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GOVERNMENT NOTICE No. 87]

AT THE COURT AT WINDSOR CASTLE,

The 21st day of January, 1914.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

ARCHBISHOP OF CANTERBURY

LORD PARMOOR

LORD PRESIDENT

SIR FRANCIS HOPWOOD

VISCOUNT ALLENDALE

SIR G. FLEETWOOD WILSON

LORD STAMFORDHAM

MR. W. H. DICKINSON

WHEREAS by an Order of His late Majesty King Edward the Seventh in Council, bearing date the 15th day of February, 1909, and entitled the "Eastern African Protectorates (Court of Appeal) Order in Council, 1909," (in this Order referred to as the "Principal Order") provision was made for the constitution of a Court, called His Majesty's Court of Appeal for Eastern Africa for the hearing and determining of Appeals from His Majesty's Courts in the East Africa, Uganda and Nyasaland Protectorates (in that Order referred to as "the said Protectorates"):

And whereas by treaty, grant, usage, sufferance, and other lawful means His Majesty the King has jurisdiction within the dominions of His Highness the Sultan of Zanzibar:

And whereas it is expedient that provision should be made for the hearing and determining of Appeals from His Britannic Majesty's Court for Zanzibar (in this Order referred to as "the Court for Zanzibar") by His Majesty's Court of Appeal for Eastern Africa (in this Order referred to as "the Court of Appeal"), and for the constitution of the Judge and Assistant Judges of the Court for Zanzibar as members of the Court of Appeal:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in this behalf by "The Foreign Jurisdiction Act, 1890," or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as "The Eastern African Protectorates (Court of Appeal) Amendment Order in Council, 1914," and shall be read and construed as one with the Principal Order.

2. The Court of Appeal shall exercise such appellate jurisdiction and such other powers in relation to the Court for Zanzibar as are conferred upon the said Court of Appeal by the Zanzibar Order in Council, 1914, or as may from time to time be conferred by any Order in Council amending the said Order.

3. The Judges and Acting Judges for the time being of the Court for Zanzibar shall be members of the Court of Appeal.

4. For the purposes of Article 7 of the Principal Order Zanzibar shall be deemed to be one of the said Protectorates.

5. On the commencement of this Order the High Court of Bombay shall cease to exercise appellate jurisdiction or other powers in relation to the Court for Zanzibar. Provided as follows:—

- (1) In all appeals from the Court for Zanzibar, and in all proceedings whatsoever relating thereto, which shall have been fully heard by the High Court of Bombay (in this Article referred to as "the former Court"), and in which judgment shall not have been given, or having been given shall not have been signed, drawn up or otherwise perfected at the commencement of this Order, any judgment decree, rule or order may be given or made, signed, drawn up or perfected respectively after the commencement of this Order in the name of the former Court by the Court of Appeal, and shall take effect to all intents and purposes as if the same had been duly perfected before the commencement of this Order:
- (2) Every judgment decree, rule or order of the former Court which shall have been duly perfected at any time before the commencement of this Order may be executed and enforced and, if necessary, amended or discharged by the Court of Appeal in the same manner as if it had been a judgment decree, rule or order of the said Court of Appeal:
- (3) All Appeals, matters and proceedings whatsoever, whether civil or criminal, which shall be pending in the former Court at the commencement of this Order shall be continued and concluded before the Court of Appeal according to the form and manner of procedure of the said Court of Appeal.

6. This Order shall commence and have effect on such day as may be fixed by notification by the Secretary of State, published in the London Gazette.

And the Right Honourable Lewis Harcourt, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ALMERIC FITZROY.

GOVERNMENT NOTICE No. 88]

### NOTICE.

His Majesty's Principal Secretary of State for the Colonies has by notification in the "London Gazette" directed that the Eastern African Protectorates (Court of Appeal) Amendment Order-in-Council, 1914, shall commence and have effect on the Twentieth day of April, 1914.

Nairobi,

April 22nd, 1914.

C. C. BOWRING,

*Deputy Governor.*