

670 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1740. from the Judgment which shall be given in Error to His Majesty in Council in case he shall find himself Aggrieved thereby. [p. 547.]
- 10 July. [On the Committee report of 7 July, the appeal is dismissed.] [VII. pp. 141, 147-50, 157.]
- 10 Mar. [489.] [Reference to the Committee of the petition of Micaiah Virginia. Perry, Esq., John Maynard and Edward Athawes, executors of William Dawkins, late of London, merchant, deceased, and of the said Edward Athawes, for a day for hearing their appeal from a judgment of the General Court in Virginia, 16 April, 1739, on an action of account brought by them against Armistead Churchill.] [p. 663.]
- (1743.)
- 21 April. [The Committee heard counsel and directed] a Search to be made in the Council Books to see whether Appeales from General Verdicts where the Evidence hath not been taken down in Writing have been allowed. [VIII. p. 384.]
- (1745.)
- 28 Nov. [The appeal is dismissed, in accordance with the report of the Committee of 21 Nov., that it appears that] the said Petition of Appeale was brought from a Judgment founded on a General Verdict and that the matters given in Evidence on the Tryal of the said Action were not transmitted under the Seal of the said Colony. [X. pp. 256, 268.]
- 19 Mar. [490.] [Reference to the Attorney General of a letter from the Jamaica. Admiralty to the Duke of Newcastle] relating to the importing a Quantity of Rum into Jamaica for the Service of Six Thousand Men and of the Fleet there free from Duty. [p. 682.]
- 2 April. [The Attorney General, having considered an Act of Parliament of 6 George II laying a duty of 9*d.* a gallon on foreign colonial rum imported into a British colony, and the Jamaica Acts of 1728 laying a duty of 1*s.* 6*d.* per gallon on rum imported, and of 1739 confining trade from foreign colonies to Port Royal and Kingston, where they are to report to the Receiver General, and also an Order in Council of 25 Oct.,

1726, for admitting 200 pipes of Madeira wine for Vice-Admiral Hosier's squadron, reports that the necessary rum may be imported free of duty directly for his Majesty and not in the name of any merchants or contractors, especial care being taken that no part of such rum be sold or disposed of in Jamaica, but only lodged there in storehouses to be delivered out as stores for his Majesty's use as there shall be occasion. Orders are given accordingly to the Governor to admit the importation, observing the Act of 1739 ; and to the Treasury and the Admiralty to notify the officers of the Customs and the Commissioners for Victualling the Navy.] [VII. pp. 1-2.]

[Order as formerly for admitting free of duty a lading of wine for the use of the squadron, brought from Madeira to Jamaica by the *Robin Hood*, David Littlejohn, master, engaged by the Commissioners of the Victualling. The Treasury are to notify the Customs.] [VII. pp. 258-9.] 27 Nov.

[Reference to a Committee of an Admiralty memorial of 11 Nov. proposing that the stores which the Commissioners of the Victualling consider it necessary to import from Europe and America for the use of the forces at Jamaica, may be landed free of duty.] [VII. p. 306.] 6 Dec.

[Referred by Committee to the Attorney General.] [VII. p. 308.] 8 Dec.

[Committee report for allowing the stores to be landed free of duty and in spite of any prohibition, provided they be purchased in his Majesty's name, received into and issued from his storehouses, and landed according to the laws of Jamaica.] [VII. p. 315.] 22 Dec.

[Order accordingly—as on 2 April.] [VII. p. 329.] 24 Dec. (1741.)

[Reference to a Committee of the petition of John Mason and John Simpson, of London, merchants, contractors with the Commissioners of the Victualling for supplying the forces at Jamaica with rum and other provisions, setting forth that 6 May.]

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their agents have been compelled to give bond for the payment of duties on rum imported from Barbados and Antigua, and praying orders for repayment of duties paid or return of bonds for payment of duties and stay of all prosecution thereon.] [VII. p. 465.]

(1741.)

7 May.

[Committee. The agent for Jamaica intimating that he was informed that there was more than a sufficient quantity of rum in Jamaica to answer all the demands of the petitioners and that the Council and Assembly had drawn up a state of this affair to be laid before his Majesty, which he expected to receive by the first ships from Jamaica, it is recommended that consideration be postponed till this representation should arrive, but, lest the contractors should be prejudiced by the delay, that the Governor of Jamaica stop all proceedings on their bonds until his Majesty's pleasure is signified on the examination of the whole affair.] [VII. p. 470.]

(1741.)

21 May.

[Order to the Governor accordingly.]

[VII. p. 476.]

(1743.)

23 Mar.

[Reference to the Committee of the petition of the Victuallers of the Navy setting forth the proceedings in Jamaica relative to the seizure and condemnation of three ships laden with wines and brandies for the service of the fleet and forces, and likewise containing some matters of complaint against Governor Trelawny and Thomas Bontein; the Naval Officer, and praying that the brandy, ships and effects may be restored, and reparation made.]

[VIII. p. 355.]

(1743.)

27 April.

[Committee: Copies to be sent to Trelawny and Bontein for their written answer.]

[VIII. p. 400.]

(1745.)

11 April.

[Reference to the Committee of a petition of the Victuallers of the Navy praying] that His Majesty would be pleased to take the premises into Consideration at the time of hearing the Appeals depending before His Majesty in Council from the Judgments at Law condemning the said Wines and Brandys

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And that he would be pleased to give Orders to His Attorney General in the said Island to bring Informations in His Majestys Name against Thomas Bontein the Seizor to try His Majestys Right to the said Brandys and Wines and the Validity of the said Seizures of His Majestys Property. And that the said Attorney General may be directed at the Tryal of such Informations to apply to the Judge that tryes the same for the matters to be found Specially to the end that the matters may come properly in Judgment upon an Appeale in case it shall be thought adviseable to Appeale to His Majesty from the judgments to be given in the said Causes.

[X. p. 66.]

GEORGE II. VOL. VII. (1 April, 1740—7 Aug., 1741.)

[491.] [The embargo is taken off 41 ships, of which 14 are for the plantations, on condition of their providing for the Navy a number of seamen equal to one-third of their crew.] **2 April.**  
**Embargo.**

[The embargo is taken off 58 ships, of which 12 are for the plantations, on the same conditions ; off three ships, of which two are for the plantations, as victuallers, notwithstanding they may have merchants' goods on board ; off a ship for New York, one moiety of her cargo being naval stores and the other moiety merchandise, on condition of providing one seaman in six.] **10 April.**

[On a representation from the Admiralty that divers difficulties and inconveniences arise to his Majesty's service from the continuance of the embargo, and that the number of ships procured thereby is very inconsiderable, and proposing that it be taken off all outward bound ships, order is given accordingly, but the Admiralty are also ordered to make the press more effectual and to pursue such other methods as will tend to the more speedy manning of the fleet.] **14 April.**