

islands for our products, were to be totally prohibited—a design, however, not countenanced by the act.

While Mr. Van Dam was in the chair, it became a question in Council, on drawing the warrants for the Governor's salary, whether the whole or only the moiety should be received by the President. The Assembly were consulted upon it, but declined an opinion. The Council then advised warrants to Mr. Van Dam for the whole salary, and he received the money. Mr. Cosby came out with the King's order of the 31st of May, 1732, for the equal partition between himself and the President, of the salary and all perquisites and emoluments of government during his own absence. Van Dam was contented, if the Governor would also divide with him the sums which came to his hands in England, for he confessed his own receipts to amount to no more than one thousand nine hundred and seventy-five pounds, seven shillings and ten-pence, and insisted that the Governor's were six thousand four hundred and seven pounds, eighteen shillings and ten-pence. Colonel Cosby would not consent to this demand, and the President, who thought him his debtor, refused to tender him a farthing, and demanded a balance. The Governor, to compel the payment and prevent any discount, was advised to proceed against Van Dam in the Exchequer, for in a suit at common law he dreaded a set-off and the verdict of a jury, the President being a popular and reputable merchant. In Chancery no measures could be taken, for there the Governor presided, and could not be an unexceptionable judge in his own cause.

The Supreme Court exercised the ample authorities both of the King's Bench and Common Pleas, and its sittings, or terms, had been fixed by ordinances of the Governor with the advice of the Council. In certain instances, the Judges had proceeded according to course of the Exchequer, their commissions directing them "to make such rules and orders as may be found convenient and useful, as near as may be agreeable to the rules and orders of our