

standing any provision to the contrary contained in any Indian Act or Law in force in the Protectorate or in the Principal Order, be necessary to establish the right to recover or receive any part of the estate or effects of any deceased person situate in the Protectorate.

14. In the event of the Governor having occasion at any time to be temporarily absent for a short period from the seat of Government, or, in the exercise or discharge of any powers or duties conferred or imposed upon him by His Majesty, or through the Secretary of State, to visit any territories adjacent to or near to the Protectorate, he may by an instrument under the Public Seal of the Protectorate, appoint any person to be his Deputy within any part of the Protectorate, during such temporary absence, and in that capacity to exercise, perform and execute for and on behalf of the Governor during such absence, but no longer, all such powers and authorities vested in the Governor as shall in and by such instrument be specified and limited, but no others.

Every such Deputy shall conform to and observe all such instructions as the Governor shall from time to time address to him for his guidance. Provided, nevertheless, that by the appointment of a Deputy as aforesaid the power and authority of the Governor shall not be abridged, altered, or in any way affected otherwise than His Majesty may at any time hereafter think proper to direct.

#### PART III.—LEGISLATION.

15.—(i) The Governor may make Ordinances for the administration of justice, the raising of revenue, and generally for the peace, order, and good government of all persons in the Protectorate. In the making of any Ordinances the Governor shall conform to and observe all rules, regulations, and directions in that behalf contained in any Instructions under His Majesty's Sign Manual and Signet.

(ii) The Governor shall observe any general or special instructions of the Secretary of State with respect to the previous submission to the Secretary of State of draft Ordinances, to the making of Ordinances for particular purposes, to the amendment of Ordinances or draft Ordinances, and to other matters in relation thereto; but nothing in this provision shall affect the validity of any Ordinance.

(iii) In making Ordinances the Governor shall respect existing native laws and customs except so far as the same may be opposed to justice or morality.

(iv) The Governor shall sign every Ordinance made by him, and shall at the first available opportunity transmit an authenticated copy thereof to the Secretary of State.

(v) His Majesty may disallow any Ordinance, wholly or in part, and upon such disallowance being publicly notified, the provisions so disallowed shall thereupon cease to have effect, but without prejudice to anything lawfully done or suffered thereunder.

(vi) The Ordinances of each year shall be numbered consecutively, and each may be cited by its number and year, or by its short title, if any.

(vii) Where a date for the commencement of an Ordinance is not fixed in the Ordinance, it

shall come into force on the day on which it is promulgated by the Governor.

(viii) An Ordinance may apply to the Protectorate any Act or law of the United Kingdom or of any legislature of India or of any Colony, subject to any exceptions and modifications.

(ix) The Governor may by Ordinance repeal or amend with respect to the Protectorate any enactments, Acts, laws or ordinances which are made applicable or have been brought into operation in the Protectorate by or under any of the provisions of any Order in Council by this Order repealed.

(x) Every Ordinance shall, unless a contrary intention appears, extend to natives and may in relation to natives comprise such special provisions, modifications and penalties as the Governor may think fit.

(xi) 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 an authenticated copy thereof to the Secretary of State.

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

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

#### PART IV.—APPLICATION OF LAW OF BRITISH INDIA AND OF THE UNITED KINGDOM.

16.—(i) Subject to the other provisions of this Order, and to any Treaties for the time being in force relating to the Protectorate, His Majesty's criminal and civil jurisdiction in the Protectorate shall, so far as circumstances admit, be exercised on the principles of, and in conformity with, the enactments for the time being applicable as hereinafter mentioned of the Governor-General of India in Council, and of the Governor of Bombay in Council, and according to the course of procedure and practice observed by, and before, the Courts in the Presidency of Bombay beyond the limits of the ordinary original jurisdiction of the High Court of Judicature at Bombay according to their respective jurisdiction and authority, and so far as such enactments, procedure, and practice are inapplicable, shall be exercised under, and in accordance with, the Common and Statute Law of England.

(ii) The enactments mentioned in Schedule II to this Order shall continue to be applicable to the Protectorate.

(iii) Any Act of the Governor-General of India in Council, or of the Governor of Bombay in Council, whether passed before or after the commencement of this Order, amending or substituted for any Act of either of those Legislatures which has been made applicable to and brought into operation in the Protectorate shall, subject to the provisions of this Article, also apply to the Protectorate.

(iv) For the purpose of facilitating the application of any such enactments as before mentioned—

(a) The Court may construe any such enactment, with such alterations not affecting