

Ninthly. The security to be given by the party or parties appellant for the prosecution of the appeal and for the payment of costs shall in no case exceed the sum of three hundred pounds sterling; and shall be given either by such surety or sureties, or by such mortgage or voluntary condemnation as aforesaid.

Tenthly. If the security to be given by the party or parties appellant for the prosecution of the appeal and for the payment of such costs as may be awarded, shall in manner aforesaid be completed within three months from the date of the petition for leave to appeal, then, and not otherwise, the said Supreme Court shall make an order allowing such appeal, and the party or parties appellant shall 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 observed in appeals made to Her Majesty in Council from the plantations or colonies.

Eleventhly. Provided nevertheless, that any person or persons feeling aggrieved by any order which may be made by, or by any proceedings of the said Supreme Court respecting the security to be taken upon any such appeal as aforesaid, shall be and is hereby authorized by petition to Her Majesty, her heirs and successors, in Council, to apply for redress in the premises.

Provided always, and it is hereby further ordered, that nothing herein contained doth or shall extend, or be construed to extend, to take away or abridge the undoubted right or authority of Her Majesty, her heirs and successors, to admit and receive any appeal from any judgment, decree, sentence, or order of the said Supreme Court on the humble petition of any person or persons aggrieved thereby, in any case in which, and subject to any conditions or restrictions upon and under which it may seem meet to Her Majesty, her heirs and successors, so to admit and receive any such appeal.

In all cases of appeal allowed by the said Supreme Court, or by Her Majesty, her heirs and successors, such court shall, on the application and at the costs of the party or parties appellant, certify and transmit to Her Majesty, her heirs and successors, in her or their Privy Council, a true and exact copy of all proceedings, evidence, judge's notes of evidence, and judge's reasons, judgments, decrees, and orders had or made in such causes so appealed, so far as the same have relation to the matter of appeal, such copies to be certified under the seal of the said court.

The said Supreme Court shall in all cases of appeal to Her Majesty, her heirs and successors, execute and carry into immediate effect such judgments and orders as Her Majesty, her heirs and successors, shall make thereupon in such manner as any original judgment or decree of the said court can or may be executed.

All orders heretofore made by Her Majesty or by any of her royal predecessors in her or their Privy Council, and all laws, customs, and usages now or at any time heretofore established or in force in any of the said settlements, so far as such orders, laws, or usages are in anywise repugnant to or at variance with this present Order, shall be and the same are hereby revoked, abrogated, rescinded, and annulled.

And the Right Honorable the Earl of Carnarvon, one of Her Majesty's principal Secretaries of State, is to give the necessary directions herein accordingly.

Arthur Helps.

A 2

At the Court at Windsor, the 26th day of February, 1867.

PRESENT,

The QUEEN'S Most Excellent Majesty,

Lord President.
Lord Chamberlain.
Earl of Devon.

WHEREAS by an Act passed in the 6th year of Her Majesty, intituled "An Act to enable Her Majesty to provide for the Government of Her settlements on the coast of Africa and in the Falkland Islands," it was enacted that it should be lawful for Her Majesty by any Order or Orders, to be by Her made, with the advice of her Privy Council, to establish all such laws, institutions, and ordinances, and to constitute such courts and officers, and to make such provisions and regulations for the proceedings in such courts, and for the administration of justice as might be necessary for the peace, order, and good government of Her Majesty's subjects, and others within the said settlements; and whereas courts of civil and criminal justice have been established by Ordinances in Her Majesty's settlements on the Gambia, the Gold Coast, and of Lagos in Western Africa, and it is expedient to provide a court of appellate jurisdiction to hear and determine appeals from the said courts respectively. It is therefore ordered by the Queen's Most Excellent Majesty, by and with the advice of the Privy Council, as follows:—

1. That the judges for the time being of Her Majesty's Supreme Court of the settlement of Sierra Leone shall be, and they are hereby constituted, a court of record to receive, hear, and determine appeals from the court of civil and criminal justice of the settlement on the Gambia, the court of civil and criminal justice of the settlement on the Gold Coast, and the court of civil and criminal justice of the settlement of Lagos in Western Africa, and such court of appeal shall be styled and called "The West Africa Court of Appeal."

2. That it shall be lawful for the plaintiff or plaintiffs, defendant or defendants, against whom any sentence, judgement, or decree or order of any of the said courts of civil and criminal justice shall be given, for or in respect of any sum or matter at issue above or exceeding the value of £50. sterling, to appeal therefrom to the said court of appeal; and the party or parties appealing from such sentence, judgment, decree, or order shall, within fourteen days from the passing thereof, give notice to the adverse party or parties of such appeal, and within fourteen days from and after such sentence, judgment, decree, or order, enter into sufficient security to be approved by the chief or other presiding magistrate of the court in which such sentence, judgment, decree, or order shall be given or made, to satisfy and perform the said sentence, judgment, decree, or order, in case the same shall be affirmed or the appeal dismissed, together with such further costs as shall be awarded thereon, and in all cases of appeal where notice shall be given and security perfected as aforesaid, execution shall be stayed, and not otherwise; and the said court of appeal shall and may inquire into, hear, and decide all questions whether of law or fact arising upon any such appeal, but shall not admit or receive any evidence which was not tendered to the court from which such appeal may be brought on the