

the Company is in any respect repugnant to the provisions of an Order made by Her Majesty in Council, or a Proclamation of the High Commissioner (unless made with his previous consent), such Regulation or Ordinance shall be read subject to such Order or Proclamation, and shall to the extent of such repugnancy be absolutely void.

21. The Company by Ordinance approved by a Secretary of State, or the Administrator and Council by Regulation, may empower any local municipal body or other local authority to levy rates for the lawful purposes of such municipal body or local authority, and to make bye-laws for the more efficient carrying out of such purposes, and to prescribe a penalty not exceeding ten pounds sterling for breach of such bye-laws, and to recover such penalties by proceedings before a magistrate.

22. The Company may by Ordinance approved by a Secretary of State impose such taxes, including a hut tax in respect of the occupation of native huts, and such Customs duties upon goods entering the limits of this Order as are necessary to provide a revenue for carrying out the effective administration of affairs within the limits of this Order.

23. The Company shall not by Ordinance, nor shall the Administrator and Council by Regulation, impose upon natives any conditions, disabilities, or restrictions which do not equally apply to persons of European descent, save in respect of the following matters:—

(a.) The supply of arms, ammunition, and liquor.

(b.) Any matter in respect of which a Secretary of State, upon the recommendation of the High Commissioner, thinks fit to authorize an Ordinance or Regulation.

24. A native may acquire, hold, encumber, and dispose of land on the same conditions as a person who is not a native, but no contract for encumbering or alienating land the property of a native, shall be valid unless the contract is made in the presence of a Magistrate, is attested by him, and bears a certificate signed by him stating that the consideration for the contract is fair and reasonable, and that he has satisfied himself that the native understands the transaction.

25. In case of a revolt against the Company, or other misconduct committed by a native chief or tribe, the Administrator and Council may impose a reasonable fine upon the offender. The Administrator shall forthwith report every such case to the High Commissioner who may remit the fine in whole or in part; the Administrator shall give effect to any such remission.

PART III.—Judicial.

26. There shall be a Court of record, styled the High Court of Matabeleland, with full jurisdiction, civil and criminal, over all persons and over all matters within the limits of this Order, and the law to be administered by the High Court and by the magistrates' courts hereinafter mentioned shall, as nearly as the circumstances of the country permit, be the same as the law in force in the Colony at the commencement of this Order, except so far as that law has been modified by any Order in Council or Proclamation or Ordinance in force at the date of such commencement. The Courts shall give effect to such Orders in Council, Proclamations, or Ordinances until altered or repealed, and to any Order in Council, Proclamation, Ordinance, or Regulation hereafter to be made, except so far as any Proclamation, Ordinance, or Regulation is re-

pugnant to this Order, or to any other Order made by Her Majesty in Council.

27. In civil cases between natives the High Court and the magistrates' courts shall be guided by native law so far as that law is not repugnant to natural justice or morality, or to any Order made by Her Majesty in Council, or to any Proclamation or Ordinance. In any such case the Court may obtain the assistance of one or two native assessors, to advise the Court upon native law and customs, but the decision of the Court shall be given by the Judge or Magistrate alone. In all other respects the Court shall follow as far as possible the procedure observed in similar cases in the Courts of the Colony.

28. If in any civil case between natives a question arises as to the effect of a marriage contracted, according to native law or custom, by a native in the lifetime of one or more other wives married to him according to native law or custom, the court may treat such marriage as valid for all civil purposes, in so far as polygamous marriages are recognized by the said native law or custom.

29. There shall be as many Judges of the High Court, to be paid by the Company, as from time to time may be required. Every Judge shall be appointed by the Company, with the approval of a Secretary of State, and shall hold office during pleasure, but shall only be removed by a Secretary of State. The salaries of the Judges shall be fixed by the Company with the approval of a Secretary of State, and shall not be increased or diminished without his approval.

30. If on a vacancy in the office of Judge the Company does not within nine months thereafter appoint a successor a Secretary of State may appoint some person to be Judge.

31. The High Court shall be held at such places as may from time to time be prescribed by Proclamation or Ordinance. The jurisdiction of the High Court may, until other arrangements are made by Proclamation, be exercised by any Judge thereof sitting alone.

32. If any sentence of death is pronounced by the High Court, a copy of the evidence shall be transmitted to the High Commissioner, and the sentence shall not be carried into effect until confirmed by him; the High Commissioner may signify his confirmation by telegraph.

33. The High Commissioner may remit or commute, in whole or in part, any sentence of the High Court.

34. The High Court may make rules for regulating its procedure and practice and the admission of practitioners, and subject thereto, and so far as the same do not extend, the procedure, rules, and regulations of the High Court shall be the same as the procedure, rules, and regulations of the Supreme Court.

35. In civil matters when the amount or value in dispute exceeds one hundred pounds sterling, an appeal shall lie from the High Court to the Supreme Court.

Every appeal shall be brought within such time, and in such manner as regards the form and transmission of the appeal, as may be prescribed by any rules of procedure made by the Supreme Court.

As regards matters not provided for by such rules, the procedure on appeal in the Supreme Court may be the same as the ordinary procedure of that Court on appeal, and the order of that Court on the appeal shall be certified under its seal to the High Court, which shall give effect thereto.

An appeal from an order of the Supreme Court on appeal shall lie to Her Majesty in Council in