

which under this Order can be exercised by a Consular Court, and shall be removable by authority of a Secretary of State; and it shall be lawful for a Secretary of State, by any such appointment or otherwise, to make provision for assigning to such Judge or Judicial Officer or Commissioner, and to any person acting as Consul-General, Consul, or Vice-Consul for the same district, place, or region, or any part thereof, respectively, such of the powers or jurisdictions exercisable under this Order, to be exercised by them either separately or concurrently as the Secretary of State from time to time directs, and under such description or designation as he directs.

Throughout this Order the expressions "Consular Courts" or "Court," or "Consul" or "Judge" (when used in relation to a Consular Court), mean a Consul-General, Consul, Vice-Consul, or other Judge, Judicial Officer, Commissioner, or person exercising power or jurisdiction under this Article; and expressions referring to the district of a Consular Court refer to a district assigned under this Article, or for or within which any person is appointed to act under this Article.

4. The jurisdiction hereby conferred shall extend to the persons and matters following, in so far as by Treaty, capitulation, grant, usage, sufferance, or other lawful means Her Majesty has jurisdiction in relation to such persons and matters, that is to say:—

(1.) All persons within the limits of this Order who are British subjects by birth or naturalization, or are otherwise for the time being subject to British law.

(2.) All persons properly enjoying Her Majesty's protection within the said limits.

(3.) The property and all personal or proprietary rights and liabilities within the said limits of any such persons as before mentioned, or situate for the time being within the said limits, and belonging to British subjects, or protected persons, although such subjects or persons may not be within the said limits.

(4.) All other persons, whether natives of Africa or not, and whether subjects of any non-African Power or not, who submit themselves to the jurisdiction, and who give such security as the Consular Court requires for obedience to the Order of the Court.

(5.) British ships, with their boats, and the persons and property on board thereof, or belonging thereto, being on the coasts or in the harbours or waters of any country or place within the limits of this Order.

(6.) Natives of Africa, being subjects of any native King or Chief who, by Treaty or otherwise, consents to their being subject to the jurisdiction.

5.—(1.) In cases of murder or manslaughter, if either the death or the criminal act which wholly or partly caused the death happened within the jurisdiction of a Court acting under this Order, such Court shall have the like jurisdiction over any British subject who is charged either as the principal offender or as accessory before the fact to murder, or as accessory after the fact to murder or manslaughter, as if both such criminal act and the death had happened within such jurisdiction.

(2.) In the case of any crime committed on the high seas, or within the Admiralty jurisdiction, by any British subject on board a British ship, or on board a foreign ship to which he did not belong, a Court acting under this Order shall have jurisdiction as if the crime had been committed within the district of such Court. In cases tried under

this Article no different sentence can be passed from the sentence which could be passed in England if the crime were tried there.

(3.) The foregoing provisions of this Article shall be deemed to be adaptations, for the purposes of this Order and of "The Foreign Jurisdiction Act, 1878," of the following enactments described in the first schedule to that Act (that is to say):—

"The Admiralty Offences (Colonial) Act, 1849."

"The Admiralty Offences (Colonial) Act, 1860."

"The Merchant Shipping Act, 1867," section 11. And the said enactments shall, so far as they are repeated and adapted by this Article (but not further or otherwise), extend to all places within the limits of this Order.

6. This Order shall not, except as herein expressly provided, abridge, affect, or interfere with any power or jurisdiction exercisable otherwise than under this Order, whether by virtue of any Statute or Order in Council, or of any Colonial law, or of any Treaty, or otherwise, and whether exercisable by Her Majesty or by any Colonial Legislature or Colonial or Consular or other Court, or under any Commission, and in particular shall not interfere with any power or jurisdiction exercisable under or by virtue of the Act 1 and 2 Geo. IV, cap. 28, or the Act 6 and 7 Vict., cap. 13, or the Act 23 and 24 Vict., cap. 121, or by virtue of the Acts 24 and 25 Vict., cap. 31, and 34 and 35 Vict., cap. 8, relating to offences committed in territories adjacent to Sierra Leone, Gambia, Gold Coast, Lagos, and the adjacent Protectorates; and all powers and jurisdictions in this Article mentioned shall continue to exist concurrently with and independently of the powers and jurisdictions exercisable under this Order.

PART II.—LAW.

7.—(1.) The civil and criminal law to be administered under this Order shall be the civil and criminal law in force in England at the date of the commencement of this Order, so far as applicable and subject to the modifications and with the additions contained in this Order, or for which provision is made by this Order, or by any Queen's Regulations made or for the time being in force under this Order.

(2.) A Secretary of State may from time to time, by order published in such manner as he directs, declare that any of the laws or ordinances for the time being in force in the West Africa Settlements or the Gold Coast Colony, shall have effect and be administered under this Order in relation to any place or places within the limits of this Order, with such modifications or adaptations as may be necessary; and thereupon such laws or ordinances, as so modified or adapted, shall have effect, in accordance with such Order, as if they had been applied by this Order.

(3.) The provisions of any Treaty with Her Majesty or Her successors for the time being in force with respect to any place within the limits of this Order shall have effect as part of the law to be enforced under this Order in relation to such place, and in case of inconsistency between such provisions and the law in force in England, or anything contained in this Order, effect shall be given to such provisions.

(4.) Crimes, offences, wrongs, and breaches of contract committed against or affecting the person, property, or rights of natives of Africa, or other persons not being British subjects, committed by persons subject to this Order, are punishable or otherwise cognizable under the