

shall be had and made in and by the Court as may be had and made on the payment of money into Court in an ordinary suit.

#### VI.—APPEAL TO HER MAJESTY IN COUNCIL.

69. Where any decision of the Supreme Consular Court is given in a civil case in respect of a sum or matter at issue of the amount or value of five hundred pounds sterling or upwards, or determines directly or indirectly any claim or question respecting property or any civil right of the amount or value of five hundred pounds sterling or upwards, any party aggrieved by the decision may, within fifteen days after the same is given, apply by motion to the Supreme Consular Court for leave to appeal to Her Majesty in Council.

In case leave to appeal is applied for by a party adjudged to pay money or perform a duty, the Supreme Consular Court shall direct either that the decision appealed from be carried into execution, or that the execution thereof be suspended, pending the appeal, as the Court may consider to be the more consistent with real and substantial justice.

In case the Court directs the decision to be carried into execution, the party in whose favour it is given shall, before the execution of it, give security to the satisfaction of the Court for the due performance of such Order as Her Majesty in Council may think fit to make.

In case the Court directs the execution of the decision to be suspended pending the appeal, the party against whom the decision is given shall, before any order for suspension of execution, give security to the satisfaction of the Court for the due performance of such order as Her Majesty in Council may think fit to make.

In all cases security shall also be given by the appellant to the satisfaction of the Court to an amount not exceeding five hundred pounds sterling for the prosecution of the appeal, and for payment of all such costs as may be awarded to any respondent by Her Majesty in Council, or by the Lords of the Judicial Committee of Her Majesty's Privy Council.

If the last-mentioned security be given within one calendar month from the filing of the motion-paper for leave to appeal, then, and not otherwise, the Supreme Consular Court shall give leave to appeal, and the appellant shall be at liberty to prefer and prosecute his appeal to Her Majesty in Council according to the rules for the time being in force respecting appeals to Her Majesty in Council from Her Colonies, or such other rules as Her Majesty in Council may from time to time think fit to make concerning appeals from the Supreme Consular Court.

In any case other than the cases hereinbefore described, the Supreme Consular Court, if it considers it just or expedient so to do, may give leave to appeal on the terms and in the manner aforesaid.

The present Order shall not affect the right of Her Majesty at any time, on the humble petition of a party aggrieved by a decision of the Supreme Consular Court, to admit his appeal thereon on such terms and in such manner as Her Majesty in Council may think fit, and to deal with the decision appealed from in such manner as may be just. And the Right Honourable Lord John Russell, and the Most Noble the Duke of Newcastle, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

*Edmund Harrison,*

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#### VICTORIA CROSS.

Erratum in the London Gazette of Tuesday, June 19, 1860.

In the notification of Her Majesty's intention to confer the Victoria Cross on three soldiers of Her Majesty's Army,

For, 1st Battalion, 5th Regiment, Serjeant Robert Ewart,  
Read, 1st Battalion, 5th Regiment, Serjeant Robert Grant.

*Foreign-Office, September 21, 1860.*

The Queen has been graciously pleased to appoint Henry Grant Foote, Esq., now Her Majesty's Consul at Salvador, to be Her Majesty's Consul at Lagos.

*Whitehall, September 29, 1860.*

The Queen, taking into Her Royal consideration that upon the decease of John, late Baron Elphinstone, of that part of the United Kingdom called Scotland, Knight Grand Cross of the Most Honourable Order of the Bath, without issue, which happened on the nineteenth day of July last, the title and dignity of Baron Elphinstone devolved upon John, now Baron Elphinstone, as eldest son and heir of the late Charles Fleeming, Esquire, commonly called the Honourable Charles Fleeming, Admiral of the Blue Squadron of Her Majesty's Fleet, second son of John, Baron Elphinstone, and that, according to the ordinary rules of honour, the sister of the said John, now Baron Elphinstone, cannot enjoy that place and precedence which would have been due to her had her father, the said Charles Fleeming survived his nephew the said John, last Baron Elphinstone, and had thereby succeeded to the title and dignity of Baron Elphinstone, Her Majesty has been graciously pleased to ordain and declare that Anne Elizabeth, the wife of William Cunninghame Bontine, of Ardoch, in the county of Dumbarton, Esquire, the sister of the said John, now Baron Elphinstone, shall henceforth have, hold, and enjoy the same title, place, preeminence, and precedence, as if her late father, the said Charles Fleeming, had survived his nephew, the said John, late Baron Elphinstone, and had succeeded to the title and dignity of Baron Elphinstone :

And to command that the said Royal concession and declaration be registered in Her Majesty's College of Arms.

By virtue of an Act, passed in the twenty-fourth year of the reign of His Majesty King George the Third, intituled "An Act to repeal so much of two Acts made in the tenth and fifteenth years of the reign of His present Majesty, as authorizes the Speaker of the House of Commons to issue his warrant to the Clerk of the Crown for making out writs for the election of Members to serve in Parliament, in the manner therein mentioned, and for substituting other provisions for the like purposes:"

I do hereby give notice, that the death of John Dunn, Esq., late a Member serving in this present Parliament, for the borough of Dartmouth, hath been certified to me in writing, under the