

(iii) "Governor" means the Governor and Commander-in-Chief for the time being of the Protectorate and includes every person for the time being administering the Government thereof;

(iv) "British subject" means a subject of His Majesty by birth or naturalization and includes a British protected person, that is to say, a person (a) who being a native of any place beyond the Protectorate which is under the protection of His Majesty or in respect of which His Majesty has accepted a Mandate from the League of Nations, is temporarily within the limits of this Order, or (b) who by virtue of "The Foreign Jurisdiction Act, 1890," or otherwise enjoys His Majesty's protection in the Protectorate;

(v) "Resident" means having a fixed place of abode in the Protectorate;

(vi) "Native" means an indigenous inhabitant of Africa or Arabia;

(vii) "Foreigner" means a subject or citizen of a State in amity with His Majesty, not being a native as hereinbefore defined;

(viii) "Protectorate Court" means the Court held by the Governor, or other Court exercising the principal civil and criminal jurisdiction in the Protectorate;

(ix) "The Court" means the Protectorate Court and any Court subordinate thereto, as the case may be;

(x) "Treaty" includes any Convention, Agreement, or Arrangement with any State or Government, King, Chief, people, or tribe, made by or on behalf of His Majesty, or to the benefits of which His Majesty has succeeded;

(xi) "Ship" includes any vessel used in navigation, however propelled, with her tackle, furniture, and apparel, and any boat or other craft;

(xii) "Offence" means any act or omission made punishable by any law for the time being in force;

(xiii) "Imprisonment" means imprisonment of either description, as defined in the Indian Penal Code;

(xiv) "Month" means calendar month.

(xv) "Will" means will, codicil, or other testamentary instrument;

(xvi) "Person" includes Corporation;

(xvii) "Ordinance" means any Ordinance made under this Order and includes any King's Regulation and any Ordinance made under any Order hereby repealed;

(xviii) "Crown Lands" means all public lands in the Protectorate which are subject to the control of His Majesty by virtue of any Treaty, Convention, or Agreement, or of His Majesty's Protectorate, and all lands which shall have been acquired by His Majesty for the public service or otherwise howsoever;

(xix) Words importing the plural or the singular may be construed as referring to one person or thing, or to more than one person or thing, and words importing the masculine as referring to females (as the case may require).

4.—(i) Where this Order confers a power or imposes a duty, the power may be exercised and the duty shall be performed from time to time as occasion requires.

(ii) Where this Order confers a power or imposes a duty on the holder of an office, then, unless a contrary intention appears, the power

may be exercised and the duty shall be performed by the holder of the office for the time being, or by a person duly appointed to act for him.

(iii) Where this Order confers a power to make Rules, Regulations, or Orders, the power shall be construed as including a power, exercisable in the like manner and subject to the like approval and conditions (if any) to rescind, revoke, amend, or vary the Rules, Regulations, or Orders.

(iv) Expressions defined in this Order shall have the same respective meanings in any Rules, Regulations, or Orders made under this Order unless other provision is made or the context otherwise requires.

5. The powers conferred by this Order shall extend to the persons and matters following in so far as by treaty, grant, usage, sufferance, or other lawful means His Majesty has jurisdiction in relation to such persons and matters, that is to say: (a) British subjects; (b) foreigners; (c) the property and all personal or proprietary rights and liabilities in the Protectorate of British subjects and foreigners, including ships with their boats, and the persons and property on board thereof, or belonging thereto; and (d) natives, in the cases and according to the conditions specified in this Order, and not otherwise.

Provided that jurisdiction over any foreign ships under this Article shall not be exercised otherwise than according to the practice of the High Court in England in the exercise of jurisdiction over foreign ships.

6. All His Majesty's jurisdiction exercisable in the Protectorate, for the hearing and determination of suits, or for the maintenance of order, or for the control or administration of persons or property, or in relation thereto, shall be exercised under and according to the provisions of this Order, so far as such jurisdiction relates to British subjects and foreigners. Jurisdiction over natives shall be exercised only in such matters and to such extent as the Court in its discretion thinks fit.

## PART II.—ADMINISTRATION.

7.—(i) There shall be a Governor and Commander-in-Chief in and over the Protectorate and appointments to the said office shall be made by Commission under His Majesty's Sign Manual and Signet.

(ii) The said Governor and Commander-in-Chief (hereinafter called the Governor) is hereby authorised, empowered, and commanded to do and execute all things that belong to his said office, according to the tenour of any Orders in Council relating to the Protectorate, and of such Commission as may be issued to him under His Majesty's Sign Manual and Signet, and according to such Instructions as may from time to time be given to him under His Majesty's Sign Manual and Signet, or by Order in Council, or by His Majesty through the Secretary of State, and to such laws as are now or shall hereafter be in force in the Protectorate.

(iii) Every person hereafter 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 Governor to be read and published in the presence of such of His Majesty's Officers in the Protectorate as can conveniently attend, which being done, he shall