

At the Court at Windsor, the 4th day of November 1867.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS by an Act of Parliament made and passed in the session of Parliament holden on the 6th and 7th years of Her Majesty's reign, intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," it is amongst other things enacted that it is and shall be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty now hath, or may at any time hereafter have, within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory;

And whereas Her Majesty hath power and jurisdiction in the dominions of His Majesty the Sultan of Muscat and its dependencies;

And whereas it is expedient to make provision for the due and effectual exercise of such power and jurisdiction;

1. Now, therefore, in pursuance and by virtue of the said recited Act of Parliament, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that Her Majesty's Consuls appointed to reside in the dominions of the Sultan of Muscat shall have full power and authority to carry into effect and to enforce, by the means and in the manner hereinafter mentioned and provided, the observance of the stipulations of any Treaty or Convention, or of any Regulations appended to any Treaty or Convention now existing, or which may hereafter be made between Her Majesty, her heirs and successors, and the Sultan of Muscat, his heirs and successors; and to make and to enforce, by fine or imprisonment, or both, Rules and Regulations for the observance of the stipulations of any such Treaty or Convention, and for the peace, order, and good government of Her Majesty's subjects being within the dominions of the Sultan of Muscat, his heirs and successors.

2. And it is further ordered that a copy of all such Rules and Regulations made by the said Consul shall forthwith be affixed, and kept affixed and exhibited, in some conspicuous place in the public office of the said Consul, and that printed copies of the said Rules and Regulations shall, as soon as possible, be provided by the said Consul, and sold at a price not exceeding one dollar for each copy; and, for the purpose of convicting any person offending against the said Rules and Regulations, and for all other purposes of law whatsoever, a printed copy of the said Rules and Regulations, certified under the hand of the said Consul to be a true copy thereof, shall be taken as conclusive evidence of such Rules and Regulations, and all things therein respectively contained; and no penalty shall be incurred or shall be enforced for the breach of any such Rules or Regulations to be hereafter made, until the same shall have been so affixed and exhibited for one calendar month in the public office of the Consul: Provided always, that any such Rule or Regulation made by Her Majesty's Consul, and to be enforced by a penalty, shall, before the first day on which the same shall be so affixed or exhibited, be transmitted

to Her Majesty's Principal Secretary of State for Foreign Affairs for allowance or disallowance; and if any such Rule or Regulation shall be disallowed by Her Majesty's Principal Secretary of State for Foreign Affairs, the same shall cease to have effect from the receipt by the Consul of such disallowance; nevertheless the Consul shall not be liable to be proceeded against in any of Her Majesty's Courts in regard to any act done by him under such Rule or Regulation previously to the receipt of its disallowance by such Consul.

3. And it is further ordered that it shall be lawful for Her Majesty's Consul, as aforesaid, upon information, or upon the complaint of any person that a British subject has violated any of the stipulations of any Treaty or Convention, or of any Regulations appended to any Treaty or Convention between Her Majesty and the Sultan of Muscat, or has disregarded or infringed any of the Rules or Regulations for the observance of the stipulations of any such Treaty or Convention, a fixed and exhibited according to the provisions of the next preceding Article of this Order, to summon before him the accused person, and to receive evidence, and to examine witnesses on oath as to the guilt or innocence of such person in regard to the offence laid to his charge, and to award such penalty of fine or imprisonment against any person convicted of an offence against any such Treaty or Convention, or appended Regulations, or against the said Rules and Regulations, as may be specified therein respectively; and any charge against a British subject for a breach of any such Treaty or Convention, or appended Regulations, or for a breach of such Rules and Regulations for the observance of any such Treaty, shall be heard and determined by the Consul without Assessors: Provided always, that in no case shall the penalty to be incurred by a breach of such Rules and Regulations exceed 500 dollars, or three calendar months' imprisonment.

4. And it is further ordered that any charge against a British subject for a breach of Rules and Regulations other than those relating to the observance of Treaties, shall in like manner be heard and determined by Her Majesty's Consul; and in all cases in which the penalty shall not exceed 200 dollars, or one calendar month's imprisonment, the Consul shall hear and determine the charge summarily, without the aid of Assessors; but where a penalty attached to a breach of the Rules and Regulations other than those relating to the observance of Treaties shall amount to more than 200 dollars, or to imprisonment for more than one calendar month, the Consul, before he shall proceed to hear the charge, shall summon two disinterested British subjects of good repute to sit with him as Assessors, which Assessors, however, shall have no authority to decide on the innocence or guilt of the person charged, or on the amount of fine or imprisonment to be awarded to him on conviction, but it shall rest with the Consul to decide on the guilt or innocence of the person charged, and on the amount of fine or imprisonment to be awarded to him: Provided always, that in no case shall the penalty to be attached to a breach of Rules and Regulations other than those for the observance of Treaties exceed 500 dollars, or three calendar months' imprisonment; and provided further, that, in the event of the said Assessors, or either of them, dissenting from the conviction of the party charged, or from the penalty of fine or imprisonment