

(2) Any Bill altering or amending the arrangements relating to the collection and allocation of mining revenues in force at the commencement of this Order under any existing Law of the Territory or otherwise, or any Bill imposing any special rate, tax or duty on minerals in or under land within the Territory.

(3) Until legislation shall have come into force in Northern Rhodesia adopting, so far as may be applicable, the provisions of the Law in force in the United Kingdom relating to the Railway and Canal Commissioners and to the Rates Tribunal provided for by the Railways Act, 1921, any Bill dealing with Railways within the Territory.

(4) Any Bill authorising the construction of any new railways.

26. In the making and establishing of all Bills and Ordinances the Governor and the Legislative Council shall conform to and observe all rules, regulations and directions in that behalf contained in any Order in Council or in any instructions under His Majesty's Sign Manual and Signet.

COURTS OF JUSTICE.

27.—(1) There shall be a Court of record, styled the High Court of Northern Rhodesia, with full jurisdiction, civil and criminal, over all persons and over all matters within Northern Rhodesia, subject to the provisions hereinafter contained with regard to native law and custom.

(2) Such civil and criminal jurisdiction shall, as far as circumstances admit, be exercised upon the principles of and in conformity with the substance of the law for the time being in force in and for England, and with the powers vested in and according to the course of procedure and practice observed by and before courts of justice and justices of the peace in England, according to their respective jurisdictions and authorities, except so far as such law may be inapplicable or may have been modified by any Order in Council, Regulations or Proclamation or may hereafter be modified by any Order in Council or Ordinance:

Provided that no Act passed by the Parliament of the United Kingdom after the commencement of the Northern Rhodesia Order in Council, 1911, shall be deemed to apply to the said Territory, unless it shall have been applied thereto since the commencement of the said Order, or shall hereafter be applied thereto, by any law or Ordinance for the time being in force in the said Territory.

(3) The High Court shall have a seal, bearing the style of the Court and such device as a Secretary of State from time to time approves, but until such seal is provided, the seal or stamp now in use may be used instead thereof.

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

28.—(1) There shall be as many Judges of the High Court as may from time to time be required.

(2) Every Judge shall be appointed by Letters Patent under the Public Seal of the Territory by the Governor in accordance with such instructions as he may receive from His Majesty through a Secretary of State, and shall hold office during His Majesty's pleasure.

(3) When there are more Judges than one, the principal Judge shall have such distinguishing title as a Secretary of State may approve.

(4) In any case of death, illness, or absence, or in any other emergency, the Governor may appoint a competent person to act as Judge.

29. If any sentence of death is pronounced by or by direction of the High Court, a copy of the evidence shall be transmitted to the Governor; and the sentence shall not be carried into effect until confirmed by him. The Governor may signify his confirmation by telegraph.

30. The High Court may make rules for regulating its procedure and practice and the admission of practitioners, and generally for the purpose of making any provision proper or necessary for the proper or effectual exercise of jurisdiction under this Order by the High Court and the Magistrates' Courts hereafter mentioned, and rules affecting the conduct of civil suits shall be so framed as to secure as far as may be that cases shall be decided on their merits according to substantial justice without excessive regard to technicalities of pleading or procedure and without unnecessary delay. Subject hereto, and so far as the same do not extend, the procedure, rules and regulations of the High Court shall be the same as the procedure, rules and regulations of the English Courts.

31. In civil matters when the amount or value in dispute exceeds £500 sterling, an appeal shall lie from the High Court to His Majesty in Council.

Every appeal shall be brought within such time, and in such manner as regards the form and transmission of the appeal, as may be prescribed by any rules of procedure made by His Majesty in Council.

32.—(1) There shall be Magistrates' Courts, with jurisdiction over all persons within the districts assigned to them. A Magistrate's Court shall be a court of record, and shall have such jurisdiction in civil and criminal cases respectively as may be prescribed by any Law for the time being in force in the Territory.

(2) The Governor may from time to time determine the number of Magistrates' Courts required within Northern Rhodesia, and, by notice in the Gazette, from time to time assign to each such Court the local limits of the district within which it is to have jurisdiction, and specify the place or places at which the Court is to be held.

33.—(1) The Governor may appoint a Magistrate to each such Court as aforesaid, and, if occasion requires, any Assistant Magistrates.

(2) Every Assistant Magistrate may exercise all the jurisdiction of the Court, and the provisions of this Order with respect to Magistrates shall apply to Assistant Magistrates: provided that, in the conduct of business, every Assistant Magistrate shall be subject to the directions of the Magistrate.

(3) A Magistrate appointed to one Court may exercise the jurisdiction of any other Court if present therein.

(4) In any case of death, illness, or absence, or in any other emergency the Governor may appoint a competent person to act as Magistrate or Assistant Magistrate.

34. Subject to any regulations and rules of court, appeals shall lie to the High Court from the Magistrates' Courts.

35.—(1) There shall be Native Commissioners' Courts with such jurisdiction, civil and