

**A HANDY BOOK ON THE PRACTICE  
AND PROCEDURE BEFORE THE  
JUDICIAL COMMITTEE OF HER  
MAJESTY'S MOST HONOURABLE  
PRIVY COUNCIL**

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A Handy Book on the Practice and Procedure Before the Judicial Committee of Her Majesty's  
Most Honourable Privy Council by Robert Thomas Lattey

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Edwin H. Osborn  
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J.A. Moore A HANDY BOOK -1913-

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# PRACTICE AND PROCEDURE

BEFORE THE

JUDICIAL COMMITTEE OF HER MAJESTY'S  
MOST HONOURABLE PRIVY COUNCIL.

BY

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## PREFACE.

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ONE of the chief objects of the writer in compiling this handbook is to afford a guide to professional gentlemen practising in the superior Courts throughout India, from which an appeal is allowed to the Privy Council, in cases in which they have to send appeals to England; but at the same time the writer wishes to point out, that as the procedure is the same in all cases, whether the appeal be from India or from any other of Her Majesty's colonies or dominions, this book will be of equal assistance to those practising in any colony or dependency other than India, from which an appeal lies to the Privy Council.

Another object the writer has in view, is to make this book a strictly practical one. All

references to decided cases have been purposely omitted, as the writer considers such references to be wholly unnecessary in a book such as the present. Should a necessity at any time exist to refer to decided cases, the same will be found in "Moore's Privy Council Cases," or in his "East India Appeal Cases," the index to which is so carefully arranged that an immediate reference can at once be had to the question at issue.

It is not intended in this handbook to go at any length into the various questions that would have to be discussed in what ought more properly to be termed a text-book. A treatise on the various jurisdictions of a Judicial Committee, their origin and application, would of necessity be a most voluminous work, the practical benefit of which may be doubted, the facts in each case of necessity differing.

The writer has endeavoured to point out in a concise manner the procedure in an appeal, and he has in each case given a form that may be used in the various steps of the appeal, with the intention of making the book equally useful to



solicitors and agents in England having the conduct or defence of appeals pending in the Privy Council.

From practical experience in more than one colonial Court, the writer is aware that a great want of knowledge exists respecting an appeal to the Privy Council, the mode of its institution, its probable duration, and lastly, the most important item of all, the costs that an appeal will entail; upon these points especially the writer purposes directing his remarks.

ROBERT THOMAS LATTEY,

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OLD BROAD STREET, LONDON.

*March, 1869.*

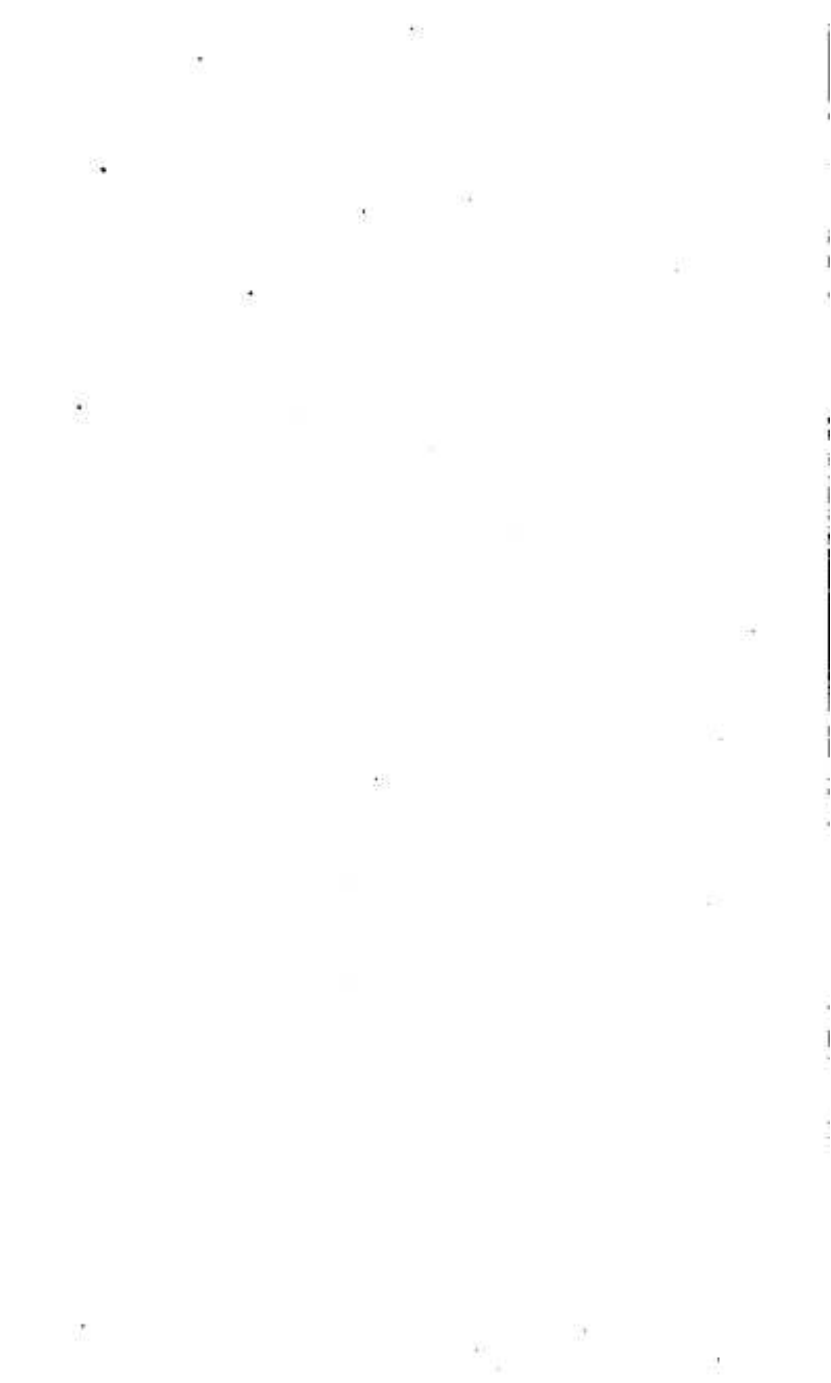


Figure 1: Scatter plot showing the relationship between the number of employees and the number of accidents. The x-axis represents the number of employees (0 to 100), and the y-axis represents the number of accidents (0 to 10). A solid line of best fit is drawn through the data points, indicating a positive linear correlation. A dashed line is also shown, representing a different fit or comparison.

## INTRODUCTION.

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PREVIOUS to the issuing of the Order in Council of the 13th of June, 1853, which will be found at page 174, there was considerable confusion as to the procedure of a Judicial Committee. This occasioned the Lords of the Committee to report upon this matter, the result being the issuing of the said Order of the 13th June, 1853.

Shortly after the issuing of this Order, Her Majesty was pleased to issue the further Order of the 31st March, 1855 (*vide* page 154), giving the Judicial Committee power to make any order or direction which, in their opinion, the justice of any particular case might require.

No printed orders have been issued under this authority, but what may be termed a settled practice is now established. In the following