

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 late 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 principal officer of the Protectorate Government or some other of His Majesty's Officers then present is hereby required to administer.

(iv) In the event of the death, incapacity, removal, or absence from the Protectorate of the Governor for the time being, all and every the powers and authorities by this Order granted to him shall, until His Majesty's further pleasure is signified through the Secretary of State, be vested in the Secretary to the Administration or other principal officer of the Protectorate Government for the time being in the Protectorate. Such officer shall, before assuming the duties of administrator, first take the oaths hereinbefore directed to be taken by the Governor and in the manner herein prescribed, which being done, the administrator as aforesaid is hereby authorised, empowered, and commanded to do and execute, during His Majesty's pleasure, all things that belong to the office of Governor according to the tenour of this Order, and according to His Majesty's Instructions as aforesaid, and the Laws of the Protectorate. Provided that the Governor during his passage by air or water to or from any part of the Protectorate, or when, in the exercise or discharge of any powers or duties by this Order in Council or otherwise conferred or imposed upon him, he is in any territories adjacent to or near to the Protectorate, shall not be considered to be absent from the Protectorate.

8. The Governor shall keep and use the Public Seal of the Protectorate for sealing all things whatsoever that shall pass the said Seal.

9.—(i) The Governor may, with the approval of the Secretary of State, by Proclamation define any boundaries of the territories for the time being within the limits of this Order, and divide those territories into provinces or districts in such manner and with such subdivisions as may be convenient for purposes of administration, describing the boundaries thereof and assigning names thereto.

(ii) If a question arises whether any place is or is not within the Protectorate, or within any province or district, and such question does not appear to be determined by any such Proclamation, or other evidence, it shall be referred to the Governor, and a certificate under his hand and seal shall be conclusive on the question, and judicial notice shall be taken thereof.

10.—(i) All rights of His Majesty in or in relation to any Crown lands shall vest in and may be exercised by the Governor for the time being in trust for His Majesty, or, if the Secretary of State at any time with respect to all or any such lands by order under his hand so directs, in such other trustee or trustees for His Majesty as the Secretary of State may appoint.

(ii) The Secretary of State may, when he thinks fit, by a like order remove any trustee

so appointed, and may appoint any new or additional trustee or trustees.

(iii) The Governor, or such other trustee or trustees, may make grants or leases of any Crown Lands, or may permit them to be temporarily occupied, on such terms and conditions as he or they may think fit, subject to the provisions of any Ordinance.

(iv) All mines and minerals being in, under, or upon any lands in the occupation of any native tribe, or any members thereof, or of any person not possessed of the right to work such mines and minerals, shall vest in the Governor, or such trustee or trustees, in like manner as the mines and minerals being in, under, or upon any Crown lands.

11.—(i) The Secretary of State, or the Governor, subject to the directions of the Secretary of State, may, on behalf of His Majesty, appoint, or authorise the appointment of, such public officers for the administration of the Protectorate, under such designations as he may think fit, and may prescribe their duties.

(ii) The Governor may, upon sufficient cause to him appearing, dismiss any public officer not appointed by virtue of a Warrant from His Majesty, whose pensionable emoluments do not exceed two hundred pounds sterling a year, provided that in every such case where the officer has not been convicted on a criminal charge the grounds of intended dismissal are definitely stated in writing and communicated to the officer in order that he may have full opportunity of exculpating himself, and that the matter is investigated by the Governor with the aid of the head for the time being of the Department in which the officer is serving. If such an officer is convicted on a criminal charge, the Governor may call for the records of the trial and form his decision thereon, with the assistance, if necessary, of the officer who tried the case.

(iii) The Governor may, upon sufficient cause to him appearing, suspend from the exercise of his office in the Protectorate any public officer, which suspension shall continue and have effect only until His Majesty's pleasure therein shall be made known and signified to the Governor. In proceeding to any such suspension, the Governor is strictly to observe the directions in that behalf given to him by any Instructions as aforesaid.

(iv) Subject to the provisions of any Ordinance the Governor may appoint, or may authorise Heads of Departments to appoint, such clerks and other subordinate officers as may be required; and unless other provision is made all subordinate officers shall be removable by the respective officers by whom they were appointed.

12. In all cases, civil and criminal, to which natives are parties, every Court (a) shall be guided by native law, so far as it is applicable and is not repugnant to justice and morality, or inconsistent with any Order in Council or Ordinance, or any regulation or rule made under any Order in Council or Ordinance; and (b) shall decide all such cases according to substantial justice, without excessive regard to technicalities of procedure and without undue delay.

13. The production of a grant of probate or of letters of administration shall, notwith-