

**SOMALILAND  
PROTECTORATE: ORDINANCES  
AND REGULATIONS; VOL. I,  
FROM 1900 TO 1905**

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Somaliland Protectorate: Ordinances and Regulations; Vol. I, From 1900 to 1905 by Various

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**VARIOUS**

**SOMALILAND  
PROTECTORATE: ORDINANCES  
AND REGULATIONS; VOL. I,  
FROM 1900 TO 1905**



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SOMALILAND PROTECTORATE.

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VOL. I.

FROM 1900 TO 1905.

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# ORDINANCES AND REGULATIONS.

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## ORDER IN COUNCIL.

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SOMALILAND ORDER IN COUNCIL, 1899.

*Balmoral, 7th October, 1899.*

**A**T the Court at *Balmoral*, the 7th day of *October*, 1899.

### PRESENT.

The QUEEN'S Most Excellent Majesty.  
His Royal Highness the Duke of Connaught and Strathearn.  
Lord Balfour of Burleigh.  
Sir Fleetwood Edwards.

**W**HEREAS by Treaty, grant, usage, sufferance, and other lawful means, Her Majesty the Queen has power and jurisdiction within the territories comprised within the limits of this Order:

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

### PART I.—*Preliminary.*

1. This Order may be cited as "The Somaliland Order in Council, 1899."

The limits of this Order are the territories comprised in the Somaliland Protectorate, which includes the territories bounded on the north by the Gulf of Aden, on the east and south by the territories under the Protectorate of Italy, and on the west by the territories of the Emperor of Ethiopia, and the French Protectorate of Jibuti.

If Her Majesty is pleased to direct that any other territories, for the time being under the protection of Her Majesty, shall form part of the Somaliland Protectorate, those territories shall, from and after a date fixed by an Order of the Secretary of State, be deemed to be within the limits of this Order.

2. This Order is divided into Parts as follows :—

- Part I. Preliminary.
- Part II. Application and effect of Order.
- Part III. Application of law of British India and of the United Kingdom.
- Part IV. Criminal matters.
- Part V. Civil matters.
- Part VI. Miscellaneous.

3. In this Order—

- (i.) "The Protectorate" means the territories for the time being comprised in Her Majesty's Somaliland Protectorate;
- (ii.) "The Secretary of State" means one of Her Majesty's Principal Secretaries of State;
- (iii.) "The Consul-General" means Her Majesty's Consul-General for the territories comprised within the limits of this Order, including a person acting temporarily, with the approval of the Secretary of State, as or for the Consul-General;
- (iv.) "British subject" includes a British protected person, that is to say, a person who either (a) is a native of any Protectorate of Her Majesty beyond Africa and Arabia, and is for the time being in the Somaliland Protectorate, or (b) by virtue of "The Foreign Jurisdiction Act, 1890," or otherwise enjoys Her Majesty's protection in the Protectorate;
- (v.) "Resident" means having a fixed place of abode in the Protectorate;
- (vi.) "Native" means any person who is not a British subject as hereinbefore defined, or of European or American race or parentage;
- (vii.) "Foreigner" means a subject or citizen of a State in amity with Her Majesty, not being a native as hereinbefore defined;
- (viii.) "Protectorate Court" means the Court held by the Consul-General, 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 Her Majesty, or to the benefits of which Her Majesty has succeeded;
- (xi.) "Administration" means (unless a contrary intention appears from the context) letters of administration, including the same with will annexed, or granted for special or limited purposes, or limited in duration;
- (xii.) "Ship" includes any vessel used in navigation, however propelled, with her tackle, furniture, and apparel, and any boat or other craft;
- (xiii.) "Offence" means any act or omission made punishable by any law for the time being in force;

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

(xv.) "Month" means calendar month;

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

(xvii.) "Person" includes Corporation;

(xviii.) 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.—(1.) 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.

(2.) 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.

(3.) 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.

(4.) 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.

#### PART II.—*Application and Effect of Order.*

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, Her 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 Her 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