

X-2-a-3(1)

Copy of brief summary of Loral Suchman
book. We gave it to Mark Sage to give
his publisher in the U.S. I don't
know how Mark reacted nor will he
follow through? - should it be pushed
eventually Loral will ask us about it

Harriet & Gene

Legal File

X-2-C-3(2)

THE
SOUTH AMERICAN
WITH
IN THE
K.C.M.G., C.B.E. S.C. (PHONE 88511)
C.B.E. S.C. (PHONE 88370)
BARRISTER-AT-LAW
WARD A. KENNEDY LL.B. (PHONE 88511)
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PO BOX 1
GEORGETOWN
GUYANA.
SOUTH AMERICA

19th September, 1966

Dear Mark,

I send herewith a Synopsis of the Chapters of my biography and the Introduction. This is the work of Fred Archer who has written several books and who is seeking a publisher in the United States. If you could send this copy to your agent on the basis of finding a suitable publisher and if the arrangements are satisfactory to the author Fred Archer, 126 Old Hope Road, Kingston 6, Jamaica, W.I., then such sum as is agreed between your agent and Mr. Archer will be payable out of the proceeds.

...agent your
agent contact →

I would prefer that all arrangements be conducted between your agent and Mr. Archer as I do not wish to be involved financially.

There will be a wide market in the entire Caribbean for my book. Already the Sun newspaper, the Trinidad Guardian are seeking rights of republication. I have no doubt the papers in Jamaica and indeed the entire Caribbean will be making the same approaches.

From the U.K. point of view my own contacts - Lord Cudlipp formerly of I.P.C. and my B.B.C. and I.T.V. contacts in London will be given an opportunity of using the material under suitable arrangements.

We are concerned with getting a reputable agent who could do the ground work and enter into some agreement with Mr. Fred Archer for the U.S. market.

It was a pleasure meeting you and I look forward to our renewed association in the near future.

Yours,

Samuel

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Life of Sir Lionel Luckhoo

by Fred Archer

Synopsis of chapters:

The Case of the Conquering Counsel

Meet the real-life Perry Mason! The world's most successful lawyer (vide Guinness Book of Records), he has to date defended ²¹³ clients charged with murder and has not lost a single case. Six cases lost at first trial he won on appeal, two before that ultimate legal tribunal, the Privy Council. He has defended in the U.K. and most of the British Caribbean Countries - except Trinidad where the then Bar Association objected. Was it felt he would monopolise criminal practice?

The Case of the Dubious Doctor

Son of Guyana's first Indian Solicitor, nephew of first Indian K.C., he and his two brothers (both now eminent lawyers) played court trial games as children. Started school debating society, and argued first moot so persuasively that even his opponent joined in unanimous vote. Family had too many members in law already (present total, 16 judges and lawyers), and insisted Lionel should become a doctor. Two years of medical study at Bart's in London ended abruptly when, witnessing his first operation, he fainted at the sight of blood. Sent back to London to do law he got through 18 months' work for bar finals in three months.

The Case of the Unexcelled Uncle

His uncle, J.A. Luckhoo, was the country's leading trial lawyer, and had defended in 50 murder cases without defeat (69 out of 71 was his final total).

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... his last murder case. He was acquitted.

The Case of the Lucky Thirteenth

The goldsmith's wife had died after drinking a poisoned glass of milk. A previous wife had died in a similar circumstances. For the first time Lionel Luckhoo heard the death sentence pronounced on a client. There was then no right of appeal. He fought up to the Privy Council for a hearing. When leave was granted and he won the appeal his thirteenth murder case that had seemed to be dead unlucky, established his reputation and gained a place in the law books. At a celebration party the client offered him a ceremonial drink - a glass of milk.

The Case of the King-of-all-Trades

No less likely Trade Union boss could have been imagined than the suave young lawyer. Yet four workers' unions in turn invited him to become President. He won them benefits without strikes, and defended a worker accused of murdering a wife-seducing estate manager.

The Case of the Counterfeit Coiner

Taking time out from murder, Lionel Luckhoo has fought many unusual criminal cases. In one of these stories crime paid double because the money was genuine -- it was the 'coiner' who was counterfeit!

The Case of the Archdemon Rum

Rum has triggered murder many times. In one case it became the agent of a classic 'frame-up' that Lionel Luckhoo prevented in the last dramatic moments of the trial.

The Case of the Unseen Hangman

Four men had been seen to attack the victim that morning, leaving him prostrate but alive. When evening came his dead body was found hanging from a tree -- but no one had seen the hangman.

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The millionaires who lost their money in the U.S. are now in the West Indies. A total of one million dollars is at stake. Offered fees in cash or property when they lost the chance of becoming millionaires.

The Case of the Gallant Mayor

Leading hectic life in politics and sport, Lionel is four times Mayor of Georgetown, President of Turf Club for 15 years, member of the Legislative Council, Minister without Portfolio, President of the Olympic Association and much more. His reforms as Mayor and an original theory of horse-breeding.

The Case of the Murderous Malady

No one knew why he had committed the murderous attack until Lionel Luckhoo propounded the theory that the disease had driven him to kill.

The Case of the Caggy Communist

Prime Minister Cheddi Jagan (like Fidel Castro) did not admit he was a Communist when he came to power. A four-hour cross-examination in Court by Lionel Luckhoo forced the admission from him for the first time.

The Case of the Dying Bridegroom

The prominent U.S. politician absconded to the West Indies with a suitcase full of money and a gold-digging girlfriend. Luckhoo's cross-examination of a priest caused their death-bed marriage to be annulled.

The Case of the Duplicate Diplomat

He looks like Napoleon, but has the diplomatic flair of a Talleyrand. As High Commissioner to London, Ambassador to Paris, Bonn and the Hague, he was the only diplomat to represent two countries, with two flags on his car and two separate missions. When the Queen met him she would ask, "Which hat are you wearing today, Sir Lionel?" The critical and amusing situations this dual representation brought about. His reminiscences of de Gaulle, Harold Wilson and other political leaders.

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... forced while ... very young, Lionel Luckhoo fought his greatest Court battle ... in their custody from an English wife before an English judge. After this victory a new client confessed he had not gone to his own house murdering his wife and two children - the only case Luckhoo ever turned down flat. Singlehandedly, he has raised his four children since the divorce. His 16-year-old daughter said recently, "Daddy, you are the best father and mother in the world."

The Case of the Disappearing Double

The country boy came to the big city and found himself accused of rape and murder. Lionel Luckhoo proved that the street lamp the witness claimed to have seen him by had not been lit - and the 'double' of the accused he pointed out to the jury made a hurried exit from Court.

The Case of the Political Cow

Political enmity between a Prime Minister and an ex-Prime Minister leads to a legal wrangle over a cow. Lionel Luckhoo has represented the Prime Ministers of four countries in civil actions. One says of him, "Not the world's most successful lawyer but the world's biggest sucker!" - because of the modest fees he charges.

The Case of the Blindfolded Witness

The country's biggest bank robbery, a guard murdered, five employees held as hostages. Only one of the witnesses had been blindfolded, but it was she who was certain she could identify the accused.

The Case of the Offending Hands

Even after they chopped off his hands the thieving giant was still the most dangerous man in the community.

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was met man at point of view, the man who could save his neck was Lionel Luckhoo. He knew that the man who could save his neck was Lionel Luckhoo.

The Case of the Dumbstruck Defendant

After many times declining, Lionel Luckhoo accepted an appointment as a High Court Judge - and found himself still acting as defence counsel when relevant questions went unasked or unanswered. Despite his fairness, one notorious criminal blamed and threatened him after being convicted - then engineered a daring escape by leaping from a court window to a confederate's motor-cycle below.

The Case of the Dumbstruck Defendant

Back at the Bar, Lionel Luckhoo had to decide how to defend a man accused of murder who had lost his power of speech.

The Case of the Angry Amazon

She was ^{brunette} blonde, statuesque, had flirted with the Prince of Wales (later Duke of Windsor), so strong that she could lift up two men and throw them out of a bar-room. Then she was found dead with 24 cutlass slashes on her body, and her diminutive husband was accused of murder.

The Case of the Constant Christian

Lionel Luckhoo was a firm, not fanatical, upholder of the Christian faith. He writes on religion from the layman's point of view, and speaks in churches of all denominations.

The Case of the Vicarious Victor

A legal case that is unique. Because Lionel Luckhoo is unavailable and he will accept no other counsel, a man accused of masterminding a plot to kill his mistress's husband defends himself on a charge of murder. Luckhoo visits him in his prison cell during the three weeks trial, advises him on the cross-examination of witnesses, what arguments to put to judge and jury

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His latest triumphs, or the first defeat. The case continues.

Not listed above but to be included are the cases of the headless corpse; the parents charged with the ritual murder of their child; the uncle who framed his boy nephew for murder; the man freed of murder who was awarded a Purple Heart; the man who killed his best friend in defending his father; the wedding night murders; and others.

Also Lionel Luckhoo's comments on his cases and his views (as told to the writer) on criminals, judges, juries, prosecutors, witnesses -- formed during 38 years as a trial lawyer with an unrivalled record of success.

Illustrations

Many photographs are available, including Lionel Luckhoo being knighted by Queen Elizabeth (the first time a picture of the ceremony was allowed), with de Gaulle and other world-celebrated figures, with family, and with grateful clients freed of murder charges. Also scenes of crimes and court exhibits.

Length:

100,000 words approx.

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1. The Case of the Conquering Counsel

Who can match his record of triumphant advocacy
and the wonderful verdicts he won from the juries?

-- Lord Birkett on Sir Edward Marshall Hall

The feud with the neighbours had come to crisis point. Blood was about to run. 'Me. too old,' Karamat said to his son. 'You kill 'em, one-one. Me got money. Me take Lionel for you.'

Young Karamat went out and killed. Two people died.

Incitement to murder? That was what the prosecution called it. Words a witness claimed to have overheard became the main basis for charges of wilful homicide.

Whatever else they might mean, those words include one of the highest tributes ever paid to a lawyer. Old Karamat and his son were willing to gamble their life on Lionel Luckhoo's ability to save them from the gallows. *

Case No.2 The eminent Guyanese lawyer, wealthy landowner and former Cabinet Minister was about to be arrested for murder. Two eye-witnesses were ready to swear that he had shot an unarmed man at point-blank range. His wife said she would go to England to find him a lawyer. 'I want you to have the best lawyer in the world.'

The husband said, 'I agree with you. I need the best lawyer in the world. Don't go to England. Get me Lionel Luckhoo.'

*This and other cases referred to in this chapter are dealt with more fully later on.

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... (No. 2) The ... of the ... victim came to ...
down at night. They offered to pay double the brief fee he would get
for defending the accused if he agreed to relinquish the case. He told
them it was not possible.

'Very well,' they said. 'We understand you have to appear. We will
still pay you any fee you name, and all we ask is give a little slack.'
Meaning, don't try your hardest.

Neither heaven nor hell issue statistics. God alone knows the numbers
of souls His vicars on earth have speeded on their upward flight, or saved
from stumbling into the fiery furnace. As with priests, so with doctors:
their worst mistakes are quietly buried; and to trumpet success is forbidden
by a professional ethic that makes a pretence to equality the keystone of
conspiracy. By contrast the work of a trial lawyer is on public display.
When two sides are in opposition there must be a loser for every winner.
Toss a coin a million times and you will get an equal division between
heads and tails. Similarly it can be predicted that over a long run the
absolutely average lawyer will show an absolute 50% record of success and
failure. A lawyer who wins 60% of his cases must be good, with a 75% score
he becomes outstanding, and at 90% ... what shall we say? Phenomenal?
What word then is left to describe Lionel Luckhoo, who has won the verdict
for the defence in ²¹³289 murder trials without a single defeat?

Maybe it is simpler to illustrate it as an instance of fact having
outdistanced fiction. Erle Stanley Gardner, a lawyer himself, was often
accused of stretching the bounds of possibility by allowing Perry Mason
to win every case. Literary licence was the only plea his critics would
consider in mitigation of the offence. Yet Gardener, in his novels,

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manipulated Perry Mason through fewer than 70 courtroom trials, as told. Lionel Luckhoo's unbroken run of success in murder cases is three times that number.

The first of many mornings I spent in Lionel Luckhoo's office was like walking into the beginning of a Perry Mason story. His secretary, Miss Indira Singh, comes him and cajoles him in Della Street fashion into seeing an unexpected client. Two people entered, husband and wife. The husband has shot an unarmed man the night before, and is expecting to be charged with murder.

Luckhoo gives the advice Mason might offer. 'Go home. If the police come and arrest you, don't make any statement. If they hurt you, even if they use a tourniquet, still say nothing. They won't kill you -- and it's your neck you are saving, remember! Tell them only, "When I have seen my lawyer I will make a full statement." Just keep repeating that. Nothing more.'

The man looks scared and doubtful.

'Don't worry,' Luckhoo reassures him. 'You won't afterwards have to make the full statement. Once I am called the onus for refusing will then be on me.' He adds a last warning. 'Don't tell me later you have made a statement saying how the killing took place, or how you believe it happened.'

He turns to the wife. 'If the police take him let me know at once. I will find out where he is being held and go see him. Were there any witnesses?'

The wife, a handsome woman, is calmer than her shaken husband. She says there were several witnesses whom she knows.

'Give me their names. Probably the police will have taken statements

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from them all by now. If they have I can't take statements. If they have not given any statements I can inquire into their version.'

There are investigators -- ex-police detectives and law clerks -- he uses part-time for leg-work. Now he calls one of them and instructs him to interview the witnesses the wife of the client has named.

But again like Perry Mason (the repeated comparison just cannot be avoided), and unlike any other practising lawyer one can think of, Lionel Luckhoo cannot resist taking part in investigations himself. Once he walked 15 miles to find and interview workers in the fields who might have seen a fleeing suspect. In a dozen or more murder cases his own investigations at the scene of the crime have played a decisive part in winning a verdict. Sure enough he later went to view the scene of the shooting in which his new client was involved. It was a pool room behind a bar-restaurant. Lionel noted from the bloodstains the direction in which the body had fallen. He estimated the distances from doors and tables that might prove to be important, the width of the meshwork round the bar that obstructed the view from certain angles. When the time came to cross-examine witnesses in court he would know what they could or could not, should or should not, have seen.

The second client that morning is a man accused of forgery. Middle-aged, respectable, his whole career now in jeopardy, he weeps and literally kneels before the desk as he pleads with Lionel Luckhoo to save him. The tears are not uncommon in that office, but the kneeling is more than Luckhoo can stomach. 'Get up!' he says harshly. 'You kneel only to God, not to me.'

The third and fourth are both civil cases. One concerns a dispute over a will, the other a matter of habeas corpus. Apart from the last, so startlingly unusual that it could make legal history, it is all fairly typical of a morning when he is not in court. At this time Lionel has

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Eight murder cases pending, which is about average. Once, when the number of cases awaiting trial had shot up to twenty, he stopped taking new cases, but resumed when the number dropped to sixteen. He is vastly overworked. With 70 cases in hand altogether, half of them criminal, he decided that very week to take no more until the list was reduced.

Except for murder.

2.

Lionel Luckhoo is easy to describe. He looks like Napoleon. When he was High Commissioner to the Court of St. James, the London Press photographers asked him to put his hat on sideways and stick a hand inside his jacket in the traditional pose. Such flummery was superfluous. Without props or make-up he is a closer lookalike to the Emperor than Brando, Boyer or Steiger ever achieved on film. In repose, after working on a brief until weary, it is the brooding look of a Napoleon in exile.

Yet in a way the comparison is deceptive. The stern, unyielding and imperious Napoleonic traits are seldom in evidence, and when evident are merely assumed for courtroom effect. His natural powers a charm and gift of persuasion more reminiscent of a Talleyrand.

When he determined to 'set his cap', as he puts it, at being a great lawyer, Lionel took stock of his physical assets. They did not please him as being of the kind that could dominate a courtroom. He was five feet five-and-a-half inches tall. He could not forget the half foot that was lacking, not even the half inch. The commanding height of a Marshall Hall had been denied him. Neither in those days did he have a frontal bulge he could decorate with a gold watch-chain. (That touch of Napoleon's embonpoint has been added since!) So what had nature given him? A candid

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... a friendly smile, ... friendly eye. Lionel Luckhoo ...
and he likes people to like him. His common greeting: 'Hell... my friend,'
makes those he meets feel that it is more than a formal salute. Friendliness
does not win cases in court, but it keeps judges and juries in a mood to
listen.

Nonetheless, he does dominate the courtroom. Normally with a witness
he is coaxing rather than combative. Needless belligerence can rebound
if a witness made defiant then withholds the revealing answer. Yet when
it is called for the velvety voice can change, can pierce like a stiletto.
Lionel treats judges with an old-world courtesy that has gone out of fashion.
Even when angered he does not lose his temper, but he has been known to
respond to blatantly bad rulings with smooth sarcasm. One judge, after
much prevarication over a submission, ended by saying, 'I'm afraid I must
rule against you.' He was answered: 'You are perfectly right to be afraid,
Your Honour. When this matter is considered by a higher tribunal your
fears will be fully justified.' They were.

One day a man came into Lionel Luckhoo's office. 'Is talking to you
like talking to a priest?' he asked. 'Nothing I say can be repeated?'

Lionel confirmed that their conversation had absolute privilege.

'Then name your fee. I'll pay you anything. I want to get rid of
my wife. Just tell me how to do it safely, and I will do it.'

That was one time Lionel Luckhoo did lose his temper and threatened to
call the police. He was incensed at being asked to devise a foolproof
method of murder. Yet when another would-be client walked in and confessed,
'I have just killed my wife!' Lionel offered the sheerful comfort, 'That's
a minor offence.' It may have been just what the man needed to pull him
together. Otherwise the seeming flippancy is out of character for he is
the least callous of men.

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True, his sense of humor has a tinge of the macabre. out in unlikely places. To believe that to be serious is to be is a confusion of trivial minds. The first time he was knighted by Queen Elizabeth (he has been knighted twice; once for legal, once for diplomatic services), she said to him after the dubbing. 'You looked very grave, Sir Lionel.'

'Yes, Ma'am,' he replied. 'I was thinking of what would happen if you took a short cut from one shoulder to the other with the sword.'

His most harrowing moments are while waiting for the jury to bring in a verdict. He passes the time doodling and reviewing the evidence for an appeal -- just in case. Six times Lionel has heard the death sentence pronounced on clients, and has then won the cases on appeal. Twice, to achieve victory, he has had to go before the ultimate legal tribunal, the Privy Council in London. Far more often, of course, after the harrowing comes the immediate reward of hearing the foreman of the jury declare, 'Not Guilty.'

Lionel Luckhoo has never kept a judge waiting. It upsets him if he has to rush into court at the last moment. He likes to arrive early, get his books and papers in order, and settle down for at least five minutes before the court is in session. Whether the issue is large or small, Lionel is in a state of nerves, like an actor awaiting his opening line, until the moment comes for him to rise and say, 'Your Honour, I represent the defendant.' Then the tension vanishes and he is completely immersed in the case ... until next morning when it starts all over again. After all the years, the hundreds of cases, 'It's still a hell of a thing,' he says, 'To know that a man's whole future may be decided by your presentation of his case -- no matter whether it's a question of money, imprisonment, or saving him from being hanged.'

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3

It was charged against Socrates that he made the worse appear the better case. Demosthenes, Cicero, every advocate in every age, has had to face the accusation. Why do you defend an unworthy cause? Beyond all doubt, many a guilty man has owed his freedom to a clever counsel. And law-bidding citizens, who cannot imagine they ever will be in need of a defender, find this disturbing to their peace of mind. Inevitably, the question came before Dr. Samuel Johnson. Sir William Forbes had said he thought an honest lawyer should never undertake a cause which he was satisfied was not a just one. Boswell records the blunt answer.

'Sir,' said Dr. Johnson, 'a lawyer has no business with the justice or injustice of the cause which he undertakes The justice or injustice of the cause is to be decided by the judge. Consider, Sir, what is the purpose of courts of justice? It is that every man shall have his case fairly tried by men appointed to try causes A lawyer is not to usurp the province of the jury or the judge and determine what shall be the effect of the evidence or the result of legal argument.... If lawyers were to undertake no such causes until they were sure that they were just, a man might be precluded altogether from a trial of his claim, though were it judicially examined it might be found a very just claim.'

The greatest of English advocates Thomas Erskine, put it as plainly when he defended Tom Paine. 'If the advocate refuses to defend from what he may think of the charge or the defence, he assumes the character of the judge nay, he assumes it before the hour of judgment and puts the influence of a perhaps mistaken opinion into the scale against the accused.'*

*Lionel Luckhoo's views on how many of his clients were guilty, and the proper roles of defender, prosecutor, judge and jury will appear in other chapters.

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Under the rule of law a man is legally innocent until a jury has decided he is guilty. Every accused is allowed a defender, whose duty it is to say for him what he would say for himself were he able. If the State, with all its resources pitted against a lone advocate, cannot then prove to any twelve ordinary citizens that the accused is guilty beyond a reasonable doubt, surely he is entitled to go free.

What the defender should be, and seldom is, given credit for is the salvation of those who, deprived of his advocacy, might have been wrongfully convicted. Under the best legal systems there are more miscarriages of justice than most of us care to remember. Such lists should be immeasurably longer if we had to add the innocence freed through fine and fearless advocacy; conversely, they would be shorter if the best counsel had been available to all.

While admiring the art of the advocate it is easy to lose sight of the fact that human lives and happiness depend on his every performance. Lionel Luckhoo does not forget it nor could he if he would. To walk down the street with him, to pass through any town or village in Guyana, is sure to bring a reminder.

A young man comes up to him. 'You don't know me,' he says, 'But you got my father off a murder charge. If you hadn't I wouldn't be here, because I wasn't born then.'

Two middle-aged men come from two hundred miles up-country to bring him a gift of paw-paw, a fruit he specially likes. Years ago they were jointly accused of murder, and his skill saved them from the rope. They still remember.

His car stops outside a country store. The group of men standing there become wildly excited. They call out to someone inside: 'Come quickly, George! It's the man who got you off the murder charge. It's Lionel.'

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Such scenes are enacted wherever he goes. The three best in Guyana must be those of Forbes Burnham, The Prime Minister, Cheddi Jagan, the Leader of the Opposition, and Lionel Luckhoo. He, too, has been in politics. In the nineteen-fifties when Burnham and Jagan were allied he formed a party to oppose both, and met with disastrous defeat at the polls. It is a deeper and more personal recognition than that awarded to the political figure which he now receives. He is greeted as the friend of people in trouble, the defender who won freedom for them, their relatives or their friends, when a situation seemed hopeless.

The Victoria Law Courts, scene of so many triumphs are across the street, directly facing Lionel Luckhoo's office. But even today he will travel the breadth of the country for a preliminary inquiry into a capital charge. It is not for the money. Errol Barrow, when he was Prime Minister of Barbados, once said to Lionel, 'You are not the world's most successful lawyer but the world's biggest sucker,' as a comment on the fees he charges.

For a long time now, judges, lawyers and friends have been asking Lionel Luckhoo why he does not stop and so preserve an undefeated record. Partly his pride will not allow him to ease up, or to weight the odds by taking only the less difficult cases -- at least two of the trials now pending are likely to rank among the toughest he has faced. But the real answer, I think, is that he can resist neither the human appeal nor the challenge of his skills.

Lionel's own comment on his stupendous record is, 'I think I have an incredible amount of luck. It has stood me in great stead over a number of cases and over a number of years.' No doubt luck, by whatever name you call it, does play a part in life. It does not come ²⁴³ 269 times in

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succession. If luck went his way on some cases, they are counterbalanced by others in which it seemed, as with Sisera, that even the stars in their courses were against him.

Certainly anyone booked on a murder charge needs neither luck or Luckhoo. It may be better to have both, but given a choice well, Lady Luck is an inconstant nymph, Luckhoo is ever indomitable in the fight for victory.

Two hundred and ^{thirteen} nine. That number will be out of date before you read it. Will it still be rising, higher and higher? Or will the longest run of success in legal history have come to an end?