

(9) An Ordinance may apply to the Territory any Act or law of the United Kingdom, or of any legislature of India, or of any Colony or Protectorate, subject to any exceptions and modifications which may be deemed fitting.

(10) The Governor shall, at the first available opportunity after any rules or regulations are made under any Ordinance by any person or body authorized, transmit two authenticated copies thereof to the Secretary of State.

(11) An Ordinance shall not be repealable by any rules or regulations made under an Ordinance.

(12) An Ordinance varying or affecting any Order in Council relating to the Territory shall not come into force unless it has been previously approved by the Secretary of State, and such approval shall be recited therein.

*Application of Law.*

14. The enactments described in the First Schedule to the Foreign Jurisdiction Act, 1890, shall apply to the Territory as if it were a British Colony or Possession, but subject to the provisions of this Order and to the exceptions, adaptations, and modifications following, that is to say:—

(i) The Governor is hereby substituted for the Governor of a Colony or British Possession, and the High Court is hereby substituted for a Superior Court or Supreme Court, and for a Magistrate or Justice of the Peace of a Colony or British Possession.

(ii) For the portions of the Merchant Shipping Acts, 1854 and 1867, referred to in the said Schedule, shall be substituted Part XIII. of the Merchant Shipping Act, 1894.

(iii) In Section 51 of the Conveyancing (Scotland) Act, 1874, and any enactment for the time being in force amending the same, the High Court is substituted for a Court of Probate in a Colony.

(iv) With respect to the Fugitive Offenders Act, 1881:—

(a) So much of the 4th and 5th sections of the said Act as relates to sending a report of the issue of a warrant, together with the information, or a copy thereof, or to the sending of a certificate of committal and report of a case, or to the information to be given by a Magistrate to a fugitive, shall be excepted, and in lieu of such information the person acting as the Magistrate shall inform the fugitive that in the British Possession or Protectorate to which he may be conveyed he has the right to apply for a writ of *habeas corpus* or other like process.

(b) So much of the 6th section of the said Act as requires the expiration of fifteen days before issue of warrant, shall be excepted.

(c) The Governor shall not be bound to return a fugitive offender to a British Possession unless satisfied that the proceedings to obtain his return are taken with the consent of the Governor of that Possession.

(d) For the purposes of Part II. of the said Act, the East Africa, Uganda and Zanzibar Protectorates and the Tanganyika Territory and all British Possessions and Protectorates in Africa south of the Equator shall be deemed to be one group of British Possessions.

Provided that nothing in this Article con-

tained shall be taken to extend to the Territory the enactments mentioned in the Schedule to the Foreign Jurisdiction Act, 1913, or any of them.

15. Where under the Merchant Shipping Act, 1894, or any amending Act, anything is authorized to be done by, to, or before a British Consular officer, such thing may be done, in any place in the Territory at which there is no Consular officer, by, to, or before such officer of the Government of the Territory as the Governor may appoint.

16. The Colonial Prisoners Removal Act, 1884, shall apply to and take effect within the Territory as if the same were a British Possession and part of His Majesty's dominions, subject as follows:—

The Governor is hereby substituted for the Governor of a British Possession.

*Courts of Justice.*

17.—(1) There shall be a Court of Record styled "His Majesty's High Court of Tanganyika" (in this Order referred to as the High Court). Save as hereinafter expressed the High Court shall have full jurisdiction, civil and criminal, over all persons and over all matters in the Territory.

(2) Subject to the other provisions of this Order, such civil and criminal jurisdiction shall, so far as circumstances admit, be exercised in conformity with the Civil Procedure, Criminal Procedure and Penal Codes of India and the other Indian Acts and other laws which are in force in the territory at the date of the commencement of this Order or may hereafter be applied or enacted, and subject thereto and so far as the same shall not extend or apply shall be exercised in conformity with the substance of the common law, the doctrines of equity and the statutes of general application in force in England at the date of this Order and with the powers vested in and according to the procedure and practice observed by and before Courts of Justice and Justices of the Peace in England according to their respective jurisdictions and authorities at that date, save in so far as the said Civil Procedure, Criminal Procedure and Penal Codes of India and other Indian Acts and other laws in force as aforesaid and the said common law, doctrines of equity and statutes of general application and the said powers, procedure and practice may, at any time before the commencement of this Order, have been or may hereafter be modified, amended or replaced by other provision in lieu thereof by or under the authority of any Order of His Majesty in Council, or by any Proclamation issued or by any Ordinance or Ordinances passed in and for the Territory: Provided always, that the said common law, doctrines of equity and statutes of general application shall be in force in the Territory so far only as the circumstances of the Territory and its inhabitants and the limits of His Majesty's jurisdiction permit, and subject to such qualifications as local circumstances may render necessary.

(3) The High Court shall sit at such place or places as the Governor may appoint.

(4) The High Court shall have a seal bearing the style of the Court and a device approved by the Secretary of State; but until such seal is provided a stamp bearing the words "High Court of Tanganyika" may be used instead thereof.

18.—(1) The High Court shall be a Court of