

or confirmation, sealed with the seal of the Court granting the same, or a copy thereof certified as correct by or under the authority of the Court granting the same, shall have the same effect as the original.

51. Where it appears to the Court that the value of the property or estate of a deceased person does not exceed £50, the Court may, notwithstanding anything contained in this Order, without any probate or letters of administration, or other formal proceeding, pay thereout any debts or charges, and pay, remit, or deliver any surplus to such persons, subject to such conditions (if any) as the Court thinks proper, and shall not be liable to any action, suit or proceedings in respect of anything done under this Article. Every proceeding of the Court under this Article shall be recorded in the Minutes.

PART VIII.—MISCELLANEOUS.

52.—(1) Where it is proved that the attendance of any person subject to this Order to give evidence, or for any other purpose connected with the administration of justice, is required before a Court of the Sultan of Zanzibar, the Court for Zanzibar may, if it thinks fit, in a case and in circumstances in which the Court for Zanzibar would require the attendance of that person before the Court, order that he do attend as required. The order may be made subject to conditions as to payment or tender of expenses or otherwise.

(2) If the person ordered to attend, having reasonable notice of the time and place at which he is required to attend, fails to attend accordingly, and does not excuse his failure to the satisfaction of the Court for Zanzibar, or if, when so attending to give evidence, he wilfully gives false evidence, or refuses to be sworn or to give evidence, he shall, independently of any other liability, be liable to 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.

53. If a person subject to this Order—

(1) Wilfully obstructs, by act or threat, any Court of the Sultan of Zanzibar in the performance of its duty; or

(2) Within or close to the room or place where such a Court is sitting, wilfully misbehaves in a violent, threatening or disrespectful manner, to the disturbance of the Court or to the intimidation of suitors or others resorting to the Court; or

(3) Wilfully insults any member or officer of such a Court in his going to, or returning from, any place of sitting or office of the Court;

He shall, on conviction before the Court for Zanzibar, be liable to 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.

54.—(1) Every agreement for reference to arbitration between a person subject to this Order, on the one hand, and a person not subject to this Order, on the other hand, may, on the application of any party, be filed for execution in the proper office of the Court.

(2) The Court shall thereupon have authority to enforce the agreement and the Award made thereunder, and to control and regulate the proceedings before and after the

Award, in such manner and on such terms as the Court may think fit.

(3) If a person subject to this Order wilfully gives false evidence in an arbitration, he shall on conviction before the Court for Zanzibar be liable to the same punishment as if he were convicted of giving false evidence in a proceeding in that Court.

55.—(1) A non-testamentary instrument to which a person subject to this Order is a party, executed after the 28th day of November, 1893, and purporting or operating to create, declare, assign, limit, or extinguish, whether in present or in future, any right, title, or interest, whether vested or contingent to, in, or over immovable property situate in Zanzibar, shall not affect any immovable property comprised therein, or be received as evidence of any transaction affecting that property, unless—

(a) If the instrument was executed before the fourth day of November, 1908, it has been registered at the registration office of the Zanzibar Government, or at His Majesty's Consulate, or at some other Consulate in accordance with the rules, if any, applicable to the registration of such instruments;

(b) If the instrument was executed after the fourth day of November, 1908, it has been registered in accordance with the Decrees of the Sultan of Zanzibar in force for the time being.

(2) Provided that nothing in this Article shall make any instrument inadmissible in evidence in any criminal proceeding.

56. The Judge may make Rules of Court—

(a) For regulating the pleading, practice and procedure in the Courts established under this Order with respect to all matters within the jurisdiction of the respective Courts;

(b) For regulating the practice where any party wishes to appeal;

(c) For regulating the means by which particular facts may be proved in the said Courts;

(d) For prescribing any forms to be used;

(e) For prescribing or regulating the duties of the officers of the said Courts;

(f) For prescribing scales of costs and regulating any matters in connection therewith;

(g) For prescribing and enforcing the fees to be taken in respect of any proceedings under this Order;

(h) For prescribing the allowances to be made in criminal cases to complainants, witnesses, jurors, assessors, interpreters, medical practitioners, and other persons employed in the administration of justice, and the conditions upon which an Order may be made by the Court for such allowances;

(i) For taking and transmitting depositions of witnesses for use at trials in a British possession or in the United Kingdom;

(k) For regulating the mode in which legal practitioners are to be admitted to practice as such, and for withdrawing or suspending the right to practise on grounds of misconduct, subject to a right of appeal to the Court of Appeal.

Where under any Act of Parliament which is applicable to Zanzibar Rules may or are required to be made in England by the Lord