

Schedule to "The Foreign Jurisdiction Act, 1890," shall apply to Zanzibar as if Zanzibar 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 Court for Zanzibar 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 1877, referred to in the said Schedule, shall be substituted Part XIII of "The Merchant Shipping Act, 1894."

(iii.) In section 51 of "The Conveyancing (Scotland) Act, 1874," and any enactment for the time being in force amending the same, the Court for Zanzibar 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 a 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, Zanzibar, the East Africa and Uganda Protectorates, 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 Zanzibar 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 Zanzibar, shall have effect as if Zanzibar were a district in the Presidency of Bombay; and the Assistant Judge shall be deemed to be the Magistrate of the district; the Judge shall be deemed to be the Sessions Judge; the High Court of Judicature at Bombay (hereinafter called the High Court of Bombay) 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 Governor-General of India in Council.

15. When any person is committed to the High Court of Bombay for trial, the Consul-General may, under and in accordance with the provisions of section 6 of "The Foreign Jurisdiction Act, 1890," send him to Bombay for trial; and in such case the Court may, if it thinks fit, bind over such of the proper witnesses as are British subjects, or any of them, in their own recognizances, to appear and give evidence on the trial.

16. If any person subject to this Order smuggles or imports into or exports from Zanzibar any goods whereon any duty is charged or payable to the Government of Zanzibar, 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 trademarks, merchandize-marks, copyright, designs, or inventions, shall, if done in Zanzibar by a person subject to this Order, be an offence, whether the person in relation to whose property or right such act is done is, or is 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 Zanzibar, 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 Zanzibar.

(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 Zanzibar.

(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 Consul-General may, if he thinks fit, by general order, prescribe the manner in which, and the places in Zanzibar at which, sentences of imprisonment are to be carried into execution.

(b.) The Consul-General 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 in Zanzibar or in the East Africa Protectorate.

20. Where an offender convicted before the Court is sentenced to imprisonment, and the Consul-General, 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 Consul-General, 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