

Courts have in most of them been confirmed and their Proceedings regulated by Provincial Laws ratified by the Royal Approbation. But in Colonies of a later Establishment ; as Nova Scotia and Georgia, the Courts of Judicature exist, and act under the Appointment of the Governor, in virtue of his Commission. And for the Establishment of those Courts, as well as for authenticating all their Acts and every other necessary Act of Civil Government a publick Seal has been given to every Colony, of which Seal the Governor is the Keeper.

The Number and Jurisdiction of the Courts of Judicature in Your Majesty's several Colonies, varies according to their different State and Circumstances but it has been found of absolute necessity to have a Chief Justice in every Colony, to preside in and direct the Proceedings in all cases of Property or of a criminal Nature. The inferior Judges have usually been appointed from amongst the Members of Your Majesty's Council, which consists of Twelve Persons appointed by Your Majesty ; And as this is an Establishment which has been found necessary in every Colony where any Form of Civil Government has taken place, We beg leave humbly to submit to Your Majesty, whether it may not be a necessary Establishment in Guadeloupe, in case Your Majesty should think it expedient, to establish in that Island any Form of Civil Government ; independent of that which is reserved to the Inhabitants by the Terms of the Capitulation.

[pp. 261-4.]

[405.] [Reference to the Committee of the petition of William and Julinus Beckford and Rose Fuller, late of Jamaica and now of Great Britain, surviving executors of George Ellis, sen., of Jamaica, for a day for hearing their appeal from a Chancery decree of 17 Feb., 1759, dismissing their bill against Robert Halked, sen., devisee, residuary devisee and administrator of Richard Halked, for 5,000*l.* currency or what should appear due on account of the purchase money and interest of the moiety of a plantation or sugar work called

12 Sept.
Jamaica.

432 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1759.

Rio Flora or the Waterwork Plantation in the parish of St. Thomas in the Vale.] [pp. 48, 145.]

(1760.) [On the Committee report of 7 July, the decree is reversed
11 July. and directions given for taking further accounts.]
[pp. 418, 426-30, 442.]

9 Nov.
Nevis.

[406.] [Reference to the Committee of the petition of Andrew, Richard and John Denn, late owners of the schooner *Nelly* for a day for hearing their appeal from the condemnation of the ship and cargo in the Vice Admiralty Court of Nevis, 15 Oct., 1757, on a libel exhibited by Horatio Herbert, deputy collector of customs there.] [p. 189.]

(1760.) [On the Committee report of 10 July, the sentence is
11 July. reversed, the information dismissed with costs to the time of the sentence, and the schooner and cargo, or the value thereof, ordered to be restored. The libel set forth that] John Cort, the Master of the said Schooner *Nelly* did import into Nevis in the said Schooner Sundry Boxes of Soap, Cases of Oil and Boxes of Candles and other things of the Growth Production and Manufacture of France and other parts of Europe, without having Loaded or Shipped the said Merchandize on Board the said Schooner in Great Britain, and without having Imported the same in the said Schooner directly from Great Britain into Nevis but having Imported the same directly from his Majesty's Garrison and Town of Gibraltar in Europe into Nevis, And the said Schooner, at the time of the said Importation, not being a Vessel of the Built of Great Britain or Ireland or of any of his Majesty's Plantations, and not wholly owned by the People of any of them, nor Navigated with the Master and three fourths of the Mariners of any of the said Places, contrary to the several Statutes in such Cases provided. [The Denny denied that any of the laws of trade had been transgressed, and claimed the vessel as their own property, and the cargo on behalf of themselves and Messrs. Lazaro, Damniani and Lacelloti, of Leghorn.]

[pp. 197, 430, 434-5, 444.]