

by His Majesty, by and with the advice of His Privy Council, that there shall be a Court of Justice, with criminal and Admiralty jurisdiction, for the purposes aforesaid, which Court shall be holden at Canton, in the said dominions, or on board any British ship or vessel in the port or harbour of Canton, and that the said Court shall be, holden by the Chief Superintendent for the time being, appointed, or to be appointed, by His Majesty under and in pursuance of the said Act of Parliament :

And it is further ordered, that the practice and proceedings of the said Court upon the trial of all issues of fact or law to be joined upon any indictments or informations to be therein brought or prosecuted shall be conformable to and correspond with the practice and proceedings of the Courts of Oyer and Terminer and Goal delivery in England, upon the trial of such issues in such Courts, so far as it may be practicable to maintain such conformity and correspondence, regard being had to the difference of local circumstances ; and especially it is hereby ordered, that every such trial of any such issue of fact, or of mixed fact and law, shall be by the said Chief Superintendent for the time being and a jury of twelve men, and that upon every such trial the examination of witnesses for and against the party or parties charged shall take place *vivâ voce* in open Court ; and that the sentence or judgment of the said Court upon every such trial, founded upon the verdict of such jury, shall be pronounced in open Court by such Chief Superintendent as the presiding judge thereof :

And whereas it will be necessary to frame and prescribe rules of practice and proceeding to be observed upon all such prosecutions, in order to ascertain how far the same can be brought into conformity with the practice and proceeding of His Majesty's Courts of Oyer and Terminer and Goal delivery in England, and how far it may be necessary to deviate from such practice and proceeding by reason of the differences of local circumstances, it is, therefore, further ordered, that such Chief Superintendent for the time being shall be, and he is hereby authorised from time to time, but subject to the provisions aforesaid, to promulgate all such rules of practice and proceeding as it may be necessary to adopt and follow, upon, or previously to, the commitment of any person to take his trial in the said Court, and respecting the taking of bail for the appearance of any such person at such trial, and respecting the form and manner of preferring and

finding indictments, and of exhibiting criminal informations against any persons charged with any crimes or offences before the said Court ; and respecting the manner of summoning and convening jurors for the trial of such indictments or informations ; and respecting qualifications of such jurors, and the mode of summoning and compelling the attendance of witnesses ; and respecting the process of the said Court, and the mode of carrying the same into execution ; and respecting the times and places of holding such Courts, and the duties of the respective ministerial Officers attending the same, whom he is hereby authorised to appoint provisionally, subject to His Majesty's approbation ; and also respecting every other matter and thing connected with the administration of justice therein which it may be found necessary to regulate :

And it is further ordered, that all rules so to be promulgated as aforesaid shall be binding and take effect from the respective days of the dates thereof, but that the same shall, by such Chief Superintendent, be transmitted to one of His Majesty's Principal Secretaries of State, for His Majesty's approbation or disallowance, and that any such rule shall cease to be binding, or to have any force or effect, from and after the time of which His Majesty's disallowance thereof shall be made known to such Chief Superintendent for the time being :

And it is further ordered, that a record shall be duly made and preserved of all the proceedings, judgments, and sentences of the said Court, which record shall be retained in the custody of an Officer of the said Court, to be by the Chief Superintendent specially charged with the performance of that duty :

And the Right Honourable Viscount Palmerston, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

*C. C. Greville.*

AT the Court at *Brighton*, the 9th day of  
December 1833,

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by a certain Act of Parliament, made and passed in the third and fourth year of His Majesty's reign, intituled "An Act to regulate the trade to China and India," it is, amongst other things, enacted, that it shall and may