

*Judgment of the Lords of the Judicial Committee of the Privy Council on the Petition of Tilonko for special leave to appeal to His Majesty in Council from a Judgment pronounced by the Supreme Court of Natal in the matter of Rex v. Tilonko; delivered the 5th July 1907.*

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Present at the Hearing :

THE LORD CHANCELLOR.  
EARL OF HALSBURY.  
LORD ASHBOURNE.  
LORD MACNAGHTEN.  
LORD COLLINS.  
SIR ARTHUR WILSON.  
SIR ALFRED WILLS.

[*Delivered by the Lord Chancellor.*]

Their Lordships are unable to advise His Majesty to grant special leave to appeal in this case. The question raised is settled by an Act of Natal, and it is not within the power, or within the province, of this Board to discuss or consider the policy or expediency or wisdom of an Act, or to do anything beyond deciding whether the Act applies. Their Lordships are of opinion that the Act applies, and they are bound by it and must give effect to it.

In the circumstances of this case their Lordships think that the Petitioner ought to pay the costs of the Attorney-General of Natal.

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