

* 1. upon a private Letter from King Charles the first to all the Judges in England, requiring their Judgment in an Important case, the greater part were of opinion, that upon the Good and Safety of the Kingdom in General is concerned, and the whole Kingdom in danger his majesty might by writ under the great Seal of England command all his subjects of that Kingdom at their own Charge to provide and furnish such number of Ships with men munition and victuals and for such time as his majesty should think fit for the defence and safeguard of the Kingdom from such danger and peril: and that by Law his majesty might compell the doing thereof in case of Refusal or Refractoriness: And that in such a case his majesty is the best Judge both of the danger and when and how the same is to be prevented and avoided. For George Crooke one of the Justices of the Kings Bench and some others of the Judges dissented to that opinion, and thought that such a Charge could not be laid one by any such writ but only by the proclamation which dissenting Judges were however prohibited with to subscribe therefore said opinion of the Rest, for that the major part carries matter, and the lesser number might submit their opinions; and it was not fit especially in a case of this nature so much concerning the safety of the King for some to subscribe and some to forbear their subscriptions. But that the King might not be imposed upon to yield by their concurrent subscriptions that they were all unanimous in the Advice given, It was said that his majesty should be informed that some dissented from such opinion.

* Mr John ~~Head~~ ^{Hampden} Esquire of Stoke Newington in the County of Bucks being tried in the Exchequer Chamber before all the Judges of England for his refusal to pay 20 shillings Shorting as his share of the Tax called Ship-money sought to be levied by a writ under the great Seal of the nation afore said the major part of the Judges, the Tax was adjudged lawful 2 June 14 Caroli primo. But for George Crooke one of the Justices of the Kings Bench for Henry Hutton one of the Justices of the common Pleas for John Donham one of the Barons of Exchequer for Humphrey de Brounport Lord Chief Baron of Exchequer the they had signed with the Rest of the Judges the afore said opinion asserting the Kings right to impose such a Tax upon the Kingdom in general; yet when the case came to be judicially argued before them declared it their opinion that the writ was illegal and gave Judgment for Mr Hampden against the King.

* 1. The conservator of the Scots privileges in the Netherlands for Life was found defective of his office for taking his dues for staple goods coming directly from Ireland and allowing them to be entered as Scottish Goods at the staple port of Cambour. Notwithstanding that former Conservator had been guilty of the like practices; and that the Royal Burrows upon a complaint of the said Factor's covering staple goods belonging to strangers, as Scottish Goods did not expressly constitute the conservator from taking his dues for such Goods 16 January 1708 Cumming contra Kennedy.