

720 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1742.

10 Mar. [537.] [Reference to a Committee of the] Memorial of
Virginia. Robert Dinwiddie Surveyor General of the Customs in the Southern District of America Setting forth that upon his arrival in Virginia he was Sworn a Member of the Council in Extraordinary in the Province as Surveyor General of the Customs pursuant to His Majestys Instructions but was refused the liberty of Sitting and Voting as a Member of the upper house of General Assembly or Acting as Judge of the Supreme Court and that of Oyer and Terminer tho' the Memorialist apprehends that by His Majestys said Instructions he is to be admitted to all the Privileges of a Councillor in Ordinary except Succession to the Chair or Presidentship through Seniority, The Memorialist therefore prays that he may be admitted as a Member of His Majestys Councils in Ordinary within his District as was granted to Mr. Dunbar.

[p. 106.]

12 April. [Referred by Committee to Board of Trade.] [p. 126.]

18 May. [Committee. The Board of Trade having reported, among other things, that it would be to his Majesty's service] that the Memorialist Should sit and vote as Member of the Upper House of General Assembly and Act as Judge of the Supreme Court and that of Oyer and Terminer, [the Committee recommend that he be made a councillor in ordinary at the first vacancy.] [pp. 148-9.]

24 June. [Order accordingly.] [p. 160.]

10 Mar. [538.] [Reference to the Committee of the petition and
New York. appeal] of Archibald Kennedy Esqr. Collector and Principal Officer of His Majestys Customs for the Port of New York in the Colony of New York in America from a Judgment of the Court of Errors in the said Colony given on the 17th of April 1741 Affirming a former Judgment of the Court of Kings Bench in that Province in favour of Thomas Fowles whereby a Prohibition was adjudged against the Court of Admiraltys proceeding to determine a Suit relating to the Seizure of a

Sloop called the Mary and Margaret with a Boat and some Merchandize.

[p. 107.]

1742.

(1743.)

23 Mar.

[The appeal is dismissed on the report of the Committee of 10 Feb. The question at issue was whether the sloop, which had been seized in August, 1739, for having on board commodities of the product and manufacture of Europe not shipped in Great Britain, was at the time on the high seas or within the body of the city of New York.]

[pp. 134, 210, 314-5, 345.]

[539.] [Reference to the Committee of the petition] of Thomas Stephens Agent for the People of Georgia in America Setting forth the Deplorable Condition of the said Colony occasioned by the Extraordinary Laws and Government thereof and by the many Arbitrary and illegal Proceedings which have hindred the Progress of the Colony and defeated His Majestys Intentions of making Provision for His Poor Subjects and others sent thither Complaints whereof have from time to time been laid before the Trustees but none of the said Grievances and Discouragements redress'd, And therefore humbly imploring His 'Majestys Protection and Encouragement whereby they may be enabled to proceed effectually in the Improvement and preservation of the said Colony and their own Support."

1 April.
Georgia.

[p. 119.]

[Committee : A copy of the petition to be sent to the trustees for establishing the colony of Georgia.]

[p. 126.]

12 April.

[A copy of the answer of the trustees to be delivered to the complainant.]

[p. 134.]

7 May.

[540.] [Appearance entered by John Sharpe, Esq., for Benjamin Charnock to the appeal of Patrick McCabe and Elizabeth his wife.]

[p. 129.]

14 April.
Barbados.

[To the Committee is referred the appeal of Patrick and Elizabeth McCabe of Barbados] from an Order made in the Court of Chancery of that Island on the 19th of March, 1739

17 May.