

mode of constituting a representation is pointed out, by letter of attorney in the form prescribed. If these restrictions are exclusive they must annihilate every other kind of representation, (except that of executors and administrators which is admitted and put under regulations,) whether that representation arises by Common Law, by Statute, or by Act of the Province.

This property likewise is protected upon another ground.—It was admitted by the Counsel for the Agents, that money could not be attached if under the custody of the law, and whilst a suit is depending in the King's Court. Several cases were cited to this effect. In particular the case of Coppel against Smith, and Grant against Howding, 4. T. R. 312. Money in one case attached, and, in the other, paid upon a judgment upon an attachment, were adjudged to be paid again, because the money had been directed to be paid by the Court of King's Bench and therefore was a judicial act. Yet it had not been attached in one case until after the master's allocatur, nor in the other until the day arrived for payment, so that the interest was completely vested, and nothing remained for the Court to decide.

Prize money is under the custody of the King's Court of Admiralty until it is actually demanded or paid to the parties. Until that moment the prize cause is still depending. This is evident because until that time the Court is open to any application from persons interested, and can make order thereupon, without instituting a fresh suit, which must necessarily be done if the original cause was out of Court. Until payment the

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