

We find, that it is thereby declared, that the sum and sums of Money, mentioned and intended by this Act to be raised, as also all other proffits or issues accruing by Virtue of the same, shall be paid for His Majesty's use, His Heirs and Successors, and shall be employed for and towards the defraying the Public Charges of the said Islands, The same to be paid from time to time by the Collector or Receiver thereof, as the Governor five of the Council at least, and ten Persons chosen by the Assembly or any five of them shall direct and Appoint and not otherwise, And in another Clause it is enacted, That ten Persons nominated, freely Elected and appointed by the Assembly (whose Names are here inserted in the Act) or any five of them at the least, do assemble Convene, or meet together, three times in the Year, or once in four Months, together with the Governor and five of the Council at least, on such day and Place as the Governor shall direct and appoint, to the Intent the Publick Accounts referring to the said Imposition, by this Act laid on Liquors, may be by them duly inspected and regulated, as also the disposal of the said Money Ordered and directed.

These being the Provisions of this Law, We do not think it would be adviseable to call in question a Priviledge which the Assembly derive from a Plain and possitive Law confirmed by the Crown, and which, tho' it does derogate from the Authority which the Crown has thought fit to delegate to its Governor, yet by making a permanent Provision for the support of Government has freed it from the many great Inconveniences and Obstructions with which it is clogged in those Colonies, where no such Establishment has taken Place.

[XV. *pp.* 56-7, 105-6, 116.]

[226.] [Reference to the Committee of the petition of Ezekiel and Caleb, sons of Caleb Dickinson, Esq., and grandsons of Francis Dickinson, Esq., deceased, for a day for hearing their appeal from a judgment of the Court of Errors of Jamaica, 27 Nov., 1752, affirming a judgment of the Supreme Court in Nov., 1750, in favour of John Doe on

11 Dec.
Jamaica.

1754.

the demise of Alexander McFarlane, on an action of trespass and ejectment against the petitioners for lands, &c., in the parish of St. Elizabeth. The petitioners further complain] that the Transcript of the Record is very lately but imperfectly transmitted under the Seal of the said Island, the Officers having omitted to transcribe some parts of the said Record, and particularly the Writ of Possession which issued from the said Supreme Court, and a certain Diagram which Appears to have been annexed to the Interrogatorys on which (as pretended) Joshua Crosby was examined, and which was produced and exhibited to the said Joshua Crosby at the time of such pretended Examination, and to which Diagram he expressly referred in his Answer to the said Interrogatorys, and without the Transcript of which said last mentioned Diagram the proper weight cannot be given to what is mentioned in such Examination; The Petitioners therefore humbly pray His Majesty will be graciously pleased to Order, that the Proper Officers do permit the Petitioners Agent to have out true Copys of the said Writ of Possession and last mentioned Diagram duly Authenticated under the Great Seal of His Majestys said Island of Jamaica, on payment of the usual and accustomed Fees for the same, to enable the Petitioners to bring on their said Appeal to Hearing. [p. 543.]

(1754.) [On the Committee report of 30 July, the appeal is dismissed.]
 6 Aug. [XV. pp. 204, 207-8, 219.]

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1754. [227.] [Reference to the Committee of (a) the petition of
 31 Jan, Governor Dinwiddie of Virginia, setting forth] that by His
 Virginia. Majesty's fifty first Instruction, the Governor of the said Colony
 is with the advice and Consent of His Majesty's Council there,
 authorized and required to regulate all Fees belonging to Places,
 or to be paid upon Emergencys. That there having been
 no settlement in the said Colony of a Fee to be taken by the