

78 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1708. § 201 *cont.*]

being taken of the original charge. At this trial Burton objected to ten out of the twelve jurors returned by Jones without showing any cause, and this he also does in other cases.

(65-7) Bennett's predecessor, Gov. Day, was detained in the island till he died, by Bennett's allowing him to be prosecuted there in several trifling and vexatious suits. When he pleaded the Act of Parliament for punishing Governors in England, the judge declared "that if the said Day would be tried by English laws, he must go to England for them, for they would try him by their own laws." Day was fined 50*l.* "for speaking the following words as pretended, viz. 'Christian is a conjurer, Clipp Castle is another, and so is Ambition the Christian's brother.' " The minister, Mr. Baron, was reprimanded by the Governor for praying with Day when he was sick, and durst not visit him but by stealth.

(68-70 ) Mr. Larkin, who was sent out to settle the Admiralty Courts for trying pirates in America, was closely imprisoned for several months, and no letters allowed to pass to or from him. He died from the effects of this soon after an order had been received for his release. While he was in the island, no Admiralty Courts were held. The warrant for his imprisonment was said to be granted by the Governor and Council, but nothing appears thereof in the minutes of Council delivered into the Secretary's office. Bennett "held his sword to the breast of one of the Queen's slaves, a mulatto, and who lived as a servant to the Governor, threatening to run her through if she would not swear a rape against Mr. Larkin, and because she refused to do it had her publicly whipped."

(71) Thomas Barrow, having a dispute with the master of a ship which was to carry him to Jamaica, said that he did not question but to have justice done him when he came to Jamaica. For this he was imprisoned and fined 40*l.*, and such a character of him was given to the Governor of Jamaica that he would not let him practise at the bar.