

1868.
 DATTAJI
 NARRAYAN
 v.
 VAMANRAV
 et al.

lant was entitled to the *hak* at the rate of Rupees twenty or that of Rupees ten on the evidence recorded. The decree of the Assistant Judge is, therefore, reversed, and the case remanded that a new decision may be recorded on the above points, and a new decree passed upon the merits.

Decree reversed.

Crown Cases.

July 22.

In the matter of the Petition of SHEK DA'DA'BHA'I
 valad Shek Muhammad.

Prisoner—Vakálatnámá.

Prisoners and others are to have the fullest opportunity for giving *Vakálatnámás* to whomsoever they please.

THE petitioner, Shek Dádábháí valad Shek Muhammad, having represented to the High Court that the Sessions Judge of Sátará had refused to permit the petitioner's son, who was under sentence of transportation for life, to execute a power of attorney in his (the petitioner's) name, the Judges called on the Sessions Judge to report upon the truth of this fact in the petition, and, if correct, to explain his reasons for the refusal.

The Sessions Judge reported that he had refused the permission, as stated in the petition, and alleged, as his reason for so doing, that as the papers in the prisoner's case had been forwarded to the High Court, it was not considered necessary for the prisoner to execute a power of attorney in his father's name, and more particularly as the prisoner had only expressed a wish to do so after he was informed that the High Court had sent for the papers in his case, and in consequence of some letters received by him from his friends outside the jail, and as he had not previously expressed any wish to appoint a *vakíl*.

The Court (SAUSSE, C. J., FORBES and NEWTON, JJ.) passed the following order:— That the fullest opportunity be given to prisoners to execute *vakálatnámás*, to whomsoever they please, and without reference to the mode in, or circumstances by, which they may be influenced to do so.