

(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 4th and 5th 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 excepted, 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 6th section of the said Act as requires the expiration of fifteen days before issue of warrant, shall be excepted.

(c.) The Commissioner 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, Zanzibar, the Uganda Protectorate, British India, Mauritius, and all British possessions and Protectorates in Africa south of the Equator shall be deemed to be one group of British possessions.

13. 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 African possession of Her Majesty, 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 V.—*Criminal Matters.*

14. 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 district of a Presidency of India; and every officer appointed to hold a Provincial Court under this Order shall be deemed to be a Magistrate of the second Class; the Judicial Officer shall be deemed to be and have the powers of Sessions Judge; the full Court for Zanzibar shall be deemed to be the High Court; and 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 Commissioner.

15. When any person is committed to the Court for Zanzibar for trial, the Court shall, in accordance with any arrangements made by the Commissioner in this behalf, send him to Zanzibar for trial; and shall bind over such of the proper witnesses as are British subjects or foreigners, or any of them, in their own recognizances, to appear and give evidence on trial.

16. If any person subject to this Order 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 1,000 rupees, or with both.

17. 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, merchandize marks, copyright, designs, or inventions, shall, if done in the Protectorate by a person subject to this Order, be an offence, whether such act is done in relation to any property or right of a person subject or of a person not subject to this Order; and any person convicted of such offence shall be punished with imprisonment for a term which may extend to two months, or with a fine which may extend to 1,000 rupees, or with both.

18.—(1.) In cases of murder or culpable homicide, if either the death or the criminal act which wholly or partly caused the death happened in the Protectorate, a Court acting under this Order shall have the like jurisdiction over any person subject to this Order who is 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 subject to this Order who at the time of committing such offence was 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 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.

19.—(a.) The Commissioner may, if he thinks fit, by general order, prescribe the manner in which, and the places in the Protectorate at which, sentences of imprisonment are to be carried into execution.

(b.) The Commissioner may, if he thinks fit, in any case, by warrant under his hand and official seal, cause an offender convicted and sentenced to imprisonment before the Court to be sent and removed to, and imprisoned in, any place either in the Protectorate or in Zanzibar.

20. Where an offender convicted before the Court is sentenced to imprisonment, and the Commissioner, proceeding under section 7 of "The Foreign Jurisdiction Act, 1890," authority in that behalf being hereby given to him, considers it expedient that the sentence should be carried into effect within Her Majesty's dominions, the place shall be a place in some part of Her Majesty's dominions out of the United Kingdom, the Government whereof consents that offenders may be sent thither under this Article.

21.—(1.) Where it is shown by evidence on oath, to the satisfaction of the Commissioner, that any person subject to this Order has committed, or is about to commit, an offence against this Order, or is otherwise conducting himself so as to be dangerous to peace and good order in the Protectorate or is endeavouring to excite enmity between the people of the Protectorate and Her Majesty, or is intriguing against Her Majesty's power and authority in the Protectorate, the Commissioner may, if he thinks fit, by order under his hand and official seal, prohibit that person from being in the Protectorate, during any time therein specified, not exceeding two years.

(2.) If the person named in the order of prohibition fails to obey, or acts in contravention of the order—

(i.) He shall be guilty of an offence against this Order, and on conviction thereof, shall be liable to imprisonment for any time not exceeding two