

1736

Watkins and Elizabeth his wife upon a bill filed by them for payment of a legacy left to Elizabeth Watkins by her father John Morris, grandfather of the appellant.] [p. 21.]

(1739.)

[The case concerns the will of John Morris, senior, who divided his estate among his children William, Thomas, Richard, Valentine and Elizabeth. Order is given in accordance with the Committee report of 16 May that the Chancery order of 11 April, 1735, be upheld, but that the appellant be at liberty to file exceptions within six months from the date of this order.] [VI. pp. 179, 186, 187-94, 210.]

12 June.

[388.] [Reference to the Committee of the petition of Charles Dunbar, Surveyor General of Customs in Barbados, the Leeward Islands and Bermudas, for a short day for hearing his appeal from the judgment of the Admiralty Court at Antigua, 29 June, 1736, in favour of Henry Lory and Richard Todman, on appellant's information to have condemnation of the sloop *Nancy* for having come to Antigua and there laden without giving notice thereof to the Governor or the Naval Officer and without performing such other matters as are required by law.] [p. 22.]

24 Nov.
Antigua.

(1740.)

[Committee order for hearing on 27 June, and, as no appearance has been entered, for affixing the usual summons on the Royal Exchange and elsewhere.] [VII. p. 92.]

6 June.

(1740.)

[Committee report. The appeal sets forth] that on the 25th of May 1736 A Sloop (the name whereof and of the Master and Owners were then unknown to the Appellant) Arrived at the Island of Antigua and there unladed diverse Goods and Commodities (the particulars whereof were then likewise unknow to the Appellant) before the Master of the said Sloop had made known to the then Governor of the said Island or to the Naval Officer there the said Arrival of the said Sloop with her name and the Surname of her Master And before he had delivered to the said Governor a true and perfect Inventory or Invoice of her Lading together with the Place or

11 Nov.

1736.

Places in which the said Goods was Laden or taken into the said Sloop That on the 27th of the said Month the said Sloop Laded and took into her in the said Island of Antigua diverse other Goods Wares and Merchandizes Vizt. Six Trunks containing Diverse Goods lockd up two Beds a blue painted Chest three Beef Barrells one of them filled with Guinea Corn and one of them having some Beef in it a Butter Firkin fill'd with brown Sugar and another Butter Firkin fill'd in part with Butter Nine Boxes Eight of which were fill'd with diverse Goods and one of the same Boxes was filled with Twenty Seven hands of Tobacco One Brass Kettle filled with Guinea Corn two Bedsteads a Copper Kettle a Pail Two Musquets One Silver hilted Sword One Saddle and Bridle two Negroe Men One Negroe Boy two Negroe Women and two Negroe Sucking Children and another Negroe Child before the Master of the said Sloop had made known to the Governor of Antigua or the Naval Officer the Arrival of the said Sloop and before he had delivered to such Governor a perfect Inventory or Invoice of her Lading together with the Place or Places in which the said Goods were Laden on Board the said Sloop in Express Violation of the Act of the 15th of King Charles the Second That the said Sloop likewise was not Registred nor a due Certificate and proof had of her being duly Registred as a Vessel Qualified to Trade to from or in any of the Plantations in America as required by another Act of the 7th and 8th of King William the Third The Appellant hereupon in Virtue of this Seized the said Sloop and all the Goods beforementioned and afterwards on the first of June 1736 the Appellant filed his Information or Libel in the High Court of Admiralty for the said Island of Antigua Setting forth to the Effect before Stated and humbly prayed due process of Law against the said Sloop with all her Guns Ammunition Tackle Furniture and Apparel and Goods as aforesaid and that the same might be Condemned as forfeited to be distributed One third part thereof to the use of His Majesty One other third part thereof to his Excellency William Mathew Esqr. Governor of the said

1736.

Island and the remaining One third thereof to the Appellant That the said Court of Admiralty on the Second of June 1736 made an Order for delivering up the said Sloop Slaves and Goods so libelld against to the Partys Claiming the same on their Giving Security to the Register of the Court to redeliver the same or pay the Appraised Value thereof in Case Condemnation should pass against the same. [On June 29 Henry Lory, a planter, claimed the sloop, guns, &c., denying the facts as set forth by the petitioner, and stating that the slaves and goods were simply the necessary servants and effects of certain passengers; Richard Todman, a planter, likewise by his attorney claimed property in two slaves and two chests, setting forth that he had sent them on board as necessary for his person and subsistence in a voyage which he purposed in order to make a settlement in Tortola; and on 29 June, 1736, judgment was given in their favour. The Committee having heard the appeal *ex parte*, no appearance having been entered for the respondents, recommend that the sentence be reversed, Todman's goods and negroes delivered to him, and the sloop condemned and forfeited.]

[VII. pp. 234, 240-245.]

[Order accordingly.]

[VII. p. 262.] 16 July.

[389.] [Reference to the Committee of the petition of Michael Arnold for a short day for hearing his appeal from an order of the Court of Chancery in St. Christopher, 13 Nov., 1735, in favour of the Hon. Gilbert Fleming, Lieut.-Governor of the island, Mary Symonds and Thomas Bowry her son, relating to a contract for the purchase of a plantation by appellant, Symonds and Bowry, from Fleming and others the Crown Commissioners for the Sale of Lands in St. Christopher.]

24 Nov.
St.
Christopher.

[p. 22.] (1737.)

[The petitioner sets forth that he went into partnership with Mary Symonds for the purchase from the Commissioners of a plantation of which she was at the time in possession. The Commissioners at first refused to treat, alleging that it

19 May.