

Act, 1883, as amended by section six of the Patents, Designs and Trade Marks Act (Amended Act); 1885, and by section one of the Patents Act, 1901, and since repealed by section ninety-eight of the said Patents and Designs Act, 1907, provisions were made to the same or like effect as those above set forth as contained in section ninety-one of the said last mentioned Act:

And whereas it pleased Her late Majesty Queen Victoria to make an arrangement of the nature contemplated by the said section one hundred and three, by and in virtue of a Declaration signed and sealed by Her Majesty's Ambassador, at Paris, on the seventeenth day of March, one thousand eight hundred and eighty four, duly conveying the accession of Great Britain and Ireland to the International Convention and Protocol for the Protection of Industrial Property, signed by representatives of certain Powers on the twentieth day of March, one thousand eight hundred and eighty three, and duly ratified on the sixth day of June, one thousand eight hundred and eighty four, power being reserved to Her Majesty to accede thereafter to the provisions of the said Convention and Protocol on behalf of the Isle of Man, the Channel Islands, and any of Her Majesty's Possessions, which Declaration of Accession was duly accepted by the French Government on behalf of the signatory Powers, by and in virtue of a Declaration, dated the second day of April, one thousand eight hundred and eighty four:

And whereas on the fourteenth December, one thousand nine hundred, an Additional Act was agreed upon between Her late Majesty Queen Victoria and the Governments of the foreign countries, parties thereto, for the purpose of modifying certain of the provisions of the said International Convention and the Protocol annexed thereto, the ratifications of which Additional Act were duly effected, except as regards the Dominican Republic and Servia:

And whereas by various Orders in Council, Her late Majesty Queen Victoria and His present Majesty have been pleased to declare that the hereinbefore mentioned provisions of the said Patents, Designs and Trade Marks Act, 1883 (as amended), should apply to the several foreign countries named in the said Orders, parties to the said Convention and Protocols:

And whereas by section ninety-eight of the said Patents and Designs Act, 1907, any Convention, Order in Council, Rule, or Table of Fees, having effect under any enactment repealed by the said section, is to continue in force and is not to be affected by the said section:

And whereas on the first day of January, one thousand nine hundred and nine, Austria-Hungary duly acceded to the said International Convention, Protocol, and Additional Act:

Now, therefore, His Majesty, in pursuance of the powers in Him vested by the above recited provisions, and by and with the advice of His Privy Council, doth declare, and it is hereby declared, as follows:—

1. The provisions of section ninety-one of the Patents and Designs Act, 1907, shall apply to Austria-Hungary.

This Order shall take effect from the first day of January, one thousand nine hundred and nine.

A. W. FitzRoy.

At the Court at *Buckingham Palace*, the 17th day of *May*, 1909.

PRESENT,

The KING's Most Excellent Majesty.

Lord President.
Lord Privy Seal.
Lord Chamberlain.
Lord Suffield.
Lord Allendale.
Mr. L. Harcourt.
Mr. R. K. Causton.

WHEREAS by treaty, grant, usage, sufferance, and other lawful means, His Majesty has power and jurisdiction within the Protectorate of Northern Nigeria.

And whereas a Court called the Supreme Court of Northern Nigeria has been constituted by the Supreme Court Proclamation, one thousand nine hundred and two, to be the Supreme Court of Judicature for the Protectorate.

And whereas it is expedient that provision should be made to enable parties to appeal from the said Supreme Court of Northern Nigeria to His Majesty in Council.

Now, therefore, His Majesty, by virtue and in exercise of the powers by "The Foreign Jurisdiction Act, 1890," or otherwise, in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows:—

1. This Order may be cited as the Northern Nigeria Order in Council, one thousand nine hundred and nine, and shall be read and construed as one with the Northern Nigeria Order in Council, one thousand eight hundred and ninety-nine.

2. From and after the date of this Order, any person or persons may appeal to His Majesty, His heirs and successors, in His or their Privy Council, from any judgment, decree, order, or sentence of the said Supreme Court of Northern Nigeria in such manner, within such time, and under and subject to such rules, regulations and limitations as are hereinafter mentioned, that is to say:—

Rules.

1. In these Rules, unless the context otherwise requires:—

"Appeal" means Appeal to His Majesty in Council;

"His Majesty" includes His Majesty's heirs and successors;

"Judgment" includes decree, order, sentence, or decision;

"Court" means either the full Court of a single Judge of the Supreme Court of Northern Nigeria, according as the matter in question is one which, under the Rules and Practice of the Supreme Court, properly appertains to the full Court or to a single Judge;

"Record" means the aggregate of papers relating to an Appeal (including the pleadings, proceedings, evidence and judgments) proper to be laid before His Majesty in Council on the hearing of the Appeal;

"Registrar" means the Registrar or other proper officer having the custody of the Records in the Court appealed from;

"Month" means calendar month.

Words in the singular include the plural, and words in the plural include the singular.

2. Subject to the provisions of these Rules, an Appeal shall lie—

(a) as of right, from any final judgment of the Court, where the matter in dispute on the Appeal amounts to or is of the value of five hundred pounds sterling or upwards, or where