

6. Except as to offences against the Capitulations, Articles of Peace, and Treaties between Her Majesty and the Sublime Ottoman Porte, or against any rules and regulations for the observance thereof or the maintenance of order among British subjects in the dominions of the Sublime Ottoman Porte made by or under the authority of Her Majesty, or against any of the provisions of the present Order, or any rule made under it, and except as to offences expressly made such by the present Order, or any other Order for the time being in force,—

No act done by a British subject in the dominions of the Sublime Ottoman Porte or on board a British vessel within the same dominions, which would not by a Court of Justice having criminal jurisdiction in England be deemed to be a crime or offence rendering the person doing the act amenable to punishment in England, shall, in the exercise of criminal jurisdiction under the present Order be deemed to be a crime or offence rendering the person doing the act amenable to punishment.

### III.—CONSTITUTION OF HER MAJESTY'S CONSULAR COURTS.

#### i.—*The Supreme Consular Court at Constantinople.*

7. There shall be a Court styled "Her Britannic Majesty's Supreme Consular Court for the Dominions of the Sublime Ottoman Porte."

8. The Supreme Consular Court shall hold its ordinary sittings at Constantinople; but may, in case of emergency, sit at any other place within the district of the Consulate-General of Constantinople, and may at any time hold its ordinary sittings at any such place within the dominions of the Sublime Ottoman Porte as one of Her Majesty's Principal Secretaries of State may approve.

9. There shall be one Judge of the Court.

He shall be appointed by Her Majesty by warrant under her Royal sign manual.

He shall be, at the time of his appointment, a member of the Bar of England, Scotland, or Ireland, of not less than seven years' standing; or a British subject who shall have filled the office of Legal Vice-Consul Cancellier in the Levant, or the office of Law Secretary to the Supreme Consular Court.

He shall hold by special commission from Her Majesty the appointment of Vice-Consul, but shall have rank and precedence as if he held the appointment of Consul-General.

He may, in case of his being absent from the district of the Consulate-General of Constantinople, either in the discharge of his duty, or with permission of one of Her Majesty's Principal Secretaries of State, or in case of illness, appoint, by writing under his hand and seal, a fit person to be his Deputy.

During the vacancy of the office of Judge, or on any emergency, any fit person, approved by one of Her Majesty's Principal Secretaries of State, may temporarily be and act as Acting Judge, with all the power and authority of Judge.

10. There shall be attached to the Court—

- (1.) One Legal Vice-Consul Cancellier:
- (2.) One Law Secretary:
- (3.) So many officers and clerks as one of Her Majesty's Principal Secretaries of State may from time to time think fit.

11. The Legal Vice-Consul Cancellier and the Law Secretary shall be appointed by Her Majesty.

They shall respectively hold by special commission from Her Majesty the appointment of Vice-Consul; but the Legal Vice-Consul Cancellier shall always have rank and precedence above the Law Secretary.

The Legal Vice-Consul Cancellier shall act as Registrar of the Court.

The Law Secretary shall discharge such duties in connection with the conduct of criminal prosecutions, as the Judge may from time to time direct.

The Legal Vice-Consul Cancellier shall hear and determine in a summary way such criminal charges as may under the present Order be properly so heard and determined, and as may be specially referred to him by the Judge.

The Law Secretary shall hear and determine in a summary way such criminal charges as may, under the present Order, be properly so heard and determined, and as the Judge may from time to time think necessary for the despatch of urgent business to refer specially to him.

Where a suit or proceeding of a civil nature, originally instituted in the Supreme Consular Court, relates to money, goods, or other property, or any civil right or other matter at issue of a less amount or value than one hundred pounds sterling, or is instituted for the recovery of damages of a less amount than one hundred pounds sterling, it shall be lawful for the Judge to refer such suit or proceeding specially to the Legal Vice-Consul Cancellier to be heard and determined by him, or if it shall appear to the Judge necessary for the despatch of urgent business so to do, to refer any such suit or proceeding specially to the Law Secretary to be heard and determined by him; and the Legal Vice-Consul Cancellier, or Law Secretary (as the case may be) shall hear and determine the same accordingly; but in all such cases an appeal shall lie as of course to the Judge.

#### ii.—*The Consular Courts in the Provinces.*

12. Each of Her Majesty's Consuls-General, Consuls, and Vice-Consuls, resident in the dominions of the Sublime Ottoman Porte (with the exception of Her Majesty's Consul-General at Constantinople, and with such other exceptions as one of Her Majesty's Principal Secretaries of State may at any time think fit to make) for and in his own Consular district shall hold and form a Court styled "Her Britannic Majesty's Consular Court at [Smyrna, or as the case may be]."

Provided always, that no Vice-Consul shall be competent to hold a Consular Court unless he holds a commission as Vice-Consul from Her Majesty; but any person acting temporarily, with the approval of one of Her Majesty's Principal Secretaries of State, as Consul-General, Consul, or Vice-Consul, shall be competent to hold a Consular Court.

### IV.—JURISDICTION AND POWERS OF THE CONSULAR COURTS.

#### i.—*In General.*

13. All Her Majesty's jurisdiction, civil and criminal, exercisable in the dominions of the Sublime Ottoman Porte shall, for and within the district of the Consulate-General of Constantinople, be vested exclusively in the Supreme Consular Court as its ordinary original jurisdiction.

14. All Her Majesty's jurisdiction, civil and criminal, exercisable in the dominions of the Sublime Ottoman Porte beyond the district of the Consulate-General of Constantinople, and not under the present Order vested exclusively in the Supreme Consular Court, shall, to the extent and in the manner provided by the present Order, be vested in the several Provincial Consular Courts each for and within its own district.

15. Where a suit or proceeding of a civil nature instituted in a Provincial Consular Court does not relate to money, goods, or other property of the amount or value of three hundred pounds sterling, or upwards, or does not relate to or involve, directly or indirectly, a question respecting any