

ACTS OF THE PRIVY COUNCIL (COLONIAL). 747

1743.

their Boundaries, a very large additional Territory is annex to this Province some part of which is already Peopled and the whole may in time prove a Flourishing Colony In regard whereto the Committee conceives it may be necessary to Extend the Bills of Credit to a larger Sum than that of 6,000*l*. And as it appears that provision is made in the Second Act abovementioned for Securing the Value of these Bills And that the Merchants Trading to this Province do not Oppose but are desirous to have this Act past, The Lords of the Committee have no Objection to Your Excellencys Signifying Your Approbation thereof. [pp. 416-9.]

[The Acts approved.] [p. 423.] 2 June.

[566.] [Reference to the Committee for Appeals of the petition and appeal of Henry Bradley, John Gray and Benjamin Maynard against Thomas Bontein, Naval Officer of Jamaica, from a judgment of the Jamaica Court of Errors of 17 Aug., 1742, affirming a judgment of the Supreme Court of Jamaica of 12 March, 1742,] whereby 375 Casks of Brandy and the ship Dolphin with all her Guns Tackle Furniture Ammunition and Apparel and the Goods Wares Merchandizes and Effects in her were adjudged forfeited . . as being imported into the said Island in the said Ship not having been bona fide Laden and Shipped in England. [p. 352.]

(1747.)

[Committee. The appeal, abated by the death of Bradley, is revived by making his widow, Lydia, a party.] [XI. p. 456.] 26 Nov.

(1748.)

[The Committee report] that as there did not appear Sufficient upon the Face of the Record for this Committee to give any Judgment upon the Merits of the Case, Their Lordships are therefore of Opinion that the said Judgment of the Court of Errors and also the said Verdict and Judgment given in the said Supreme Court of Judicature to be set aside And that the said Lydia Bradley the Executrix and the Petitioner John Gray (the other Petitioner Benjamin Maynard being dead and the said John Gray having him Survived) may be 5 Dec.

748 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1743.

at liberty to apply to the said Supreme Court of Judicature in Jamaica that the Name of the said Lydia Bradley may be inserted in the Claim and Plea put in by the said Henry Bradley and that the Name of Benjamin Maynard may be struck out of the Claim and Plea put in by the said John Gray and Benjamin Maynard And that upon the said Supreme Court of Judicature being Moved for that purpose such Court shall Order the same to be done upon payment of the Costs of Suit given on both the said Judgments of the said Supreme Court of Judicature and of the said Court of Errors in Jamaica And that the said Supreme Court of Judicature in Jamaica Do upon Application to be made to them by either Party Order a Venire de Novo to be issued in the said Cause And that if either of the said partys shall proceed to Tryal again of the said Cause the said Supreme Court of Judicature shall at the Request of either of the Partys direct the Matters to be found Specially at such Tryal in Order that the Meritts of the Case may come properly in Judgment before a Court of Errors in Case either party shall be advised to bring a Writt of Error thereon. [XII. pp. 127-8.]

(1749.)

11 Jan. [Order accordingly.] [XII. p. 138.]

23 Mar. [567.] [Reference to the Committee of the similar appeal of
Jamaica. John Bennett, John Gray, and Benjamin Maynard against Bontein from similar judgments given in the same courts on the same days whereby 265 casks of brandy and the ship *Mercury* were forfeited.] [pp. 352-3.]

(1747.)

26 Nov. [On Bennett's death, the appeal is revived by making his widow, Mary, a party.] [XI. p. 456.]

(1749.)

11 Jan. [Similar order to that given in previous section, on Committee report of 5 Dec.] [XII. pp. 125-7, 138.]

23 Mar. [568.] [Reference to the Committee of the appeal of
Virginia. David Meade of Virginia, merchant, for a day for hearing his appeal] from a Judgment given by the General Court of that Colony at the Court held the 15th of April 1742 upon an