

Provided always, that a Provincial Consular Court shall have power to grant probate or administration where there is no contention as to the right to the grant, and it is proved on oath that the deceased had at the time of his death a fixed place of abode within the jurisdiction of the particular Court.

Every probate or administration granted by a Provincial Consular Court, shall have effect over all the property of the deceased within the dominions of the Sublime Ottoman Porte, and shall under all circumstances effectually discharge all persons paying to or dealing with an executor or administrator thereunder, notwithstanding that any defect may afterwards appear in the grant; and no such grant shall be impeached by reason only that the deceased had not at the time of his death a fixed place of abode within the particular jurisdiction.

Any person having in his possession or under his control any paper or writing of the deceased being or purporting to be testamentary, shall forthwith bring the original to the Supreme or other Consular Court, and deposit it there.

Any person neglecting so to do for fourteen days after having knowledge of the death of the deceased, shall be liable to such penalty, not exceeding fifty pounds sterling, as the Court may think fit to impose.

Where it is shown to the satisfaction of the Supreme or other Consular Court, that any paper purporting to be testamentary is in the possession or under the control of any person, the Court may, in a summary way, whether a suit or proceeding as to probate or administration is pending or not, order him to produce and bring into Court such paper.

Where it appears to the Supreme or other Consular Court, that there are reasonable grounds for believing that any person has knowledge of any paper purporting to be testamentary, (although it is not shown to the satisfaction of the Court that the paper is in his possession or under his control,) the Court may, in a summary way, whether a suit or proceeding for probate or administration is pending or not, order him to attend for the purpose of being examined respecting the same in open Court or on interrogatories, and after examination to produce the paper and bring it into Court.

Any person failing to attend or to be examined, or to produce and bring in the paper accordingly, shall be liable to the same consequences as he would be liable to if he were a party to a suit in the Court, and had made like default.

From and after the death of an intestate having at the time of death a fixed place of abode within the dominions of the Sublime Ottoman Porte, and until administration granted, the personal property of the intestate within the dominions of the Sublime Ottoman Porte, shall be vested in the Judge of the Supreme Consular Court, as the personal property of an intestate in England is vested in the Judge of Her Majesty's Court of Probate there.

If any person, other than one of Her Majesty's Consular officers, takes possession of, and in any manner administers any part of the personal property of any person deceased without obtaining probate or administration within three calendar months after the death of the deceased, or within one calendar month after the termination of any suit or dispute respecting probate or administration (if there shall be any such which shall not be ended within two calendar months after the death of the deceased), he shall be liable to forfeit a sum not exceeding one hundred pounds sterling.

31. Where a British subject, not having at the time of death a fixed place of abode in the domi-

nions of the Sublime Ottoman Porte, dies in those dominions, the Supreme or other Consular Court, within whose district he dies, shall, where the circumstances of the case appear to the Court so to require, forthwith on the death of the deceased, or as soon after as may be, take possession of his personal property within the particular jurisdiction, or put it under the seal of the Court, (in either case, if the nature of the property or other circumstances so require, making an inventory), and so keep the property until it can be dealt with according to law.

32. Where any decision of a Provincial Consular Court, sitting with or without Assessors, is given in a civil case in respect of a sum or matter at issue of the amount or value of fifty pounds sterling or upwards, or determines, directly or indirectly, any claim or question respecting property or any civil right to the amount or value of fifty pounds sterling, or upwards, but not in any other case, any party aggrieved by the decision may apply to the Provincial Consular Court for leave to appeal to the Supreme Consular Court.

The terms on which the person applying shall be entitled to leave, and the procedure on appeals, shall be regulated by the Rules to be made under the present Order.

In any case, other than the cases hereinbefore described, the Provincial Consular Court may, if it considers it just and expedient so to do, give leave to appeal on the like terms.

iii.—*In Criminal Matters.*

33. The Supreme and every other Consular Court shall have power and authority to cause to be apprehended and brought before it any British subject being within the district of the Court and charged with having committed any crime or offence within the dominions of the Sublime Ottoman Porte, or on board any British vessel being within the same dominions, and to deal with the accused according to the jurisdiction of the Court and in conformity with the provisions of the present Order; or where the crime or offence is triable, and is to be tried, in England, to take the preliminary examination, and to commit the accused for trial and cause or allow him to be taken to England.

34. The Supreme and every other Consular Court may promote reconciliation and encourage and facilitate the settlement in an amicable way of proceedings for assault or any other offence of a private or personal character, on terms of payment of compensation or other terms that may seem reasonable or expedient, and may thereupon order the proceedings to be stayed.

35. Whenever any person shall be convicted before the Supreme Consular Court of the crime of murder, the proper officer of the Court, under its direction, shall, in open Court, require the offender to state if such offender hath or knoweth anything to say why judgment of death should not be recorded against such offender; and in case such offender shall not allege any matter or thing sufficient in law to prevent such judgment if the offence had been committed and the trial had taken place in England, the Court may order the same to be entered on record, and thereupon such proper officer as aforesaid shall enter judgment of death on record against such offender, as if judgment of death had been actually pronounced in open Court against such offender by the said Court.

The Supreme Consular Court shall have power to impose the punishment of imprisonment for any term not exceeding twenty years, with or without hard labour, and with or without a fine not exceeding five hundred pounds sterling, or the punishment