

ing by the Justice or Justices who tried the case, or without costs in his discretion; and in the event of the judges allowing the said appeal, he may order the said petition and record in the cause to be returned and filed with the Clerk of the Court of Quarter Sessions to be set down without further formality for hearing on the first day of the said court next thereafter, when the said appeal shall be heard and shall be restricted to a mere revision of the proceedings, proof and judgment therein, without the admission of any other evidence or adoption of any other proceeding whatever; Provided always that the evidence in such prosecutions have been reduced to writing at full length, which it will be lawful to do on the requisition of either party at the commencement of the trial by a Clerk thereto appointed by the Clerks of the Peace and who shall be paid six pence per hundred words or ten shillings per day in the discretion of the Justices trying the case, and provided also that no appeal shall be allowed in any case wherein a Writ of *certiorari* has been obtained.

Transmission of record if appeal be allowed.

Proviso: evidence to be taken in writing.

XLII. No such conviction shall be quashed for want of form, or be removed by Writ of *Certiorari* or otherwise, into any of Her Majesty's Superior Courts of Record unless the party applying for such Writ shall have first deposited the amount of the condemnation and costs with the Prothonotary of such Court of Record, and given good and sufficient security to a Justice of the said Court to satisfy any judgment which may be therein rendered against him in principal and costs; whereupon, and upon good cause shewn, such Writ may be allowed; and no warrant of commitment shall be held void by reason of any defect of form therein, provided it be therein alleged that the party has been convicted, and there be a good and valid conviction to sustain the same; and any party alleging the nullity of such commitment and the insufficiency of such conviction, shall be held, if required by the judge to whom application is made, to produce a certified copy of such conviction, to be procured from the committing justices upon payment of the sum of ten shillings, provided that no *certiorari* shall be allowed in any case wherein an appeal has been allowed.

Convictions not to be quashed for want of form or removed by *certiorari*, except on certain conditions.

What warrant of commitment shall be sufficient.

XLIII. The Act passed in the Session held in the tenth and eleventh years of Her Majesty's Reign, and intituled, *An Act for regulating the Shipping of Seamen*, and the Act passed in the sixteenth year of Her Majesty's Reign, and intituled, *An Act more effectually to prevent the Desertion of Seamen*, and all and every the provisions of any Acts now in force inconsistent with this Act, shall be and the same are hereby repealed; but any Acts or provisions of Acts thereby repealed shall not by reason of the present repeal be revived.

Act 10, 11 V. c. 25, and

16 V. c. 165, and other Acts &c., inconsistent with this Act, repealed.

XLIII. Any appointment heretofore made or thing done by virtue of the said Acts or provisions of Acts now repealed, and any prosecution or other proceeding commenced, or order, conviction, or sentence made, shall be and the same are hereby confirmed, and shall be as fully as if the said Acts and provisions had not been repealed.

Things done under repealed Acts to remain valid, &c.