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No. 95.

3rd Session, 5th Parliament, 20 Victoria, 1857.

BILL.

An Act to abolish the right of Appeal to Her Majesty's Privy Council in certain cases.

Received and read, first time, Thursday, 12th
March, 1857.

Second reading, Monday, 16th March, 1857.

MR. CHAS. DAoust.

TORONTO :

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An Act to abolish the right of Appeal to Her Majesty's Privy Council in certain cases.

WHEREAS it is expedient to alter and reform the judicial system of Lower Canada, by abolishing the right of Appeal to Her Majesty in Privy Council from judgments given by the Court of Queen's Bench in Lower Canada in cases in which the matter in dispute exceeds the sum or value of five hundred pounds sterling, or in any case under that sum, in which, under the Act passed in the twelfth year of Her Majesty's Reign, and intituled "*An Act to establish a Court having Jurisdiction in Appeals and Criminal matters for Lower Canada,*" and the laws therein referred to, an Appeal lies to Her Majesty in Her Privy Council, but in which Her Majesty's rights shall not be in question or affected, and to render final the judgments given on the Appeal Side of the said Court; Therefore Her Majesty, &c., enacts as follows:

I. So much of the said Act cited in the Preamble of this Act, or of any other Act, as authorizes an Appeal from the judgments of the said Court of Queen's Bench sitting as a Court of Error and Appeal, to Her Majesty, Her Heirs and Successors, in Her or Their Privy Council in that part of the United Kingdom of Great Britain and Ireland called England, in any cases whatsoever save and except such as may affect the rights of Her Majesty, shall be and the same is hereby repealed; and from and after the passing of this Act all judgments rendered by the said Court of Queen's Bench sitting as aforesaid, in cases heard and adjudicated upon in the said Court, except such as affect the rights of Her Majesty as aforesaid, shall be final, and no appeal shall lie therefrom: Provided always, that in all cases pending or determined in the said Court, or in any of the other Courts of Law in Lower Canada, at the time this Act shall come into force, and in which without this Act an appeal would lie to Her Majesty in Her Privy Council, such appeal shall still lie as if this Act had not been passed.

Preamble.

12 V., c. 37.

No appeal shall lie to Her Majesty in her Privy Council except in cases where the rights of the Crown are affected.

Exception as to pending cases.