

if it thinks fit, order that the ship be appraised as aforesaid (if not already appraised), and be sold.

28. Every sale shall be made by or under the superintendence of the Marshal of the Court, or of the officer having the custody of the captured ship.

29. The proceeds of any sale made either before or after condemnation, and after condemnation the appraised value of the captured ship, in case she has been delivered up to a claimant on bail, shall be paid under an order of the Court either into the Bank of England to the credit of Her Majesty's Paymaster-General, or into the hands of an official accountant (belonging to the Commissariat or some other Department) appointed for this purpose by the Commissioners of Her Majesty's Treasury, or by the Lords of the Admiralty, subject in either case to such Regulations as may from time to time be made by Order in Council as to the custody and disposal of money so paid.

30. The captors may include in one adjudication any number, not exceeding six, of armed ships not exceeding one hundred tons each, taken within three months next before institution of proceedings.

31. The foregoing provisions relating to ships shall extend and apply, mutatis mutandis, to goods taken as prize on board ship; and the Court may direct such goods to be unladen, inventoried, and warehoused.

32. If the captors fail to institute or to prosecute with effect proceedings for adjudication a monition shall, on the application of a claimant, issue against the captors, returnable within six days from the service thereof, citing them to appear and proceed to adjudication; and on the return thereof the Court shall either forthwith proceed to adjudication, or direct further proof to be adduced as aforesaid, and then proceed to adjudication.

33. Where any person, not an original party in the cause, intervenes on appeal, he shall enter a claim, verified on oath, and shall give security for costs.

34. Where, in an expedition of any of Her Majesty's naval or naval and military forces against a fortress or possession on land, goods belonging to the State of the enemy, or to a public trading Company of the enemy exercising powers of government, are taken in the fortress or possession, or a ship is taken in waters defended by or belonging to the fortress or possession, a Prize Court shall have jurisdiction as to the goods or ship so taken, and any goods taken on board the ship, as in case of prize.

35. Where any ship or goods is or are taken by any of Her Majesty's naval or naval and military forces while acting in conjunction with any forces or any of Her Majesty's allies, a Prize Court shall have jurisdiction as to the same as in case of prize, and shall have power, after condemnation, to apportion the due share of the proceeds to Her Majesty's ally, the proportionate amount and the disposition of which shall be such as may from time to time be agreed between Her Majesty and Her Majesty's ally.

36. Before condemnation a Petition on behalf of asserted joint captors shall not (except by special leave of the Court) be admitted, unless and until they give security to the satisfaction of the Court to contribute to the actual captors a just proportion of any costs, charges, or expenses or damages that may be incurred by or awarded against the actual captors on account of the capture and detention of the prize.

After condemnation such a Petition shall not

(except by special leave of the Court) be admitted unless and until the asserted joint captors pay to the actual captors a just proportion of the costs, charges, and expenses incurred by the actual captors in the case, and give such security as aforesaid, and show sufficient cause to the Court why their Petition was not presented before condemnation.

Provided, that nothing in the present section shall extend to the asserted interest of a Flag Officer claiming to share by virtue of his flag.

37. A Prize Court, on proof of any offence against the law of nations, or against this Act, or any Act relating to naval discipline, or against any Order in Council or Royal Proclamation, or of any breach of Her Majesty's instructions relating to prize, or of any act of disobedience to the orders of the Lords of the Admiralty, or to the command of a superior officer, committed by the captors in relation to any ship or goods taken as prize, or in relation to any person on board any such ship, may, on condemnation, reserve the prize to Her Majesty's disposal, notwithstanding any grant that may have been made by Her Majesty in favour of captors.

At the Court at Windsor, the 17th day of December, 1888.

PRESENT,

The QUEEN's Most Excellent Majesty.

Lord President.

Lord Privy Seal.

Marquess of Lothian.

WHEREAS by Treaty, grant, usage, sufferance, and other lawful means, Her Majesty the Queen has power and jurisdiction in relation to Her Majesty's subjects and others within the dominions of His Highness the Sultan of Zanzibar.

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1843 to 1878, or otherwise in Her Majesty vested, is pleased by and with the advice of Her Privy Council to order, and it is hereby ordered as follows:—

1. This Order may be cited as "The Zanzibar Order in Council, 1888," and shall be construed as one with the Zanzibar Order in Council of 1884, herein called the principal Order.

2. The Consul-General shall have power from time to time to make Regulations for peace, order, and good government, and for enforcing the observance of any Treaty or Convention to which Her Majesty may be a party, and for enforcing the observance of any local law or decree for the time being in force made by or under the authority of the Sultan of Zanzibar. Every such Regulation shall be binding on all British subjects and British protected persons in Zanzibar, and if any such subject or person contravenes any such Regulation he shall be deemed guilty of an offence against the principal Order, and shall, on conviction before a Court of competent jurisdiction, be liable to be punished with fine which may extend to one thousand rupees, or with imprisonment which may extend to two months, or both; and the Court may declare any goods in respect of which such Regulation has been contravened to be forfeited, and may enforce such forfeiture in any mode in which any judgment of the Court may be enforced or executed.

Every such Regulation shall be published and exhibited by the Consul-General in his public office during one calendar month, and shall come into operation at the expiration of one calendar