ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

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C A P. XXX.

An Act to amend an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the better Administration of Justice in His Majesty's Privy Council.* [30th *June* 1845.]

WHEREAS by an Act passed in the Session held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the better Administration of Justice in His Majesty's Privy Council,* after reciting that various Appeals to His Majesty in Council from the Courts of Suddur Dewanny Adawlut at the several Presidencies of *Calcutta, Madras,* and *Bombay,* in the *East Indies,* had been admitted by the said Courts, and the Transcripts of the Proceedings in Appeal had been from Time to Time transmitted under the Seal of the said Courts through the *East India* Company, then called the United Company of Merchants of *England* trading to the *East Indies,* to the Office of His Majesty's said Privy Council, but that the Suitors in the Causes so appealed had not taken the necessary Measures to bring on the same to a Hearing, it was enacted that it should be lawful for His Majesty in Council to give such Directions to the said Company and other Persons, for the Purpose of bringing to a Hearing before the Judicial Committee of the Privy Council the several Cases appealed

3 & 4 W. 4. c. 41.

appealed or thereafter to be appealed to His Majesty in Council from the several Courts of Suddur Dewanny Adawlut in the *East Indies*, and for appointing Agents and Counsel for the different Parties in such Appeals, and to make such Orders for the Security and Payment of the Costs thereof as His said Majesty in Council should think fit, and thereupon such Appeals should be heard and reported on to His Majesty in Council, and should be by His Majesty in Council determined, in the same Manner, and the Judgments, Orders, and Decrees of His Majesty in Council thereon should be of the same Force and Effect, as if the same had been brought to a Hearing by the Direction of the Parties appealing, in the usual Course of Proceeding: Provided always, that such last-mentioned Powers should not extend to any Appeals from the said Courts of Suddur Dewanny Adawlut other than Appeals in which no Proceedings then had been or should thereafter be taken in *England* on either Side for a Period of Two Years subsequent to the Admission of the Appeal by such Court of Suddur Dewanny Adawlut: And whereas by certain Orders in Council made under certain Powers contained in the said Act Provision is made for registering in the Council Office the Arrival in this Country of the Transcripts of the Proceedings in Appeals from the said Courts: And whereas it is considered advisable that the said Act should be amended in manner herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the herein-before recited Provisions of the said Act shall not apply to the Case of any Appeal which shall be admitted by any of the said Courts of Suddur Dewanny Adawlut after the First Day of *January* One thousand eight hundred and forty-six.

Recited Provisions of 3 & 4 W. 4. c. 41. not to apply to Appeals admitted by Suddur Courts after 1st Jan. 1846.

II. And be it enacted, That any Appeal to be admitted by any of the said Courts of Suddur Dewanny Adawlut after the said First Day of *January* One thousand eight hundred and forty-six shall be considered and be held to be abandoned and withdrawn by Consent of the Parties thereto, unless some Proceedings shall be taken in *England* in the same by One or more of the Parties thereto within Two Years after Registration at the Council Office of the Arrival of the Transcript; and any such Appeal as aforesaid shall be held to be abandoned and withdrawn in like Manner under any other Circumstances which Her Majesty in Council may from Time to Time by any Orders or Rules in that Behalf direct to be taken and considered as a Withdrawal thereof; and the *East India* Company are hereby required from Time to Time to ascertain and certify to the proper Courts in the *East Indies* all Appeals which may from Time to Time become abandoned and dropped under the Provisions of this Clause.

Appeals admitted after 1st Jan. 1846 to be considered as abandoned by Consent, unless, &c.

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