

At the Court at *Buckingham Palace*, the 24th day of *October*, 1904.

PRESENT,

The KING's Most Excellent Majesty.

Lord President.

Lord Windsor.

Mr. Secretary Brodrick.

Mr. A. Graham Murray.

WHEREAS by Treaty, grant, usage, sufferance, and other lawful means, His Majesty the King has jurisdiction within the dominions of the Emperor of China and of the Emperor of Corea :

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased by and with the advice of his Privy Council to order, and it is hereby ordered, as follows :—

PART I.—PRELIMINARY AND GENERAL.

1. This Order is divided into parts, as follows :—

Parts.	Subject.	Articles.
I	Preliminary and General	1-6
II	Constitution and Powers of Courts..	7-34
III	Criminal Matters	35-88
IV	Civil Matters	89-117
V	Procedure, Criminal and Civil ..	118-128
VI	Mortgages and Bills of Sale ..	129-150
VII	Foreign Subjects and Tribunals ..	151-154
VIII	Regulations	155-159
IX	Miscellaneous	160-171
	Schedule of Repealed Orders.	

2. The limits of this Order are the dominions of the Emperor of China and of the Emperor of Corea, including the territorial waters of those dominions respectively ; but, except as provided in this Order, the said limits do not include places within the limits of the Wei-hai-Wei Order in Council, 1901.

3. In the construction of this Order the following words and expressions have the meanings hereby assigned to them, unless there be something in the subject or context repugnant thereto, that is to say :—

“Administration” means letters of administration, including the same with will annexed or granted for special or limited purposes or limited in duration.

“British ship” means a merchant-ship being a British ship within the meaning of the Merchant Shipping Act, 1894, and includes any ship provided with sailing letters from the Governor of Hong Kong, or from His Majesty's Minister in China or Corea.

“British possession” means any part of His Majesty's dominions exclusive of the United Kingdom.

“British subject” includes a British protected person, that is to say, a person who either (a) is a native of any Protectorate of His Majesty, and is for the time being in China or Corea ; or (b) by virtue of section 15 of the Foreign Jurisdiction Act, 1890, or otherwise enjoys His Majesty's protection in China or Corea.

“China” means so much of the Empire of China as is within the limits of this Order.

“Consular district” means the district in and for which a Consular officer usually acts, or for which he may be authorized to act, for all or any of the purposes of this Order by authority of the Secretary of State.

“Consular officer” means a Consul-General,

Consul, Vice-Consul, Consular Agent, or Pro-Consul of His Majesty resident in China or Corea, including a person acting temporarily, with the approval of the Secretary of State, as or for a Consul-General, Consul, Vice-Consul, or Consular Agent of His Majesty so resident.

“Commissioned Consular officer” means a Consular officer holding a commission of Consul-General, Consul, or Vice-Consul from His Majesty, including a person acting temporarily, with the approval of the Secretary of State, or of His Majesty's Minister in China or Corea, as or for such a commissioned Consular officer.

“Consulate” and “Consular office” refer to the Consulate and office of a Consular officer.

“The Court,” except when the reference is to a particular Court, means any Court established under this Order, subject, however, to the provisions of this Order with respect to powers and local jurisdictions.

“Foreigner” means a subject or citizen of a State in amity with His Majesty, including China and Corea.

“Judge,” except where the context intends a reference to the Judge of the Supreme Court only, includes Assistant Judge, and, except where the context intends a reference to the Supreme Court only, includes the officer for the time being holding a Provincial Court.

“Legal practitioner” includes barrister-at-law, advocate, solicitor, writer to the Signet, and any person possessing similar qualifications.

“Lunatic” means idiot or person of unsound mind.

“Master,” with respect to any ship, includes every person (except a pilot) having command or charge of that ship.

“Minister” means His Majesty's Minister in China or in Corea, as the case may be, and includes Chargé d'Affaires or other chief Diplomatic Representative.

“Month” means calendar month.

“Oath” and “affidavit,” in the case of persons for the time being allowed by law to affirm or declare, instead of swearing, include affirmation and declaration, and the expression “swear,” in the like case, includes affirm and declare.

“Offence” includes crime, and any act or omission punishable criminally in a summary way or otherwise.

“Person” includes Corporation.

“Prescribed” means prescribed by Regulations or Rules of Court.

“Prosecutor” means complainant or any person appointed or allowed by the Court to prosecute.

“Proved” means shown by evidence on oath, in the form of affidavit, or other form, to the satisfaction of the Court or Consular officer acting or having jurisdiction in the matter, and “proof” means the evidence adduced in that behalf.

“Rules of Court” means rules of Court made under the provisions of this Order.

“Secretary of State” means one of His Majesty's Principal Secretaries of State.

“Ship” includes any vessel used in navigation, however propelled, with her tackle, furniture and apparel, and any boat or other craft.

“The Treasury” means the Commissioners of His Majesty's Treasury.

“Treaty” includes any Convention, Agreement, or Arrangement, made by or on