

APPENDIX (B.)

Edward, with the probability of the increase or diminution of the same, under every head and article thereof.

Twenty-third.—Our will and pleasure is, that you do, in all civil causes, on application being made to you for that purpose, permit and allow Appeals from any of the Courts of common Law in our said Island of Prince Edward; and you are for that purpose to issue a Writ in the manner which has been usually accustomed, returnable before yourself and the Executive Council of the said Island of Prince Edward, who are to proceed to hear and determine such Appeals, wherein such of the said Executive Councillors of our said Island of Prince Edward as shall be at that time Judges of the Court from whence such Appeal shall be so made to you, and to our said Executive Council as aforesaid, shall not be admitted to vote upon the said Appeal, but they may nevertheless be present at the hearing thereof, to give the reasons of the Judgment given by them, in the causes wherein such Appeal shall be made: Provided nevertheless, that in all such Appeals the sum or value appealed for do exceed the sum of Three hundred Pounds, Sterling; and that security be first duly given by the Appellant to answer such charges as shall be awarded, in case the first sentence be affirmed; and if either party shall not rest satisfied with the Judgment of you and our Executive Council as aforesaid, Our will and pleasure is, that the Appellant may then appeal unto Us in Our Privy Council, provided the sum or value so appealed for unto Us do exceed Five hundred Pounds, Sterling, and that such Appeal shall be made within Fourteen days after sentence, and good security be given by the Appellant that he will effectually prosecute the same and answer the condemnation, as also pay such Costs and Damages as shall be awarded by Us, in case the sentence of you and the said Executive Council shall be affirmed: Provided nevertheless, when the matter in question relates to the taking or demanding any duty payable to Us, or to any Fee of Office or Annual Quit Rent, or other such like matter or thing, where Our rights in future may be bound, in all such cases, you are to admit an Appeal to Us, in Our Privy Council, although the immediate sum or value appealed for be of a less amount or value: And it is Our further will and pleasure, that in all cases where by your Instructions, you are to admit Appeals to Us in Our Privy Council, execution be suspended until Our final determination of such Appeal, unless good and sufficient security be given by the Appellee to make such ample restitution of all that the Appellant shall have lost by means of such Decree or Judgment, in case upon the determination of such Appeal such Decree or Judgment should be reversed, and restitution awarded to the Appellant.

Twenty-fourth.—You are also to admit Appeals unto Us in Our Privy Council, in all cases of Fines imposed for Misdemeanors, provided the Fines so imposed amount to or exceed the sum of One hundred Pounds, Sterling—the Appellant first giving good security that he will effectually prosecute the same, and answer the condemnation of the sentence by which such Fine was imposed, be confirmed.

Twenty-fifth.—You shall not remit any Fines or Forfeitures whatsoever above the sum of Fifty Pounds. // nor dispose of any Forfeitures whatsoever, until you signify the same to Us, through one of Our principal Secretaries of State, and shall have received Our directions thereupon; but you may in the mean time suspend the payment of the said Fines and Forfeitures.

Twenty-sixth.—You are, with the advice and consent of our Executive Council, to take especial care to regulate all Salaries and Fees belonging to places, or paid upon emergencies, that they be within the bounds of moderation; and that no exaction be made on any occasion whatsoever; as also that Tables of Fees be publicly hung up in all places where such Fees are to be paid.

Twenty-seventh.—And you are to transmit to Us, through one of Our principal Secretaries of State, with all convenient speed, a particular account of all establishments of Jurisdiction, Courts, Offices and Officers, Powers and Authorities, Fees and Privileges granted and settled within our said Island of Prince Edward; as likewise an account of all the expences, if any, attending the establishments of the said Courts and Offices.

Twenty-eighth.—And it is Our will and pleasure, that all Commissions to be granted by you to any per-