

IV. The jurisdiction hereby conferred shall extend to the persons and matters following: that is to say, —

- (1.) All persons within the limits of this Order who are British subjects by birth or naturalization, or are otherwise for the time being subject to British law.
- (2.) All persons properly enjoying Her Majesty's protection within the said limits.
- (3.) All persons within the limits to which the aforesaid Treaties with Mankoroane and Montsioa respectively extend, whether such persons are natives of Africa or not, and whether subjects of any African or non-African power or not.
- (4.) The property and all personal or proprietary rights and liabilities within the said limits of any such persons as before mentioned, or situate within the said limits, although such persons may not be within the said limits.

V. This Order shall not, except as herein expressly provided, abridge, affect, or interfere with any power or jurisdiction exercisable otherwise than under this Order, whether by virtue of any Statute or Order in Council, or of any Colonial Law, or of any Treaty, or otherwise, and whether exercisable by Her Majesty or by any Colonial Legislature, or Colonial or other Court, or under any Commission, or as between the natives of African race of the territories within the limits of this Order, any native laws or customs by which the civil relations of such natives are now regulated, and all powers and jurisdictions in this Article mentioned shall continue to exist concurrently with, and independently of, the powers and jurisdiction exercisable under this Order.

VI. The civil and criminal law to be administered under this Order shall be the Civil and Criminal law in force in the Colony of the Cape of Good Hope at the date of the commencement of this Order, so far as applicable.

VII. Crimes, offences, wrongs, and breaches of contract committed since the making of the aforesaid treaties with Mankoroane and Montsioa respectively by persons subject to this Order, against or affecting the person, property, or rights of any persons within the limits to which such treaties respectively extend, are punishable or otherwise cognizable under this Order.

VIII. In any matter, civil or criminal, a Court within whose district (in civil matters) the matter of complaint wholly or in part arose or happened, or the subject in dispute is wholly or partly situate, or the contract in question was wholly or partly made, or the breach thereof wholly or partly occurred, or the defendant resides or carries on business, or (in criminal matters) the crime was wholly or partly committed, or the accused person happens to be, shall have jurisdiction, and may deal with the case, as if every material fact or thing had happened or was situate within its district; but any such Court, if, in its opinion, justice or convenience so requires, may decline or suspend the exercise of jurisdiction, and may, if it thinks necessary or just, require security from the defendant or accused person for his appearance before some other Court within the limits of this Order having jurisdiction in the matter, and for obedience to any judgment or order of such other Court, and further, in a criminal case, if necessary, may arrest and commit the accused person, and cause him to be removed under warrant and in custody, to be dealt with by such other Court: Provided always, that no such Court shall exercise jurisdiction affecting lands not situate within the limits of this Order.

IX. Sentences of imprisonment shall be carried into effect in such manner and at such place as the Court directs.

X. Judicial notice shall be taken of this Order, and of the commencement thereof, and of any Proclamation, Order, or Direction by the High Commissioner relating to this Order, and published in the Gazette, and of the Laws of the Colony of the Cape of Good Hope, and of the aforesaid Convention of the 27th day of February, 1884, and of the aforesaid Treaties with Mankoroane and Montsioa, and of any future Treaties affecting the Territories within the limits of this Order, and published in the Gazette, and of the appointment of Judges and Magistrates under this Order, and of the constitution and limits of their Courts and districts, and of their seals and signatures, and no proof shall be required of any of such matters.

XI. This Order shall be published in the Gazette, and shall thereupon commence and come into operation; and the High Commissioner shall give directions for the publication of this Order at such places, and in such manner, and for such time or times as he thinks proper for giving due publicity thereto in the districts in which it is to be in force.

XII. Her Majesty may from time to time revoke, alter, add to, or amend this Order.

XIII. In this Order, unless the subject or context otherwise requires, —

“High Commissioner” means Her Majesty's High Commissioner for South Africa, or the person for the time being discharging the functions of such High Commissioner.

“Treaty” includes any existing or future Treaty, Convention, or Agreement between Her Majesty and any African or non-African Power, or any tribe, people, Chief, or King, and any Regulation appended to any such Treaty, Convention, or Agreement.

“Court” means a Court established in pursuance of this Order.

“Gazette” means the Cape of Good Hope Government Gazette.

“Person” includes a corporation or association of persons.

“Month” means calendar month.

The singular includes the plural, and the masculine the feminine.

“Imprisonment” includes penal servitude.

C. L. Peel.

AT the Court at Osborne House, Isle of Wight, the 27th day of January, 1885.

PRESENT,

The QUEEN's Most Excellent Majesty.

Lord Chancellor.

Lord President.

Lord Steward.

Secretary Sir William Vernon Harcourt.

Sir Henry Ponsonby.

Sir Robert Morier.

WHEREAS Her Majesty was pleased by an Order in Council dated the twenty-sixth day of June, one thousand eight hundred and eighty-four, to declare that the provisions of the Patents, Designs and Trade Marks Act, 1883, as therein recited should apply to the several countries therein mentioned:

Now therefore Her Majesty, by and with the advice and consent of Her Privy Council, and by virtue of the authority committed to Her by the said Act, doth declare, and it is hereby declared, that the provisions of the said Act hereinbefore