

Agnes Butler - - - - - *Petitioner*  
v.  
Plantation Versailles and Schoon Ord Estate Limited - *Respondent*

FROM  
THE COURT OF APPEAL FOR GUYANA

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REASONS FOR REPORT OF THE LORDS OF THE JUDICIAL  
COMMITTEE OF THE PRIVY COUNCIL UPON PETITION  
FOR SPECIAL LEAVE TO APPEAL *IN FORMA PAUPERIS*

DELIVERED THE 26TH JANUARY 1970

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*Present at the Hearing :*

LORD MORRIS OF BORTH-Y-GEST  
LORD PEARSON  
LORD DIPLOCK

[*Delivered by* LORD MORRIS OF BORTH-Y-GEST]

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The procedure which should have been adopted in this case is the procedure that is laid down in Statutory Instrument No. 576 of 1966. An application should, therefore, have been made in Guyana.

Their Lordships are unable to accept the submission made by Mr. Geoffrey Leach that any of the provisions of that Statutory Instrument include a power in the courts in Guyana to make an order that there should be leave to appeal *in formâ pauperis*.

The procedure as laid down in this Statutory Instrument was carefully in the mind of the Chancellor in the judgment he gave in *Chintamani Ajit v. Walter Ronald Weber and Shirun Edun* (Court of Appeal for Guyana: Civil Appeal No. 42 of 1962) but, of course, there is power in special circumstances and in an exceptional case to advise Her Majesty to give special leave to appeal.

Their Lordships have carefully considered the submissions made in regard to this petition and they have come to the conclusion that they will humbly advise Her Majesty to give special leave to appeal *in formâ pauperis*.

**In the Privy Council**

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**AGNES BUTLER**

p.

**PLANTATION VERSAILLES AND  
SCHOON ORD ESTATE LIMITED**

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**DELIVERED BY  
LORD MORRIS OF BORTH-Y-GEST**