

admit, and the time and circumstances shall be recorded in the Minutes.

42.—(1.) Where the accused is ordered to be tried before a Court with a jury or with assessors, he shall be tried as soon after the making of the order as circumstances reasonably admit.

(2.) As long notice of the time of trial as circumstances reasonably admit shall be given to him in writing, under the seal of the Court, which notice, and the time thereof, shall be recorded in the Minutes.

43.—(1.) Where an accused person is in custody, he shall not be remanded at any time for more than seven days, unless circumstances appear to the Court to make it necessary or proper that he should be remanded for a longer time, which circumstances, and the time of remand, shall be recorded in the Minutes.

(2.) In no case shall a remand be for more than fourteen days at one time, unless in case of illness of the accused or other case of necessity.

44.—(1.) The Court may, in its discretion, admit to bail a person charged with any of the following offences, namely:—

Any felony.

Riot.

Assault on any officer in the execution of his duty, or on any person acting in his aid.

Neglect or breach of duty by an officer.

But a person charged with treason or murder shall not be admitted to bail except by the Supreme Court.

(2.) In all other cases the Court shall admit the accused to bail unless the Court, having regard to the circumstances, sees good reason to the contrary, which reason shall be recorded in the Minutes.

(3.) The Supreme Court may admit a person to bail, although a Provincial or Local Court has not thought fit to do so.

(4.) The accused who is to be admitted to bail, either on remand or on or after trial ordered, shall produce such surety or sureties as, in the opinion of the Court, will be sufficient to insure his appearance as and when required, and shall with him or them enter into a recognisance accordingly.

45.—(1.) Where after a preliminary examination the accused is ordered to be tried, the Court shall bind by recognisance the prosecutor and every witness to appear at the trial to prosecute, or to prosecute and give evidence, or to give evidence (as the case may be).

(2.) If a British subject refuses to enter into such recognisance the Court may send him to prison, there to remain until after the trial, unless in the meantime he enters into a recognisance.

(3.) But if afterwards, from want of sufficient evidence or other cause, the accused is discharged, the Court shall order that the person imprisoned for so refusing be also discharged.

(4.) Where the prosecutor or witness is not a British subject, the Court may require him either to enter into a recognisance or to give other security for his attendance at the trial, and if he fails to do so may in its discretion dismiss the charge.

46.—(1.) Where an accused person is convicted of murder, the proper officer of the Supreme Court, under the direction of the presiding Judge, shall, in open Court, require the offender to state if he has anything to say why judgment of death should not be recorded against him.

(2.) If the offender does not allege anything that would be sufficient in law to prevent judgment of death if the offence and trial had been

committed and had in England, the Judge may order that judgment of death be entered on record.

(3.) Thereupon the proper officer shall enter judgment of death on record against the offender, as if judgment of death had been actually pronounced on him in open Court by the Judge.

(4.) The presiding Judge shall forthwith send a Report of the Judgment, together with a copy of the Minutes and of the notes of evidence and any observations which he thinks fit to make, to the Secretary of State for his direction respecting the punishment to be actually imposed.

(5.) The punishment actually imposed shall not in any case exceed the measure of imprisonment and fine which the Supreme Court is empowered by this Order to impose.

47.—(1.) The Court may, if it thinks fit, order a person convicted of an assault to pay to the person assaulted by way of damages any sum not exceeding ten pounds.

(2.) Damages so ordered to be paid may be either in addition to or in lieu of a fine, and shall be recoverable in like manner as a fine.

(3.) Payment of such damages shall be a defence to an action for the assault.

48.—(1.) The Court may, if it thinks fit, order a person convicted before it to pay all or part of the expenses of his prosecution, or of his imprisonment or other punishment or of both, the amount being specified in the order.

(2.) Where it appears to the Court that the charge is malicious, or frivolous and vexatious, the Court may, if it thinks fit, order the complainant to pay all or part of the expenses of the prosecution, the amount being specified in the order.

(3.) In these respective cases the Court may, if it thinks fit, order that the whole or such portion as the Court thinks fit of the expenses so paid be paid over to the complainant or to the accused (as the case may be).

(4.) In all cases the reasons of the Court for making any such order, or for refusing it if applied for, shall be recorded in the minutes.

49. Subject to Rules of Court made under this Order, the Court may order payment of the reasonable expenses of any complainant or witness attending before the Court on the trial of any criminal case by a jury or with assessors, and also of the reasonable expenses of the jury or assessors.

50.—(1.) The Supreme Court may by general order approved by the Secretary of State prescribe the manner in which and the prisons in the Ottoman dominions at which punishments passed by any Court or otherwise awarded under this Order are to be carried into execution.

(2.) The warrant of any Court shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named in any prison so prescribed.

51.—(1.) Where an offender is sentenced to imprisonment, and the Supreme Court thinks it expedient that the sentence be carried into effect within Her Majesty's dominions, and the offender is accordingly under section 7 of "The Foreign Jurisdiction Act, 1890," sent for imprisonment to a place in Her Majesty's dominions, the place shall be either Malta or Gibraltar, or a place in some other part of Her Majesty's dominions out of the United Kingdom, the Government whereof consents that offenders may be sent thither under this Article.

(2.) The Supreme Court may, by warrant under the hand of a Judge and the seal of the