

27. When a warrant or order of arrest is issued by a competent judicial authority in the East Africa Protectorate or in the Uganda Protectorate for the apprehension of a person who is accused of crime committed in that Protectorate, and who is, or is supposed to be, within Zanzibar, and that warrant or order is produced to any Court acting under this Order, the Court may back the warrant or order, and the same, when so backed, shall be sufficient authority to any person to whom it was originally directed, and also to any constable or officer of the Court by whom it is backed, and to any person named on the back of the warrant or order, to apprehend the accused person at any place within the limits of this Order and to carry him to and deliver him up within the jurisdiction of the authority issuing the warrant or order.

28. The Consul-General and every commissioned Consular Officer respectively, shall have in and for Zanzibar all the power and jurisdiction appertaining to the office of a Justice of the Peace.

#### PART VI.—Civil Matters.

29. Subject to the other provisions of this Order, the Code of Civil Procedure, "The Bombay Civil Courts Act, 1869," the Indian Succession Act, and the other enactments relating to the administration of civil justice for the time applicable to Zanzibar, shall have effect as if Zanzibar were a district in the Presidency of Bombay: the Judge shall be deemed to be the District Judge, and the Assistant Judge, the Joint District Judge, of the district, and the Court of Zanzibar, the District Court or Principal Civil Court of Original Jurisdiction in the district; the High Court of Bombay shall be deemed to be the highest Civil Court of Appeal for the district, and the Court authorized to hear appeals from and to revise the decisions of the District Court; and the powers, both of the Governor-General in Council and 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.

30. The Court for Zanzibar shall, for and within Zanzibar, and for vessels and persons coming within Zanzibar, have all such jurisdiction as is for the time being conferred on the Court by "The Consular Courts (Admiralty) Order in Council, 1894," or by any other Order in Council under section 12 of "The Colonial Courts of Admiralty Act, 1890."

The Assistant Judge shall be the Admiralty Registrar of the Court, but when he acts as Judge the Consul-General may appoint a competent person to be Acting Registrar.

31.—(a.) The Court shall endeavour to obtain, as early as may be, notice of the death of every person subject to this Order dying in Zanzibar and leaving property to be administered, and all such information as may serve to guide the Court with respect to the securing and administration of his property.

(b.) On receiving notice of the death of such a person, the Court shall put up a notice thereof at the Court-house, and shall keep the same there until probate or administration is granted, or, where it appears to the Court that probate or administration will not be applied for, or cannot be granted, for such time as the Court thinks fit.

(c.) The Court shall, where the circumstances of the case appear so to require, as soon as may be, take possession of the property in Zanzibar of the deceased, or put it under the seal of the Court (in either case, if the nature of the property or other

circumstances so require, making an inventory), and so keep it until it can be dealt with according to law.

(d.) All expenses incurred by the Court in so doing shall be the first charge on the property of the deceased, and the Court shall, by sale of the property or part thereof, or otherwise, provide for the discharge of these expenses.

32. When a person subject to this Order dies in Zanzibar intestate, his property shall, until administration is granted, vest in the Judge.

33. If a person named executor in a will, to the establishment of whose title, as such, it is necessary to obtain probate of that will, takes possession of, and administers or otherwise deals with, any part of the property of the deceased, and does not obtain probate within one month after the death, or after the termination of any proceeding respecting probate or administration, he shall be liable to be punished with fine, which may extend to 1,000 rupees.

34. If any person, other than the person named executor, or the administrator, or a person entitled to represent the deceased without obtaining probate or letters of administration, or an officer of the Court, takes possession of and administers, or otherwise deals with, any part of the property of the deceased, he shall, as soon as practicable, notify the fact and the circumstances to the Court, and shall furnish to the Court all such information as the Court requires, and shall conform to any directions of the Court in relation to the custody, disposal, or transmission of the property, or the proceeds thereof, and, in case of any contravention of this Article, he shall be liable to be punished with fine, which may extend to 1,000 rupees.

35.—(1.) When the peculiar circumstances of the case appear to the Court so to require, for reasons recorded in its proceedings, the Court may, if it thinks fit, of its own motion, or otherwise, grant letters of administration to an officer or practitioner of the Court.

(2.) The person so appointed shall act under the direction of the Court, and shall be indemnified thereby; and if he is a practitioner shall not act otherwise than as administrator in relation to the estate.

(3.) He shall publish such notices, if any, as the Court thinks fit, in Zanzibar, Bombay, the United Kingdom, and elsewhere.

(4.) The Court shall require and compel him to file, in the proper office of the Court, his accounts of his administration, at intervals, not exceeding three months.

(5.) The accounts shall be audited under the direction of the Court.

(6.) All expenses incurred in behalf of the Court in execution of this Article shall be the first charge on the estate of the deceased in Zanzibar; and the Court shall, by the sale of the estate, or otherwise, provide for the discharge of those expenses.

36.—(a.) Where any person entitled to appeal to the High Court of Bombay from any decree or order made by the Court for Zanzibar in the exercise of civil jurisdiction under this Order desires so to appeal, he shall present his Memorandum of Appeal to the Court for Zanzibar, and, subject to the provisions hereinafter contained, that Court shall receive the same for transmission to the High Court in manner hereinafter provided.

(b.) The appellant shall, within such time as the Court directs, give security to the satisfaction of the Court, and to such amount as the Court thinks reasonable, for prosecution of the appeal,