

W. Bentley

570 beneath as arranged
in acc. with W. Bentley's
records as to change of
title per W. Bentley on

8232/12

all

613

In the reply to this Letter the following
Number should be quoted.

C O
37131
REC'D
18 NOV 11

TREASURY CHAMBERS.

20773
11

17th November 1911.

482

Sir,

I have laid before the Lords Commissioners of His Majesty's Treasury Mr. Fiddes' letter of the 10th instant (34768/1911) relative to the emoluments of the Judges in the Protectorates of East Africa and Uganda.

Mr. Secretary Harcourt is aware of Their Lordships' reluctance during the period of the Protectorates' financial dependence upon the Imperial Exchequer to incur the recurrent expenditure involved in increases of personal remuneration. Judicial salaries, however, appear to Them to fall within a special category, and in the present instance They are prepared to defer to the representations of the Secretary of State as to the inadequacy of existing rates of emoluments.

In these circumstances, I am to convey to you Their Lordships' sanction to the proposals contained in the letter under reply, on the understanding that the additional expenditure involved in the case of each Protectorate can be met without infraction of the half and half principle.

My Lords accordingly approve on these terms the provision in the forthcoming Estimates of salaries and allowances at the rates specified below for the several officers concerned viz:

East Africa

The Under Secretary of State,
Colonial Office.

East Africa

Principal Judge £1,000 per annum with £100 per annum duty pay

Second Judge £800 per annum with £ 80 per annum duty pay

Third Judge £700 per annum with £ 70 per annum duty pay

Uganda

Principal Judge £900 per annum with £90 per annum duty pay

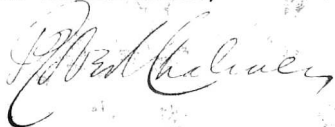
Second Judge £700 per annum with £70 per annum duty pay

My Lords further assent to the proposal to alter the title of "Principal Judge" in both Protectorates to "Chief Justice" and that of the other Judges to "Puisne Judge".

I am,

Sir,

Your obedient Servant,



Masany East
37131 Kipanda

10/11/22
unobtainable
unobtainable

(34768)

Your disp. of 30 Pstms

88 composta amicis
(1000/1000) 10000 of
empannel

your meeting in Pstms

for 1922-23 following

provision for jaycarthoo
Judicial Dept

joator pigeoncock parrot
Chief Justice £1000/1000

affozzo picadela
duty allowance £1000

jarung plectable
From Pucani Judge £800

affozzo
£800 duty allowance

phytozoa jarung
£800 Second Pucani Judge

picadela affozzo physurgu
£700 duty allowance £700

dermal
(Disp. illus by mail)

DRAFT

(code)

Palmer
Nairobi

MINUTE

- Mr. H.S.B. 20/21
- Mr. Bates 21
- Mr. Fiddes. 21 a Lou
- Sir H. Just.
- Sir J. Anderson.
- Lord Lucas.
- Mr. Harcourt.

drafts for conven

~~Sir~~ 24 Nov 1921

Sir

Sub. Conf

Pro. Mr. L. P. P. P. P.

MS of xi

Mr. Justice 21

Mr. Justice

* insert date

In case

Para. 2. and 2. 1921

I have the honor to
ack the receipt of your
letter dated (no 88) of the
20th of Sept, and to
confirm by letter of the
21st of Sept that had as
follows -

[Here copy the draft
letter enclosed]

2 With regard to

Mr. Hamilton, I understand
from you
that he is ~~now~~ actually engaged
on the preparation of the
Civil & Criminal Procedure

Codes, but I must
 have out that the
 comparison of these codes was
 started some ten years ago,
 and has been continued
 to how long you desire.

I desire it, therefore, to be
 understood that, in allowing
 of an increase of salary for
 Mr. Hamilton, I do so in
 the expectation
 that
 the codes will be finished
 in time as soon as possible.

3. You will gather
 from my telegram that
 I approve of the adoption
 of the titles of Chief
 Justice, ^{First} and Second ^{Justice} ~~Justice~~
 Judge, ^{as from the 1st of}
 April next.

J. Shaw

Travelling Exp
 37/35 Uganda
 350 p. 22
 11

DRAFT.

Prima
 attor

MINUTE.

- Mr. H. H. [unclear]
- Mr. Bates
- Mr. Fiddes. 21 alone
- Sir H. Just.
- Sir J. Anderson.
- Lord Lucas.
- Mr. Harcourt.

Draft for [unclear]

undried
 Your des. of 11 July 21

(25577)
 189 [amicus] [attorn] [quest] [comparat] [inserting] [a] [stimuli]

for 1912-13 following
 provision for [tribunal]
 [debt] [procurator]

[procurator] [Chief Justice]
 [procurator] [afforge] [manomata]
 [procurator] [duty] [allowance] [procurator]

[procurator] [procurator] [procurator]
 [procurator] [procurator] [procurator]
 [procurator] [procurator] [procurator]

24 Nov. 1941

Sir

I have the honor
to ack. the receipt of your
desp. no 189 of the 11th
of July, and to inform
myself of the of Nov
which had as follows -

Lyons to 450

to Jackson

HFB 2/21

to Butler &

Handwritten signature/initials

[I have also the draft
to Lyons marked]

2 You will please pass
my regards to

attention of the address

of the letter of Christ Justice

1 Paris July 21 from the

1st of April next.

O.D.
20 FEB
21

188

To be attached to the
Memorandum 32131/11
Col. Wainwright

DRAFT.

7. Jackson. Esq., CB. C. W. C.

21. February 12

My dear

MINUTE.

~~Dear Mr. Jackson.~~ With further

~~reference to ^{I have thought over} your letter~~

- Mr. Parkinson 19/2
- Mr. Butler 19
- Mr. Reed 20
- Sir G. Fiddes.
- Sir H. Just.
- Sir J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

about Carter's salary. I have
now looked into the matter &
may say at once that,
when his salary was

fixed at £700 pa

with £70 duty pay

in November last

the Colonial Office was

under no misapprehension

as to the facts, which

were

W. B. Beard's
Signature

was clearly set out
in your report No
109 of the 11th of July
1911.

[For 25357/11]

I have been through
the points in your letter
carefully. I am sorry
to say that I can see
no ground ~~whatever~~ for
recommending any
further increase ~~to~~ in
Carter's emoluments, ~~and~~
what I feel sure that, if
any application ~~was~~ were
made ~~appreciated~~ ~~to~~ ~~the~~
~~effect~~ ~~the~~ ~~Log's~~ ~~would~~
not agree to it. It is quite ^{impracticable} ~~impossible~~ for us
~~to~~ ~~agree~~ ~~to~~ ~~such~~ ~~an~~ ~~increase~~ ~~of~~ ~~salaries~~, as between the
E. A. P. and Uganda, on the basis of the seniority of
individual officers.

Yours

you will wish me to write you
a long letter going into
all your points in 189
detail, but there is
one section of your letter
which I would like to
touch on. You suggest
that it is probable that
Carter's salary was fixed
at a lower figure than
could otherwise have been
approved, because he
refused the offer of a
transfer to West Africa.
~~It is probable that~~
~~if he had accepted this~~
~~offer~~ ~~the~~ ~~provision~~
~~made~~ ~~in~~ ~~the~~ ~~regulations~~
~~would~~ ~~not~~ ~~apply~~ ~~to~~ ~~him~~
to justice & common sense,
I feel that it is almost
unnecessary for me

to tell you that
the Colonial Office
is not accustomed

Such procedure would
be both unjust & unwise
& you may rest assured
that

to treat the officers in the service
in that way.

~~W. J. H.~~

Believe me,

Yours sincerely,

H. J. H.



GOVERNMENT HOUSE,
UGANDA.

December 18th 1911.

Dear Mr. Read,

The C.O. in reply by cable
 is my letter regarding the Judge's salary
 have sanctioned £900 and £90 duty
 allowance, and £700 and £70 duty
 allowance, respectively, being inserted
 in next year's estimates, and this has
 been done. I am, however, hoping
 that there has been some mistake
 in the matter of Mr. Carter's pay
 and allowance, as I don't think it
 at all fair to give him the same
 rate as the Chief Judge in E.
 Africa, when he is, in fact, senior
 in the service to the same Judge.
 I fully, as I thought, pointed
 out the position of the Judge in
 E. A. and Uganda, and the disadvantages
 at which Mr. Carter stood.

At that time he was Availing
his Master's Ball, at £50 more
B. Carter.

The position was as follows

Hamilton	£1000	at	£100.
Evans	£500	at	£50.
M. Carter	£700	at	£70.
Bark	£500	at	£50.
B. Carter	£700	at	£70.

from which it will be seen that all
the other Judges have been granted
increases of £100, except M. Carter
who receives an increase of £50.

This means that he was given
£150 a year less than Bark
the year on B. Carter.

I quite admit that the Dep
has a smaller than in E.A.
it must be borne in mind that
climate of Lagos is equal in
unhealthy than in E.A. where

the Law a Registrar at Lagos
Registrar of the Court, there work
is carried on here by the Judge.

There was Mr. Carter's salary
is less by £100 than Combes.
Combes joined the Service 3/2 years
after M. Carter at 20 months
after the latter had been appointed
a Judge.

Bark M. Carter and Bark
Entered the Service after Registrar
at a month or two ~~after~~ ^{after the appointment} the former
was appointed Town Magistrate at
£500 a year, & the latter was
Advocate at £450. Some
18 months ~~after~~ after M. Carter was
appointed a Judge in Lagos, Bark
was appointed from C.A. to be
Judge in E.A.

If there should be any question
of Carter having declined the
offer of promotion in West Africa
affecting the decision regarding his
Salary, I should like to point out

B

C

that three years after he had been
been, he commenced to suffer by
incurable. I have myself in
from the 1st of April & at
at anyone who has experienced
it will agree that it is much
distressing and takes for ever
of me in April.

It was mainly on this account
that he took such leave last
and consulted both Dr. Williams
Harris, and his David Ferris
it was on David's recommendation
that he received a month's leave
In the course of this month
the question of possible promotion
to the next trial was mentioned
but David's salt of words
was in the end the cause
which at home Carter met
who told him that there
a vacancy for a Peace Judge
in Virginia (at £1000 a year &
only allowance), and he, at
time feeling much better, was

the matter to Mr. Bethman Cox
who told him that the post had
already been filled, and at the same
time said that he had not thought
he would have accepted it, even if
it had been offered.

Since his arrival back here,
Carter's insomnia has again returned
though not to the same extent
as during his last time, and
not unreasonably he considered
that he would not be justified
in taking the risks involved in
accepting the office of a post
which was by no means so good
as that which Mr. Bethman Cox
thought he would not have
accepted last year.

Should it be considered that
in view of the Chief Justice's salary
being only £900, a salary of £1000
for the Peace Judge is relatively
too high. I should be glad if this
matter could be arranged by giving

Cette a permis allowance in case
of the circumstances, at the length
of the time he has occupied his present
position.

Behave me

(with respect)

Richard J. Jackson

~~Mr. Board~~

Mr. Board
Mr. Board

Please see attached letter from Mr. Jackson handed to me by Mr. Board.

In the minutes on Gm 3-7-68 and it appears that Mr. Morris Carter's salary was fixed at \$700 + \$270 as that was considered sufficient to meet the case.

A) I don't think this point can be considered. Relative salaries of corresponding jobs in diff. pts may be taken into account, but from that point of view \$700 + \$270 ^{with} ~~for~~ upward progress seems sufficient. But if you begin comparing the seniority of every individual officer in Missouri Pts, you have a hopeless task. No one should be encouraged to insist on such comparisons. If we tried to do it in the Home service —!

B) The ~~same~~ argument here is in just the same line.

C) We don't want to think, lay any stress on the difference in

I am sure as present my mind when dealing 25557/11 & 18, and ruled out as consideration which not be into account Mr B.

in climate between East & West.
It is a dangerous argument to play
with. The salaries of our admin^{rs}
officers under the new scheme are
to be the same in both Cts.

D) If the Gov. seriously thinks that
Mr. Carter's proposal can have effect
the question of his salary. we can only
hope that he himself would not
run his own Govt. on those lines.
It is a ridiculous suggestion.

E) If anything is to be given, it wd
be a personal allowance, but
I did say that no such allowance
ought to be made now, whatever
~~it~~ may be done in Est. 1913-14.
Under Est. 1912-13 we were with the
Treasury and we are asking, as
it is, to expend a considerable
sum on steamer construction outside
the half & half principle. Mr.
Carter too, is on the books for
wasteful expenditure - or there
is no knowing what scarries
may not turn up during the
next twelve months.

The difference
is not so great
better leave it
for the present
I think

I think
ought to
in appropriate
that it is not
He cannot
allowed to
that we do
silly & child
things.

2) Reply briefly to the effect that the
salary was not fixed at £700. + £200
by mistake - that afterwards course
of this letter no reason is seen for
raising that salary - that if the
Government feels that he can best
recommend a personal allowance for
Mr. Carter in Est. 1913-14. I hope
you, though no promise of any
kind can be given that it will be
favorably considered.

I presume that this reply will take
the form of a private letter from Mr. [Red]

All
15/2

I entirely agree, such as I would
not hold out any sort of a promise
of a personal allowance in 1913-14. He
has not sent a considerable increase of
£1000 but £200 but
they wished £2000.

I should deprecate the practice of
comparing an officer's position & salary in
one Port. with that he would have

agree
IAB

agree
IAB

got if he had remained to another
postment. When an officer accepts a transfer
to another colony, he does so with his
eyes open & he must not complain later
if it turns out that he would have done
better by remaining where he was.

Feb
15

Mr. Read.

See marginal notes.

Most of the men who entered the
Home Service with me shortly after me
are getting higher salaries. I got that in
hand to a Principal Clerk in the
Admiralty who was a year or two my
junior at Trinity, Oxford. Another man
who was below me in the examination
is now Assistant Secretary to the
Admiralty. The instances can be
multiplied ad nauseam (mean).
In some cases conspicuous merit accounts
for the difference, but not in all. I
don't like it that the Treasury are not

likely either to raise the salary of my
offr. or to grant me a personal allowance.
I think the answer ought to be
quite uncompromising. Mr. Carter has
had a rise of £120 p.a. O si si omnes!

Feb 16

Feb. 16

195

I enclose - Please to J.R. - a letter
for my sight

at once.

to - J.R.

16/11

May 37131/11 East Uganda

C.F.
P. 19
D. 70

496

~~See~~

East Conf.

DRAFT.

only

10 May 1912.

MINUTE.

Sir,

- Mr. Acland 6/5
- * Mr. Rissley 6.
- Mr. Butler
- * Sir G. Fiddes 9
- Sir H. Just.
- * Sir J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

[37131/11]

with reference to my conf. disp.

of the 22nd of Nov. 1911. I have
the honor to inform you that
I have had under consideration

the recommendation made
by Sir Percy Girouard in
his ~~conf.~~ report on the

Enc. enclosed in his

conf. disp. of the 26th of
May 1912.

to the effect
that

^ for revision
(the minute on
F232 tabbed in
green)

with the C.A.
under 5
[18881/10]
Please
consider
the 24th of
Nov. 1911 - Perhaps on some
point I had before me was changed to 25th
but if not the point should be
considered
with

see & attached with: 200 B

that the an attorney
General Solicitor General
should be appointed
in place of a Crown
advocate ^{an} Assistant
Crown Advocate

I As you are aware
the emoluments attached
to the office of Crown Advocate
to Mr. Lamb's appointment have
already been raised to
£200 per. with duty pay of
£20 per. I must
approve of his being styled
Attorney General ~~but then~~
~~and~~ I do not ^{know} however at any rate for the present
propose to approve of the
creation of the post of
Solicitor General. In these
circ. Mr. Young ~~will~~
will be styled Assistant
Attorney

was introduced the title of
Assistant to the Att. Gen. in
New Zealand, but perhaps the
Office at present is his Assistant
Crown Adv. in S. A. P. is relatively
more important
J.S.A.

Yes.
J.S.A.
May 7

Attorney General in head
of Assistant Crown Advocate