To oppose this attempt to lay internal taxes upon America, a colonial Congress was convened at New York, on the 7th of Octo-

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their Superior Courts of common law had a superintending power, similar to that exercised by the English Courts of Westminster Hall, to control and check the undue extension of the jurisdiction of these Vice-Admiralty Courts by writs of prohibition; but this was a controverted point which was never finally settled.—(2 *Chal. Opin. Em. Law*, 208.)

Appeals, from the tribunals of the last resort in the colonies to the King in Council, seems to have been coeval with the regular organization of the Colonial Governments. Appeals from the Courts of Virginia were taken to the King in Council soon after that Colony was placed under the government of the King; and before that time they were carried to the treasurer and and council of the Virginia Company in England, (*Chal. Pol. An.* 38, 41,) at the time of settling the colonies in this country, there was no English judicatory besides those within the realm of England; except those of Guernsey and Jersey, the remnants of the Duchy of Normandy. According to the custom of Normandy, appeals lay to the duke in council; and upon that ground, appeals lay from the judicatories of those islands to the King of England, as duke in council; and upon that general precedent, without perhaps attending to the fact of the appeal being to the King, in his character of Duke of Normandy, it was held, that an appeal should be allowed from the judicatories of the Colonies to the King in Council, (*Pown. Adm. Colo.* 61, 112.)

But England claimed an absolute supremacy over all her colonies, (*Chal. Pol. An.* 684, 690;) and, for the purpose of sustaining that supremacy, it was finally settled, as an inherent right, as well of the subject to prosecute as of the sovereign to receive appeals, without any reservation of such right in the colonial charters; for, as was said, without such appeal, the law made for, or permitted to a colony might be insensibly changed within itself without the assent of the mother country; and judgments might be given in the colonies to the disadvantage, or the lessening of the supremacy of the mother country, or to make the superiority to be only of the King, not of the Crown of England, (*Chal. Pol. An.* 304; *Stokes' View Brit. Col.* 27; 5 *Frank. Works*, 355; *Vaug. Rep.* 290, 402; *Show. P. C.* 33; 1 *P. Will.* 329; 2 *Meriv.* 143.) And as in many cases for the want of a full and accurate knowledge of the peculiar law of the colony it might be difficult or impossible for a party to obtain any benefit by an appeal, without a special verdict, it was thought, that it might be proper to authorize and require the Judges in all important cases to compel the jury to find a special verdict. (1 *Chal. Opin. Em. Law*, 185.) Hence with a view to obtain relief by appeal, it appears, that during the Provincial Government of Maryland, much apparently unnecessary matter, such as Acts of Assembly, &c., was introduced into the record in the form of bills of exceptions and special verdicts, (1 *H. & McH.* 67; 2 *H. & McH.* 279.) But it was not easy to induce the colonists to submit to this general supremacy as a fundamental principle in their connexion with the mother country; because it mortified their pride, and was, in all cases in which the right of appeal was exercised, attended with much delay, expense and vexation, (*Chal. Pol. An.* 295, 343, 490, 678; 1 *Ram. U. S.* 111; 1 *Belk. N. Hamp.* 247.)

Appeals lay from the highest Court of record in each of the colonies to the King in Council, in all civil cases, where the land or other thing in controversy amounted to three hundred pounds sterling or upwards in value, (1 *Smith's His. N. York*, 384; *Pown. Adm. Colo.* 61, *note:* 3 *Virg. Stat.* 550; *Stokes' View Brit. Col.* 225; 1 H. & McH. 44, 77, 80, 90, 504; 2 H. & McH.