

thod & rule for the prosecution of Appeals & Writts of Error shall for the future be in manner & form as is herein after mention'd & expres'd (that is to say) the party appealing or suing out such Writt of Error as aforesaid shall procure a transcript of the full proceedings of the said Court from whence such Appeal shall be made or again't whose judgment a Writt of Error shall be brought as aforesaid under the hand of the Clerk of the said Court and seal thereof, and shall cause the same to be transmitted to the Court before whom such Appeal or Writt of Error is or ought to be heard tryed & determin'd as aforesaid and also in the same Court file in writing according to the rule of the said Court such Error in the proceedings as the plaintiff in the Writt of Error shall think fit to alledge, or such causes or reasons as he or they had for making the said Appeal or suing out such Writt of Error as aforesaid, upon which transcript the said Court to whom such Appeal shall be made or before whom such Writt of Error shall be brought as aforesaid shall proceed to give judgment.

And be it further Enacted by the authority advice & consent aforesaid, that all Appeals made in manner aforesaid shall be admitted & allow'd of by the superiour Court to whom such Appeal shall be made as aforesaid in nature of a Writt of Error, and that every Clerk of a Court shall at the time of the siring of that Court to which they respectively belong, and when any Appeal shall be demanded to enter a memorandum of such demand as well in his or their Journal as in the said Records of the proceedings of such Court, and that no Clerk of a Court do refuse or delay upon request of any Appealant as aforesaid to write & make out a transcript of the whole proceedings as aforesaid under his hand & the seal of the Court as aforesaid upon penalty to pay the respective damages which such appealant shall sustain by such refusal or delay as aforesaid the said party paying or securing to be paid such respective Clerk his just Fees for the same according to Law.

And be it Enacted by the authority advice & consent aforesaid, that all Appeals or Writts of Error tryable before the Governour & Council if it so shall happen that the former judgment given shall be by the said Governour & Council affirmed, such a determination shall be final & without any further review, unless such judgment shall exceed the sum of three hundred pounds Sterling or the sum of sixty thousand pounds of Tobacco, then and in ev'ry such case the party against whom such judgment shall be given may appeal to the Queen & Council in England.

And be it further Enacted by the authority advice & consent aforesaid, that ev'ry person & persons that shall conceive him or themselves relievable in Equity from any judgment given or obtained against him in the Provincial or County Courts aforesaid shall exhibit his Bill & proceed in Chancery before any appeal be entred or prosecuted before the Governour & Council and not afterwards, and that all such persons as conceive themselves grieved by any Decree in Chancery shall be at liberty to exhibit his Prayer to the Governour & Council to review & examin the same, and that the judgment sentence or decree of such Court of Review shall be final as aforesaid, unless as aforesaid the original debt or damages exceed three hundred pounds Sterling or sixty thousand pounds of Tobacco as aforesaid, then & in ev'ry such case to appeal to the Queen and Council as aforesaid.

And be it further Enacted by the authority advice & consent aforesaid, that all Appeals or Writts of Error already made & brought or hereafter to be made or brought before the Governour & Council shall & may be heard by the said Governour & Council till out of Assembly time any thing in the same Writt any other former Law or Practice to the contrary notwithstanding.

And for that it may so happen that the Governour of this Province for the time being may hereafter be concern'd in an Appeal made or Writt of Error brought from the judgment of the Provincial & County Court to the Governour & Council aforesaid, or he otherwise indispos'd or absent.

Be it therefore Enacted by the authority advice & consent aforesaid, that it shall and may be sufficient in ev'ry such case for the Council only to hear & determin such matters of controversy whereof the first of the Council in Commission being then present shall provide whole judgment thereupon shall be definitive (except before excepted) in as full & ample manner as tho' the said Governour were then actually present and presiding, any thing in this Act to the contrary notwithstanding.

And be it further Enacted by the authority advice & consent aforesaid, that there shall be impos'd three pence per gallon on Rum & Wine Brandy & Spirits, and twenty Shillings per pole for Negroes for raising a supply to defray the publick charge of this Province, and twenty Shillings per pole on Irish servants to prevent the importation of too great a number of Irish Papists into this Province.

Enacted by the Queens most Excellent Majesty by and with the Advice and Consent of her Majesty's Governour, Council and Assembly of this Province and the