E. AFRICA C O. B. CENT: AFR. PROT. 43090 Nº 43090 Scals for Appeal Court 1905 Transmits applien from Judge Smith for two previous Paper for Ridy 6/12 The & A Pertir (ct of Magned) One 1902 makes no provin as to the Sud of the Appeal Court, and on us went for the thick court by the S. A. Onic and similar there. I so not think that the Soft has authority to with or ofpress a Seed without Expres processin of 85R 6/12 The antila. Jagree but Ithink the ought there a seal of Swinger a short amending order in formered Jeli them thato the will be pared of

25. Any person appearing to an officer under this Decree to be over the age of 1 years shall be regarded as an adult for the personse of this Decree.

26. The Birst Minister may appear a more for the purpose of carrying out the revisions of this Decree, and may before the duties of such officers, and where in this Decree the expression, "the officer" is not, such expression shall be taken to mean any

officer so appointed.

27. The First Minister may from time to line make, amond, and repeal Regulations for the better carrying out of this Decree.

28. Any person who shall by false declaration obtain, or seek to obtain, either for himself or for another person not being entitled thereto, any certificate or document intended to secure the entry into the said islands of any person in violation of the provisions of this Decree, and any person who may fraudulently use any such certificate or other document shall be guitty of a contravention of this Decree.

29. The following shall be contraventions of this Decree:—

(a.) Assisting any prohibited invinigrant to enter the said islands or knowingly being a party to the introduction of any person of class (e) of section 3 of this

(b.) Aiding or spetting a prohibited immigrant or any other person in any contravention of this Decree of of the Regulations.

Resisting or obstructing actively or passively any officer in the execution of his

disregarding any obligation imposed by, or any lawful the Regulations.

travention of this Decree or of any regulation no penalty is expressly imposed, be liable to a fine not ault of payment thereof, imprisonment with or without sediments months, or he may be sentenced to such that there is no faine.

the mister of a ship shall be paid before the ship's writing by the officer to the Collector of the Customs ners, of agents of a ship for a penalty shall be a she ship's clearance until such order is withdrawn or of a Court. Such a notice to the Port Captain ud. y to him to refuse to take a ship or allow it to go auti 6 er arbour or anchorage. When such notice is given the orm the First Minister and take all such steps as may be edings in respect of the contravention may be instituted

without loss of time. 32. The enforcement of any money penalty may be either by criminal prosecution or by civil action at the instance of the officer. Any Court having jurisdiction to try a contravention of this Decree or of the Regulations may impose a penalty of 1,000 rupees or imprisonment with or without hard labour. Such imprisonment may in any criminal prosecution be awarded either absolutely or in default of the payment of the penalty.

33. This Decree shall come into force on the 1st January, 1906. (Signed)

ALI-BIN-HAMOUD, Sultan of Zanzibar.

November 15, 1905.

SCHEDULE (A).

ZANZINAR IMMIGRATION RESTRICTIO

Decree, 1905.

(To whom it may concern.)

This is to certify that the person becounder described is a fit and proper person to I cived as an immigrant into the Islands of Zanzibar and Pembs.

day of

(Signature)

Nationality:

Ages

Trade or calling

Married or singl

Height: General description

Signature of holder:

SCHEDULE (B).

ZANZIBAR INNIGRATION RESTRICTION

Decree, 1905.

(official rank)

(place)

(country) pertify that the bearer

(na me)

subject, and that he (or she) is a fit and proper person to be received

an inmigrant into the Islands of Zanziber and Pemba,

Dated at

this

day of

, 190

(L.S.)

(Signature.)

Description.

Name .

Age: Trade or calling:

Married or single:

Height: ft.

General descriptions

Marks:

SCHEDULE (A).

ZANZUMAN IMMIGRATION RESTRICTION.

Decree, 1905.

(To whom it may concern.)

This is to certify that the person herounder described is a fit and proper person to be certify that the Islands of Zanzibar and Pemba.

Dated at

this

day of

. 190

(Signature

Same: Nationality: Age: Trade or galling

Hoight: ft. is General description:

SCHEDULE (B).

ZANZIBAR IMBRIRATION RESTRICTION

Decree, 1905.

(official rank)
(place)
(country)
certify that the bearer
(name)

an inerigrant into the Mande of Zangiber and Pemba.

Thefail of

this day of

, 190 (L.S.)

(Signature.)

Description.

Name .

Age:

Trade or calling

Married or single :

Height: it.

General descriptions

Marks:

Signature :

43090 FORMIGN CONTICE.

December 6 M.C. 05905.

718

the Parquess of Lansdowne to transmit

e and, to be laid before Mr. Secretary Lyttelton,

on Acce Lindsey Smith requesting that

two all the Court of Appeal for Eastern Africa

The first appeal for Lastern Africa having been to ince in the Court of August 11th. 1902 to

the only of these seals would ap-

is to the Colomial Office.

that His Lordship may be in-

Lindsey Smith's request.

Your most obedient, humble Servant,

r Secretary of State,

Colonial Office.

1719

y graces

Whereas under the " Eastern Oficer

+30 de of

Protection (Count of 94 hall) ordered count

1902 a court le min comment, calle

The Bitamer Majerty's Court of affect for Court of the Co

principation and other powers in relation to the Shigh Courts and other Courts in the Best Officer, algander, and British Central african Protesteration

and whom it is exposed that then shall be a separate seal for the Said Court of appeals:

Moor denter Sti Mayerty, by with and in Exercise of the former in the belief by "St. Farris Juniphinton and 1890" or otherwise in Strategy or otherwise in Strategy or otherwise of the and with the advise of the English conference of the and with the Affect Product (highly orders or otherwise) or otherwise of the and of the and a state of the and a seal of the and a seal through the analysis of the ana

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ORDER IN COUNCIL.

SON

EASTERN AFRICAN PROTECTORATES (COURT OF APPRAL) ORDER IN

COUNCIL, 1902.

Buckingham Palace, 11th August, 1902.

At the Court at Buckingham Palace, the 11th day of August, 1902.

PRESENT.

The KING's Most Excellent Majesty in Council.

WHEREAS by Troaty, grant, usage, sufferance, and other lawful means His Majesty has power and jurisdiction within the territories of Africa known as the East Africa, Uganda, and British Central Africa Protectornius (in this Order referred to as " the usid Protectoratios"):

And whereas it is expedient that a Court should be established for the hearing and determining of appeals from His Majesty's Courts in the said Protectorates;

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by "The Poreign Jurisdiction Act, 1890," or otherwise in His Majesty rested, is pleased, by and with the strice of His Privy Council, to order, and it is hevely ordered, as follows:

- i. This Order may be cleed as "Eastern African Protectorates (Court of Appeal) Order is Council, 1902."
- 2. A Court shall be constituted, called His Britannie Majesty's Court of Appeal for Eastern Africa (in this Order referred to as "the Court of Appeal"), which shall exercise such appellate jurisdiction and such other Dourts in the said Protectorates as may from time to time be conferred by Ordinances passed under the provisions of the Orders in Council of the Provisions of the Orders in Council relating to the said Protectorates respectively.
- 3. The members of the Court of Appeal shall be the Jidde or Jacque For the time being of His Majouty's Goart for Zanzibar; and fur Judge or Judges for the time being of the High Courts of the and Prontectorates respectively, and such other compensat pursues or persons, if any, each being

- a member of the Bar of England, Scotland, or Ireland, of not less than five years' standing, as the Secretary of State may from time to time appoint.
- The precedence of the Judges of the Court
 of Appeal shall be determined according to instructions to be given from time 19 time by the
 Secretary of Stats.
- 5. For the hearing and determining of appeals, three Judges of the Court of Appeal shall sit together; but prevision may be made by Rules of Court for the hearing of any specified classes of cases by less than three Judges.
- The Court of Appeal may sit at such places in Zanzibar, or in any of the said Protectorates as may be fixed by Bules of Court.
- The Secretary of State may appoint a Registrar and such other officers of the Court of Appeal as may be necessary.
- The Court of Appeal may make Rules of Court with respect to all matters of procedure relating to the exercise of its jurisdiction.
- (2.) Rules of Court when allowed by the Secretary of State small have effect as if contained in this Order: Provided that in case of urgency declared in the Rules, the same shall take effect before such allowance, and shall continue to have effect unless and until they are modified or altered by the Secretary of State, and are published by the Court of Appeal as so modified or altered.
- 9.—(1.) When a final judgment or order of the Court of Appeal made in a ciril action involves the amount or value of 10,000 rupes or upwards any, party aggrieved thereby may, within such time as may be prescribed by Ritles of Court or, if no time is prescribed, within these months after the same is made or given, apply by petition to the Court of Appeal for leave to appear to His Majesty the King in Council.
 - (2.) The applicant shall give security to the

not be used in the amount or value of 5,000 response for presentation of the uppeal and for such costs in the event of the dissipated of the agreed for emily of prosecution as the Court of Appeal may usuad, and for payment of all such costs as my the disorded to any respondent by His Majority in Court of His Majority's Pricy Connects.

(2) Hadeall offer Pricy Connects.

mittee of His Majony's Privy Connells.

(3.) He shall also pay into the Court of Appeal a sun instinuted by Can Court, to be the amoint of the exposure of the making up and transmission to England of the imassurpt of the record.

(4.) If security and payment are an given and made within such time as may be prescribed by Rules of Court, then, and not otherwise, the Court of Appeal shall give heave to appear, and the appolant shall be at Hiberty to perfect and prosecute his appeal to His Majonty in Council force respecting appeals to the Majonty in Council from time for the sub-thing in the make concerning appeals from the Court of Appeal.

(5.) In any case the Court of Appeal.

(5.) In any case the Court of Appeal if it considers it just or expedient to do so, may give leave to appeal on the terms and in the customs aforesaid.

10.—(1.) Where leave to appeal to His Majosty in Council is applied for by a per on ordered to pay money or do any other set, the Court of

Appel that direct either that the total from he carried into execution, or that tion thereof he suspended panding the the Court thinks just

(2.) If the Court of Appeal directs the order to be surried into execution, the person is allowed favour is made shall, before the execution of it, the according to the castifaction of the Court for performance of each Order as His Majesty in County may think it to make.

(a.) If the Court of Appeal directs the execu-tion of the order to be suspended, the party against whom it is given shall, before an order for suspension is made, give security to the attishection of the Court for performance of such Order as His Majorty in Council may think fit to make.

11. This Order shall you affect the right of this Majesty at any time, on the humble polition of any serion agarisved by a decision of the Court of Appeal, to admit his aspend; on each terms and in such manner as His Majesty in Council may think fit, and to deal with the decision appealed from Manner as they be just.

And the sost Henourable the Langiouse, K.G., one His Maj es of State, is to prive the

(Extract from the London Gazette of Friday, August 15, 190

70. 70. 75090 Capica nearys. 19:00 dir, a large MINUTE. I am tradet by the Mr. Dray son w cus 9015/12/ Cal of Elger to ack Mr. Antrobes. the unal francists Mr. Cox. Mr. Lucis. Mr. Guskam. the 5th and, and Sir M. Ommanney. in utering the enclose The puke of Marlborough. that , to that forthe Mr Lyttelton. 31/11/1 up the Chronitay that the drops of an bother in Tout has been from addle the Keil Hia to proude forthe use of assparate seal tythe loud of appeal po Cartin aprica