

further ordered that the Supreme Court of the Colony of Hong-Kong should have, and might exercise, concurrently with Her Majesty's Consul, authority and jurisdiction in regard to all suits of a civil nature between British Subjects arising within any parts of the dominions of the Emperor of Japan; provided always, that the said Supreme Court should not be bound, unless in a fit case it should deem it right so to do, by writ of certiorari or otherwise, to debar or prohibit the Consul from hearing and determining, pursuant to the provisions of the several articles of the said Order, any suit of a civil nature between British Subjects, or to stay the proceedings of a Consul in any such matter.

Now know ye, that we, upon consideration of the premises, and of our certain knowledge and mere motion, have thought fit to direct and ordain, and do direct and ordain as follows; that is to say:—

1. If any party to any such suit as aforesaid, heard and determined in Japan, shall be dissatisfied with the decision given upon the said suit by the Consul before whom the same shall be tried, it shall be lawful for such party, within fifteen days after such decision, to give to the Consul notice of appeal to the Supreme Court of Hong-Kong, whereupon the Consul shall, with as little delay as possible, stamp with his Consular Seal, and transmit all the documents which were produced before him, and none other, and also the notes taken by him of the evidence of the said suit, together with a statement of the grounds on which he formed his decision, to the said Supreme Court, and an exact copy of the order made by him, and shall forthwith notify to the several parties the transmission thereof. Provided always, that it shall be lawful for the Consul to require from any party appealing to the said Court, reasonable security, which shall consist in part of one or two sufficient sureties to be approved by the Consul, that such party shall and will abide by the decision to be given by the said Supreme Court, and pay all such costs of and incidental to such appeal, as the said Supreme Court shall direct.

2. And we do further direct and appoint that it shall be competent to the said Supreme Court, and the said Court is hereby required to take into consideration such documents and statements, and decide upon the same, and to communicate its decision to the Consul, who shall forthwith proceed to carry the same into execution.

3. And we do further direct and appoint that in any appeal to the said Court from the decision of a Consul, it shall not be open to any party to adduce any further evidence than that which was laid before the Consul, and that a party shall not be required to appear personally to prosecute an appeal or support a sentence. Provided always, that in all appeals from the decision of a Consul, it shall be lawful for a party to allege facts material to the issue in the cause, which have come to his knowledge subsequently to the decision of the Consul, and to produce evidence in support of such facts, and provided also that it shall moreover be lawful for the said Court to admit any further legal evidence besides that adduced before the Consul, on its being established to the satisfaction of the said Court, by oath on personal examination, or by affidavit, that the party desiring to produce such further evidence was ignorant of the existence of such evidence, or was taken by surprise at the hearing before the Consul, or was unable to produce it before the Consul after due and reasonable diligence and exertion on his part in that behalf, or where, under the particular circumstances of the

case, it shall appear to the said Court that further evidence ought to be received.

4. And we do hereby give and grant to the said Supreme Court, full jurisdiction, power, and authority, to hear and determine all such causes, suits, matters, and things, as are mentioned and comprised in the said 28th Article of the aforesaid Order in Council, of the third day of March 1859.

5. And we do further direct and appoint that it shall be lawful for the said Court to make such rules, orders, and regulations, not being inconsistent with the provisions of the said Order in Council, or with the laws in force in Hong-Kong, as may, in the judgment of the said Court, be requisite for the speedy and effectual decision of the aforesaid appeals, and also of the said causes, suits, matters, and things. Provided always, that all such rules, orders, and regulations, shall forthwith be communicated to the Governor of Hong-Kong, and by him shall be transmitted to us, our heirs and successors, under the seal of the said Court, for our or their approbation or disallowance, to be signified through one of Our Principal Secretaries of State to the said Governor.

In witness whereof, we have caused these, Our Letters, to be made Patent. Witness Ourselves at Westminster, the 30th day of January, in the twenty-third year of Our Reign.

ST JAMES'S PALACE, February 23, 1860.

The Queen was this day pleased to confer the honour of Knighthood upon Francis Leopold M'Clintock, Captain in the Royal Navy, LL.D.

WAR-OFFICE, February 25, 1860.

The Queen has been graciously pleased to give orders for the appointment of Andrew Buchanan, Esq., C.B., Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to Her Majesty the Queen of Spain, to be an Ordinary Member of the Civil Division of the Second Class, or Knights Commanders, of the Most Honourable Order of the Bath.

WAR-OFFICE, PALL-MALL,

February 28, 1860.

GENERAL ORDER.—No. 746.

Dated Horse Guards, S.W.,
February 28, 1860.

In consideration of the eminent services of Major-General Sir Hugh Rose, G.C.B., during the late operations in India, Her Majesty has been graciously pleased to promote this distinguished Officer to the rank of Lieutenant-General in the Army.

By Order of His Royal Highness the General Commanding-in-Chief.

(Signed) G. A. WETHERALL,
Adjutant-General.

WAR-OFFICE, PALL-MALL,

February 28, 1860.

BREVET.

Major-General Sir Hugh Rose, G.C.B., to be Lieutenant-General. Dated 28th February 1860.