

discharged from the expence of Pilotage, when they do not actually take a Pilot on board. That by the Twentieth Article of His Majestys Instructions to James Glen Esqr. the late Governor of South Carolina, he is strictly charged and Commanded, on pain of His Majestys highest displeasure, not to give his Assent to any Law, whereby the Natives or Inhabitants of the said Province might be put on a more advantageous footing, than those of this Kingdom ; And that as this Act has been passed in contradiction to the said Instruction, the said Lords Commissioners for Trade and Plantations, propose the Repeal thereof. [pp. 412, 433, 452.]

[282.] [Reference to the Committee of the petition of Thomas Pinnock, late Receiver General of Jamaica, for a day for hearing his appeal from a sentence of the Vice-Admiralty Court, 23 Feb., 1754, on his bill for the condemnation of the sloop *Prince William* and her tackle, and of 46 serons and 25 bags of cocoa as imported contrary to law,] By which Sentence the said Sloop *Prince William* with the Appurtenances, and Twenty Serons of Cocoa claimed by Thomas Hartley was decreed to be restored to him in behalf of William Dorrill Esqr. the Owner thereof, but that as to the other twenty Six Serons and Twenty five Baggs of Cocoa, claimed by James Hayes, the Judge was of Opinion, the same was not properly before the Court, because it was not monited, as is usual in such Cases, and therefore no Order was made with respect to that part of the Libell. [p. 468.]

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[283.] Whereas the Committee of Lords of the Privy Council for hearing Appeals from the Plantations, have represented to their Excellencys the Lords Justices at this Board [on 7 Aug.,] that a Practice hath of late been introduced into the Court of Chancery in His Majestys Island of Jamaica of Carrying on Proceedings in Causes after Appeals have been prayed and actually allowed by the said Court to His Majesty in Council, from Orders and Decrees made upon such Causes in the said Court, in the same manner, as if no such Appeals

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had been prayed or allowed therefrom, without waiting until His Majestys Royal determination has been given on such Appeals, and in direct contradiction to the Orders and Instructions given by His Majesty to the Governor of that Island for allowing Appeals to His Majesty in Council; And that altho' the said Committee have upon all Cases of this kind, which have come under their Consideration, Ordered the Governor to put a Stop to all further proceedings in the said Causes, pending the Appeals before His Majesty in Council, yet they conceive it absolutely necessary, in Order to put a final Stop to a Practice of this kind, so contrary to His Majestys Orders and Instructions, as well as the Common Course of Proceedings in all other Courts of Judicature, where an Appeal is always allowed to be a Supersedeas to all further proceedings in the Court from whence the Appeal is brought, that some peremptory Orders may be forthwith sent to the Governor of Jamaica, suitable to the occasion, and as may most Effectually prevent any further proceedings of this Nature for the time to come. [The Lords Justices, considering such proceedings in Chancery] to be not only derogatory of His Majestys Royal Authority, but of great prejudice to such of His Subjects as become Appellants to His Majesty, are therefore hereby pleased, with the Advice of His Majestys Privy Council, to declare Null and void, all proceedings of this kind that have been hitherto carried on in the said Court of Chancery, after Appeals have been granted, and pending such Appeals before His Majesty in Council, except only with regard to such final Judgments and Decrees, as may have been carried into Execution upon the Appellees having given sufficient Security to make ample Restitution of all that the Appellant shall have lost by means of such final Judgment or Decree having been so carried into Execution, in Case upon the Determination of such Appeal, such final Judgment or Decree should be reversed, and restitution awarded to the Appellant. And their Excellencys do hereby peremptorily require and Command the Governor . . . to pay, for the future, a due and Exact Obedience to the Orders and

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Instructions given by His Majesty upon this Head, as he will answer the contrary, and not to permit or suffer proceedings of any kind whatsoever to be carried on in any Cause, after an Appeal has been prayed and allowed to His Majesty in Council, [save in the case of final judgments when the appellee gives security to make restitution]. And it is hereby further Ordered, that this Order be entered in the Register of the said Court of Chancery in Jamaica.

[pp. 491-2, 501-2.]

[284.] [Reference to the Committee, and by them on 2 Sept. to the Board of Trade, of a Board of Trade representation of 6 Aug., with a remonstrance of the Georgia House of Representatives transmitted to them by Governor Reynolds,] that the Qualifications of Electors and Representatives as Settled by His Majestys Instructions, to the said Governor, may be detrimental to the Welfare of the said Colony, and praying, for the reasons therein contained, that they may be permitted to settle such Qualifications as aforesaid by such Laws, as 'may most conduce to the Interest and Welfare of the said Colony.

[pp. 506, 509.]

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Georgia.

[285.] [Reference to the Committee, and by them on 2 Sept. to the Board of Trade, of a Board of Trade representation of 6 Aug. with a remonstrance of the Assembly of Georgia transmitted to them by Governor Reynolds, setting forth] that the fixing and settling the Fees of the Publick Officers of that Colony, being solely in the Power of the Governor and Council, without the Concurrence and Consent of the Assembly, seems to them a great hardship, and may be attended with Consequences hurtful to their Constituents, as it puts it entirely out of their power to procure them any Redress if ever they should have reason to complain on this head; They therefore humbly pray, that the Fees of the Publick Officers of that Colony, may be settled by Act of General Assembly, and no otherwise, as is the Custom of all His Majestys other Colonys in America.

[pp. 507, 510.]

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