



The London Gazette.

Published by Authority.

FRIDAY, JULY 22, 1870.

AT the Court at *Osborne House, Isle of Wight*, the 19th day of *July*, 1870.

PRESENT,

The QUEEN's Most Excellent Majesty.

Lord President.
Earl of Kimberley.
Lord Chamberlain.
Lord Dufferin.

WHEREAS it is expedient to make provision for appeals from Her Majesty's Supreme Court of the Colony of Natal to Her Majesty in Council: It is therefore ordered by the Queen's Most Excellent Majesty, by and with the advice of Her Privy Council, as follows:

It shall and may be lawful for any person or persons being a party or parties to any civil suit or action depending in the said Supreme Court of the Colony of Natal to appeal to Her Majesty, her heirs and successors, in her or their Privy Council, against any final judgment, decree or sentence of the said Court, or against any rule or order made in any such civil suit or action having the effect of a final or definitive sentence, and which appeals shall be made subject to the rules, regulations, and limitations following, that it to say:

First: Such judgment, decree, order, or sentence shall be given or pronounced for or in respect of a sum or matter at issue above the amount of five hundred pounds sterling, or shall involve directly or indirectly the title to property or to some civil right amounting to or of the value of five hundred pounds sterling.

Secondly: The person or persons feeling aggrieved by such judgment, decree, order, or sentence, shall, within fourteen days next after the same shall have been pronounced, made, or given, apply to the said Supreme Court for leave to appeal therefrom to Her Majesty, her heirs and successors, in her or their Privy Council.

Thirdly: If such leave to appeal shall be prayed by the party or parties who is or are adjudged to pay any sum of money or to perform any duty, the court shall direct that the judgment, decree, or sentence appealed from shall be carried into execution, if the party or parties respondent shall give security for the immediate performance of any judgment or sentence which may be pronounced or made by Her Majesty, her heirs and successors, in her or their Privy Council, upon any appeal, and

until such security be given, the execution of the judgment, decree, order, or sentence appealed from shall be stayed.

Fourthly: Provided nevertheless, that if the party or parties appellant shall establish to the satisfaction of the said Supreme Court that real and substantial justice requires that pending such appeal execution should be stayed, it shall be lawful for such Supreme Court to order the execution of such judgment, decree, order, or sentence to be suspended pending such appeal, if the party or parties appellant shall give security for the immediate performance of any judgment or sentence which may be pronounced or made by Her Majesty, her heirs and successors, in her or their Privy Council, upon any such appeal.

Fifthly: In all cases security shall also be given by the party or parties appellant 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, to the party or parties respondent.

Sixthly: The said Supreme Court shall, subject to the conditions hereinafter mentioned determine the nature, amount, and sufficiency of the several securities so to be taken as aforesaid.

Seventhly: Provided, nevertheless, that in any case where the subject of litigation shall consist of immovable property, and the judgment, decree, order, or sentence appealed from shall not change, affect, or relate to the actual occupation thereof, no security shall be demanded either from the party or parties respondent or from the party or parties appellant for the performance of the judgment or sentence to be pronounced or made upon such appeal; but if such judgment, decree, order, or sentence shall change, affect, or relate to the occupation of any such property, then such security shall not be of greater amount than may be necessary to secure the restitution, free from all damage or loss of such property, or of the intermediate profit which, pending any such appeal, may probably accrue from the intermediate occupation thereof.

Eighthly: In any case where the subject of litigation shall consist of money or other chattels, or of any personal debt or demand, the security to be demanded either from the party or parties respondent or from the party or parties appellant, for the performance of the judgment or sentence to be pronounced or made upon such appeal, shall be either a bond to be entered into in the