

enumerated as one of their grievances. 1 *Niles' Reg.* 13, 65. In the year 1767, the British Parliament passed those other Acts, for

tations, &c. (here follows the report of the committee in relation to other matters in the before mentioned case of *Powlson v. Forwood.*)

“His Majesty in council taking the said report into consideration, is pleased to approve thereof, and accordingly to enforce the said order of the 11th of August, 1720, and to that end his majesty is hereby pleased to order, that the Deputy Governor of the said Province of Maryland do command the Courts there to carry the said order into immediate execution, by causing speedy restitution to be made the said petitioner of his effects, or, in case they are sold, immediate payment of the money arising therefrom. And his Majesty taking particular notice, that the said Deputy Governor hath not complied with the said former order in council, is hereby further pleased to order and require him forthwith to send an account to this board why the said order was not carried into execution, together with the reasons for the same.”

“At the Court at Kensington, the fourth day of July, 1724. Present, the King's most excellent Majesty, &c. (here follow the names of the members of the council.) Upon reading this day at the board a report from the right honorable the Lords of the Committee for hearing appeals from the Plantations dated on the 17th of June last, in the words following, viz: (here follows the report in relation to the before mentioned case of *Powlson v. Forwood*, which concludes in these words, to wit:)

“Their Lordships having heard counsel on behalf of the appellant, none appearing for the respondent, notwithstanding the usual time for his appearing according to the rules of this board was expired, and although the usual notice was affixed on the exchange of London, do agree humbly to offer it as their opinion to your Majesty, that the said judgments of the 20th of September, 1720, and the 7th of May, 1723, should be reversed and set aside; and that the appellant be restored to all he hath lost by means of the said judgments.”

“His Majesty in council taking the said reports into consideration is pleased to approve thereof, and to order as it is hereby ordered, that the said judgments of the 20th of September, 1720, and the 7th of May, 1723, be reversed and set aside. And that the appellant be restored to all he hath lost by means of the said judgments whereof the deputy governor or commander-in-chief for the time being of the said Province of Maryland, and all others whom it may concern are to take notice and govern themselves accordingly.”—(*Chan. Proc. lib. I. R. No. 1, fol. 57; 1692, ch. 17, note; Bacon's Laws of Maryland.*)

If the appellant failed to transmit a properly authenticated transcript of the record; or to proceed with his appeal within one year after it had been allowed in the colony, the appeal might be dismissed, (2 *Ld. Raym.* 1447.) No costs were allowed on the final determination of such appeals, or at least not as a matter of course, (4 *Dall. app.* 25; 2 *Ld. Raym.* 1447.) In all cases a decision by the King in Council was final and conclusive; and there was no instance of a rehearing of any such appeal, (1 *Ves.* 455.) An opinion seems to have been entertained by some, that the King in Council might of himself, and directly, issue an execution; and have a writ of sequestration in execution of his final judgment sent to the Governor of the colony, (*Gillb. For. Rom.* 215; 2 *P. Will.* 262.) But no coercive process was ever attempted to be issued by the King in Council against a colony itself; and if it had been attempted there is every reason to believe, that it would not have been endured, (2 *Hutch. His. Mass.* 204.)