

“‘jurisdiction and powers,’” it was amongst other things provided that it should be competent for Her Majesty, by an Order or Orders, to be from time to time for that purpose made, with the advice of Her Privy Council, to provide for the admission of any appeal or appeals to Her Majesty in Council from any judgments, sentences, decrees, or Orders of any Court of justice within any British colony or possession abroad, although such Court shall not be a Court of Errors or a Court of Appeal within such colony or possession; and it shall also be competent to Her Majesty, by any such Order or Orders as aforesaid, to make all such provisions, as to Her Majesty in Council shall seem meet, for the instituting and prosecuting any such appeals, and for carrying into effect any such decisions or sentences as Her Majesty in Council shall pronounce thereon: Provided always, that it shall be competent to Her Majesty in Council to revoke, alter, and amend any such Order or Orders as aforesaid, as to Her Majesty in Council shall seem meet.

And whereas it is expedient that provision should be made in pursuance of the said recited enactment to enable parties to appeal in civil causes from the decisions of the Supreme Court of Judicature of the Island of Jamaica to Her Majesty in Council, the same not being a Court of Error or of Appeal.

It is hereby ordered by the Queen's Most Excellent Majesty, by and with the advice of Her Privy Council, that any person or persons may appeal to Her Majesty, her heirs and successors, in her or their Privy Council, from any final judgment, decree, order, or sentence of the said Supreme Court of Judicature, as a Court of civil judicature, or as a Court of revenue or of escheat, in such manner, within such time, and under and subject to such rules, regulations, and limitations as are hereinafter mentioned; that is to say: in case any such judgment, decree, order, or sentence, shall be given or pronounced for or in respect of any sum or matter at issue above the amount or value of three hundred pounds sterling, or in case such judgment, decree, order, or sentence shall involve directly or indirectly, any claim, demand, or question to or respecting property in any civil right amounting to or of the value of three hundred pounds sterling, the person or persons feeling aggrieved by any such judgment, decree, order, or sentence may, within fourteen days next after the same shall have been pronounced, made, or given, apply to the said Court, by motion, for leave to appeal therefrom to Her Majesty, her heirs and successors, in her or their Privy Council, or if the said Court be not sitting, then by petition to either of the Judges of the said Court. And in case such leave to appeal shall be prayed by the party or parties who is or are directed to pay any such sum of money or perform any duty, the said Court, or such Judge as aforesaid shall, and is hereby empowered either to direct that the judgment, decree, order or sentence appealed from shall be carried into execution, or that the execution thereof shall be suspended pending the said appeal, as to the said Court, or such Judge as aforesaid, may appear to be most consistent with real and substantial Justice. And in case the said Court, or such Judge as aforesaid shall direct such judgment, decree, order, or sentence to be carried into execution, the person or persons in whose favour the same shall be given shall, before the execution thereof, enter into good and sufficient security, to be approved by the said Court, or such Judge as aforesaid, for the due performance of such judgment or order as Her Majesty, her heirs and suc-

cessors, shall think fit to make upon such appeal. And that in all cases security shall also be given by the party or parties appellants in a bond or mortgage, or personal recognizance not exceeding the value of five hundred pounds sterling, for the prosecution of the appeal, and for the payment of all such costs as may be awarded by Her Majesty, her heirs and successors, or by the Judicial Committee of Her Majesty's Privy Council, to the party or parties respondent; and that such security as aforesaid for the prosecution of the appeal, and for the payment of all such costs as may be awarded, be completed within twenty-eight days from the date of the motion or petition for leave to appeal: and the party or parties appellants shall then, and not otherwise, be at liberty to prefer and prosecute his, her, or their appeal to Her Majesty, her heirs and successors, in her or their Privy Council, in such manner and under such rules as are or may be observed in appeals made to Her Majesty from Her Majesty's colonies and plantations abroad.

And it is further ordered that it shall be lawful for the said Court at its discretion, on the motion, or if the said Court be not sitting, then for either of the Judges of the said Court, upon the petition of any party who considers himself aggrieved by any preliminary or interlocutory judgment, decree, order, or sentence of the said Court, to grant permission to such party to appeal against the same to Her Majesty, her heirs and successors, in her or their Privy Council, subject to the same rules, regulations, and limitations as are herein expressed respecting appeals from final judgments, decrees, orders, and sentences.

Provided also, that if in any action, suit, or other proceeding, it shall so happen that no final judgment, decree, order, or sentence can be duly given in consequence of a disagreement of opinion between the Judges of the said Court, then in such case the final judgment, decree, order, or sentence may be entered, *pro forma*, on the petition of any of the parties to the action, suit, or other proceeding, according to the opinion of the Chief-Justice, or in his absence, of the Senior Puisne Judge of the said Court. Provided, that such judgment, decree, order, or sentence shall be deemed a judgment, decree, order, or sentence of the Court for the purpose of an appeal against the same, but not for any other purpose.

Provided always, and it is hereby ordered, that nothing herein contained doth or shall extend, or be construed to extend to take away or abridge the undoubted right and authority of Her Majesty, her heirs and successors, upon the humble petition of any person or persons aggrieved by any judgment or determination of either of the said Courts, at any time to admit his, her, or their appeal therefrom, upon such terms and upon such securities, limitations, restrictions, and regulations, as Her Majesty, or her heirs or successors, shall think fit, and to reverse, correct, or vary such judgment or determination as to Her Majesty, her heirs or successors, shall seem meet.

And it is further ordered, that in all cases of appeal made from any judgment, order, sentence, or decree of the said Court to Her Majesty, her heirs or successors, in her or their Privy Council, such Court shall certify and transmit to Her Majesty, her heirs and successors, in her or their Privy Council, a true and correct copy of all evidence, proceedings, judgments, decrees, and orders, had or made, in such cases appealed, so far as the same have relation to the matters of appeal, such copies to be certified under the seal of the

