

and in all cases in which the penalty shall not exceed 40%, or banishment for one calendar month, or imprisonment for a period not exceeding fourteen days, 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 40%, or to banishment for more than one month, or imprisonment for more than fourteen days, the Consul, before he shall proceed to hear the charge, shall summon two disinterested British subjects of good repute, being members of a Court of Equity, as hereinafter provided (see Section 5), 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 punishment 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 punishment 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 100%, or banishment for more than three calendar months, or imprisonment for more than twenty-one days; 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 other punishment awarded to him by the Consul, the Consul shall take a note of such dissent, with the grounds thereof, and shall require good and sufficient security for the appearance of the person convicted at a future time, in order to undergo his sentence or receive his discharge; and in default of such security being given, it shall be lawful for the Consul to cause the person to be detained in custody until such security is given; and the Consul shall, with as little delay as possible, report his decision with all the particulars of the case, together with the dissent of the Assessors, or either of them, and the grounds for their dissent, to Her Majesty's Principal Secretary of State for Foreign Affairs, who shall have authority to confirm or vary or reverse the decision of the Consul as to him may seem fit.

5. And it is further ordered that it shall be lawful for Her Majesty's Consul to reorganise within the territories aforesaid, the local Courts, known as the Courts of Equity, appointed for the settlement, by permission of the Consul, of trading disputes between British subjects or between British traders and natives, such Courts of Equity to be composed of British agents and traders at the place where the Court is established, and out of their members to supply the Assessors required to assist the Consul in the trial of more important cases; and the Consul is hereby empowered carefully to lay down Regulations for the guidance of such Courts, whose decisions shall, after being submitted to and sanctioned by the Consul, be deemed and taken to be the decision of Her Majesty's Consul in such trading dispute or cause of litigation, and shall have the like effect and operation, and shall be entered and recorded as such, and shall be final and conclusive, and shall not be open to appeal: Provided always, and it is hereby ordered, that every British agent or trader, residing within any of the territories aforesaid, who shall, upon requisition from the Consul, refuse to be enrolled as a member of the Court of Equity established at the place where he resides, shall, so long as he continue to refuse, forfeit his right to protection, as a British subject, in respect to any suit, dispute, or difficulty in which he may

have been or may be engaged or involved within the territories aforesaid, so long as he refuses to enrol himself as a member of such Court.

6. And it is further ordered, that all suits, disputes, differences, and causes of litigation of a civil nature arising between British subjects within the territories aforesaid, shall be heard and determined by Her Majesty's Consul, or in his absence and with the consent of the parties to the suit, by the local Court of Equity, whose decision must, however, in all cases be submitted to the Consul for his final sanction before it can be carried into effect.

7. And it is further ordered, that it shall be lawful for Her Majesty's Consul, or for the Court of Equity, but subject to the sanction of the Consul, in like manner to hear and determine any suit of a civil nature arising within the territories aforesaid between a British subject and a subject of the native Chief or Chiefs, or a subject or citizen of any other Foreign State or Government in amity with Her Majesty: Provided always that the native or other foreigner who may be party to such suit, either as Complainant or Defendant, shall have consented to submit to the jurisdiction of Her Majesty's Consul or of the Court of Equity, and will give sufficient security that he will abide by his decision, and will pay such expenses as the Consul or Court shall adjudge.

8. And it is further ordered, that it shall be lawful for Her Majesty's Consul to summon not less than two, and not more than four, disinterested British subjects of good repute, being members of a Court of Equity as hereinbefore provided, to sit with him as Assessors at the hearing of any suit, dispute, difference, or cause of litigation whatever of a civil nature brought before him for decision; and in case the sum sought to be recovered shall exceed 100%, such suit shall not be heard by the Consul without Assessors, if within a reasonable time such Assessors can be procured: but the Assessors aforesaid shall have no authority to decide on the merits of such suit; but in the event of such Assessors, or any of them, dissenting from the decision of the Consul, the Consul shall enter the fact of such dissent and the grounds thereof in the Minutes of the Proceedings.

9. And it is further ordered, that it shall be lawful for Her Majesty's Consul to enforce his decision, or that of the Court of Equity composed as aforesaid, when sanctioned by him, in favour of or against a British subject in a civil suit, dispute, difference, or cause of litigation, by distress and sale.

10. And it is further ordered, that Her Majesty's Consul shall have power in any suit or proceedings before him, to examine on oath, or in such form and with such ceremonies as the witness may declare to be binding on his conscience, any witness who may appear before him, and shall have power, on the application of any party in such suit, to issue a compulsory order for the attendance of any British subject being within the territories aforesaid, who may be competent to give evidence in such suit; and any British subject who shall have been duly served with any such compulsory order, and with a reasonable notice of the day of hearing of such suit, and upon his fair and just expenses of appearing as a witness having been paid or tendered to him by the party at whose application he shall have been ordered to attend, shall, on his wilful default to appear as a witness at the hearing of such suit, be punished with a fine not exceeding 20%, or with banishment for a term not exceeding thirty days, at the discretion of the said Consul.