ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

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C A P. XLI.

An Act for the better Administration of Justice in His Majesty's Privy Council.

[14th *August* 1833.]

WHEREAS by virtue of an Act passed in a Session of Parliament of the Second and Third Years of the Reign of His present Majesty, intituled *An Act for transferring the Powers of the High Court of Delegates, both in Ecclesiastical and Maritime Causes, to His Majesty in Council,* 2 & 3 W. 4. c. 92. it was enacted, that from and after the First Day of *February* One thousand eight hundred and thirty-three it should be lawful for every Person who might theretofore, by virtue either of an Act passed in the Twenty-fifth Year of the Reign of King *Henry* the Eighth, intituled *The Submission of the Clergy and Restraint of Appeals,* 25 Hen. 8. c. 19. or of an Act passed in the Eighth Year of the Reign of Queen *Elizabeth*, intituled *For the avoiding of tedious Suits in Civil and Marine Causes,* 8 Eliz. c. 5. have appealed or made suit to His Majesty in His High Court of Chancery, to appeal or make suit to the King's Majesty, His Heirs or Successors, in Council, within such Time, in such Manner, and subject to such Rules, Orders, and Regulations for the due and more convenient Proceeding, as should seem meet and necessary, and upon such Security, if any, as His Majesty, His Heirs and Successors, should from Time to Time by Order in Council direct: And whereas, by Letters Patent under the Great Seal of *Great Britain*, certain Persons, Members of His Majesty's Privy Council, together with others, being Judges and Barons of His Majesty's Courts of Record at *Westminster*, have been from Time to Time appointed to be His Majesty's Commissioners for receiving, hearing, and determining

Appeals

Appeals from His Majesty's Courts of Admiralty in Causes of Prize: And whereas, from the Decisions of various Courts of Judicature in the *East Indies*, and in the Plantations, Colonies, and other Dominions of His Majesty Abroad, an Appeal lies to His Majesty in Council: And whereas Matters of Appeal or Petition to His Majesty in Council have usually been heard before a Committee of the whole of His Majesty's Privy Council, who have made a Report to His Majesty in Council, whereupon the final Judgment or Determination hath been given by His Majesty: And whereas it is expedient to make certain Provisions for the more effectual hearing and reporting on Appeals to His Majesty in Council and on other Matters, and to give such Powers and Jurisdiction to His Majesty in Council as herein-after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Certain Persons to form a Committee, to be styled "The Judicial Committee of the Privy Council."

That the President for the Time being of His Majesty's Privy Council, the Lord High Chancellor of *Great Britain* for the Time being, and such of the Members of His Majesty's Privy Council as shall from Time to Time hold any of the Offices following, that is to say, the Office of Lord Keeper or First Lord Commissioner of the Great Seal of *Great Britain*, Lord Chief Justice or Judge of the Court of King's Bench, Master of the Rolls, Vice Chancellor of *England*, Lord Chief Justice or Judge of the Court of Common Pleas, Lord Chief Baron or Baron of the Court of Exchequer, Judge of the Prerogative Court of the Lord Archbishop of *Canterbury*, Judge of the High Court of Admiralty, and Chief Judge of the Court in Bankruptcy, and also all Persons Members of His Majesty's Privy Council who shall have been President thereof or held the Office of Lord Chancellor of *Great Britain*, or shall have held any of the other Offices herein-before mentioned, shall form a Committee of His Majesty's said Privy Council, and shall be styled "The Judicial Committee of the Privy Council": Provided nevertheless, that it shall be lawful for His Majesty from Time to Time, as and when He shall think fit, by His Sign Manual, to appoint any Two other Persons, being Privy Councillors, to be Members of the said Committee.

Appeals from Vice Admiralty Courts Abroad, &c. to be made to the King in Council.

II. And be it further enacted, That from and after the First Day of *June* One thousand eight hundred and thirty-three all Appeals or Applications in Prize Suits and in all other Suits or Proceedings in the Courts of Admiralty, or Vice Admiralty Courts, or any other Court in the Plantations in *America* and other His Majesty's Dominions or elsewhere Abroad, which may now, by virtue of any Law, Statute, Commission, or Usage, be made to the High Court of Admiralty in *England*, or to the Lords Commissioners in Prize Cases, shall be made to His Majesty in Council, and not to the said High Court of Admiralty in *England* or to such Commissioners as aforesaid; and such Appeals shall be made in the same Manner and Form and within such Time wherein such Appeals might, if this Act had not been passed, have been made to the said High Court of Admiralty or to the Lords Commissioners in Prize Cases respectively; and that all Laws or Statutes now in force with respect to any such Appeals

Appeals or Applications shall apply to any Appeals to be made in pursuance of this Act to His Majesty in Council.

All Appeals from Sentence of any Judge, &c. to be referred by His Majesty to the Committee, to report thereon.

III. And be it further enacted, That all Appeals or Complaints in the Nature of Appeals whatever, which, either by virtue of this Act, or of any Law, Statute, or Custom, may be brought before His Majesty or His Majesty in Council from or in respect of the Determination, Sentence, Rule, or Order of any Court, Judge, or judicial Officer, and all such Appeals as are now pending and unheard, shall from and after the passing of this Act be referred by His Majesty to the said Judicial Committee of His Privy Council, and that such Appeals, Causes, and Matters shall be heard by the said Judicial Committee, and a Report or Recommendation thereon shall be made to His Majesty in Council for His Decision thereon as heretofore, in the same Manner and Form as has been heretofore the Custom with respect to Matters referred by His Majesty to the whole of His Privy Council or a Committee thereof, (the Nature of such Report or Recommendation being always stated in open Court).

His Majesty may refer any other Matters to Committee.

IV. And be it further enacted, That it shall be lawful for His Majesty to refer to the said Judicial Committee for Hearing or Consideration any such other Matters whatsoever as His Majesty shall think fit, and such Committee shall thereupon hear or consider the same, and shall advise His Majesty thereon in manner aforesaid.

No Matter to be heard unless in Presence of Four Members of the Committee.

V. And be it further enacted, That no Matter shall be heard, nor shall any Order, Report, or Recommendation be made, by the said Judicial Committee, in pursuance of this Act, unless in the Presence of at least Four Members of the said Committee; and that no Report or Recommendation shall be made to His Majesty unless a Majority of the Members of such Judicial Committee present at the Hearing shall concur in such Report or Recommendation: Provided always, that nothing herein contained shall prevent His Majesty, if He shall think fit, from summoning any other of the Members of His said Privy Council to attend the Meetings of the said Committee.

In case the King directs the Attendance of any Judge, a Member of the Committee, the other Judges of the Court to which he belongs to make Arrangements with regard to the Business of the Court.

VI. And be it further enacted, That in case His Majesty shall be pleased, by Directions under His Sign Manual, to require the Attendance at the said Committee for the Purposes of this Act of any Member or Members of the said Privy Council who shall be a Judge or Judges of the Court of King's Bench, or of the Court of Common Pleas, or of the Court of Exchequer, such Arrangements for dispensing with the Attendance of such Judge or Judges upon his or their ordinary Duties during the Time of such Attendance at the Privy Council as aforesaid shall be made by the Judges of the Court or Courts to which such Judge or Judges shall belong respectively in regard to the Business of the Court, and by the Judges of the said Three Courts, or by any Eight or more of such Judges, including the Chiefs of the several Courts, in regard to all other Duties, as may be necessary and consistent with the Public Service.

Evidence may be taken vivâ voce, or

VII. And be it enacted, That it shall be lawful for the said Judicial Committee, in any Matter which shall be referred to such Committee, to

upon written Depositions.

to examine Witnesses by Word of Mouth, (and either before or after Examination by Deposition,) or to direct that the Depositions of any Witness shall be taken in Writing by the Registrar of the said Privy Council, to be appointed by His Majesty as herein-after mentioned, or by such other Person or Persons, and in such Manner, Order, and Course as His Majesty in Council or the said Judicial Committee shall appoint and direct; and that the said Registrar and such other Person or Persons so to be appointed shall have the same Powers as are now possessed by an Examiner of the High Court of Chancery or of any Court Ecclesiastical.

Committee may order any particular Witnesses to be examined, and as to any particular Facts, and may remit Causes for rehearing.

VIII. And be it enacted, That in any Matter which shall come before the said Judicial Committee it shall be lawful for the said Committee to direct that such Witnesses shall be examined or re-examined, and as to such Facts as to the said Committee shall seem fit, notwithstanding any such Witness may not have been examined, or no Evidence may have been given on any such Facts in a previous Stage of the Matter; and it shall also be lawful for His Majesty in Council, on the Recommendation of the said Committee, upon any Appeal, to remit the Matter which shall be the Subject of such Appeal to the Court from the Decision of which such Appeal shall have been made, and at the same Time to direct that such Court shall rehear such Matter, in such Form, and either generally or upon certain Points only, and upon such rehearing take such additional Evidence, though before rejected, or reject such Evidence before admitted, as His Majesty in Council shall direct; and further, on any such remitting or otherwise, it shall be lawful for His Majesty in Council to direct that One or more feigned Issue or Issues shall be tried in any Court in any of His Majesty's Dominions Abroad, for any Purpose for which such Issue or Issues shall to His Majesty in Council seem proper.

Witnesses to be examined on Oath, and to be liable to Punishment for Perjury.

IX. And be it enacted, That every Witness who shall be examined in pursuance of this Act shall give his or her Evidence upon Oath, or if a Quaker or Moravian upon solemn Affirmation, which Oath and Affirmation respectively shall be administered by the said Judicial Committee and Registrar, and by such other Person or Persons as His Majesty in Council or the said Judicial Committee shall appoint; and that every such Witness who shall wilfully swear or affirm falsely shall be deemed guilty of Perjury, and shall be punished accordingly.

Committee may direct an Issue to try any Fact;

X. And be it enacted, That it shall be lawful for the said Judicial Committee to direct One or more feigned Issue or Issues to be tried in any Court of Common Law, and either at Bar, before a Judge of Assize, or at the Sittings for the Trial of Issues in *London* or *Middlesex*, and either by a Special or Common Jury, in like Manner and for the same Purpose as is now done by the High Court of Chancery.

may, in certain Cases, direct Depositions to be read at the

XI. And be it enacted, That it shall be in the Discretion of the said Judicial Committee to direct that, on the Trial of any such Issue, the Depositions already taken of any Witness who shall have died, or who shall be incapable to give oral Testimony, shall be received in

 Evidence;

Evidence; and further, that such Deeds, Evidences, and Writings shall be produced, and that such Facts shall be admitted, as to the said Committee shall seem fit. Trial of the Issue;

XII. And be it enacted, That it shall be lawful for the said Judicial Committee to make such and the like Orders respecting the Admission of Persons, whether Parties or others, to be examined as Witnesses upon the Trial of any such Issues as aforesaid, as the Lord High Chancellor or the Court of Chancery has been used to make respecting the Admission of Witnesses upon the Trial of Issues directed by the Lord Chancellor or the Court of Chancery. may make such Orders as to the Admission of Evidence as is made by the Court of Chancery;

XIII. And be it enacted, That it shall be lawful for the said Judicial Committee to direct One or more new Trial or new Trials of any Issue, either generally or upon certain Points only; and that in case any Witness examined at a former Trial of the same Issue shall have died, or have, through bodily or mental Disease or Infirmity, become incapable to repeat his Testimony, it shall be lawful for the said Committee to direct that parol Evidence of the Testimony of such Witness shall be received. and may direct new Trials of Issues.

XIV. And whereas by an Act passed in the Thirteenth Year of His late Majesty King *George* the Third, and intituled *An Act for establishing certain Regulations for the better Management of the Affairs of the* East India *Company, as well in* India *as in* Europe, and by an Act passed in the First Year of the Reign of His present Majesty, and intituled *An Act to enable the Courts of Law to order the Examination of Witnesses upon Interrogatories and otherwise*, certain Powers are given to certain Courts therein mentioned to enforce, and Provisions are made for the Examination of Witnesses by Commission, upon Interrogatories and otherwise; be it therefore further enacted, That all the Powers and Provisions contained in the Two last-mentioned Acts, or either of them, shall extend to and be exercised by the said Judicial Committee in all respects as if such Committee had been therein named as one of His Majesty's Courts of Law at *Westminster*. Powers, &c. of 13 G. 3. c. 63. and 1 W. 4. c. 22. with regard to Examination of Witnesses applied to the Judicial Committee.

XV. And be it enacted, That the Costs incurred in the Prosecution of any Appeal or Matter referred to the said Judicial Committee, and of such Issues as the same Committee shall under this Act direct, shall be paid by such Party or Parties, Person or Persons, and be taxed by the aforesaid Registrar, or such other Person or Persons, to be appointed by His Majesty in Council or the said Judicial Committee, and in such Manner as the said Committee shall direct. Costs to be in the Discretion of the Committee.

XVI. And be it further enacted, That the Orders or Decrees of His Majesty in Council made, in pursuance of any Recommendation of the said Judicial Committee, in any Matter of Appeal from the Judgment or Order of any Court or Judge, shall be enrolled, for safe Custody, in such Manner, and the same may be inspected and Copies thereof taken under such Regulations, as His Majesty in Council shall direct. Decrees to be enrolled.

Committee may refer Matters to Registrar in same Manner as Matters are by Court of Chancery referred to a Master.

XVII. And be it further enacted, That it shall be lawful for the said Committee to refer any Matters to be examined and reported on to the aforesaid Registrar, or to such other Person or Persons as shall be appointed by His Majesty in Council or by the said Judicial Committee, in the same Manner and for the like Purposes as Matters are referred by the Court of Chancery to a Master of the said Court; and that for the Purposes of this Act the said Registrar and the said Person or Persons so to be appointed shall have the same Powers and Authorities as are now possessed by a Master in Chancery.

The King may appoint Registrar.

XVIII. And be it further enacted, That it shall be lawful for His Majesty, under His Sign Manual, to appoint any Person to be the Registrar of the said Privy Council, as regards the Purposes of this Act, and to direct what Duties shall be performed by the said Registrar.

Attendance of Witnesses, and Production of Papers, &c., may be compelled by Subpœna.

XIX. And be it further enacted, That it shall be lawful for the President for the Time being of the said Privy Council to require the Attendance of any Witnesses, and the Production of any Deeds, Evidences, or Writings, by Writ to be issued by such President in such and the same Form, or as nearly as may be, as that in which a Writ of Subpœna ad testificandum or of Subpœna duces tecum is now issued by His Majesty's Court of King's Bench at *Westminster*; and that every Person disobeying any such Writ so to be issued by the said President shall be considered as in Contempt of the said Judicial Committee, and shall also be liable to such and the same Penalties and Consequences as if such Writ had issued out of the said Court of King's Bench, and may be sued for such Penalties in the said Court.

Time of appealing.

XX. And be it further enacted, That all Appeals to His Majesty in Council shall be made within such Times respectively within which the same may now be made, where such Time shall be fixed by any Law or Usage, and where no such Law or Usage shall exist, then within such Time as shall be ordered by His Majesty in Council; and that, subject to any Right subsisting under any Charter or Constitution of any Colony or Plantation, it shall be lawful for His Majesty in Council to alter any Usage as to the Time of making Appeals, and to make any Order respecting the Time of appealing to His Majesty in Council.

Decrees for Courts Abroad to be carried nto effect as the King in Council shall direct.

XXI. And be it further enacted, That the Order or Decree of His Majesty in Council on any Appeal from the Order, Sentence, or Decree of any Court of Justice in the *East Indies*, or of any Colony, Plantation, or other His Majesty's Dominions Abroad, shall be carried into effect in such Manner, and subject to such Limitations and Conditions, as His Majesty in Council shall, on the Recommendation of the said Judicial Committee, direct; and it shall be lawful for His Majesty in Council, on such Recommendation, by Order, to direct that such Court of Justice shall carry the same into effect accordingly, and thereupon such Court of Justice shall have the same Powers of carrying into effect and enforcing such Order or Decree as are possessed by or are hereby given to His Majesty in Council: Provided

Act not to abridge Powers of Privy Council.

Provided always, that nothing in this Act contained shall impeach or abridge the Powers, Jurisdiction, or Authority of His Majesty's Privy Council as heretofore exercised by such Council, or in anywise alter the Constitution or Duties of the said Privy Council, except so far as the same are expressly altered by this Act, and for the Purposes aforesaid.

His Majesty may direct the East India Company to bring on Appeals from the Sudder Dewanny Adawlut Courts to a Hearing.

XXII. And whereas various Appeals to His Majesty in Council from the Courts of Sudder Dewanny Adawlut at the several Presidencies of *Calcutta*, *Madras*, and *Bombay* in the *East Indies*, have been admitted by the said Courts, and the Transcripts of the Proceedings in Appeal have been from Time to Time transmitted under the Seal of the said Courts, through the United Company of Merchants in *England* trading to the *East Indies*, to the Office of His Majesty's said Privy Council, but the Suitors in the Causes so appealed have not taken the necessary Measures to bring on the same to a Hearing; be it therefore further enacted by the Authority aforesaid, That it shall be lawful for His Majesty in Council to give such Directions to the said United Company and other Persons for the Purpose of bringing to a Hearing before the said Committee the several Cases appealed or hereafter to be appealed to His Majesty in Council from the several Courts of Sudder Dewanny Adawlut in the *East Indies*, and for appointing Agents and Counsel for the different Parties in such Appeals, and to make such Orders for Security and Payment of the Costs thereof, as His said Majesty in Council shall think fit; and thereupon such Appeals shall be heard and reported on to His Majesty in Council, and shall be by His Majesty in Council determined in the same Manner, and the Judgments, Orders, and Decrees of His Majesty in Council thereon shall be of the same Force and Effect, as if the same had been brought to a Hearing by the Direction of the Parties appealing in the usual Course of proceeding: Provided always, that such last-mentioned Powers shall not extend to any Appeals from the said Courts of Sudder Dewanny Adawlut other than Appeals in which no Proceedings have been or shall hereafter be taken in *England* on either Side for a Period of Two Years subsequent to the Admission of the Appeal by such Court of Sudder Dewanny Adawlut.

Orders made on such Appeals to have effect notwithstanding Death of Parties, &c.

XXIII. And be it enacted, That in any Case where any Order shall have been made on any such Appeal as last aforesaid, the same shall have full Force and Effect notwithstanding the Death of any of the Parties interested therein; but that in all Cases where any such Appeal may have been withdrawn or discontinued, or any Compromise made in respect of the Matter in dispute, before the Hearing thereof, then the Determination of His Majesty in Council in respect of such Appeal shall have no Effect.

His Majesty empowered to make Orders for regulating the Mode, &c. of such Appeals.

XXIV. And be it further enacted, That it shall be lawful for His Majesty in Council from Time to Time to make any such Rules and Orders as may be thought fit for the regulating the Mode, Form, and Time of Appeal to be made from the Decisions of the said Courts of Sudder Dewanny Adawlut, or any other Courts of Judicature in *India* or elsewhere to the Eastward of the *Cape of Good Hope* (from the

the Decisions of which an Appeal lies to His Majesty in Council), and in like Manner from Time to Time to make such other Regulations for the preventing Delays in the making or hearing such Appeals, and as to the Expences attending the said Appeals, and as to the Amount or Value of the Property in respect of which any such Appeal may be made.

His Majesty empowered to appoint One of the Barons of the Court of Exchequer to sit in Equity in the Absence of the Chief Baron.

XXV. And whereas by an Act of Parliament passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act to facilitate the hearing and determining of Suits in Equity in His Majesty's Court of Exchequer at* Westminster, it was enacted that the Lord Chief Baron of the said Court for the Time being should have Power to hear and determine all Causes, Matters, and Things which should be at any Time depending in the said Court of Exchequer as a Court of Equity, and that if the said Lord Chief Baron of the Court of Exchequer should by Sickness or any other unavoidable Cause be prevented from sitting on the Equity Side of the said Court for the Purposes in the said Act mentioned, then it should and might be lawful for His Majesty and His Successors to nominate and appoint from Time to Time by Warrant under the Royal Sign Manual, revocable at Pleasure, any One other of the Barons of the Degree of the Coif of the said Court for the Time being, to hear and determine the Causes, Matters, and Things in the said Act mentioned: And whereas by reason of the great Increase of Business on the Common Law or Plea Side of the said Court of Exchequer the Lord Chief Baron is prevented from giving so much Time as heretofore to the Sittings on the Equity Side of the said Court, and the Sittings on such Equity Side of the said Court being necessarily suspended during the Absence of the Lord Chief Baron, great Inconvenience is thereby sustained by the Suitors and Practitioners on the Equity Side of the said Court: And whereas the Lord Chief Baron may by this Act become liable to the Performance of other additional Duties unconnected with the said Court of Exchequer, and it is desirable that the said Court of Exchequer should sit as a Court of Equity without any unnecessary Interruption, for the Purpose of hearing and determining Causes, Matters, and Things depending in the said Court as a Court of Equity: And whereas Doubts have arisen whether or not the above-recited Act extends to Cases of the Lord Chief Baron being prevented from sitting by the Performance of Judicial Duties elsewhere; be it therefore declared and enacted, That it shall and may be lawful for His Majesty and His Successors to nominate and appoint from Time to Time by Warrant under the Royal Sign Manual, revocable at Pleasure, any One of the Barons of the Degree of the Coif of the said Court for the Time being to hear and determine (on such Days as the Lord Chief Baron of the said Court shall sit on the Common Law Side of the said Court during the Term, or shall preside at the Sittings at Nisi Prius in *London* or *Middlesex* after the Term, or shall attend at the Judicial Committee of His Majesty's Privy Council under the Provisions of this Act) all Causes, Matters, and Things which shall at any Time be depending in the said Court of Exchequer as a Court of Equity.

Two Judges of the Court of Bank-

XXVI. And be it further enacted, That during the Absence of the Chief Judge in Bankruptcy from the Court of Review established

by virtue of an Act passed in the First and Second Year of His present Majesty, intituled *An Act to establish a Court in Bankruptcy*, by reason of his Attendance at the said Judicial Committee by virtue of this Act, any Two Judges of the said Court shall and may form a Court of Review in Bankruptcy, and shall and may make, do, and execute all Orders, Acts, Matters, Powers, and Things whatsoever which by virtue of the said Act the Judges of the said Court or any Three of them are authorized to make, do, or execute, and in all respects whatsoever as if Three of the said Judges were present, except that nothing herein contained shall authorize any Two Judges of the said Court to hear and determine any Matter brought under the Review of the said Court by way of Appeal from the Determination or Decision of any Commissioner or Subdivision Court appointed by virtue of the said Act.

ruptcy to act for the Chief Judge of the Court of Review during his Attendance at the said Judicial Committee.

XXVII. And be it further enacted, That all the Clauses and Provisions contained in the said Act of Parliament which relate to the Baron nominated and appointed under that Act shall apply and be extended to the Baron nominated and appointed under the Authority of this Act.

Powers of Act 57 G. 3. extended to this Act.

XXVIII. And be it enacted, That the said Judicial Committee shall have and enjoy in all respects such and the same Power of punishing Contempts and of compelling Appearances, and that His Majesty in Council shall have and enjoy in all respects such and the same Powers of enforcing Judgments, Decrees, and Orders, as are now exercised by the High Court of Chancery or the Court of King's Bench, (and both *in personam* and *in rem*,) or as are given to any Court Ecclesiastical by an Act of Parliament passed in a Session of Parliament of the Second and Third Years of the Reign of His present Majesty, intituled *An Act for enforcing the Process upon Contempts in the Courts Ecclesiastical of* England *and* Ireland; and that all such Powers as are given to Courts Ecclesiastical, if of punishing Contempts or of compelling Appearances, shall be exercised by the said Judicial Committee, and if of enforcing Decrees and Orders shall be exercised by His Majesty in Council, in such and the same Manner as the Powers in and by such Act of Parliament given, and shall be of as much Force and Effect as if the same had been thereby expressly given to the said Committee or to His Majesty in Council.

Power of enforcing Decrees.

2 & 3 W. 4. c. 93.

XXIX. And be it further enacted, That, subject to such Orders as His Majesty in Council shall from Time to Time make, it shall be lawful for the present Registrar of the High Court of Admiralty, if he shall so think fit, either in Person or by Deputy, to attend the Hearing by the said Judicial Committee of all Causes and Appeals which, but for this Act or the said last-mentioned Act, would have been heard by any Court or Commission which such Registrar was entitled to attend, in Person or by Deputy, by virtue of his Offices of Registrar of the High Courts of Admiralty, Delegates, and Appeals for Prizes, and likewise, subject to any Order of His Majesty in Council, to transact, perform, and do all Acts, Matters, and Things

Registrar of Court of Admiralty may attend the said Judicial Committee.

that shall be found necessary, or have heretofore been done by the said Registrar or his Deputies in respect of such Causes and Appeals.

Retired Judges attending the Judicial Committee to receive an Allowance.

XXX. And be it enacted, That Two Members of His Majesty's Privy Council who shall have held the Office of Judge in the *East Indies* or any of His Majesty's Dominions beyond the Seas, and who, being appointed for that Purpose by His Majesty, shall attend the Sittings of the Judicial Committee of the Privy Council, shall severally be entitled to receive over and above any Annuity granted to them in respect of having held such Office as aforesaid, the Sum of Four hundred Pounds for every Year during which they shall so attend as aforesaid, as an Indemnity for the Expence which they may thereby incur; and such Sum of Four hundred Pounds shall be chargeable upon and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Nothing herein shall prevent the King's acceding to Treaties appointing certain Persons to hear Prize Appeals.

XXXI. Provided always, and be it enacted, That nothing herein contained shall be held to impeach or render void any Treaty or Engagement already entered into by or on behalf of His Majesty, or be taken to restrain His Majesty from acceding to any Treaty, with any Foreign Prince, Potentate, or Power, in which Treaty it shall be stipulated that any Person or Persons other than the said Judicial Committee shall hear and finally adjudicate Appeals from His Majesty's Courts of Admiralty in Causes of Prize, but that the Judgments, Decrees, and Orders of such other Person or Persons so appointed by Treaty shall be of the same Force and Effect of which they would respectively have been if this Act had not been passed.

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