

nor unless it is commenced within three months next after the act or omission complained of, or in case of a continuation of damage within three months next after the doing of such damage has ceased.

The plaintiff in any such suit shall not succeed if tender of sufficient amends is made by the defendant before the commencement thereof; and if no tender is made the defendant may, by leave of the Court, at any time pay into Court such sum of money as he thinks fit, whereupon such proceedings and order 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.

PART XVIII.—FEES AND EXPENSES.

112. All fees, fines, forfeitures, confiscations, and pecuniary penalties, and all commissions levied or received under this Order shall be accounted for, paid, and applied as the Secretary of State, with the concurrence of the Commissioners of Her Majesty's Treasury, from time to time directs.

113. Subject to the other provisions of this Order, all expenses of removal of prisoners and others, and the expenses of deportation and of the sending of any person to England, or to the Straits Settlements, or India, or British Burmah, including expenses of maintenance, shall be defrayed in such manner as the Secretary of State, with the concurrence of the Commissioners of Her Majesty's Treasury, from time to time directs.

PART XIX.—SUPPLEMENTAL.

114. Where by virtue of any Imperial Act or of this Order, or otherwise, any provisions of any Imperial Acts, or of any Law or of any Orders in Council other than this Order are applicable in Siam, or any Form, Regulation, or Procedure prescribed or established by or under any such Act or Law or Order, are made applicable for any purpose of this Order, such Act, Law, Order, Form, Regulation, or Procedure shall be deemed applicable, so far only as the constitution and jurisdiction of the Courts and the local circumstances permit; and for the purpose of facilitating application, may be construed or used with such alterations and adaptations as may be necessary, and anything required to be done by or to any Court, Judge, officer, or authority may be done by or to a Court, Judge, officer, or authority having the like or analogous functions, or by any officer designated by the Secretary of State or by the Court (as the case may require) for that purpose; and the seal of the Court may be substituted for any other seal; and in case any difficulty occurs in the application it shall be lawful for the Secretary of State to direct by and to whom and in what manner anything is to be done, and such Act, Law, Order, Form, Regulation, or Procedure shall be construed accordingly.

115. Sums of money, fines, forfeitures, penalties, or fees payable under this Order shall be calculated and paid in English money, or, with the consent of the Court, in its equivalent in local currency or produce, or bills of exchange approved by the Court.

PART XX.—REPEALS AND TEMPORARY PROVISIONS.

116. From the commencement of this Order the Orders in Council described in the Schedule to this Order shall be repealed, but this repeal shall not affect the past operation of any such Order, or any existing right, title, obligation, or liability, or the validity of any Rules or Regula-

tions made or confirmed under any of the Orders hereby repealed, or revive anything repealed by any such Order.

117. Nothing in this Order or in any Rules made under it shall apply to or in any manner affect any suit or proceeding, either of a civil or of a criminal nature, pending at the commencement of this Order, either with reference to the original proceedings therein, or with reference to any appeal therein, or otherwise, subject, nevertheless, as follows:—

(1.) All suits and proceedings, whether of a civil or of a criminal nature, instituted or taken before the commencement of this Order, in the Consular Court at Bangkok, and pending at the commencement of this Order, are hereby transferred to the jurisdiction of the District Court at Bangkok, and the same may be carried on and shall be tried, heard, and determined in like manner as nearly as may be in all respects as if the same had been instituted or taken in the District Court at Bangkok after the commencement of this Order.

(2.) In any suit or proceeding, whether of a civil or of a criminal nature, the Court before which the same is pending at the commencement of this Order, after hearing the parties, or of its own motion, or on the application of either party, or by consent, may, if it seems fit, from time to time direct that the procedure and practice prescribed by this Order, or by any Rule made under it, be followed in any respect.

(3.) Nothing in this Order shall take away any right of appeal in any suit of a civil nature pending at the commencement of this Order, or interfere with the bringing or prosecution of any appeal in any such suit that might have been brought or prosecuted if this Order had not been made, or take away or abridge any jurisdiction, power or authority of any Court, Judge, officer, or any person in relation to any appeal in any such suit, or to the execution or enforcement of any judgment, decree, or order made before or after the commencement of this Order, in or respecting any appeal in any such suit; and, notwithstanding this Order, any appeal in any such suit shall lie and may be brought and presented, and any such judgment, decree, or order may be made, executed, and enforced in like manner and with the like effect and consequences in all respects as if this Order had not been made.

118. This Order shall commence and have effect as follows:—

(1.) As to the making of any warrant or appointment under this Order, immediately from and after the date of this Order.

(2.) As to the framing of Rules of Procedure or Regulations, and the approval thereof by the Secretary of State, immediately from and after the date of this Order.

(3.) As to all other matters and provisions comprised and contained in this Order, immediately from and after the expiration of one month after this Order is first exhibited in the public office of the Consul-General; for which purpose he is hereby required forthwith, on receipt by him of a copy of this Order, to affix and exhibit the same conspicuously in his public office, and he is also hereby required to keep the same so affixed and exhibited during one month from the first exhibition thereof; and notice of the time of such first exhibition shall, as soon thereafter as practicable, be published in every Consular district in Siam, in such manner as the Consul-General directs; and, notwithstanding anything in this Order, the time of the expiration of the said month shall be deemed