

Appeals to the Privy Council

Calendar of State Papers Colonial Series

BER_1694_00

Richier v Goddard

Bermuda

Calendar of State Papers Colonial, America and West Indies, Volume 14: 1693–1696, J.W. Fortescue, ed. (London, 1903), no. 911, p. 254–260:

March 1. Whitehall.	911. Order of the King in Council. Granting the petition of Isaac Richier, and referring it to Lords of Trade and Plantations to take care everything may be done in order thereto. <i>Signed.</i> William Blathwayt. $\frac{1}{2}$ p. <i>Enclosed</i> ,
	911. I. Petition of Isaac Richier to the King. Governor Goddard on arriving at Bermuda in August last demanded of me £1,000 as half the profits of the Government since he received his Commission, and on my demurring seized all my cellar and goods, arrested me and kept me in close confinement for a time, and though he has now released me on parole, threatens further persecution unless I pay the money. I offered him to give security to answer this or any other matter in England, which he at first agreed to accept but afterwards refused, and seized all goods of mine that he could lay hands on. I beg that my property may be restored on my giving security to answer any action in England, and that evidence may be allowed to be collected for my defence. <i>Copy.</i> $1\frac{1}{2}$ pp. <i>The whole endorsed</i> , Recd. 5 March, 1693–4. [<i>Board of Trade.</i> Bermuda, 2. Nos. 18, 18 I.; and 28. pp. 98–101.]

Calendar of State Papers Colonial, America and West Indies, Volume 14: 1693–1696, J.W. Fortescue, ed. (London, 1903), no. 2209, p. 622–635:

Dec. 19. Kensington.	2,209. Order of the King in Council. That Isaac Richier, after giving £2,000 security to abide by the King's decision in his case, be forthwith set at liberty and his estate restored to him, also that he be permitted to appeal to the King in Council and to answer to the charges against him, and that a commission be issued to three persons named by him and three named by Governor Goddard to examine witnesses and take depositions as to the matter in dispute between them. <i>Copy, transmitted from Bermuda.</i> 1 p. [<i>Board of Trade.</i> Bermuda, 2. No. 35.]
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Calendar of State Papers Colonial, America and West Indies, Volume 15: 1696–1697, J.W. Fortescue, ed. (London, 1904), no. 1028–1029, p. 489–498:

May 17. Whitehall.	1,028. Council of Trade and Plantations to the Lords Justices of England. On the documents received from Mr. Edward Richier and Governor Goddard respecting the difference between Governor Goddard and Mr. Isaac Richier
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	<p>we offer as follows. The Order in Council of 19 December, 1695, directed (1) that Mr. Richier on giving £2,000 security to abide by the King's decision on his case should be set at liberty, receive his goods again, and be permitted to appeal to the King in Council; (2) that Governor Goddard should appoint a Commission of six, three to be named by Mr. Richier, to examine witnesses and take evidence; (3) that Richier on giving the usual security should have liberty to appeal for all prosecutions in Bermuda. Governor Goddard has sent us copies of the bond and commission which he offered to Richier, of a minute of Council shewing why they refuse to release Richier from prison, and a general vindication of his conduct. On the other hand Richier has sent us copies of the bonds which he offered, and it is given as his excuse for not nominating three members of the Commission that the Governor has so far intimidated the inhabitants that he could not obtain three persons to act with impartiality in the matter. This is supported by several papers laid before us, many of which allege further acts of illegality against Governor Goddard. <i>A summary of these is given.</i> On the whole of which we would represent (1) That the difference between the bond offered by Governor Goddard to Richier from that tendered by Richier himself, is that Richier makes the restoration of his goods a condition of obligation while Goddard does not. Thus Richier would be bound in £2,000 to abide by the King's decision, while Goddard (who confesses that he has some of Richier's goods in his possession) would be left free; which is unreasonable. (2) As to the refusal to release Richier from prison we think that, apart from the illegality of the pretended outlawry and the fact that Richier's action in seizing Trott's ship has been upheld, such a refusal absolutely frustrates the benefit of appeal to the King and might obstruct the account which every Governor is bound to render to him. (3) We think that enquiry should be made into the complaints against Governor Goddard, but that it cannot be made in Bermuda while he continues as Governor there. (4) Nicholas Trott is the same man as was removed from the Government of the Bahamas for harbouring and protecting pirates. On the whole we recommend that Governor Goddard be recalled and a new Governor be sent out with orders to enforce the Order in Council of 19 December, 1695, to require the same security from Governor Goddard to abide by the King's decision and from Nicholas Trott likewise, also that directions be given for the prosecution of Nicholas Trott for the misdemeanours aforesaid. <i>Signed, J. Bridgewater, Tankerville, Ph. Meadows, John Pollexfen, Abr. Hill. [Board of Trade. Bermuda, 29. pp. 23–33.]</i></p>
<p>May 17.</p>	<p>1,029. Order of the Lords Justices of England in Council. Approving the report of the Council of Trade on the case of Isaac Richier (<i>see preceding abstract</i>), and ordering that Governor Goddard be recalled, that Nicholas Trott be obliged to come to England to answer to prosecutions for his misdemeanours, and that a clause be added to the instructions of the new Governor to enforce the remainder of the Council's recommendations. <i>Signed, Rich. Colinge. 2 pp. Endorsed, Recd. 5th, Read 7th June, 1697. [Board of Trade. Bermuda, 3. No. 9; and 29. pp. 33–37.]</i></p>

Calendar of State Papers Colonial, America and West Indies, Volume 15: 1699 and Addenda 1621–1698, C. Headham, ed. (London, 1908), no. 734, p. 395–412:

Aug. 22. Whitehall.	734. Order of Lords Justices in Council, referring the appeal of Isaac Richier to the Council of Trade and Plantations. <i>Signed</i> , Edward Southwell. <i>Endorsed</i> , Recd. Oct. 23. Read, Oct. 25, 1699. $\frac{1}{2}$ p. <i>Enclosed</i> ,
	734. I. Petition of Isaac Richier, relating to his appeal from two actions in Bermudas, praying that Nicholas Trott may give security to pay costs etc. and that a day may be appointed for hearing the cause. <i>Copy</i> . $1\frac{1}{2}$ pp.

Calendar of State Papers Colonial, America and West Indies, Volume 15: 1699 and Addenda 1621–1698, C. Headham, ed. (London, 1908), no. 992, p. 536–542:

Nov. 23. Kensington.	992. Order of King in Council. Appeal of Isaac Richier appointed to be heard Nov. 30. <i>Signed</i> , John Povey. <i>Endorsed</i> , Recd. Nov. 30, 1699. 1 p. [<i>Board of Trade</i> . Bermuda, 3. No. 57; and 29. pp. 243, 244.]
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