

And whereas it is expedient that the Protectorates of Northern Nigeria and Southern Nigeria shall be formed into one Protectorate under the name of the Protectorate of Nigeria :

And whereas by certain Letters Patent passed under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the twenty-eighth day of February, 1906, His late Majesty King Edward the Seventh did constitute the Office of Governor and Commander-in-Chief of the Colony of Southern Nigeria and did provide for the Government thereof :

And whereas His Majesty has this day, by and with the advice of His Privy Council, been pleased to direct that Letters Patent be passed under the Great Seal of the United Kingdom of Great Britain and Ireland for the purpose of providing, amongst other things, that the Colony of Southern Nigeria shall in future be known as the Colony of Nigeria, as in the said Letters Patent more fully appears, and the draft of the said Letters Patent has this day been approved by His Majesty in Council :

And whereas it is expedient to make further and other provision for the peace, order and good government of the territories now known as the Protectorates of Northern and Southern Nigeria :

Now, therefore, His Majesty, by virtue and in exercise of the powers 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 :—

I. This Order may be cited as the Nigeria Protectorate Order in Council, 1913.

II. This Order shall apply to the territories of Africa which are bounded on the south by the Atlantic Ocean, on the west, north, and north-east by the line of the frontier between the British and French territories, and on the east by the frontier between the British and German territories.

Provided always that such parts of the territories so bounded as are within that portion of His Majesty's Dominions which is known as the Colony of Nigeria shall not be included within the limits of this Order. The territories within the limits of this Order shall be known and described as the Protectorate of Nigeria.

III. In this Order, unless the subject or context otherwise requires,—

“ His Majesty ” includes His Majesty's heirs and successors.

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

“ Treaty ” includes any treaty, convention, agreement, or arrangement, made by or on behalf of Her Majesty Queen Victoria, of His late Majesty King Edward the Seventh, or of His Majesty, with any civilized power, or with any native tribe, people, chief, or king, and any regulation appended to any such treaty, convention, agreement or arrangement.

“ Governor ” means the Governor and Commander-in-Chief for the time being of the

Colony of Nigeria, and includes every person for the time being administering the Government of the said Colony.

“ Colony ” means the Colony of Nigeria.

“ Nigeria ” used without qualification means the Colony and Protectorate of Nigeria.

IV. The Governor and Commander-in-Chief for the time being of the Colony of Nigeria (hereinafter called the Governor) shall be the Governor and Commander-in-Chief of the Protectorate of Nigeria, and he is hereby authorized, empowered and commanded to exercise on His Majesty's behalf all such powers and jurisdiction as His Majesty at any time before or after the passing of this Order had or may have within the said territories, and to that end to take or cause to be taken all such measures and to do or cause to be done all such matters and things therein as are lawful and as in the interest of His Majesty's service he may think expedient, subject to such instructions as he may from time to time receive from His Majesty or through a Secretary of State.

V. The Protectorate shall be divided into two or more portions, each under the immediate administration of a Lieutenant-Governor appointed by His Majesty. Provided that every Lieutenant-Governor shall be under the control and authority of the Governor and subject to such instructions as he may from time to time receive from him.

And provided further that it shall be within the discretion of the Governor, subject always to the approval of a Secretary of State, to transfer a Lieutenant-Governor from the administration of one portion of the Protectorate to another portion, and to vary the limits of the area administered by a Lieutenant-Governor.

VI. Every person appointed to fill the office of Governor shall, with all due solemnity, before entering on any of the duties of his office, cause the Commission appointing him to be read and published at such place in the Protectorate as he may deem expedient, in the presence of the Chief Justice or some other Judge of the Supreme Court, and of such Members of the Executive Council of the Colony and Protectorate as can conveniently attend, which being done, he shall then and there take before them the Oath of Allegiance in the form provided by an Act passed in the Session holden in the thirty-first and thirty-second years of the reign of Her Majesty Queen Victoria, intituled “ An Act to amend the law relating to Promissory Oaths ”; and likewise the usual oath for the due execution of the Office of Governor and for the due and impartial administration of justice, which oaths the said Chief Justice or Judge, or, if they be unavoidably absent, the senior Member of the Executive Council then present, is hereby required to administer.

VII. The Executive Council of the Colony of Nigeria shall be and be deemed to be the Executive Council of the Protectorate.

VIII. It shall be lawful for the Governor, from time to time, by Ordinance, to provide for the administration of justice, the raising of revenue, and generally for the peace, order and