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**A**T the Court at *Windsor*, the 27th day of *November* 1852,

PRESENT,

The **QUEEN'S** Most Excellent Majesty in Council.

**W**HEREAS by an Act passed in the session of Parliament, holden in the seventh and eighth years of Her Majesty's reign, entitled, "An Act for amending an Act passed in the fourth year of the reign of His late Majesty, intitled 'An Act for the better administration of justice in His Majesty's Privy Council, and to extend its 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 the province of New Brunswick 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 the province of New Brunswick, 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 judg-

ment, 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, or in case the matter in question relates to the taking or demanding any duty payable to Her Majesty, her heirs and successors, or to any fee of office, or other such like matter or things, whereby the rights of Her Majesty, her heirs or successors, may be bound, 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 successors, shall think fit to make upon such appeal. And that in all cases, security shall also be given by the party or parties appellant 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