

vested in them, the said Thomas Ebenezer Cleworth, Frederic Wilson Cooper, and Foster Grey Blackburne as such rectors or Incumbents as aforesaid, shall be transferred from them and from their successors, rectors or Incumbents of their respective benefices, to the said Foster Grey Blackburne, as rector or Incumbent of the said benefice of Bury and his successors, rectors or Incumbents of the same benefice, and shall thereupon and thenceforth become and be absolutely vested in and shall and may from time to time be exercised by the said Foster Grey Blackburne as rector or Incumbent of the said benefice of Bury, and by his successors, rectors or Incumbents of the same benefice, for ever.

"And we further recommend and propose that nothing herein contained shall prevent us from recommending and proposing any further or other measures relating to the matters aforesaid or any of them in accordance with the provisions of the said Acts or of any of them or of any other Act of Parliament."

And whereas the said scheme has been approved by His Majesty in Council: now, therefore, His Majesty, by and with the advice of His said Council, is pleased hereby to ratify the said scheme, and to order and direct that the same and every part thereof shall be effectual in law immediately from and after the time when this Order shall have been duly published in the London Gazette pursuant to the said Acts; and His Majesty, by and with the like advice, is pleased hereby to direct that this Order be forthwith registered by the Registrar of the said diocese of Manchester.

A. W. FitzRoy.

At the Court of *Saint James*, the 7th day of August, 1905.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by Treaty, capitulation, grant, usage, sufferance, and other lawful means, His Majesty the King has jurisdiction within the dominions of the Ottoman Porte;

And whereas it is expedient to amend "The Ottoman Order in Council, 1899" (hereinafter referred to as "the Principal Order"):

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:—

1. Article 49 of the Principal Order is hereby repealed, and the following provisions are substituted in lieu thereof, that is to say:

"Subject to Rules of Court made under this Order, the Court may, out of any moneys in its hands arising from fees of Court or other fees, or moneys received under the Principal Order, or this Order, order payment of allowances in respect of their reasonable expenses to any complainant or witnesses attending before the Court, on the trial of any criminal case with a jury or assessors (including the preliminary examination of the accused antecedent thereto), and also fees and costs to legal practitioners and allowances to jurors, assessors, interpreters, medical practitioners, and other persons in respect of services rendered in criminal cases.

"Subject as aforesaid, where on the conclusion of a preliminary examination the accused is discharged, the Court may, for special reasons to be

recorded in the Minutes, order payment of the like allowances as are above mentioned to any complainant or witnesses attending before the Court at the preliminary examination."

2. Article 136 of the Principal Order shall extend to authorize the Supreme Court by Rules of Court to prescribe a scale of allowances for the purposes of Article 1 of this Order.

3. Article 136 of the Principal Order shall further extend to authorize the Supreme Court by Rules of Court to prescribe the fees to be taken in respect of proceedings in or by any Consular Court in relation to cases in Ottoman Tribunals to which any British subject may be a party.

4. The powers of the Ambassador under Article 163 of the Principal Order shall with respect to King's Regulations, in so far as they extend to Egypt, be exercised by the Agent for Egypt.

5. The Secretary of State may from time to time appoint a competent person to act as Crown Prosecutor in Egypt, on such terms of remuneration as may be approved by the Treasury.

6.—(i.) The Crown Prosecutor shall have such powers and shall perform such duties with respect to the commencement and prosecution of criminal proceedings, including preliminary examinations and trials, and also the framing and alteration (before trial) of charges, as may be prescribed by Rules of Court.

(ii.) Except so far as the Crown Prosecutor, under Rules of Court, may be required to intervene, or may exercise any discretionary power of intervention, in any criminal proceedings this Article shall not affect the duties or powers of a private prosecutor.

(iii.) Subject to Rules of Court, the Crown Prosecutor shall act in accordance with any instructions of the Secretary of State.

7. Article 115 of the Principal Order is hereby repealed, and the following provisions are substituted in lieu thereof, that is to say:—

"If any person named executor in a will takes possession of, and administers or otherwise deals with any part of the property of the deceased, and does not obtain probate within one month after the death or after the termination of any proceedings respecting probate or administration, he shall be liable to pay double the amount of any fees chargeable on obtaining probate, and he shall also be liable to a fine not exceeding £100."

8. This Order may be cited as "The Ottoman Order in Council, 1905."

And the Most Honourable the Marquess of Lansdowne, K.G., one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

A. W. FitzRoy.

At the Court of *Saint James*, the 7th day of August, 1905.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by the Burial Act, 1855, it was, amongst other things, enacted that it should be lawful for His Majesty, by and with the advice of His Privy Council, from time to time to postpone the time appointed by any Order in Council for the discontinuance of burials, or otherwise to vary any Order in Council made under any of the Acts recited in the said Act, or under the said Act (whether the time thereby