

the former Colony at the expiration of their punishment, or at such other period as might be agreed upon, upon such terms and subject to such conditions as might seem good to the said Colonies, and that the sanction of the Order of His Majesty in Council might be obtained in the case of a Colony having a Legislative Body on an Address of such Body to His Majesty, and in the case of any Colony not having a Legislative Body on an Address of the Governor of such Colony, and that the Agreement of any one Colony with another should for the purposes of the said Act be testified by a writing under the hand of the Governor of such Colony:

And whereas by an Order of His Majesty The King in Council, bearing date the 12th day of August, 1915, His Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Acts, 1890 and 1913, or otherwise in His Majesty vested, was pleased, by and with the advice of His Privy Council, to order that the Colonial Prisoners Removal Act, 1869, should, from the date of the said Order, apply to the Nyasaland Protectorate, as though that Protectorate were within the meaning of the said Act, a Colony not having a Legislative Body:

And whereas an Agreement, bearing date the 26th day of May, 1917, was made by and between Our Trusty and Well-beloved Sir George Smith, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Our Governor and Commander-in-Chief in and over Our Protectorate of Nyasaland, and Our Trusty and Well-beloved Sir Henry Hesketh Joudou Bell, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Our Governor and Commander-in-Chief in and over Our Colony of Mauritius and its Dependencies, on behalf of the Protectorate and Colony of which they were respectively Governors as aforesaid, respecting the removal of prisoners from Nyasaland to Mauritius upon certain terms and subject to certain conditions therein set forth, of which Agreement a copy is contained in the Schedule to this Order annexed:

And whereas the said Agreement was duly testified by writing under the hand of the said Governors respectively:

And whereas Addresses have been received by His Majesty from the said Governor of Nyasaland, and from the Legislative Council of the said Colony of Mauritius respectively, praying that His Majesty will be graciously pleased to sanction the said Agreement by an Order of His Majesty in Council to be made under the said Colonial Prisoners Removal Act, 1869.

Now, therefore, His Majesty, in pursuance and exercise of the powers vested in His Majesty by the said Act of Parliament, doth, by this present Order, by and with the advice of His Privy Council, declare His sanction to the said Agreement.

And the Right Honourable Walter Hume Long, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly

*Almeric FitzRoy.*

#### SCHEDULE.

Agreement made the 26th day of May, 1917, between His Excellency Sir George Smith, K.C.M.G., Governor and Commander-in-Chief of the Nyasaland Protectorate, for and on be-

half of the Government of the said Protectorate, of the one part, and His Excellency Sir Henry Hesketh Joudou Bell, K.C.M.G., Governor and Commander-in-Chief of the Colony of Mauritius and its Dependencies, for and on behalf of the Government of the said Colony, of the other part.

Whereas by the fourth section of the Colonial Prisoners Removal Act, 1869, as applicable to Mauritius, and made applicable to the Nyasaland Protectorate by an Order in Council dated the 12th day of August, 1915, it is provided that:—

“ Any two Colonies may, with the sanction of an Order of Her Majesty in Council, agree for the removal of any prisoners under sentence or order of transportation, imprisonment, or penal servitude, from one of such Colonies to the other for the purpose of their undergoing in such other Colony the whole or any part of their punishment, and for the return of such prisoners to the former Colony at the expiration of their punishment, or at such other period as may be agreed upon, upon such terms and subject to such conditions as may seem good to the said Colonies.

“ The sanction of the Order of Her Majesty in Council may be obtained, in the case of a Colony having a Legislative Body, on an Address of such Body to Her Majesty, and in the case of any Colony not having a Legislative Body, on an Address of the Governor of such Colony; and such sanction shall be in force as soon as such Order in Council has been published in the Colony to which it relates.

“ The Agreement of any one Colony with another shall for the purposes of this Act be testified by a writing under the hand of the Governor of such Colony.

And whereas it is proposed to remove certain prisoners under sentence or order of imprisonment or of penal servitude in the Nyasaland Protectorate to the Colony of Mauritius:

Now, therefore, it is this day agreed by and between:—

His Excellency Sir George Smith, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of Nyasaland (on behalf of the Government of the Nyasaland Protectorate, hereinafter called the Nyasaland Government), of the one part, and

His Excellency Sir Henry Hesketh Joudou Bell, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of Mauritius (on behalf of the Government of the Colony of Mauritius, hereinafter called the Mauritius Government), of the other part, as follows:—

1. The Mauritius Government will receive for the term of their detention prisoners under sentence of imprisonment or of penal servitude sent to the Colony of Mauritius by the Nyasaland Government.

2. The Nyasaland Government agree to pay all the expenses connected with the transfer of the prisoners from the Nyasaland Protectorate to the Colony of Mauritius.

3. The Nyasaland Government agree to reimburse to the Mauritius Government all expenses incurred during the detention of the prisoners in the Colony of Mauritius.

4. At the expiration of the term of imprisonment or of penal servitude of any par-