

offence, and any act punishable criminally, in a summary way or otherwise;

"Prosecutor" means complainant or any person appointed or allowed by a court to prosecute;

"Month" means calendar month;

"Pound" means pound sterling;

"Will" means will, codicil, or other testamentary instrument;

"Office copy" means a copy, either made under direction of a Court, or produced to the proper officer of a Court for examination with the original and examined by him therewith and in either case sealed with the seal of the Court, as evidence of correctness;

"Oath and affidavit" and words referring thereto, or to swearing, may be construed to include affirmation and declaration, and to refer thereto, or to the making of an affirmation or declaration, where an affirmation or declaration is admissible in lieu of an oath or affidavit;

"Proved" means shown by evidence on oath, in the form of affidavit, or other form, to the satisfaction of a Court, or of the member or officer thereof acting or having jurisdiction in the matter;

"Proof" means the evidence adduced in that behalf;

"Person" includes corporation;

"Vessel" includes a ship or boat;

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

"Prescribed" means prescribed or directed by a Secretary of State or prescribed or directed by any Court, authority or person having power in relation to the matter in respect of which the expression is used, or prescribed or directed by any rules or regulations made under this Order.

4. The limits of this Order shall be the Pacific Ocean and the islands and places therein, including—

(a.) Islands and places which are for the time being British settlements,

(b.) Islands and places which are for the time being under the protection of Her Majesty,

(c.) Islands and places which are for the time being under no civilized government,

but exclusive (except as in this Order expressly provided in relation to any particular matter) of—

(1.) Any place within any part of Her Majesty's dominions or the territorial waters thereof which is for the time being within the jurisdiction of the legislature of any British possession,

(2.) Any place for the time being within the jurisdiction or protectorate of any civilized power.

5. In islands and places which are not British settlements, or under the protection of Her Majesty, jurisdiction under this Order shall be exercised (except only as in this Order otherwise expressly provided) only over Her Majesty's subjects, and any foreigners or natives, in so far as by reason of being, or having been, on board a British ship or otherwise they have come under a duty of allegiance to Her Majesty, and their property and personal and proprietary rights and obligations.

6. Until otherwise directed by a Secretary of State as hereinafter provided, jurisdiction under this Order shall be exercised only in relation to the following parts of the limits of this Order, that is to say—

(1.) The groups of islands with the dependencies and territorial waters thereof known as—

The Friendly Islands.
 The Navigators Islands.
 The Union Islands.
 The Phoenix Islands.
 The Ellice Islands.
 The Gilbert Islands.
 The Solomon Islands, so far as they are not within the jurisdiction of the German Empire.
 The Santa Cruz Islands.

(2.) Any seas, islands, and places which are not excluded by the 4th Article of this Order, and are situate in the Western Pacific Ocean, that is to say, within the following limits—

North, from 140° East Longitude by the parallel 12° North Latitude to 160° West Longitude, thence South to the Equator, and thence East to 149° 30' West Longitude.

East by the Meridian of 149° 30' West Longitude.

South by the parallel 30° South Latitude.

West by the Meridian 140° East Longitude.

Provided that the Secretary of State from time to time, by any instructions given to the High Commissioner and published as the Secretary of State thinks fit, may direct that jurisdiction under this Order may be exercised in relation to any parts of the limits of this Order not herein specified, or that any part of the limits of this Order shall, until otherwise directed, be excepted from the application of this Order.

Provided also that in relation to the Navigators' Islands, this Order is subject to the provisions of the Final Act of the Conference on the Affairs of Samoa, signed at Berlin, the 14th June, 1889.

PART II.—CONSTITUTION OF COURTS AND HIGH COMMISSIONER.

7.—(1.) The office of High Commissioner created and constituted by the recited Orders in Council shall continue, and the High Commissioner shall continue to be styled Her Britannic Majesty's High Commissioner for the Western Pacific, and shall have an official seal as heretofore.

(2.) The High Commissioner shall be appointed by Commission under the Sign Manual. He may be suspended by the Secretary of State by writing under his hand.

(3.) During a vacancy in the office of the High Commissioner, or during suspension of the High Commissioner, or in case of his incapacity by reason of illness or otherwise, all the powers of the High Commissioner shall be vested in such person as Her Majesty appoints under Her Sign Manual, or, failing any such appointment then in the person for the time being discharging the functions of Chief Justice of Fiji.

(4.) Subject to the provisions of this Order as to the places at which Courts are to be held, and subject to any direction by the Secretary of State, the High Commissioner may exercise any of his powers including his powers for making orders of prohibition and removal, although at the time of exercising them he is not within the limits of this Order.

(5.) Her Majesty may from time to time appoint by Commission under the Sign Manual any person to be Her Majesty's Special Commissioner for the Western Pacific. Subject to any restrictions contained in his Commission a Special Commissioner shall have and exercise,