

as the Secretary of State approves, but the seal in use in the District Court at Bangkok at the commencement of this Order shall continue to be used until a new seal is provided.

(ii.) District Courts.

9.—(1.) Every Consular officer, with such exceptions (if any) as the Secretary of State thinks fit to make, shall for and in his own Consular district hold and form a Court, in this Order referred to as a District Court.

(2.) Every District Court shall be styled "His Britannic Majesty's District Court at" (or as the case may be).

(3.) Every District Court shall, with the approval of the Court for Siam, appoint a competent person, or persons, to perform such duties and to exercise such powers as are by this Order and any Rules of Court imposed or conferred upon the Registrar and Marshal, and any person so appointed shall perform such duties and exercise such powers accordingly.

(iii.) Supreme Court.

10.—(1.) The Supreme Court shall have appellate jurisdiction under this Order.

(2.) The appellate jurisdiction of the Supreme Court shall be exercised by the full Supreme Court sitting in the Straits Settlements in such manner and according to such procedure as, subject to the provisions of this Order, the Supreme Court from time to time, by Rules of Court or otherwise, may direct.

(3.) Judgments or orders of the Supreme Court, in the exercise of its appellate jurisdiction, shall be certified by the Supreme Court to the Court for Siam or, when the appeal is from the judgment or order of a Judge of the Supreme Court acting in Siam or in the Straits Settlements, then to such Court in Siam as the Supreme Court thinks fit, and (subject to any appeal to His Majesty in Council) that Court may and shall execute and give effect to the same in like manner as to its own judgments or orders.

(4.) Except as provided by this Order the Supreme Court shall not exercise any control over a Court in Siam, whether by way of mandamus, prohibition, certiorari, writ of *habeas corpus*, or otherwise.

11. The Supreme Court shall, for the purposes of this Order, have original jurisdiction as follows:—

(1.) When, under this Order, a person accused of an offence is sent for trial to the Straits Settlements, the Supreme Court shall have the like jurisdiction, and may proceed in the same manner as if the offence had been committed in the Straits Settlements, except that the criminality of the act charged and the punishment to be inflicted must be determined according to the law applicable under this Order in Siam.

(2.) On the request of the Minister (made with the consent of the Government of the King of Siam), the Supreme Court may exercise in Siam in relation to any civil or criminal matter any original jurisdiction which can be exercised by the Court for Siam, and all the provisions of this Order shall apply accordingly (*mutatis mutandis*), and any appeal shall be to the full Supreme Court.

(3.) On the like request made with the like consent, the Supreme Court may hear and determine at Bangkok, or elsewhere in Siam, any criminal case which could under this Order be sent for trial to the Straits Settlements, and for that purpose shall have the like jurisdiction and may proceed in the same manner as nearly as may be as if it were trying the same case in the Straits

Settlements, or as if it were the Court for Siam trying in Siam a criminal case within the jurisdiction of a District Court.

(4.) The Supreme Court may hear and determine within the Straits Settlements any civil case arising in Siam, with the consent of the parties and of the Minister, and for that purpose may adopt any procedure proper either in the Straits Settlements or in Siam. In such case any appeal shall be to the full Supreme Court.

(5.) For the purposes of the exercise of original jurisdiction under this Article, such Judge or Judges of the Supreme Court as the Chief Justice of the Straits Settlements from time to time nominates, shall exercise the powers of the Supreme Court.

(6.) Every Court in Siam may and shall, according to its powers, execute, enforce, and give effect to any judgment or order of the Supreme Court in the exercise of its original jurisdiction, and may and shall, for the purposes of anything to be done preliminary to a sitting of the Supreme Court—as, for instance, the summoning of a jury, or of assessors, or of witnesses—exercise (*mutatis mutandis*) all the powers which such Court has for any purpose under this Order in a case or matter pending before itself.

(iv.) Powers of Courts.

12. All His Majesty's jurisdiction, civil and criminal, including any jurisdiction by this Order conferred expressly on a District Court, shall for and within the district of the Consulate of Bangkok, be vested exclusively in the Court for Siam as its ordinary original jurisdiction.

13. All His Majesty's jurisdiction, civil and criminal, not under this Order vested exclusively in the Court for Siam, shall to the extent and in the manner provided by this Order be vested in the District Courts.

14. The Court for Siam shall have in all matters, civil and criminal, an original jurisdiction, concurrent with the jurisdiction of the several District Courts, to be exercised subject and according to the provisions of this Order.

15. The Court for Siam shall ordinarily sit at Bangkok; but may, on emergency, sit at any other place in Siam, and may at any time transfer its ordinary sittings to any such place as the Secretary of State approves. Under this Article the Judge and an Assistant Judge may sit at the same time at different places, and each sitting shall be deemed to be a sitting of the Court for Siam.

16. The Judge of the Court for Siam may visit, in a magisterial or judicial capacity, any place in Siam, and there inquire of, or hear and determine, any case, civil or criminal, and may examine any records or other documents in any District Court, and give directions as to the keeping thereof.

17. Where any case, civil or criminal, commenced in a District Court, appears to that Court to be beyond its jurisdiction, or to be one which for any other reason ought to be tried in the Court for Siam, the District Court shall report the case to the Court for Siam for directions.

18. The Court for Siam may of its own motion, or upon the report of a District Court, or on the application of any party concerned, require any case, civil or criminal, pending in any District Court to be transferred to, or tried in, the Court for Siam, or may direct in what Court and in what mode, subject to the provisions of this Order, any such case shall be tried.

19. The Court for Siam and each District Court shall, in the exercise of every part of its jurisdiction, be a Court of Record.