

SESSIONAL PAPER No. 18

are to signify to them that it is Our Express Will and Pleasure, that You do not allow any protection to any member of the Council or Assembly further than in their persons, and that only during the sitting of the Assembly, and that You do not allow them to adjourn themselves otherwise than *de diem*, except Sundays and Holidays, without Leave from you or the Commander in Chief for the time being first obtained: It is also Our further pleasure that the Council have the like power of framing Money Bills as the Assembly.—

15 And Whereas by Our aforesaid Commission under Our Great Seal of Great Britain, You are authorized and impowered with the Advice and Consent of Our Council to Constitute and appoint Courts of Judicature and Justice; It is therefore Our Will and Pleasure, that You do as soon as possible apply Your attention to these great and Important Objects and that in forming the necessary Establishments for this purpose, You do consider what has been Established in this respect in Our other Colonies in America more particularly in Our Colony of Nova Scotia—

16 Our Will and Pleasure is, that You or the Commander in Chief for the time being do in all civil Causes, on application being made to You or the Commander in Chief for the time being for that purpose, permit and allow appeals from any of the Courts of Common Law in Our said Province until You or the Commander in Chief, and the Council of the said Province, and You are for that purpose to Issue a Writ in the manner which has been usually accustomed, returnable before Yourself and the Council of the said province, who are to proceed to hear and Determine such Appeal, wherein such of the said Council, as shall be at that Time Judges of the Court from whence such appeal shall be so made to You Our Captain General, or to the Commander in Chief for the time being and to Our said 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 or the Commander in Chief for the time being and Council as aforesaid, Our Will and Pleasure is that they 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 be made within fourteen Days after Sentence and good security 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 or the Commander in Chief for the time being and Council be affirmed; provided nevertheless where the matter in Question relates to the taking or Demanding any Duty payable to Us or to any