

he directs, and shall have effect as from a date to be specified in the Order.

8. The enactments described in the first Schedule to "The Foreign Jurisdiction Act, 1890," shall apply to the Protectorate as if it were a British Colony or possession, but subject to the provisions of this Order and to the exceptions, adaptations, and modifications following, that is to say:—

(i.) The Consul-General is hereby substituted for the Governor of a colony or British possession, and the Protectorate Court is hereby substituted for a Superior Court or Supreme Court, and for a Magistrate or Justice of the Peace of a Colony or British possession.

(ii.) For the portions of the Merchant Shipping Acts, 1854 and 1867, referred to in the said Schedule, shall be substituted Part XIII. of "The Merchant Shipping Act, 1894."

(iii.) In section fifty-one of "The Conveyancing (Scotland) Act, 1874," and any enactment for the time being in force amending the same, the Protectorate Court is substituted for a Court of Probate in a Colony.

(iv.) With respect to "The Fugitive Offenders Act, 1881"—

(a) So much of the fourth and fifth sections of the said Act as relates to sending a report of the issue of a warrant, together with the information, or a copy thereof, or to the sending of a certificate of committal and report of a case, or to the information to be given by a Magistrate to a fugitive shall be accepted, and in lieu of such information the person acting as the Magistrate shall inform the fugitive that in the British possession or Protectorate to which he may be conveyed he has the right to apply for a writ of *habeas corpus* or other like process.

(b) So much of the sixth section of the said Act as requires the expiration of fifteen days before issue of warrant, shall be excepted.

(c) The Consul-General shall not be bound to return a fugitive offender to a British possession unless satisfied that the proceedings to obtain his return are taken with the consent of the Governor of that possession.

(d) For the purposes of Part II. of the said Act, the Protectorate, Aden, Zanzibar, the East Africa and Uganda Protectorates, and British India, shall be deemed to be one group of British possessions.

9. The Secretary of State may, by Order published in such manner as he directs, declare that any of the Laws or Ordinances for the time being in force in any British possession, and not inconsistent with this Order, shall have effect, and be administered in the Protectorate, with such modifications or adaptations as may be necessary; and thereupon such Laws or Ordinances as so modified or adapted shall have effect as if they had been applied by this Order.

PART IV.—Criminal Matters.

10. Subject to the other provisions of this Order, the Code of Criminal Procedure and the other enactments relating to the administration of criminal justice in India, for the time being applicable to the Protectorate, shall have effect as if the Protectorate were a Presidency of India.

For the purposes of those enactments—

(a) The Consul-General shall hold and form a Court, to be called the Protectorate Court, which shall have all the powers of a Sessions Court in India; and

(b) The Protectorate Court shall, in relation to

all Courts within the Protectorate, have the same appellate jurisdiction and the same powers of revision as are possessed by a High Court in India; and

(c) The powers both of the Governor-General in Council and of the Local Government under those enactments shall be exercisable by the Secretary of State, or with his previous or subsequent assent, by the Consul-General.

11. If any person smuggles or imports into or exports from the Protectorate any goods whereon any duty is charged or payable to the Government of the Protectorate, with intent to evade payment of the duty, he shall be punished with imprisonment for a term which may extend to two months, or with fine which may extend to one thousand rupees, or with both.

12. Any act which if done in British India would be an offence against the law for the time being in force in British India relating to trade marks, merchandise marks, copyright, designs, or inventions, shall, if done in the Protectorate, be an offence punishable with imprisonment for a term which may extend to two months, or with a fine which may extend to one thousand rupees, or with both.

13.—(1) In cases of murder or culpable homicide, if either the death or the criminal act which wholly or partly closed the death happened in the Protectorate, a Court acting under this Order shall have the like jurisdiction over any person charged either as a principal offender or as an abettor, as if both the criminal act and the death had happened in the Protectorate.

(2) In the case of any offence committed on the high seas, or within the admiralty jurisdiction, by any person who at the time of committing such offence was on board a British ship, or by any British subject on board a foreign ship to which he did not belong, a Court acting under this Order shall have jurisdiction as if the offence had been committed within the Protectorate.

(3) In cases tried under this Article no different sentence can be passed from the sentence which could be passed in England if the offence were tried there.

14. When a sentence of death has been passed by the Protectorate Court, the Consul-General shall consider whether it is or is not desirable that the sentence should be reconsidered by the Secretary of State.

If he considers that it is so desirable, he shall append to the Minutes a certificate under his hand to that effect, together with such observations as he may think fit, and shall, at the earliest opportunity, transmit the same to the Secretary of State.

If he considers that it is not so desirable, he shall, not sooner than seven days after the passing of the sentence, certify on the Minutes his confirmation of the sentence by writing under his hand.

The Secretary of State may confirm or remit or commute the sentence.

A sentence of death shall not be carried into effect until it is confirmed by the Consul-General or the Secretary of State, as provided in this Article, but upon such confirmation shall be carried into effect according to law.

When the Secretary of State commutes a sentence, the commuted sentence shall be carried into effect as if the Protectorate Court had passed, and had authority to pass, that sentence.

15.—(a) The Consul-General may, if he thinks