS.  
IT IS THE LAW OF  
LOVING YOUR ENEMIES.  
IT IS THE LAW OF  
LOVING YOURSELF.  
IT IS THE LAW OF  
LOVING YOUR PARENTS.  
IT IS THE LAW OF  
LOVING YOUR SIBLINGS.  
IT IS THE LAW OF  
LOVING YOUR FRIENDS.  
IT IS THE LAW OF  
LOVING YOUR ENEMIES.  
IT IS THE LAW OF  
LOVING YOURSELF.

Plans integral to said Bill  
and to which said Bill referred have a point  
of view before it involves a bill of 1000  
A good many have got into the question  
what constitutes said behavior of India  
and the Bill above said purposed India has  
and you will find out what India has  
done with respect thereto.

4. The members of the Courts of  
Appeal shall be the Judges and Assisting  
Judges for the time being of His  
Majesty's High Courts of the said  
Protectorates respectively, and such  
other competent person or persons, if  
any, each being a member of the Bar of  
England, Scotland or Ireland, of not  
less than five years' standing, as the  
Secretary of State may from time to  
time appoint.

To 7th and 10th instant will be  
sent to each of the Members

and to each of the 11th instant  
will be sent to each of the Members

and to each of the 12th instant  
will be sent to each of the Members

and to each of the 13th instant  
will be sent to each of the Members

and to each of the 14th instant  
will be sent to each of the Members

and to each of the 15th instant  
will be sent to each of the Members

and to each of the 16th instant  
will be sent to each of the Members

and to each of the 17th instant  
will be sent to each of the Members

and to each of the 18th instant  
will be sent to each of the Members

and to each of the 19th instant  
will be sent to each of the Members

S 4. The minority of the Members

of the Court of Appeal shall be

determined according to the instruc-

tions to be given from time to time

by the Secretary of State.

proceedings and to give reasons and to

and shall be entitled to record and to

convene and to administer penalties

and of such court as may be made

state to themselves and to

6. For the hearing and

determining of appeals, three members  
of the Court of Appeal shall sit  
together; but provision may be made by  
Rules of Court for the hearing of any  
specified classes of cases by less  
than three members of the Court of  
Appeal.

and not to  
such cases as may be fixed by  
the High Court to County and to  
any other place where such  
cases may be heard.

7. The Court of Appeal may sit  
at such places in any of the said  
Protectorates as may be fixed by Rules  
of Court.

is now issued to 77000 ent .  
This off to you at seeing down to  
below w/ best all your pr respects  
77000 Ro

8. The Secretary of State may  
appoint a Registrar and such other  
officers of the Court of Appeal as may  
be necessary.

... shall be referred off .8

which does not interfere with the

functions assigned to them and to enable

... imposed on

9. (1) Three members of the Court of Appeal one of whom shall be the senior member may make Rules of Court with respect to all matters of procedure relating to the exercise of its jurisdiction.

(2) Rules of Court when allowed by the Secretary of State shall have effect as if contained in this Order: Provided that in case of urgency declared in the Rules, the same shall take effect before such allowance, and shall continue to have effect unless and until they are modified or altered by the Secretary of State, and are published by the Court of Appeal as so modified or altered.

(3) Rules of Court made under this Order and allowed by the Secretary of State, may, with the approval of the Secretary of State, be rescinded, revoked, amended or varied by Rules of Court.

3-100 and to establish control (I) .  
and all of these must be run enough to  
allow to repeat them and measure variances  
to establish the reliability of each  
to establish the reliability of each  
and all of these must be run enough to establish control (I) .

benefits made public to society (8)  
and links made to understand and to  
improve right of banking to be made  
concrete to some of first banking  
Marie made told , tell all the members  
how , how will be elected / tell the what  
benefits the right of banking have  
benefit to banking can vary like this  
the bank , bank to members of bank  
as an example to the bank as the bank  
is being developed by a committee

Digitized by Google

10

28. On the commencement of this  
Order the Eastern African Protectorates  
(Court of Appeal) Order in Council  
1902, and the Eastern African  
Protectorates (Court of Appeal) Order  
in Council 1906 shall be repealed.

provided as follows:

(1) In all trials and proceedings before which shall be fully heard by the Court of Appeals and before any of its judges (or in the event referred to as the former), shall be held subsequent to the filing of the answer or hearing the given short of time, shall be given to it or to a copy prepared at the commencement of 3 days, being sufficient time for the trial court to give an order requiring action upon the particular complaint or the non-joinder of the trial court by the Court of Appeals and directed that it shall be given to the trial court within 10 days from the commencement of the trial.

15) <sup>1</sup> stages, past, now & future, the author of the book has come  
to the conclusion that "the days were truly perfect" at one time before  
the coming of Christ. Today, man's life is twisted and  
confused and "yesterday," assumed as the other day,  
is almost forgotten in the same manner and it has  
been a judgmental desire only to either of the last two  
stages.

16) The opposite numbers are present, which the author  
has mentioned which clearly bring out the  
error of the commencement of their ideas about us.

and to commence on or about the 1<sup>st</sup>

January next and to continue until the 31<sup>st</sup> January

of each year (subject to cancellation)

for the sum of one thousand

sterling (subject to deduction) payable quarterly

in advance at the office of the

14. This Order shall commence and  
have effect on such day as may be  
fixed by notification by the Secretary  
of State, published in the London  
Gazette.

And the Lord of Admiralty

of His Majesty's Principal Secretaries  
of State, is to give the necessary  
directions herein accordingly.

10. In civil appeals when a final judgment or order of the Court of Appeal has been made.

(1) Involving the amount or value of 10,000 rupees or upwards any party aggrieved thereby may, within such time as may be prescribed by Rules of Court or, if no time is prescribed, within three months after the same is made or given, apply by petition to the Court of Appeal for leave to appeal to His Majesty the King in Council.

(2) The applicant shall give security to the satisfaction of the Court of Appeal to an amount not exceeding the amount of value of 5,000 rupees for prosecution of the appeal, and for such costs in the event of the dismissal of the appeal for want of prosecution the Court of Appeal may award, and for payment of all such costs as may be awarded to any respondent by His Majesty in Council.

(3) He shall also pay into the Court of Appeal a sum estimated by that Court to be the amount of the expense of the making up and transmission to England of the transcript of the record;

(4)

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(4) If security and payment are so given and made within such time as may be prescribed by Rules of Court, then, and not otherwise, the Court of Appeal shall give leave to appeal, and the appellant shall be at liberty to prefer and prosecute his appeal to His Majesty in Council according to the Rules for the time being in force respecting appeals to His Majesty in Council from his Colonies, or such other Rules as His Majesty in Council from time to time thinks fit to make concerning appeals from the Court of Appeal;

(5) In any case the Court of Appeal if it considers it just or expedient to do so, may give leave to appeal on the terms and in the manner aforesaid.

one emerged his witness II (4)  
as well has ninth char has nearly as  
good as witness to his presence ad very  
to good and well known for has made  
has witness to every other blade less than  
of which is ad blade that looks like  
of image and appears has been refuted  
or witness has been in question can  
not be called valid and not valid and  
as witness all of witness unknown  
date to unknown and most known  
known as witness all as valid and  
date of all witness and of valid most  
to know and most known witness unknown

To friend with whom you are in (6)  
to have an audience of the Leagues  
or several cities you can do it if you have  
written out all your names and no League  
will be able to stop you.

11. -(1) Where leave to appeal to His Majesty in Council is applied for by a person ordered to pay money or by any other act, the Court of Appeal shall direct either that the order appealed from be carried into execution or that the execution thereof be suspended pending the appeal, as the Court thinks just.

(2) If the Court of Appeal directs the order to be carried into execution, the person in whose favour it is made shall, before the execution of it, give security to the satisfaction of the Court for performance of such Order as His Majesty in Council think fit to make.

(3) If the Court of Appeal directs the execution of the order to be suspended, the party against whom it is given shall before an order for suspension is made, give security to the satisfaction of the Court for performance of such Order as His Majesty in Council may think fit to make.

of League of Nations found in [1] . It  
is believed by [1] that in Germany all  
who do know who is hereafter named in the  
League of Nations and who  
therefore has been made fourth [1] made  
publicly known before and most believe  
as soon as possible after this date  
and in [1] which will probably be  
done in [1] which will probably be done

Imogen to Finch and XI (8)  
gent believes as to where best opportunity  
should search at no time out, however,  
misfortune and trouble, made when XI is  
established one of violence over, it is to  
be considered that particular, and not to melt  
finances at western end, or  
keep order on main  
axis of main

12. This Order shall not affect  
the right of His Majesty at any time,  
on the humble petition of any person  
aggrieved by a decision of the Court  
of Appeal, to admit his appeal on such  
terms and in such manner as His Majesty  
in Council may think fit, and to deal  
with the decision appealed from in  
such manner as may be just.

## Memorandum on draft Appeal Court Rules of Court

New Rules	Old Rules
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10

Amended to include filing copy of decree appealed against.

Last paragraph amended to bring it in line with rule 8.

Ten days time for filing criminal appeals has been increased to 30 as in practice 10 days has been found too little.

For presented read 'filed' in the first line as the memo is not filed until leave is given.

Subsections (2) and (3) are new and designed to meet cases where security is not given, and to provide automatically for lapsing of security and repayment of deposits by way of security.

The first paragraph has been verbally amended. The second is new to provide for service on a person not within the jurisdiction of the High Court.

bio	vol.	below	out	water
scint	min	11	11	
I	I	12		12
S	S	13		13
Z	Z	14		14
		15		15
A	A	16		16
		17		
S	S	18		
S	S	19		17
T	T	20		18
		21		
E	E	22		
or	or			

(5)

BIO Section	New Fee	Old Fee	Old Rules
		36	
		37	27
91	.52		
		38	28
		39	29
92	.52		30
		40	32
		42	
93	.52		
		43	
94	.52		
		44	
95	.52		
		45	
96	.52		
		46	
97	.52		
		47	
98	.52		
		48	
99	.52		
		49	
100	.52		
		50	

Now. A rule of this nature appears to be required.

This is the existing fee list with certain minor verbal amendments, also substituting in last paragraph High Court of East Africa for E.D.M. Court for Zanzibar.

New address.

Place of sitting altered from Zanzibar

The dates of ordinary sessions have been altered from September to November as being more convenient as was the manner of publication of the dues list.

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RULES OF COURT.

Issued by the Court of Appeal  
for Eastern Africa, with the sanction  
of the Secretary of State, under the  
provisions of the Eastern African  
Protectorate (Court of Appeal) Order  
in Council, 190

ENTRY OF APPEAL.

1. For the purpose of every appeal to the Court of Appeal, the appellant shall file with the Registrar or other officer of the High Court of the Protectorate from which the appeal emanates (hereinafter called the High Court), a Memorandum in writing setting forth concisely and under distinct heads, the grounds of objection to the decree appealed against, together with a certified copy of such decree, without any argument or narrative; and such grounds shall be numbered consecutively.

二九〇〇年九月一日

STAMPED TO "H. T. H."

of losses were to ongoing oil tax  
strategies and the ability to move oil  
taxes to peripheral areas like Alaska  
and to foreign countries to reduce  
losses and reduce costs associated  
with oil production.

Oil prices continued to rise in 1980 and  
1981, reaching a peak of \$38 per barrel  
in early 1981. The oil price increase  
was due to several factors, including  
the OPEC oil embargo, the Iran-Iraq  
war, and the Iranian revolution. The  
oil embargo was imposed by OPEC  
countries in response to the Iranian  
revolution, which had overthrown  
the Shah of Iran. The embargo  
resulted in a significant reduction  
in the supply of oil, which led to  
higher oil prices. The Iran-Iraq war  
also contributed to higher oil prices,  
as it disrupted oil supplies from  
Iran and Iraq. The Iranian revolution  
also led to political instability in  
Iran, which affected oil production  
and exports. The combination of these  
factors led to a sharp increase in  
oil prices, which had a significant  
impact on the oil industry and the  
economy as a whole.

2. The appellant may appeal against the whole or any part of a decree, and the Memorandum of Appeal shall state whether the whole or part only of such decree is complained of and in the latter case shall specify such part. The Memorandum of Appeal shall also state the nature of the relief which is sought.

For the purpose of these Rules, a decree shall include a judgment order or sentence.

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Appellant confined to the grounds of appeal.

8. The appellant shall not, without the leave of the Court of Appeal, urge or be heard in support of any ground of objection not mentioned in the Memorandum, but the Court in deciding the appeal shall not be confined to the grounds set forth by the appellant.

Provided that the Court shall not rest its decision on any ground not set forth by the appellant, unless the respondent has had sufficient opportunity of contesting the case on that ground.

In these Rules the term respondent shall include any person who has been served with notice of appeal or who is entitled to be so served.

Procedure after final hearing concluded.

Section

Procedure after final hearing concluded  
and before the trial date is over or the  
hearing date is concluded and the trial date  
is over, the trial magistrate shall proceed to  
serve the memorandum for appeal (to be  
submitted by the accused) and memorandum  
of appearance by the trial magistrate and  
the accused and to inform the accused and  
the trial magistrate that such hearing  
for trial is over and that he may now  
apply for leave to do whatever he wants  
and remain, including the right to apply for  
removal and any subsequent  
or other and subsequently to withdraw  
from the trial.

Procedure after final hearing concluded  
and before the trial date is over, the trial  
magistrate shall issue to the accused  
a copy of the trial date hearing  
memorandum or any other document

Time for filing Memorandum of Appeal.

4. The Memorandum of Appeal shall be  
filed in civil cases within three  
months, and in criminal cases within  
thirty days from the date of the  
decree appealed against. Provided  
that in criminal cases, if the  
appellant is in gaol, he may present  
his Memorandum of Appeal to the officer  
in charge of the gaol, within such  
thirty days, who shall thereupon file  
such Memorandum in the High Court.

Leave to file out of time necessary.

5. If a Memorandum of Appeal is presented out of time, the High Court shall require the appellant to file a petition for leave to file the Memorandum of Appeal out of time, supported by an affidavit giving reasons for the delay, and the High Court, on forwarding the application to the Court of Appeal, may make such remarks as it thinks fit in regard to the matter contained in the affidavit, and until such petition shall have been granted, and a notification thereof forwarded to the said High Court, all proceedings in the appeal shall be stayed.

Fees payable, and security on appeal.

5. (1) On filing the Memorandum of Appeal, the appellant shall pay to the High Court such fees as may be payable locally. The appellant shall also, within such time as the High Court directs, give reasonable security to the satisfaction of the said Court for the prosecution of the appeal and for payment of the fees of the Court of Appeal, and of any costs that may be ordered by the Court of Appeal to be paid by the appellant, and shall pay such sum as the High Court thinks reasonable to defray the expenses of the making up and transmission of the record to the Court of Appeal.

(2) In the event of the fees or charges payable, or the security to be given, not being paid or given or being only partly paid or given, within the time directed by the High Court, all proceedings in the appeal shall be stayed (subject to the rules with regard to paper appeals) unless the High Court or the Appeal Court shall otherwise order for reasons to be stated in the order.

(3) Should the Court of Appeal not claim payment of fees within one month

Look beyond the surface to see what is important.

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month of the decision in appeal or should it make no order as to costs the security given shall lapse and the High Court may refund any deposit made by way of security.

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attitudes to you are changed

and arguments

Declarations, etc., may be filed with

Memorandum.

5. The appellant may, with his  
Memorandum of Appeal, file a declara-  
tion in writing that he does not wish  
to be present in person or by plenipot-  
er on the hearing of the appeal, together  
with such arguments as he desires to  
submit to the Court of Appeal.

Service of Notice.

8. (1) The High Court shall serve notice of the appeal together with a duplicate copy of the Memorandum of Appeal, and also of the declaration and arguments (if any) mentioned in Rule 7.

(2) When a person to be served with any notice under these Rules cannot be found within the jurisdiction of the High Court, the notice shall be advertised in the Official Gazette and no further service shall be necessary.

Notice to parties

service shall stand right off. (1)

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Persons to be served with notice.

4. Such notice shall be given to all  
parties directly affected by the  
appeal, and it shall not be necessary  
to serve parties not so affected; but  
the Court of Appeal may direct notices  
to be given to any person and in the  
meantime may postpone or adjourn the  
hearing of the appeal upon such terms  
as may be just, and may give such  
judgment and make such order as might  
have been given or made if the person  
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~~original copy sent to the respondent~~

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10. The respondent may, within seven days after receiving such notice, file a declaration, in writing, that he does not wish to be present in person or to plead, on the hearing of the appeal, together with such arguments as he desires to submit to the Court of Appeal.

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new ninth, the High Court shall have full power to allow amendment of the Memorandum of Appeal, declarations, and arguments, upon such terms as to service of notice of such amendment, costs and otherwise, as it may think fit.

High Court to make no record.

12. The High Court shall, with all convenient speed after the expiration of seven days from the date of service of notice on the respondent or notification in the Official Gazette as the case may be, and without the application of either party, make up the record of appeal which shall consist of the Memorandum of Appeal, declaration and arguments (if any), and copies of material proceedings, including a copy of the evidence and decree and forward the same to the Registrar of the Court of Appeal. Provided that the High Court may forward any portion of the documentary evidence in original, if for special reasons it sees fit.

Any person, whether appellant or respondent, may apply to the High Court and specify any of the papers or exhibits in the case, copies of which he requires to be made for him at his expense and given to him.

and the copies of such papers  
or exhibits shall be furnished

Process and action of Appeal trials.

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applications and trials before the appropriate  
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13. After receipt of the record as  
aforesaid, all applications regarding  
the appeal must be made to the Court  
of Appeal.

Notice of hearing.

Be it known and to witness whereof, that  
the Registrar of the Court of Appeal will  
serve notice of hearing of this appeal and  
such notice will be given by the Registrar  
to the appellant and respondent.

Done at [unclear]

14. On receipt of the record the  
Registrar of the Court of Appeal will  
serve notice of the date of hearing  
upon the appellant and respondent.

Such notice will primarily be  
served through the High Court.

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15. The Court of Appeal may hear and determine an appeal without giving notice of the date of hearing to any person who has declared that he does not wish to attend the hearing.

Poverty appellant.

16. If any appellant alleges that he is unable to pay the fees on appeal, the High Court, upon application being made for that purpose, shall inquire into the question of the poverty of the appellant; and, if it is satisfied that the allegation of poverty is true, it shall forward to the Court of Appeal the record of appeal, together with a declaration to that effect and a statement of the proportion of the fees, if any, the appellant is able to pay; and no fees other than the above shall be payable either in the Court of Appeal or in the High Court. If the High Court is not satisfied as to the poverty of the appellant, it shall forward the application to the Court of Appeal with report as to the appellant's means, but shall take no other steps in the appeal without orders from the Court of Appeal.

Challenger's version

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Formation of the Court of Appeal.

17. The Court of Appeal shall be summoned in accordance with directions to be given by the Senior Member of the Court.

18. All appeals except as otherwise provided by these Rules shall be heard and decided by three members of the Court of Appeal: and the determination of any question before such Court shall be according to the opinion of the majority of the members of the Court hearing the appeal.

19. In any appeal, whether civil or criminal, pending before the Court of Appeal, ~~any~~ direction incidental thereto, not involving the decision of the appeal, may be given by two members of the Court of Appeal; and two members of the Court of Appeal may at any time make any interlocutory order to prevent prejudice to the claims of any parties pending an appeal as they may think fit.

20. The following civil appeals may be disposed of by a Court consisting of two members of the Court of Appeal:-

- (a) Appeals in cases in which the subject-matter of the appeal is less than 1,800 rupees in value.
- (b) Any appeal with the written consent of both parties: such consent to be filed with the Registrar of the Court of Appeal.

the judge to whom he is referred.

reference shall be made to the judge to whom he is referred and to whom he has been referred.

Order of hearing (a)

(i) The party who has filed his or her notice of appeal shall first be heard.

Order of the judge (b)

The judge shall hear the party who has filed his or her notice of appeal first and then the other party.

21. No member of the Court of Appeal shall sit for the hearing and determination of an appeal from a decree made by himself alone or jointly with others.

22. The number of acting Judges [or a  
High Court] who may sit at any one time  
in the Court of Appeal shall not  
exceed one.

83. Of the members forming a Court of Appeal the senior member shall be president of the Court, and shall have power to appoint any person or persons with special expert knowledge to act as assessor or assessors to the Court in any case where it appears to the Court that such special knowledge is required for the proper determination of the case.

To the members of our firm 20 .50

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*From the author of *The Mystery of the Tangled Web**

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• 10

~~There Court equally divided in opinion.~~

84. If on the hearing of an appeal the Court is equally divided in opinion, the appeal shall be dismissed.

If on the hearing of an interlocutory application, the Court is equally divided in opinion, the opinion of the senior member of that court shall prevail.

*Superior Court of Justice, Ontario, is out*

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*Journal of Health Politics, Policy and Law*

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1949-50 - saltwater fishery report

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卷之三十一

? The author suggests the following:

Llavonaq, Ilustre

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10. The following table gives the number of hours per week spent by students in various activities.

*Journal of Health Politics, Policy and Law*, Vol. 35, No. 4, December 2010  
DOI 10.1215/03616878-35-4 © 2010 by The University of Chicago

1964-1965. The author wishes to thank Dr. G. R. Thompson for his help in the preparation of this paper.

10. *Leucosia* sp. (Diptera: Syrphidae) was collected from the same area as the *Chrysanthemum* plants.

10. *Leucostoma* (L.) Pers. *Leucostoma* Pers. 1801, p. 106. Type: *Leucostoma* Persoonii Pers. 1794, p. 106.

Figure 1. A photograph of the surface of a sample of *Leptothrix* sp. showing the presence of a dense layer of bacteria.

McGraw-Hill Ryerson Ltd. 2007  
ISBN 978-0-321-50000-0

10. The following table shows the number of hours worked by 1000 workers in a certain industry.

卷之三

Digitized by srujanika@gmail.com

25. Unless a Court hearing an appeal direct to the contrary in cases where, in the opinion of such Court, the question is a question of law on which it would be convenient that separate judgments should be pronounced by the members of such Court the judgment of such Court shall be pronounced by the President of the Court or such other member of the Court hearing the appeal as the President of the Court directs, and no judgment with respect to the determination of any question shall be separately pronounced by any other member of such Court.

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Powers of the Court of Appeal.

26. If for any reason it appears right  
to adjourn an appeal or application,  
the Court of Appeal shall have full  
power to do so upon such terms and for  
such time as seems fit.

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WITNESSES ARE ONLY ONE

27. The Court of Appeal shall have the same powers to deal with cases of contempt of its authority as the High Court of Justice in England.

26. In civil appeals the Court of Appeal shall have power :-

- a. To dismiss an appeal.
- b. To reverse a decree on a preliminary point and on such reversal to remand the case to the Court against whose decree the appeal is made with directions to proceed to determine the case on the merits.
- c. To remitte issues and finally to determine a case notwithstanding that the judgment of the Court against whose decree the appeal is made has proceeded wholly on some other ground than that on which the Court of Appeal proceeds.
- d. To call additional evidence or to direct the Court against whose decree the appeal is made or any other subordinate Court to take additional evidence.
- e. To make any amendment or any consequential or incidental order that may be just and proper.
- f. To confirm, reverse or vary the decree against which the appeal is made.
- g. To make such order as is made in the appeal Court and in the Court or Courts below as may be just.

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Sir E. Hopwood

C. S. G.

The Duke of Connaught

Draft Order in Council for returning  
original for revisionShow only the draft Order  
enclosed in 457th without  
the date 12-12 except one  
in pencil at left of page and  
a small 11 at bottomWhen this paper is signed and back  
dated

I am directed by the  
of Connaught to present before to the  
land before the Lord President of the  
Council the draft of an Order in  
Council for establishing a Court  
for the hearing and determining  
of appeals from His Majesty's  
Courts in the British Protectorate  
of East Africa, Uganda and  
Rwanda.

I am to report on

to inform the last President  
that it has been determined, with  
the concurrence of the Secretary of  
State for Foreign Affairs, to establish  
a Court of Appeal for the three  
Protectorates in the place of the  
present Court at Zanzibar, &  
to suggest that provision should  
be made with regard to pending  
appeals so, as shown in the  
proviso added in red ink to  
Article 4 of the draft Order,

and I am to enquire whether  
the said proviso is of the opinion  
of the draft Order.

Moore (for revision)  
4/3/82  
OS

I am at the present time  
desirous to submit for your  
consideration the draft of an  
Order in Council for regulating  
the institution and procedure in  
Appeals to Her Majesty in Council  
from the three Protectorates  
as constituted by the first-mentioned Order,  
with regard to the said Order.  
I am to observe that appeal to Her  
Majesty lies from the Court of  
Appeal for East Africa and not from  
the Courts in the Protectorates,  
and I am accordingly to suggest that  
the following two words be  
substituted for the second sentence  
in the present Order:

"And whereas by an Order in  
Council bearing my date and the  
signature has been made for giving

from the South African Protectorate to  
the Court of Appeal to Eastern Africa.  
This will be a considerable help  
when you will be most for  
receiving applications from the Courts of  
the South African Colony & the Native  
Chiefs.

I am also to make the following further suggestion:

Clause 3 L650 has been substituted for R. 10000, and it  
is suggested that the latter sum now  
should be replaced.

Please let me have your  
opinion of the Court and for your  
advice regarding the Court's liability  
in respect of the Court and members

Clause 5 after 21 days issued  
in the case of applications from East Africa  
or Uganda and within three weeks in  
the case of applications from Nyasaland.

Clause 6(a) substitute R. 5000  
for £300.

Clause 10 insert "any of" before  
"the said Protectorates" and introduce  
the same word in clauses 11, 12, 16,  
25 and 27.

Finally,

I am to place that

In Read  
Please see my note re  
import duty in  
1881

4/11/88

DRAFT.

MINUTE

Mr  
Mr. Justice  
Mr. Attorney  
Mr. G.  
Sir C. Lucas  
Sir P. Heggard  
Col. Dely  
The Earl of Cress

It is important that the Order  
in Council and the Order  
constituting the Court of Appeal  
for Eastern Africa should be passed  
simultaneously and come into  
force on the same day, and I  
am therefore to suggest that a  
clause should be added so that

such clause as clause 11 of

the letter Order, namely—

"30. This Order shall  
commence and have effect on such

day as may be fixed by  
the Lord Lieutenant  
certification to me of the

Principal Secretary of State."

I am to request  
that the enclosures to this letter  
will be returned with your reply.