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Commanded at Fort George lest the said Garrison should come into the possession of the Indians and French.

[Also a letter of 30 Aug. from Governor Shirley to the Duke of Newcastle] relating to the Providing the Succours sent from that Province to Annapolis Royal in Nova Scotia with Bedding Provision and Cloaths and Proposing a Method of Recruiting the Regiments Posted in His Majestys Colonys abroad out of the Inhabitants in North America. [p. 581.]

26 Nov. [Reference to the Committee of a letter of 3 Oct. from Governor Shirley to the Duke of Newcastle] relating to the Furnishing the Succours sent from that province to Annapolis Royal in Nova Scotia with necessarys from New England and drawing upon the Treasury for the same and likewise relating to the French having made an attack upon Annapolis Royal and desiring His Majestys Directions for immediately employing the Four Companies which were taken at Canso and have been since sent back to Massachusetts Bay.

[Similar reference of a memorial of Christopher Kilby, agent for Massachusetts Bay, praying that] Orders may be given for two or three (for fear of accidents) of His Majestys small Cruizing Ships to attempt the Passage to New England (which tho' difficult is not impracticable) it being absolutely necessary that one of them should appear at Annapolis before the French Spring Ships from Europe arrive at Cape Breton and that a sufficient Force may be appointed and sent forward as early as possible the next Year to Cover and protect His Majestys Colonys in North America or to Attack the French in theirs which may be prosecuted with the most probable prospect of Success. [pp. 587-8.]

(1745.)

8 Jan. [The Committee report, in accordance with the report of the Ordnance, that it is not advisable to grant the request for small arms, as colonies are expected to supply themselves therewith, and can with ease purchase as many as they please at Birmingham or London.] [p. 613.]

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[The Committee refer Kilby's memorial to the Admiralty, and Woodside's to the Board of Trade.] [pp. 614, 616.]

[The report of the Admiralty on the petition of Massachusetts Bay for a sea-force] Read and Ordered to lye by till a Report is made by the Admiralty upon the Petition of Mr. Kilby.

[p. 617.] (1745.)

[The report against sending small arms is approved.] 10 Jan.

[p. 620.] (1745.)

5 Feb.

[The Committee lay before his Majesty as proper for his approbation a report from the Admiralty in these words:] That we have given Directions for a Ship of War of 44 Guns to proceed to Annapolis Royal in Nova Scotia with a Ship with Recruits on Board for the Regiment there, and also to Convoy three other Ships bound to Piscataqua in New Hampshire Boston in New England and St. Johns in Newfoundland with Cannon and Ordnance Stores for the Defence of those places which Ship would have proceeded on her Voyage before now had not her Sailing been deferred till the beginning of February at the particular desire of Mr. Kilby the aforementioned Agent and other Merchants concerned in the Ships going thither We have likewise under Our Consideration the sending out a proper Force to those parts as early as possible which we hope will be sufficient not only to Cover and protect His Majestys Colonys in North America but even to Annoy the Enemy as Occasion may offer.

[His Majesty having referred to the Committee Kilby's memorial] Setting forth that as soon as the said Province had received information of the Designs of the French to make an Attack upon His Majestys Province of Nova Scotia The General Assembly agreed to raise three Companys with all Expedition for their Assistance And that Governor Shirley did at the same time write to the several Governments in New England New York and the Jerseys to represent to them the distress Condition of Nova Scotia that they might likewise Afford what Assistance they could yet notwithstanding the same the said Governments have not hitherto given the least Assistance to the

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said Province of Nova Scotia : [The Committee, observing that by their instructions the Governors should have sent assistance, order the Board of Trade to] prepare a Draught of an Additional Instruction proper to be sent hereupon to the Governor of New York and New Jersey to remind them of the aforementioned Instruction and to exhort them to afford all the Assistance in their power to the said Province of Nova Scotia so far as may be consistent with their own Safety, And that they do likewise prepare a Draught of an Instruction proper to be sent hereupon to the Governments of Connecticut Rhode Island and Providence Plantations to do the like and lay the same before this Committee.

[The Committee recommend to the Secretary at War that part of Shirley's letter of 30 Aug. which concerns a method of recruiting.

Shirley's letter sets forth that the four companies at Canso were attacked in May last and compelled to surrender themselves prisoners of war for a year,] That after they had remained Prisoners at Louisbourg above three Months the Governor sent them to His Majestys Province of the Massachusetts Bay but first obliged the Officer who had the Command of these Forces at Canso to Enter into a New Agreement vizt. That the said Forces should not be free to Act in His Majestys Service till the Expiration of One Year from the Date of this last Agreement which was upon the first of September following which the said Officer complied with least he and all the Men should have been sent to Canada with which they were threatned and from whence they could not have been restored to His Majestys Service within the Space of Twelve Months. And Whereas the said Governor Shirley hath further represented that the said Forces are averse to Act without His Majestys Special Order for that purpose And praying His Majestys Pleasure may be therefore Signified herein as soon as may be, [the Committee, having considered] a Copy of the Capitulation made by the said Forces upon their first Surrendring themselves to the French and

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also the Second Agreement or Treaty made on the first of September following and likewise a Copy of a Letter wrote by Governor Shirley to the Governor of Louisbourg relating to the said Second Agreement, [refer the matter to the Advocate General and the Attorney General for their report] Whether the said Second Treaty or Agreement so Entered into during the time His Majestys Forces were actually Prisoners of War by virtue of the first Treaty and consequently under the power of the Enemy should be lookt upon as binding to the said Forces so as to prevent their acting in His Majestys Service before the expiration of the time Limited by the said Second Treaty and that they do at the same time offer what they shall think proper for His Majesty to do therein.

[A letter from Governor Shirley of 9 Nov.] Proposing that the Company of Indian Rangers sent to Nova Scotia may be continued there during the War and Representing that he shall endeavour to prevail with the Assembly to allow the said Company of Rangers Scalp Money and also representing the necessity he shall be under of drawing on the Treasury for Provisions and Cloaths for the New England Auxiliaries sent to Nova Scotia. Read. Ordered that a Memorandum of this matter be drawn up and Delivered to Lord President.

[pp. 626-7, 632-6.] (1745.)

[The report on Mr. Kilby's memorial is approved, and the Admiralty ordered to give the necessary directions as soon as may be.] 7 Feb. [p. 641.]

(1745.)

[The Committee agree with the report of the Advocate and 27 Feb.

Attorney General with regard to the capitulation at Canso.] That as Captain Heron with the Forces were Prisoners of War and under the Power of the Enemy he had no Authority to vary the Terms of the first Treaty and therefore that the Second is void and does not oblige those Forces not to Act against the Crown of France and its Allies till the end of the time limited thereby That they apprehend that as these Forces were sent home on the Credit of this Second Treaty it would

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be most agreeable to the Justice and Equity of the Law of Nations that they should be put on the Foot of the First Treaty as near as may be which will be by their not being suffered to Act against the French till the Expiration of the Year limited which will be on the 24th of May next N.S. . . And that it may be adviseable for Your Majesty to give Directions to Mr. Shirley Governor of the Massachusetts Bay to inform the French Commandant Monsr. Duquesnel of Your Majestys Resolution herein and to govern himself with respect to those Troops accordingly. [p. 681.]

(1745.)

5 Mar.

[The Committee present the draft instructions to the Governors to aid in the defence of Nova Scotia.] [X. p. 2.]

(1745.)

11 April.

[Instructions approved. Report on soldiers taken at Canso approved.] [X. pp. 33, 39.]

9 Aug.

West Indies.

[601.] [To the Committee is referred the petition] of George Fry Gentleman late First Lieutenant in the Honourable Brigadier Wolfs Regiment of Marines Setting forth That in January 1742 he was confined on Board His Majestys Ship the Greenwich Commanded by Captain Laws by Order of Sir Chaloner Ogle then Commanding at Jamaica without being made acquainted with any Crime he had been guilty of or knowing who was his Accuser and was continued under such Confinement fourteen Months and upwards during the greatest part of which time the Petitioner was denied the liberty of seeing any of his Friends and deprived of the use of Pen Ink and Paper by which means and from the cruel and hard Treatment the Petitioner met with during his Confinement in many other respects the Petitioner became Epileptick and was frequently Seized with Convulsion Fits That after the Petitioner had been kept in close Confinement for fourteen Months and upwards he was brought before a Court Martial held on Board His Majestys Ship the Orford lying in Port Royal Harbour in Jamaica and was accused of Disobedience of Orders in refusing to Shoot a Lieutenant of His Majestys Navy by the Order

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of Captain Laws without having an Order in Writing from Captain Laws for that purpose and likewise of telling Captain Laws that when he was on Board the Petitioner expected to receive his Orders from him in regard to the Marines and did not Choose to take them from the Officer of the Watch altho' it was not so much as alledged that the Petitioner had ever disobeyed the Officer of the Watch and on his part proved that Captain Laws himself the very next day afterwards applauded the Petitioners Conduct in the presence of Captain Cotterel who was Commodore upon the Cruize they were in when the Affair happened for not Shooting the Lieutenant and acknowledged that the Petitioner had behaved the most like an Officer of any Man in his Ship Yet the Petitioner was Condemned to be broke and to an Imprisonment for full fifteen Years and rendered incapable of ever Serving His Majesty either by Sea or Land That in regard he hath met with very cruel and hard usage from the Court Martial before whom he was Tryed and by the long and Severe Imprisonment both before and after he was Condemned. He most humbly prays that His Majesty will be graciously pleased to Order the Petitioners Case to be enquired into by a Board of General Officers or to grant him such other relief as to His Majestys great Wisdom shall seem meet. [pp. 462-3.]

[The Committee order the Admiralty to lay before them all papers and proceedings.] 21st Aug. [p. 480.]

[Committee. Fry to be allowed copies of all papers.] 13 Sept. [p. 523.]

[Committee. Fry's petition further sets forth that at the outbreak of war with Spain he left an estate of over 300*l*. a year in Montserrat and went as a volunteer against Carthagera under the command of General Wentworth, who gave him a commission, and afterwards promotion. His counsel waives all complaints against the members of the court martial or their procedure, and confines himself to the sentence. Committee recommend that the whole of the sentence be reversed, 9 Oct.

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the petitioner immediately discharged from his imprisonment and restored to the Service.] [pp. 558-9.]

7 Nov. [Orders accordingly to the Admiralty and Secretary at War.] [p. 573.]

18 Sept.
Tobacco.

[602.] [To the Committee is referred the petition] of Gerard Van Neck and Joshua Van Neck of London Merchants and Partners Setting forth that for two Years last past and upwards great quantities of Tobacco of the Growth of His Majestys Plantations to the Value of 160,000*l*. have been annually exported from this Kingdom to France for Account of the French Kings Subjects commonly called Les Fermiers Generaux which hath been constantly paid in present Money to His Majestys Subjects That about Sixty Ships are employed in this Branch of Trade which is the more beneficial in regard the particular Sortment of Tobacco consumed there is not fit for any other Market in Europe. That by being restrained from Exporting and Vending these Tobacco's to the French Kings Subjects during the present War may induce the French to Cultivate the growth thereof in the French Colonys and should they not be Supplied from hence may in process of time furnish great part of Europe with other Sortments of Tobacco in prejudice to the Trade of His Majestys Kingdoms That the French Court has given liberty to the Farmers General to import into France in English or Neutral Bottoms all such Quantities of Tobacco as they shall think proper since which the Farmers General have applied to the Petitioners to Obtain His Majestys Royal Licence for the Exporting such Tobacco's from Great Britain into the Ports of France free of Capture which Licence must be a Common Benefit to His Majestys Trading Subjects especially as the French Court neither Asks or expects any French or other Effects to be taken by His Majestys Subjects in lieu of the Tobacco or any other Equivalent whatsoever, Wherefore The Petitioners humbly pray that His Majesty will be graciously pleased to grant unto them His Royal Licence to permit and suffer them from time

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to time during the present War to Export from any one or more of the Ports in this Kingdom into any of the Ports of France all such Quantities of Tobacco of the Growth of His Majestys Plantations only as the Petitioner shall think fit and that His Majesty will also be pleased to Grant them His Royal pass for such Ships or Vessels and Cargoes of Tobacco out and home so that the same may be exempted from Capture or Molestation under such Restrictions as to His Majesty should seem meet.

[*pp.* 532-3.]

[The Committee refer the petition to the Treasury to consider proper restrictions to prevent frauds, whether particular ports of export should be named, whether the export should be restricted to English bottoms, what security should be given and taken, and by whom. They refer to the Attorney and Solicitor General to consider in what form and by what authority such passes should be granted, and to prepare a draft pass.]

20 Sept.

[*pp.* 543-4.]

(1745.)

[On considering the draft pass, and also a report from the Commissioners of the Customs setting forth several necessary restrictions, the Committee order the Attorney and Solicitor General to insert these in the pass.]

29 Mar.

[*X. p.* 21.]

(1745.)

[The draft pass is referred to the Commissioners of the Customs.]

23 May.

[*X. p.* 94.]

(1745.)

[A letter from the Clerk of the Council to the Secretary of the Customs acquaints him that the petitioners fear that if in the pass, which must be made public, is put a provision forbidding them to bring on their homeward voyage any French goods or merchandise, it may discourage the French people from buying the tobacco, but that they are perfectly willing to have such a proviso inserted in the bond taken from the master and two other substantial persons by the officers of the port from which the ship shall depart.]

24 May.

[*X. p.* 113.]

(1745.)

[The Committee recommend that passes be granted to British-built ships of not less than 150 tons, to be good for

2 July.

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- (1745.)
4 July. [Orders accordingly. A form of pass follows. Many applications for such passes were made and granted till the cessation of arms on 5 May, 1748.] [X. *p.* 139.]
- (1746.)
15 Mar. [Order is given that the following proviso be inserted in the pass] :—Provided also that the said Ship shall not in her Outward or Homeward bound Voyage take on Board or carry any Passengers whatsoever. [The Treasury are directed to give instructions to the Customs for enforcing this proviso.] [X. *p.* 398.]
- 18 Sept.
Jamaica. [603.] [Reference to the Committee of the appeal] of Abraham Richardson Esqr. and of Charles Browne and Dorothy his Wife, all of his Majestys Island of Jamaica The said Abraham Richardson and Dorothy being the Administrators of Thomas Mitchell the Elder and the said Dorothy the Executrix of Thomas Mitchell the Younger both heretofore of the said Island from a Decretal Order made in the Court of Chancery in Jamaica on the 16th of November 1743 whereby the Bill brought by the Petitioners against Edmund Hyde Rose Fuller and Robert Hamilton and Jane his Wife (which said Jane is since deceased) for payment of a Sum of 3,400*l.* Jamaica Money with Interest from the time that One Pauncefort Miller had received the same was dismiss'd for want of Equity. [*p.* 533.]
- (1749.)
16 Mar. [On the Committee report of 1 March, the appeal is dismissed with 10*l. stg.* costs for non-prosecution.] [XII. *pp.* 203, 218.]
- 20 Sept.
Rhode Island. [604.] [Committee. The petition of Richard Partridge, agent for Rhode Island, praying that a supply of 20 cannon

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complete, 18 and 24-pounders, with 50 rounds of shot for each gun, and other stores proper to them may be sent to the island to complete the equipment of the fort which they have built at their own expense, is referred, together with a report of the Board of Trade on a former similar petition, to the Master General of the Ordnance.] [p. 544.]

(1745.)

5 Feb.

[The Ordnance reporting that they have no plan or profile of the fort, and so cannot tell whether the number or nature of the guns requested is suitable, the Committee order the agent to write over for an exact plan, and to lay it before them.] [p. 632.]

7 Nov.

Antigua.

[605.] [To the Committee is referred the petition] of Elizabeth Langford Widow and Executrix of Jonas Langford late of the Island of Antigua Esqr. deceased and James Langford of the said Island Esqr. Younger Son of the said Jonas and Elizabeth [for a day for hearing their appeal] from a Decree made in the Court of Chancery of that Island on the 21st of March 1743 upon a Bill Exhibited in the said Court of Chancery against the Petitioners by Jonas Langford Richard Oliver and Mary his Wife Mathew Lovell Merchant and Isabella his Wife James Nibbs Junior and Mehitabell his Wife John Blissard Junior and Elizabeth his Wife which said Mary Isabella Mehitabell and Elizabeth are four of the Daughters of the said Jonas Langford deceased Ditty Langford and Samuel Langford Infants the Daughter and Son of the said Jonas Langford by their next Friend praying a Discovery of the personal Estates of the said Jonas Langford Deceased and to have their several Rights decreed to them. [pp. 581-2.]

(1745.)

7 Feb.

[To the Committee is referred the appeal of the defendants against the same decree.] [p. 660.]

(1746.)

[Order for hearing both appeals on 30 April. On 26 April the hearing is postponed by consent of both parties.]

[X., pp. 454, 465.]

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(1747.) [The appeals are dismissed, the solicitors having informed
3 June. the Committee on 19 May that all matters depending upon the
appeals were compromised between the parties.]
[XI. pp. 227, 268.]
- 7 Nov. [606.] [To the Committee is referred the appeal of
Jamaica. Abraham Richardson, late of Jersey, but now of Jamaica, from
a decree of the Jamaica Chancery of 16 April, 1744,] whereby
a Bill brought in the said Court of Chancery by the Appellant
against Thomas Edlyne praying a discovery of the Estate and
Effects of Thomas Richardson deceased and that the same
might be assigned to the Appellant was Dismissed. [p. 582.]
- 26 Nov. [607.] [To the Committee is referred] a Memorial of the
Prizes. Commissioners appointed to Distribute the Moiety of Prizes
taken by His Majestys Ships before the Declaration of War
against Spain amongst such Persons as suffered by the unjust
Seizures and Depredations of the Spaniards between the 2d of
June 1721 and the 10th of July 1739 humbly representing that
the time limited by the Commissioners for receiving Claims
being expired and there being amongst those Claims some
for Ships taken both in Europe and America after the Com-
mencement and during the Seige of Gibraltar in the Year 1727
others for Ships Loaden with Goods designed for Trade on the
Coast of Spain in America and others for Ships Loaden with
Logwood from the Bay of Honduras And the said Commis-
sioners not presuming to take on themselves to Determine
whether the abovementioned Cases are unjust Seizures and
Depredations or not most humbly beg that His Majesty will
be graciously pleased to Signifie unto them His Royal
Command thereupon. [pp. 588-9.]
- (1745.)
11 July. [To the Committee is referred another memorial of the
same Commissioners] Setting forth that by Virtue of His
Majestys Commission they wrote to Edward Manning of
Jamaica Agent for the Captors of Two Prizes called the
Guardeloupe and the Nuestra Senora de Los Dolores taken in the
West Indies by His Majestys Ship the Diamond Commanded

by Charles Knowles Esqr. requiring the said Edward Manning to send an Account of the Sales and neat produce of the said Two Prizes, That the said Edward Manning hath accordingly transmitted the said Accounts whereby it Appears that the neat Proceeds of the said Two Prizes amount to 23,670*l.* 1*s.* 11*d.* Current Money of Jamaica, the Moiety whereof being 11,835*l.* 0*s.* 11½*d.* The said Commissioners conceive to be Vested in them by Virtue of His Majestys said Commission for the uses and purposes therein Specified. That the Ballance of the proceeds chiefly arose by Silver taken on Board the said Prizes the greatest part whereof was sent to England by His Majestys Ship Diamond and Deposited in the Bank of England to Wait His Majestys Orders, The Memorialists therefore pray that their Excellencys will be pleased to grant them an Order to the Governor and Company of the Bank of England to deliver immediately to them out of the said Deposited Effects 33,028 Ounces of Spanish Silver Coin which at the price of 7*s.* 2*d.* per Ounce Rated in the Invoice makes the Sum of 11,835*l.* 0*s.* 8*d.* Current Money of Jamaica being the Moiety of the neat proceeds of the said two prizes Vested in the said Commissioners as aforesaid.

[X. pp. 152-3.] (1745.)

[Committee report.] The Lords of the Committee have this day Examined into the same and have been Attended by the said Commissioners for the Distribution of the Prize Money one of whom is also a Director of the Bank. And the said Commissioners laid before them the Particulars of the neat Proceeds arising from the Two Prizes aforementioned, which they had received from Messrs. Manning and Merriweather of Jamaica, Agents for the Captors of the said Prizes, whereby it appears, That the neat proceeds of the said Prizes amount to 23,670*l.* 1*s.* 11*d.* Current Money of the Island of Jamaica of which Sum 19,669*l.* 3*s.* 0*d.* (Computing the small Spanish Coined Silver at the rate of 7*s.* 2*d.* per Ounce and the Pieces of Eight at 6*s.* 3*d.* each) were Delivered by the said Agents to Captain Knowles, to be brought over by him from Jamaica and to be delivered into the Bank Free of Freight for His Majestys

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Use according to a Bill of Lading Signed by Captain Knowles for that purpose. And the said Commissioners informed the Committee, That Mr. Knowles had at first refused to Deliver into the Bank all the said Silver according to the Bill of Lading because they would not agree to pay him for Freight nor let him deduct such a Quantity of Silver as would be Sufficient to pay him what he Alledged to be his Share or Proportion thereof But that sometime afterwards he did deliver into the Bank Eleven Chests which were deposited there, But this not being done agreeable to the Bill of Lading these Chests could not be received by the Bank otherwise than as a Deposite, and accordingly the Receipt given is for a Deposite of Eleven Chests the Contents unknown, And the Commissioners further Represented that there was reason to Apprehend that the said Captain Knowles by not paying in the Silver agreeable to his Bill of Lading may not have Deposited the whole of what he brought over with him, And that they likewise apprehend there still remains in the hands of the Agents for the Captors in Jamaica and others some more of the proceeds of the said Prizes which ought likewise to be sent over. The Lords of the Committee upon Consideration of the whole matter cannot take upon them to Advise Your Excellencys to cause any Determinate Quantity of Silver to be paid out of the said Chests to the said Commissioners to be Distributed amongst the Sufferers, But they are of Opinion that Your Excellencys may issue Your Warrant to the Governor and Company of the Bank of England to Open the said Eleven Chests so Deposited by Capt. Knowles and to take an Account of the Silver contained therein by causing the same to be Weighed and Valued and to Deliver over to the said Commissioners One Moiety of all the Silver that shall be contained therein in Order to the said Commissioners making a Distribution thereof in the manner Directed by their Commission, And that the said Governor and Company do retain in their hands the other Moiety subject to such Demands as the Captors may have thereupon and to wait His Majestys Orders. And

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the Committee do likewise think it advisable for Your Excellencys to Require and Command the said Agents and others at Jamaica as likewise Captain Knowles and all others who may have detained in their hands any of the Money arising by the said Prizes to pay the same forthwith into the Bank of England as they shall Answer the Contrary, That the whole produce of the said Prizes may be Distributed amongst the Captors and Sufferers agreeable to the Declaration of their Excellencys the Lords Justices of the 18th of June 1741. [X. pp. 153-6.]

(1745.)

[Order accordingly] that Andrew Stone and Thomas Ramsden Esqrs. Secretaries to the Lords Justices Do prepare what shall be necessary for Signifying their Excellencys Pleasure upon the several particulars thereby proposed. [X. p. 159.]

18 July.

(1745.)

[To a Committee is referred a representation of the Commissioners for Distributing Prizes] relating to Captain Knowles Captain Lee and Mr. Henshaws refusing to pay them the Moiety of some Prizes taken by His Majestys Ships in the West Indies. [X. p. 277.]

6 Dec.

(1745.)

[Committee order] that the Clerk of the Council do write to Captain Knowles, Robert Lee Esqr. Attorney of Captain Fitzroy Henry Lee and Mr. Henshaw requiring them to return their Answers to the said Representation. [Copies of the letters dated 6 Dec. and signed by Temple Stanyan are given in the Register.

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Mr. Henshaw had promised to pay to the Commissioners before any dividend was made to the captors 269*l.* 14*s.* 10½*d.* Jamaica currency, which had been accounted for to him by the agents in Jamaica over and above the moiety of the neat produce of the two prizes.

Captain Fitz Roy Lee of H.M.S. *Edinburgh* had detained in his hands 121*l.* 13*s.*, part of the produce of the *St. Iago* prize. The Commissioners wrote to him at Portsmouth for a moiety thereof, but he sailed for the West Indies soon after without

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returning an answer thereto. The Commissioners then applied to Robert Lee, who acknowledged the debt and promised to pay it for his brother's account, but on 29 Nov. represented that having been disappointed of the money he expected, he could not raise the sum required. As the time limited by the Commissioners is almost expiring, the "suffering subjects" will be deprived of his Majesty's bounty unless the money is immediately paid.

On 10 and 12 Dec. copies of the answers of Capt. Knowles and Mr. Henshaw are ordered to be transmitted to the Commissioners. [X. pp. 278-81.]

(1745.) On 19 Dec. letters are sent to Knowles and Henshaw to attend the Committee that evening. [X. p. 285.]

19 Dec. [Committee.] Their Lordships being informed that Commodore Lee and Mr. Henshaw had paid the Money the Commissioners demanded of them, and that nothing remained but what was in Dispute between the said Commissioners and Captain Knowles, [all was adjusted save Capt. Knowles' claim for freight, which it was agreed to refer to Admiral Vernon for his opinion and determination. The letter to Admiral Vernon is given, and the following notes added.] Captain Knowles acknowledged his having Signed a Bill of Loading for bringing over the Silver from Jamaica Freight Free But insisted that he should not have so done but from an Apprehension That the whole of the said Silver would have been distributed amongst the Captors.

That finding only One Moiety thereof has been given by His Majesty to the Captors He thinks it but reasonable that he should be allowed Freight for the other Moiety which is given to the Suffering Merchants And he further insisted on the practice of the Navy in being paid Freight for Money belonging to the Crown in several instances.

On the other side the Commissioners insisted that as the said Captain Knowles had given a Bill of Lading at Jamaica for delivering the whole of the Silver Freight Free that therefore he ought not now to be allowed Freight for any part of it.

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That they conceive the said Captain would be compelled in a Court of Law to a strict performance of the said Bill of Lading.

That at the time he Signed the said Bill he could not be unacquainted that the said Money did belong to the Crown, His Majesty not having then made any Declaration for the Distribution of it in favour of the Captors.

And the said Commissioners denied that it was the practice of the Navy to pay the Captains of the Kings Ships Freight for bringing Money belonging to the Crown But that if there was such a Practice, they hoped a Stop would be put thereto.

[X. 287-9.]

[608.] [To the Committee is referred the petition] of Richard Partridge Agent to Joseph Whipple Esqr. of Newport in Rhode Island in New England humbly praying that the Appeale of James Scott Searcher and John Snow Naval Officer of the Bahama Islands from a Judgment given in the Court of Vice Admiralty there on the 5th of November 1743 for restoring to the said Joseph Whipple a Sloop called the St. Joseph which had been taken by a Privateer and brought into Providence may be Dismist with Costs for Non Prosecution.

26 Nov.
Bahamas.

[p. 589.] (1747.)

[On Committee report of 17 Feb. the appeal of Scott and Snow is dismissed with 5*l.* *stg.* costs.] [XI. pp. 145, 185.]

12 Mar.

[609.] [Reference to the Committee of the petition of the Rev. John Tittle of St. Peter Basseterre in St. Christopher, praying to be admitted to appeal from a judgment of the Court of King's Bench and Common Pleas in St. Christopher, given in June, 1743, in favour of John White] whereby the Petitioner was fined in the Sum of Sixty Pounds Sterling for non residence on his Benefice at St. Mary Crayon in that Island.

27 Dec.
St.
Christopher.

[p. 605.] (1745.)

[White brought his action under 21 Henry VIII, Cap. "Spiritual persons abridged from having pluralities of livings." The jury found a special verdict, that there was a parsonage

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house let by the petitioner for 40*l.* a year, and the judges gave judgment against the petitioner without declaring any reasons. Tittle pleads] That in the said Island there is no Example or Precedent of any Penance, Excommunication, Institution, Induction, Mortuaries, First fruits or Tenths, Offerings, Reading of Articles nor any Spiritual Court, nor have any of the Statutes of England relating to these Matters ever been in use there, And no Minister in that Island is intitled to or receives any Tythes, his Office and Duty being in almost every instance Similar to that of a Lecturer as it is generally in Use in Your Majestys Realm of England.

[X. p. 3.]

[The Committee recommend that the appeal be not allowed, but that the Governor be ordered to admit an appeal to the Court of Errors in the island, from whose decision either party may appeal to the King in Council.]

[X. pp. 3-6.]

(1745.)

11 April.

[Orders accordingly.]

[X. p. 56.]

1745.

8 Jan.

Barbados.

[610.] [The Committee, on consideration of an address to his Majesty from the Governor, Council and General Assembly of Barbados, referred to them on 7 Nov.*,] finding that mention is therein made of the want of some Ships of War sufficient to enable them to withstand the vigorous Hostilitys that are expected to be made against that Island Do therefore think it proper to referr the same to the Lords Commissioners of the Admiralty.

[p. 615.]

5 Feb.

[Committee. The Ordnance report] That according to the Directions We have given there should be now a Squadron consisting of two Ships of Sixty Guns, Three of Fifty, Three of Forty Four, Two of Twenty four with three Sloops and a Bomb Vessel Stationed at Barbados and the Leeward Islands which according to the Advices We have received of the Enemy are not only sufficient for the present Defence of these Colonys but also to Annoy the Enemy as occasions may Offer,

* Not given in Register under its proper date.

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And that We shall from time to time make it Our care to Strengthen His Majestys Ships in those parts according to the Motions we shall learn of the Enemy Which Report the Lords of the Committee take leave humbly to lay before Your Majesty as proper for Your Royal Approbation. [pp. 625-6.]

[The report approved, and the Ordnance ordered to do as they propose.] 7 Feb. [p. 641.]

[The Committee refer to the Master General of the Ordnance a Board of Trade representation of 28 June transmitting an extract of a letter from Sir Thomas Robinson, Governor of Barbados, setting forth the great want of stores and specifying the number and qualities necessary, and also transmitting a copy of the report made to the Board of Ordnance by two engineers who arrived in that island on their way to Jamaica and were employed by the Governor to inquire into the condition of the fortifications.] 4 July. [X. p. 146.]

(1746.)

[By the Ordnance report it appears that in pursuance of an Order in Council of 3 April, 1735, Barbados was supplied in 1736 with 75 iron ordnance and stores proper for them to the amount of 2,835*l.* 5*s.* 2*d.* : that by the engineers' report more guns seem to be wanted and of a higher nature than they have at present, but 48- and 36-pounders are not known or in use here and they may have 32-pounders, the highest the Board of Ordnance have in store, as soon as carriages can be provided for them : that the Ordnance cannot see what occasion they can have for field pieces, cohorn mortars or tents, yet as the Governor demanded them and may have services in view not proper to be made public at present, they have made a separate account of them and their value, viz., 24 32-pounders and 12 24-pounders, with their stores, amount to 4,675*l.* 9*s.* 4*d.* : 12 fieldpieces, 12 mortars with their stores, and tents for 500 men, amount to 3,139*l.* 18*s.* 2*d.*—in all 7,815*l.* 7*s.* 6*d.* The Committee, having been attended by some of the merchants as well as by the agent for the island, who represented the 25 Feb.

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necessity of sending all the said stores, report that the great guns and fieldpieces with their stores should be sent, but not the cohorn mortars whose use in the island was not made to appear to the satisfaction of the Committee ; that if the tents were necessary they ought to be furnished by the island being for their own inhabitants and not for any part of his Majesty's forces ; that the Board of Ordnance, if they think it will be of any use, accept Sir T. Robinson's offer to send home a quantity of the metal of their old and useless artillery ; and that directions be sent to the Governor for taking care of the stores and expending them properly.] [X. p. 351.]

(1746.)

27 Feb. [Orders accordingly, with a full list of the stores, and directions for the appointment of a store-keeper, who is to give security, keep a journal of stores issued and submit it for examination and audit by the Board of Ordnance.]

[X. pp. 360-4.]

5 Feb.

Nova Scotia. [611.] [Committee.] His Majesty having been pleased to refer unto this Committee a Letter from Lieutenant Colonel Mascarene President of the Council and Commander in Chief of Nova Scotia to the Lords Commissioners for Trade and Plantations dated the 25th of September last transmitting a Memorial of Captain Gorham (who commands the Company of Rangers now in that Province) to the said President and the Council of Nova Scotia Setting forth the good Service he hath done that Province and praying that a Grant may be made to him and his Associates of the Isle of Sables free of Quit Rents and Proposing to make a Settlement thereon and to Erect Light Houses at their own Expence for the Protection of the Trading Vessels and transmitting likewise the Resolution of the said President and Council thereupon, [the Committee refer the matter with all the papers annexed to the Board of Trade]. [p. 633.]

7 Feb.

West Indies. [612.] [To the Admiralty is referred the petition for pardon and reinstatement of Francis Colepepper, late first Lieut. of H.M.S. *Adventure* and of Henry Davison, late Lieut. of

1745.

H.M.S. *Greenwich*, who were confined in the West Indies from 20 Dec., 1742, to 14-15 March, 1743-4, and then at a court martial in Port Royal were broke the service and sentenced to five years imprisonment.] [p. 659.]

[In accordance with an Admiralty report of 15 Feb. it is ordered that inasmuch as Colepepper was found guilty of mutiny, and Davison of abetting him, they be not reinstated, but that in view of their long imprisonment before trial the remainder of their sentence be remitted.] [X. p. 61.] 11 April.

(1751.)

[Reference to the Admiralty of Colepepper's petition to be restored to his former rank.] [XIII. p. 221.] 30 April.

[613.] This day Mr. Paris entered an Appearance for Joshua Crosby Esqr. to the Appeale of Andrew Arcedeckne Esqr. from Jamaica. 8 Feb. Jamaica. [p. 662.]

[Reference to the Committee of the Appeal of Andrew Arcedeckne from a decree of the Jamaica Chancery of 31 Jan., 1744, in favour of Joshua Crosby in a case concerning the estate of Anthony Swymmer.] [X. p. 104.] 23 May.

APPENDICES.

APPENDIX I.

COMMISSIONS AND INSTRUCTIONS TO COLONIAL GOVERNORS (1720-1745).

[The following list includes all commissions and instructions issued during this period of which record is made in the Register and Plantation Register, and which have not been included in the body of the book. The normal procedure in the appointment of a Governor was for the Board of Trade to send to the Council a representation enclosing a draft commission. On the approval of this, one of the Secretaries of State was ordered to cause a warrant to be prepared for his Majesty's signature, in order to pass the commission under the Great Seal. Some time later a further representation, with two drafts of instructions, one general and one for trade, was submitted by the Board of Trade, and referred by the Council to a Committee; on receiving their report, and after considering any proposed amendments, the Secretary of State was ordered to prepare the drafts for his Majesty's signature. When three dates are given in this Appendix without comment, no amendments have been offered, the procedure has taken a formal course, and the dates represent respectively the stages of reference by Council to a Committee, recommendation by the Committee, and final approval.]

GENERAL INSTRUCTIONS.

1722.—[5 May, 11 May, 17 May. Enjoining the due observance of the Acts regulating trade, particularly with the East Indies. The instruction has been already included in those given to the Governors appointed for Jamaica and Barbados, and is now sent to the other Governors and to the Governors and Companies of Connecticut and Rhode Island. P.R.]

1724.—4 July, 12 Aug., 22 Aug. Forbidding duties on European goods imported in English vessels. (*See* Appendix III, New York, 14 June, 1722.) P.R.

1728.—4 April. Order to Board of Trade to prepare instructions for altering the prayers for the royal family.—12 June. Instructions approved.

1731.—28 Oct. To collect 6*d.* per month from seamen's wages for the Royal Hospital at Greenwich. The instruction is sent to the proprietor of Maryland as well as to the Governors of non-proprietary colonies. P.R.

1736.—29 April. Order to Board of Trade to prepare instructions for altering the prayers for the Royal Family.—28 May. Instructions reported by Board of Trade on 13 May. approved. P.R.

1737.—21 and 29 Nov. Similar instructions on the death of Queen Caroline. P.R.

1741.—29 Jan. Similar instructions in regard to the issue of the Prince and Princess of Wales.

1741.—8 Sept. Additional instructions approved for the [Governors] of Jamaica, Barbados, Leeward Islands, Bermudas, Bahama Islands, Virginia, New Jersey, South Carolina and North Carolina for making an Alteration in the Instructions formerly given to the said Governors concerning the Colours to be worn by all Ships to whom the said Governors shall grant Private Commissions or Letters of Marque or Reprizal in order to make the same conformable to those given by his Majesty's Commissioners for Executing the Office of High Admiral of Great Britain to the Commanders of Vessels having Letters of Marque or Commissions for Private Men of Warr.

1745.—3 Jan. To forbid Men of War or Privateers ransoming prisoners or ships, and to see that all Privateers send their Journals regularly to the Secretary of the Admiralty.

1721.—[George Phenny.—9 July. Referred to Committee. Bahamas.
—13 July. Recommended.—23 July. Approved.—24 Aug.
Instructions as to Acts of Trade approved. P.R.]

1733.—Richard Fitz William.—25 Jan. Commission on
Board of Trade representation of 10 Jan.—29 March, 27 April,
10 May. Instructions on representation of 21 March.
The only alterations from those given to Woodes Rogers have
already been approved by his Majesty for other Governors of
Plantations.—10 May. Oaths taken. P.R.]

1740.—John Tinker.—9 April. Commission on repre-
sentation of 2 April.—31 July, 13 Aug., 14 Aug. Instructions
on representation of 24 July. Only change is to join two or
three instructions relating to the same subject which were
distinct in former drafts.—14 Aug. Oaths taken. P.R.]

1721.—[Lord Belhaven.—23 Oct., 25 Oct., 11 Nov. In Barbados.
relation to the settling and planting the island of Tobago.—
11 Nov. In relation to the Bishop of London's power of
licensing ministers and schoolmasters in the plantations. P.R.]

Memorandum. On the 26th day of February 1720 a
Draught of a Commission Appointing the Right Honourable
the Lord Viscount Irwin Governor of Barbados, was pre-
sented to His Majesty in Council, who was pleased to Approve
thereof, and to Order it to pass under the Great Seale. But
his Lordship died before the same was perfected.—Whereupon
the 7th May 1721, a Draught of a Commission appointing
the Lord Belhaven Governor of Barbados [and on 24 Aug.
his instructions, were approved], But his Lordship being
Drowned near the Lizard, upon his setting out for that
Government, [a commission and instructions were prepared
for Henry Worsley]. [P.R. only.]

1721.—Henry Worsley.—14 Dec., 17 Dec., 18 Dec. Com-
mission.—5 May, 6 Aug., 7 Aug., 1722. Instructions with two
alterations for suspending any vote of money to any person
save for the public expenses till his Majesty's approval is
obtained. P.R.]

1731.—Walter Chetwynd.—11 May. Commission.

1732.—Viscount Howe.—18 May. Commission. P.R.—
14 Dec. Instructions. P.R. only.

1742.—Sir Thomas Robinson, bart.—2 Feb. Commission.—
13 Feb., 19 Feb., 20 Feb. Instructions, on Board of
Trade representation of 12 Feb. Only additions are general
instructions given, and names of some Acts passed, since
Gov. Byng's appointment.—20 Feb. Oaths taken. P.R.]

Bermuda. 1721.—[John Hope (Lieut.-Gov.)—5 Sept. Commission.—
8 Oct. Instructions. P.R.

1727.—John Pitt (Lieut.-Gov.)—19 Oct. Commission.—
12 June, 1728. Instructions. Oaths taken. P.R.

1738.—Alured Popple, "Governor," on Board of Trade
representation of 25 Oct., the title having been "Lieut.-
Governor" since the colony came under the Crown
in 1684.—12 Jan. Commission.—8 March, 13 March, 6 April.
Instructions on Board of Trade representation of 7 March.
The only alterations are the addition of general instructions
issued since Gov. Pitt's appointment, and the leaving of
blanks for the names of three Councillors to be supplied when
Popple transmits a list of suitable persons.—6 April. Oaths
taken. P.R.]

Jamaica. 1721.—[Duke of Portland.—26 Sept. Commission.—
20 Jan., 1722. Instructions. *See* 24.

1722.—17 May. For 1,000*l.* salary to be paid from H.M.
revenue to Col. Charles du Bourgay, the Lieutenant Governor.

1724.—30 July. For passing an Act to continue for another
year from 1 Oct. next the revenue raised by the Act of 1703.
See 68. P.R.

1727.—Robert Hunter.—21 April. Commission.—13 May.
Instructions about Revenue Act, similar to those of 1724
and 1725, repeated.—5 Aug. Instructions. [P.R. only.]—
20 Sept. Oaths taken.—9 Oct. Instruction, omitted in

the late drafts, relating to the making due entries in all the ports of the island of all commodities imported or exported. P.R.

1728.—6 Nov. Additional instruction to move the Assembly to settle an additional salary of 165*l.* sterling per annum on Col. Lilly, an engineer upon the establishment of the Board of Ordnance to make the pay of 200*l.* per annum allowed him here amount to twenty shillings per day during the time he shall be employed to the service of that island.]

1721.—[John Hart.—12 May. Commission.—26 Sept. Instructions. *See* 19. P.R.

Leeward
Islands.

1728.—Earl of Londonderry.—10 Jan. Commission.—10 Jan., 6 Feb., 15 Feb. Instructions. The order of 15 Feb. directs the addition of a clause giving the Governor leave to accept additional salary voted by the first Assembly.—18 April. Revised instructions approved.

1729.—George Forbes, Esq., commonly called Lord Forbes.—11 Dec. Commission. P.R.

1731.—William Cosby.—11 May. Commission. P.R.

1733.—William Mathew.—10 May. Commission approved. The only alteration is in pursuance of an Order of 12 June, 1731, as to the devolution of the government, in case of the death or absence of both the Governor and the Lieutenant General, upon the Lieutenant Governor of St. Christopher, Nevis, Montserrat or Antigua according to the priority of their commissions.—10 May, 21 June, 19 July. Instructions approved, the only alterations having already been approved for other Governors.—19 July. Oaths taken. P.R.]

1727.—[31 May. Trade instructions to Lord Baltimore. Maryland. P.R. only.

1731.—Samuel Ogle.—1 July. Approved.—28 Oct. Trade instructions for Lord Baltimore. P.R.

1732.—21 July. Lord Baltimore being about to visit the province, Ogle's commission will determine on his arrival.

Baltimore's petition is granted that, on his departure, Ogle's commission should be revived on the usual security being given.

1742.—Thomas Bladen.—10 March. Approved on security being given.—17 May. Instructions, on Board of Trade report of 6 May, that they have received a certificate from the Remembrancer's Office of the Exchequer that security has been given.—17 May. Oaths taken. P.R.]

Massachu-
setts Bay.

1727.—[William Burnett.—22 Dec., 6 Feb., 15 Feb., 1728. Commission.—21 March, 26 March, 28 March, 1728. Instructions. P.R.]

Newfound-
land.

[1733.—Robert McCarty, Lord Muskerry, commander of H.M.S. *Rodney*.—10 May. Commission and instructions approved as for Capt. Falkingham.

1735.—FitzRoy Henry Lee, commander of H.M.S. *Falkland*.—16 April. Commission and instructions as for McCarty. P.R.

1739.—Henry Medley, commander of H.M.S. *Romney*.—12 June. Commission and instructions as for Philip Vanbrugh.

1741.—Thomas Smith.—23 April. Commission and instructions, as for Medley, approved on Board of Trade representations of 25 March and 7 April respectively.

1742.—John Byng.—10 March. Commission, as for Smith, on representation of 2 March.

1743.—Thomas Smith.—23 March. Commission, as for Byng, on representation of 11 March. [P.R.]

1744.—Charles Hardy.—30 May. Commission and instructions as for Byng. P.R.

1745.—Richard Edwards.—22 Jan., 6 Feb., 7 Feb. Commission and instructions as for Byng, except that the 62nd instruction relating to the 13th and 14th articles of the Treaty of Utrecht is omitted. P.R.]

New
Hampshire.

1727.—[William Burnett.—22 Dec., 1727, 6 Feb., 15 Feb., 1728. Commission.—21 March, 26 March, 28 March. Instructions. P.R.]

1721.—[11 Nov. In relation to the Bishop of London's New Jersey power of licensing ministers and schoolmasters in the plantations. P.R.]

1727.—John Montgomery.—20 Sept. Commission.—2 Oct., 12 Oct., 19 Oct. Instructions.—19 Oct. Oaths taken. P.R.]

1727.—14 Dec. In relation to the rights and perquisites of Admiralty. P.R. only.

1732.—William Cosby.—24 Feb. Commission.—4 May, 17 May, 18 May. Instructions.—18 May. Oaths taken. P.R.]

1721.—[11 Nov. In relation to the Bishop of London's New York power of licensing ministers and schoolmasters in the plantations. P.R.]

1722.—19 July. Nathaniel Uring appointed Deputy Governor on the usual conditions.

1727.—John Montgomery.—20 Sept. Commission.—2 Oct., 12 Oct., 19 Oct. Instructions.—19 Oct. Oaths taken. P.R.]

1727.—14 Dec. In relation to the rights and perquisites of Admiralty. P.R. only.

1732.—William Cosby.—24 Feb. Commission.—4 May, 17 May, 18 May. Instructions.—18 May. Oaths taken. P.R.]

1741.—George Clinton.—18 June. Commission.—8 Sept. Instructions. Necessary alterations are made in articles 1, 26, 31, 75, 77, but are not specified in the Register.—8 Sept. Oaths taken. P.R.]

[1723.—George Burrington, Deputy Governor.—26 Feb Approved.—20 June. Trade Instructions for the proprietors. P.R.]

North
Carolina.

1725.—Sir Richard Everard, Deputy Governor.—27 March. Approved.—15 May. Trade instructions.

1730.—George Burrington.—22 Jan. Commission.—17 Sept., 23 Nov., 4 Dec. Instructions.—4 Dec. Oaths taken. P.R.]

Nova Scotia. [1728.—Col. Richard Philips.—25 July. Commission and instructions.—22 May, 1729. Trade instructions. P.R.]

Pennsyl- [1733.—Major Patrick Gordon continued as Deputy
vania. Governor on the petition of Penn's sons and heirs, he having been nominated in the minority of some of them by Springett Penn, then heir, and Hannah Penn, widow of William Penn, who are both since deceased.—19 July, 1 Aug., 2 Aug. On 25 July the Committee referred the representation to the Board of Trade, who prepared instructions for the Lieutenant-Governor of Virginia to administer the oath to, and receive security from, Gordon. P.R.]

Placentia. [1728.—Richard Philips. — 25 July. Commission. P.R. only.]

St. Lucia [1722.—Duke of Montagu, proprietor.—6 Oct., 9 Nov.,
and 29 Nov. Trade instructions.]
St. Vincent.

South [1721.—11 Nov. In relation to the Bishop of London's
Carolina. power of licensing ministers and schoolmasters in the plantations. P.R.]

Virginia. [1727.—Earl of Orkney.—20 Sept. Commission.—22 Dec. 21 Feb., 26 Feb., 1728. Instructions. P.R.]

1733.—*See* Pennsylvania.

1737.—William Anne, Earl of Albemarle.—6 Oct. Commission on Board of Trade representation of 28 Sept.—6 Dec., 15 Dec., 12 Jan., 1738. Instructions. Article 14 relating to the salary of Assemblymen is omitted as settled by a Virginia Act of 1730.—12 Jan., 1738. Oaths taken.]

APPENDIX II.

NOMINATIONS, ETC., TO COLONIAL COUNCILS,
1720-1745.

[The normal procedure in appointing a Councillor was that a representation recommending his appointment was submitted by the Board of Trade, and referred by the Council to a Committee : the Committee in general reported favourably, and the Council thereupon directed that the nomination be confirmed. Three dates given without comment in this Appendix stand respectively for the stages of reference to the Committee, recommendation by it, and final approval by the Council. A date in brackets is that of the representation of the Board of Trade.]

1721.—26 Sept. [Hart's instructions.] William Mathew Antigua.
Lieut.-General, Edward Byam Lieutenant-Governor,
John Hamilton, William Codrington, Thomas Morris, William
Byam, Edward Warner, Valentine Morris, Nathaniel Crump,
John Frye, Arch. Cockran, John Gamble, and John
Yeamans Esqrs. P.R. only.

1726.—18 April. [George Lucas *vice* Col. John Hamilton,
deceased.]

1728.—18 April. [Londonderry's instructions.] William
Mathew Lieutenant-General, Edward Byam Esq. Lieutenant-
Governor, Sir William Codrington Bart., William Byam,
Edward Warner, Valentine Morris, Nathaniel Crump, John
Frye, Archibald Cockran, John Yeamans, George Lucas,
George Thomas, and Francis Carlisle Esqrs. [P.R. only.]

1732.—[John Morris and John Duer *vice* William Byam,
deceased, and John Yeamans, who does not intend to return
these three years.—19 Jan. Referred to Committee.—3 Feb.

Committee recommends insertion of their names in instructions to the Governor to be appointed.—4 May. Order accordingly.

1733.—[John Vernon *vice* Edward Warner, deceased.—21 June. Committee recommendation. 19 July, approved.]

1733.—19 July. [Mathew's instructions.] Edward Byam Esqr. our Lieutenant-Governor of our said Island of Antigua and our Lieutenant-Governor of our said Island for the time being Sir William Codrington Bart., Valentine Morris, Nathaniel Crump, John Frye, Archibald Cockran, George Lucas, George Thomas, Francis Carlisle, John Morris, John Duer, and John Vernon Esqrs. [P.R. only.]

1735.—3 April. [Samuel Byam *vice* Francis Carlisle, deceased, appointed on Board of Trade representation of 26 Feb., and Josiah Martin *vice* John Morris, deceased, on representation of 2 Jan.

1739.—Benjamin King *vice* Sir William Codrington, deceased. 22 March, 5 April, 12 June.

1739.—12 June. Richard Oliver *vice* Samuel Byam, deceased, and William Mackinnen *vice* John Duer, who has been allowed by Gov. Mathew to resign on account of ill-health. Appointed on Board of Trade representations of 18 April.

1741.—James Gordon *vice* John Gunthorpe, deceased. (29 Oct.), 19 Nov., 29 Dec., 31 Dec.

1742.—Edward Byam *vice* Edward Byam, sen. (25 March), 1 April, 7 May, 17 May.]

1743.—[Daniel Mathew *vice* John Vernon, who is in France, and whose affairs will not permit him to return to the island. (4 May), 2 June, 21 June, 30 June.]

Bahamas. 1721.—23 July. [Phenny's commission empowers him to appoint 12 councillors.

1729.—22 May. John White and James Jenner *vice* Mr. Ferral and Mr. Frazer, deceased: appointed on Committee report of 14 May.]

1729.—22 May. [Woodes Rogers' instructions.] William Fairfax, Richard Thompson sen., John White, Samuel Watkins, William Spatchers sen., John Howel, James Jenner, Richard Thompson jun., Thomas Barnet sen., Thomas Spencer sen., William Jones, Benjamin Saunders. [P.R. only.]

1733.—[Whetstone Rogers, Acklan Hurst, Jeremiah Burrows, and Roger Reading *vice* William Fairfax, John White, Richard Thomson, junr., and William Jones, deceased or removed from the islands.—27 April. Committee approve the insertion of these names in Gov. Fitz William's instructions.—10 May. Order accordingly.]

1733.—10 May. [Fitz William's instructions.] Richard Thompson, William Whetstone Rogers, John Howel, William Spatchers senr., James Jenner, Thomas Barnet senr., Thomas Spencer senr., Benjamin Saunders, Acklan Hurst, Jeremiah Burrows, Roger Reading and Wm. Miller Esqrs. [P.R. only.]

1740.—14 Aug. [Tinker's instructions.] John Howel, William Spatchers senr., James Jenner, Thomas Barnet, Benjamin Saunders, William Stewart, John Thompson, William Smith, Richard Thompson, Benjamin Bullock, Samuel Stewart, and John Snow Esqrs. [P.R. only.]

1721.—24 Aug. [Belhaven's instructions. S. Cox to be Barbadoes. included. John Frere, S. Barwick and S. Brown to be omitted.]

1722.—7 Aug. [Worsley's instructions.] Samuel Cox, Timothy Salter, —. Thomas Maxwell, Tho. Maycock, John Lucy Blackman, Wm. Carter, John Colleton, Richard Lightfoot, Edmund Sutton, Wm. Dottin, and James Elliot Esqrs. [P.R. only.]

1723-4.—[James Dottin *vice* Wm. Dottin, deceased. 17 Dec., 1723, 22 Jan., 23 Jan., 1724.]

1725.—15 May. Ralph Weeks and Abel Alleyne *vice* Mr. Elliot and Mr. Carter, deceased.

1725.—25 Nov. Francis Bond *vice* John Lucy Blackman, deceased. Bond's petition for restoration had been referred to the Board of Trade on 20 July. *See* II. 1334.

1728.—21 March. Samuel Barwick restored to his place which had been kept open since his suspension. *See* 144.

1728.—25 July. John Frere and Joseph Pilgrim, on Committee report of 16 July, *vice* Mr. Maxwell and Mr. Alleyne, deceased. George Lillington, proposed by the Board of Trade, excused himself as his health and business prevent him from returning soon to Barbados.]

1728.—25 July. [Worsley's instructions.] Timothy Salter, Samuel Barwick, Thomas Maycock, John Colleton, Richard Lightfoot, James Dottin, William Terrill, Ralph Weeks, Francis Bond, Othniel Haggat, John Frere. [P.R. only.]

1729.—26 June. [Thomas Davers and William Leslie *vice* Mr. Bond, deceased, and Mr. Lightfoot, gone off the island.

1730.—16 March. Thomas Maxwell *vice* Othniel Haggat, deceased.

1731-2.—John Ashley *vice* Thomas Maycock, deceased.—18 Nov., 1731. Board of Trade representation referred with contrary letter of Gov. Worsley.—24 Feb. Approved on Committee report of 23 Feb., 1732.

1731-2.—Othniel Haggat *vice* Timothy Salter, deceased.—11 May. Referred.—19 May, 1731. Recommended by Committee for inclusion in the list on Governor Chetwynd's appointment.—23 Feb., 1732. Again recommended by Committee.—24 Feb, 1732. Appointed.]

1732.—[Hugh Hall *vice* John Davers, who does not intend to return to the island. 19 Jan., 3 Feb., 24 Feb.

1732.—Thomas Applewhaite *vice* Hugh Hall, deceased. (29 Nov.); 30 Nov., 11·Déc., 14 Dec. (Lord Howe also desires his appointment).]

1732.—14 Dec. [Howe's instructions.] Samuel Barwick, John Colleton, James Dottin, William Terril, Ralph Weeks,

John Frere, Joseph Pilgrim, William Leslie, Thomas Maxwell, John Ashley, Othniel Haggat and Thos. Applewaite Esqrs. [P.R. only.]

1733.—[Richard Salter *vice* Samuel Barwick, deceased. (12 June), 19 July, 25 July, 2 Aug.]

1733.—Henry Peers, jun., *vice* William Leslie, deceased. (7 Nov.), 29 Nov., 6 Dec., 20 Dec.]

1734.—John Gollop *vice* Joseph Pilgrim, deceased. (22 Jan.), 31 Jan., 22 March, 3 April.]

1736.—Abel Dottin *vice* Col. William Terrill, deceased. (9 Jan.), 22 Jan., 2 Feb., 5 Feb.]

1737.—Thomas Harrison *vice* Mr. Peers, deceased. (13 Jan.), 19 Jan., 4 Feb., 9 Feb.]

1737.—John Maycock *vice* Mr. Ashley, who has left the island without any design to return. (17 Feb.), 21 Feb., 2 March, 17 March.]

1739.—19 Oct. [Byng's instructions.] James Dottin, Ralph Weeks, John Frere, Thomas Maxwell, Thomas Applewaite, Richard Salter, John Gollop, Charles Dunbar, Abel Dottin, Thomas Harrison, John Maycock. [P.R. only.]

1740.—[Reynold Hooper, recommended by Gov. Byng to complete the number of 12 Councillors, only 11 having been inserted in Byng's commission as Mr. Colleton then informed the Board of Trade that his affairs would not permit him to return thither. (23 July), 31 July, 13 Aug., 14 Aug.]

1742.—20 Feb. [Robinson's instructions.] James Dottin, Ralph Weeks, John Frere, Thomas Maxwell, Thomas Applewaite, Richard Salter, John Gollop, Charles Dunbar, Abel Dottin, Thomas Harrison, John Maycock, and Reynold Hooper. [P.R. only.]

1721.—11 June. [Captains Henry Tucker, John Jennings and Richard Jennings *vice* Major Michael Burrows, Capt. Benjamin Hinson and Capt. John Peasley, deceased.] Bermuda.

1721.—8 Oct. [Hope's instructions.] Thomas Brook, John Trimmingham, Samuel Shirlock, Samuel Smith, Wm. Outerbridge, Leonard White, Henry Tucker, Wm. Tucker, Robt. Burton, Hen. Tucker, Jno. Jennings and Richd. Jennings Esqrs. [P.R. only.]

1722.—14 June. [Andrew Auchinleck *vice* Robert Burton, deceased.]

1723.—26 May. Thomas Parsons *vice* Col. Samuel Smith, suspended by unanimous consent of the Council for abusing his authority as judge to intimidate the coroner and influence the jury that sat upon the body of Capt. Francis Lundy, murdered by John Lewis, Smith's son in law.

1724.—23 Jan. Samuel Rayner *vice* William Tucker, deceased.

1727.—8 Feb. Capt. Butterfield and Capt. Francis Jones *vice* Capt. Samuel Rayner and Major Henry Tucker, deceased.

1728.—12 June. Nathaniel Butterfield and Leonard White *vice* Mr. Outerbridge suspended and Mr. Parsons, who has settled in this kingdom without desiring to return thither.]

1728.—18 June. [Pitt's instructions.] John Trimmingham, Samuel Shirlock, Leonard White, Henry Tucker, John Jennings, Richard Jennings, Dr. Andrew Auchinleck, Daniel Tucker, Francis Jones, John Butterfield, Nathaniel Butterfield and Leonard White junr. Esqrs. [P.R. only.]

1730.—10 April. [Robert Dinwiddie *vice* Capt. Daniel Tucker, deceased.]

1736-7.—Samuel Burrows and Samuel Spofferth *vice* Mr. Trimmingham and Mr. Sherlock, deceased. (9 Nov.), 24 Nov., 17 Dec., 1736, 19 Jan., 1737.]

1738.—6 April. [Popple's instructions.] Andrew Auchinleck, Francis Jones, John Butterfield, Nathaniel Butterfield, Leonard White, Robert Dinwiddie, Charles Dunbar, Samuel Burrows, Samuel Spofferth. [P.R. only.]

1738-9.—[Nathaniel Bascome, William Riddell, and John Harvey, to complete the Council, only nine being named in Popple's instructions. 30 Nov. 1738, 12 Jan., 17. Jan., 1739.

1742-3.—Henry Corbusier *vice* Robert Dinwiddie, who has left the island. (10 Aug.), 15 Sept., 1742, 17 Jan., 19 Jan., 1743.

1744.—Thomas Gilbert *vice* Andrew Auchinleck, deceased. 30 May, 6 June, 14 June.]

1721.—30 March. [Anthony Swymmer *vice* Francis Rose, Jamaica. deceased.]

1722.—20 Jan. [Duke of Portland's instructions.] Charles Du Bourgay Lieut.-Govr., Thomas Bernard, John Ayscough, John Sadler, Ezekiel Gomersal, John Moore, Edward Pennant, Samuel Moore, John Gregory, John Morant, William Pusey Anthony Swymmer and ——— Esqrs. [P.R. only.]

1722.—4 March. [William Cockburn *vice* Samuel Moore, who does not intend to return from England for 3 or 4 years and is willing to be left out.

1724.—23 July. Samuel Moore *vice* Capt. Morant, deceased.

1725.—15 May. Richard Mill and James Lawes *vice* Mr. Bernard and Major Rose, deceased.

1725.—1 June. Henry Stout *vice* Col. John Sadler, deceased.

1725.—5 Aug. Richard Fitz William, the Surveyor General of Customs for Southern America. The Board of Trade quote the precedent of Col. Quarry, 24 June, 1702.]

1727.—21 April. [Hunter's instructions.] John Ayscough, Ezekiel Gomersal, John Moore, Edward Pennant, John Gregory, William Pusey, Antony Swymmer, Samuel Moore, John Campbell, Richard Mill, James Lawes and Henry Stout Esqrs. [P.R. only.]

1728.—4 Dec. [Alexander Forbes *vice* Mr. Pusey, absent for several years and now in gaol.

1729.—26 March. Richard Fitz William, renewing Order of 5 Aug., 1725.

1729.—26 June. Edward Charlton, one of the Judges of the Supreme Court, *vice* Mr. Ayscough, gone off the island to settle in this kingdom.

1730.—16 March. Alexander Henderson *vice* Mr. Henderson, deceased.

1730.—11 June. William Hayman *vice* Mr. Swymmer, deceased.

1732.—Henry Dawkins *vice* Alex. Henderson, deceased. (13 Sept. 1731), 30 Nov., 11 Dec., 14 Dec. 1732.

1733.—William Gordon *vice* Henry Stout, deceased. (27 June), 2 Aug., 15 Aug., 1 Nov.

1734.—Thomas Hals *vice* John Moore, deceased. (11 Dec., 1733), 7 Feb., 22 March, 3 April.

1734.—Temple Lawes *vice* James Lawes, deceased. (21 March), 17 April, 18 June, 11 July.]

1734.—8 Aug. [Cunningham's instructions.] John Ayscough, Edward Pennant, John Gregory, Samuel Moore, John Campbell, Richard Mill, Edward Charlton, William Hayman, Henry Dawkins, William Gordon, Thomas Hals, Temple Lawes. [P.R. only.]

1736.—[Matthew Concannen, Thomas Garbrand, and Varney Philp *vice* John Ayscough and Samuel Moore, deceased, and Edward Pennant resigned. (5 March), 29 April, 13 May, 21 May.

1736.—William Needham *vice* William Hayman, deceased. (6 April), 29 April, 13 May, 21 May.

1737.—[6 Dec. Reference to Committee of Board of Trade recommendation of 12 Oct. for appointing John Stewart *vice* Mr. Needham, who desired leave to resign.]

1738.—12 Jan. [Trelawny's instructions.] John Gregory, John Campbell, Richard Mill, Thomas Hals, Matthew Concannen, Thomas Garbrand, Varney Philip, John Stewart. For the other four *see* 411.

1738-9.—[Samuel Dicker and Thomas Edlin *vice* Thomas Hals and Thomas Garbrand, deceased ; and Rose Fuller, Sir Simon Clarke, Bart., and Mathias Philp *vice* Edward Charlton, Henry Dawkins, and William Gordon, who refuse to re-accept office after the dispute with President Gregory. (9 Feb. and 27 July respectively), 12 Oct., 1738, 15 March, 22 March, 1739.

1740.—Hampson Needham *vice* Richard Mill, deceased. (20 May), 29 May, 6 June, 12 June.

1740.—Mathias Philp *vice* John Campbell, deceased. (19 June), 31 July, 13 Aug., 14 Aug.

1740.—Thomas Edlin *vice* Samuel Whitehorne, whom Gov. Trelawny has declined to swear for reasons contained in his letter of 12 Nov., 1739, and deemed sufficient by the Board of Trade. (19 June), 31 July, 13 Aug., 14 Aug.

1741.—Colin Campbell and Thomas Rodon *vice* Thomas Edlin and Mathias Philp, who have desired to be excused on account of their private affairs. 4 Aug., 7 Aug., 8 Sept.

1743.—Edmund Hyde *vice* Rose Fuller, who desires to resign. (13 July), 21 July, 26 July, 28 July.

1744.—Thomas Fearon *vice* Varney Philp, deceased ; and Benjamin Hume and John Gale *vice* Edward Garthwaite and Temple Lawes, whose affairs will not permit them to return to the island. (23 May and 24 May respectively), 30 May, 6 June, 14 June.]

1721.—26 Sept. [Hart's instructions.] William Mathew *Montserrat*. Lieutenant General, Thomas Talmash Lieutenant Governor, William Frye, George Wyke, William Gorrish, Edward Parsons, Anthony *alias* Daniel Ravell, William White, John Cockran, William Irish, Richard Cooke, Anthony Hodges and Nathaniel Webb, Esqrs. [P.R. only.]

1726.—9 Aug. [John Daily and John White *vice* John Cockran and William Irish, deceased.]

1728.—18 April. [Londonderry's instructions.] William Mathew Lieutenant General, Paul George Lieutenant Governor,

William Frye senr., George Wyke, Richard Cooke, Anthony Hodges, Nathaniel Webb, James Cruikshanke, John Daily, John White, John Roberts, William Lyddell and Bramley Esqrs. [P.R. only.]

1733.—19 July. [Mathew's instructions.] Gilbert Fleming Esqr. our Lieutenant General of our said Island and the Lieutenant General of our said Islands for the time being, Thomas Diggs Esqr. our Lieutenant Governor of our said Island of Montserrat and the Lieutenant Governor of our said Island for the time being William Frye senr., George Wyke, Richard Cooke, Anthony Hodges, Nathaniel Webb, James Cruikshanke, John Daily, John White, John Roberts, William Lyddell and John Bramley Esqrs. [P.R. only.]

1736-7.—[John Roynon and Randal Fenton *vice* Anthony Hodges and John Roberts, who have been absent for some years while a quorum is difficult to obtain. (21 Oct.), 24 Nov., 17 Dec., 1736, 19 Jan., 1737.)

Nevis.

1721.—26 Sept. [Hart's instructions.] William Mathew Lieutenant General, Daniel Smith Lieutenant Governor, Richard Abbot, Lawrence Broadbelt, James Milleken, John Richardson, Michael Smith, Charles Bridgewater, James Symonds, Joseph Symonds, Roger Pemberton, Michael Williams and James Brown Esqrs. [P.R. only.]

1722.—6 Oct. [William Pym Burt and Major Richard Abbot *vice* Joseph Symonds and Roger Pemberton, who have refused to act.

1726.—9 Aug. Col. Carey Broadbelt *vice* Richard Abbot, deceased.]

1728.—18 April. [Londonderry's instructions.] William Mathew Lieut.-General, Major General Charles Sybourg Lieut.-Governor, John Richardson, Michael Smith, Charles Bridgewater, James Symonds, Michael Williams, James Brown, William Pym Burt, Major Richard Abbot, Carey Broadbelt, Thomas Butler and Daniel Smith Esqrs. [P.R. only.]

1733.—[Charles Bridgewater, jun., *vice* John Richardson, deceased. (14 Nov., 1732), 11 Jan., 26 Jan., 21 Feb.]

1733.—19 July. [Mathew's instructions.] Gilbert Fleming Esqr. our Lieutenant General of our said Islands and the Lieutenant General of our said Islands for the time being William Hanner Esqr. our Lieutenant Governor of our said Island of Nevis and the Lieutenant Governor of our said Island for the time being Michael Smith, Charles Bridgewater, James Symonds, Michael Williams, James Brown, William Pym Burt, Richard Abbot, Cary Broadbelt, Thomas Butler, Daniel Smith Esqrs. [P.R. only.]

1740.—[Richard Cox *vice* Thomas Butler, who desires to resign as his affairs will not permit him to return from England. (13 May), 26 June, 1 July, 10 July.]

1721.—30 March. [Archibald MacPhedris, Nicholas Gillinan, and Peter Weare *vice* Theodore Atkinson and Thomas Gerrish, deceased, and Thomas Philips, who refuses to act. New Hampshire.

1723.—20 June. Col. John Plaisted and John Frost *vice* Peter Weare and Nicholas Gillinan, who refuse to qualify themselves, a quorum being therefore difficult to obtain.

1724.—6 April. Jonathan Odiorne *vice* Col. Plaisted, who has refused to act.

1728.—26 March. Henry Sherburne and Samuel Penhallow *vice* Mr. Vaughan and Mr. Penhallow, deceased.]

1728.—28 March. [Burnet's instructions.] John Wentworth, Jos. Smith, Mark Hunkins, Shadrach Walton, George Jeffery, Thomas Westbrook, Richard Wybird, Archibald MacPhedris, John Frost, Jotham Odiorne, Henry Sherburne, and Samuel Penhallow. [P.R. only.]

1729.—26 June. [John Penhallow *vice* James Penhallow, who desires to be left out as unable to attend the duty there by reason of his constant employment at sea.]

1730.—8 May. [Belcher's instructions.] John Wentworth, Joseph Smith, Mark Hunkins, Shadrach Walton,

George Jeffery, Thomas Westbrook, Richard Wybird, Archibald MacPhedris, John Frost, Jonathan Odiorne, Henry Sherburne, Samuel Penhallow. [P.R. only.]

1732.—4 May. [Ephraim Dennet *vice* Thomas Westbrook, who does not reside in the province, appointed on Board of Trade representation of 26 April.

1733.—Joseph Sherburne and Ellis Huske *vice* Richard Wybird and John Frost, deceased. (14 July), 19 July, 25 July, 2 Aug.

1740-1.—Christopher Rymes *vice* Ephraim Dennet, deceased. (28 Nov.), 24 Dec.—Referred, with a petition of Richard Partridge, agent of Gov. Belcher, that Samuel Sherburne be appointed, 26 Jan., 29 Jan., 1741.

1741.—Richard Wybird *vice* John Rindge, deceased. (10 Oct.), 19 Feb.—Referred, with petition of Richard Partridge that Nathaniel Gillinan be appointed.—9 April. Partridge withdrew his petition.—23 April. Wybird appointed.

1741.—8 Sept. [Wentworth's instructions.] Shadrach Walton, George Jeffery, Jotham Odiorne, Henry Sherburne, Richard Waldron, Theodore Atkinson, Joshua Pierce, Joseph Sherburne, Ellis Huske, Richard Wybird, Samuel Smith, John Downing. [P.R. only.]

1742-3.—[Samuel Solly *vice* Shadrach Walton, deceased. 16 Dec., 1742, 17 Jan., 19 Jan., 1743.]

New Jersey. 1722.—19 July. [James Alexander and James Smith, on the death of Mr. Gordon and the constant absence and incapacity of Mr. Byerly.

1727.—31 May. Cornelius Van Horn *vice* David Lyoll, deceased.

1727.—20 Oct. [Montgomery's instructions.] Lewis Morris, John Anderson, John Hamilton, John Barker, John Wells, John Hugg, John Johnston junr., John Reading, Peter Baird, James Alexander, James Smith and Cornelius Van Horn. [P.R. only.]

1732.—18 May. [Cosby's instructions.] Lewis Morris, John Anderson, John Hamilton, John Parker, John Wells, John Johnson jun., John Reading, Peter Baird, James Alexander, James Smith, and Cornelius Van Horn. Vacancy by death of John Hugg not to be filled till Cosby has an opportunity to transmit a list of suitable persons. [P.R. only.]

1733.—[William Provoost *vice* John Hugg, deceased. (2 March), 29 March, 27 April, 10 May.]

1735.—13 Oct. Reference to Committee of Board of Trade representations of 27 Aug. for appointing John Schuyler, Thomas Farmer, John Rodman, and Richard Smith *vice* Peter Baird, John Johnson, John Parker and James Smith, deceased.]

1738.—20 July. [Lewis Morris's instructions.] John Hamilton, John Wells, John Reading, James Alexander, Cornelius Van Horn, William Provoost, John Schuyler, Thomas Farmer, John Rodman, Richard Smith, Robert Lettice Hooper, Robert Hunter Morris, and Fenwick Lyell; and John Peagrum, Surveyor of Customs for the Northern district. [P.R. only.]

1741.—[Archibald Home *vice* Robert Lettice Hooper, deceased. 19 March, 9 April, 23 April.]

1721.—10 Feb. [Cadwallader Colden and James Alexander *New York.* *vice* Peter Schuyler and Adolphus Philips removed.]

1721.—7 May. Lewis Morris, jun., *vice* Caleb Heathcote, deceased.

1722.—25 Aug. Abraham Van Horn and William Provoost *vice* Abraham Depeyster incapable by lunacy and John Johnston, who has resided two years in another province without leave.

1725.—15 May. Philip Livingston *vice* Gerardus Beckman, deceased.

1726.—18 April. Archibald Kennedy *vice* Thomas Byerly, deceased.]

1727.—19 Oct. [Montgomery's instructions.] Robert Walters, Rip Van Dam, John Barbarie, George Clarke, Fras. Harrison, Cadwallader Colden, James Alexander, Lewis Morris junr., Abraham Van Horn, William Provoost, Philip Livingston and Archibald Kennedy Esqrs. [P.R. only.]

1728.—23 Nov. [James De Lancey *vice* John Barbarie, deceased.]

1730.—22 Jan. Philip Cortland *vice* Lewis Morris, who had been suspended by Gov. Montgomery.]

1732.—18 May. [Cosby's instructions.] Rip Van Dam, George Clark, Francis Harrison, Cadwallader Colden, James Alexander, Abraham Van Horn, William Provoost, Philip Livingston, Archibald Kennedy, Jas. de Lancey and Philip Cortland Esqrs. [Vacancy by death of Robert Walters not to be filled till the Governor can transmit a list of suitable persons.] [P.R. only.]

1733.—[Henry Lane and Daniel Horsmanden *vice* Robert Walters, deceased, and William Provoost removed to New Jersey. (22 March), 29 March, 27 April, 10 May.]

1738.—George Clarke, junr., *vice* Francis Harrison, who is detained by his affairs in England and is anxious to resign. 25 May, 27 May, 20 July.]

1741.—8 Sept. [Clinton's instructions.] George Clarke, Cadwallader Colden, Abraham Van Horn, Philip Livingston, Archibald Kennedy, James De Lancey, Philip Cortland, Henry Lane, Daniel Horsmanden and George Clarke junr. Esquires. [P.R. only.]

1744.—Peter Warren and Joseph Murry to fill two vacancies left in Clinton's instructions. 2 Feb., 6 Feb., 21 March.

1744.—John Moore *vice* Abraham Van Horn, deceased. 2 Feb., 6 Feb., 21 March.

1744.—John Rutherford *vice* Henry Lane, deceased. 6 Sept., 13 Sept., 18 Sept.]

1730.—14 Dec. [Burrington's instructions.] William Smith, Nathaniel Rice, James Jenoure, Robert Halton, Edmund Porter, John Baptiste Ashe, James Stallard, Eliezer Allen, Matthew Rowan, Richard Eyans, Cornelius Harnett, John Porter sen. [P.R. only.]

North
Carolina.

1733.—[Edward Moseley, Roger Moore and Cullen Pollock *vice* James Jenoure and John Porter, deceased, and Cornelius Harnett resigned.—25 July. Approved by Committee in Gov. Johnson's instructions.—2 Aug. Order accordingly.]

1733.—2 Aug. [Johnson's instructions.] William Smith, Nathaniel Rice, Robert Halton, Edmund Porter, John Baptiste Ashe, James Stallard, Eliezer Allen, Matthew Rowan, Richard Eyans, Edward Moseley, Roger Moore, Cullen Pollock. [P.R. only.]

1735.—[William Forbes, James Innes and Thomas Wardroper *vice* John Baptiste Ashe, deceased, James Stallard and Richard Eyans, who were appointed in 1730 and have not yet taken up their residence in North Carolina. (10 Sept.), 13 Oct., 27 Oct., 6 Nov.]

1739.—James Murray *vice* Edmund Porter, deceased. 22 March, 5 April, 12 June.]

1721.—26 Sept. [Hart's instructions.] William Mathew Lieutenant General and Lieutenant Governor, John Davies, John Burryan, Joseph Estridge, John Willet, Francis Phipps, George Millward, George Lyddell, Stephen Duport, Charles Payne, John Garnet and William McDowall Esqrs. [P.R. only.]

St.
Christopher.

1722.—6 Oct. [Major Richard Holmes *vice* George Lyddell, deceased.]

1724.—12 May. Peter Soulegré *vice* Mr. Millward, deceased.

1725.—25 Nov. Charles Pym *vice* Major Richard Holmes, deceased.

1726.—12 Feb. William Pym Burt *vice* John Davies, deceased,

1726.—10 May. Edward Mann, H.M. Casual Receiver and Receiver of $4\frac{1}{2}\%$ Duty, *vice* Stephen Duport, deceased.]

1728.—18 April. [Londonderry's instructions.] William Mathew, Lieutenant General and Lieut. Governor John Burryan, Joseph Estridge, John Willet, Francis Phipps, Charles Payne, John Garnet, William McDowall, Peter Soulegré, Charles Pym, Edward Mann and James Milliken Esqrs. [P.R. only.]

1733.—19 July. [Mathew's instructions.] Gilbert Fleming Esqr. Our Lieutenant General of our said Islands and Lieut. Governor of Our said Island of St. Christophers and the Lieutenant General of our said Islands and the Lieutenant Governor of the said Island of St. Christophers for the time being, Joseph Estridge Esqr., Sir Charles Payne, John Garnet, William McDowall, Peter Soulegré, Charles Pym, Edward Mann, John Douglas, Abraham Payne, Joseph Phipps and William Mathew junr. Esqrs. [P.R. only.]

1735.—[John Williams, sen., *vice* Peter Soulegré resigned. (19 Oct.), 6 Nov., 17 Nov., 26 Nov.]

1738.—Matthew Mills, jun., *vice* Edward Mann, who has desired leave to resign. 25 May, 19 June, 20 July.

1738.—Rev. Walter Thomas *vice* John Garnet, removed to S. Carolina and desirous of resigning. 20 July, 27 July, 31 July.

1739.—Edward Jessup *vice* William McDowall, who has desired leave to resign on account of his not being able to attend his Majesty's service there. 17 Jan., 23 Feb., 22 March.

1739.—12 June. John Mills *vice* John Williams, deceased, appointed on Board of Trade representation of 8 May.

1740.—William Ottley *vice* Abraham Payne, deceased. (20 May), 14 Aug., 22 Oct., 23 Oct.

1741.—Daniel Cunningham *vice* Charles Pym, deceased. 23 April, 7 May, 21 May.

1743.—Samuel Crooke *vice* John Mills, who does not intend to return to the island. (26 Jan.), 7 Feb., 18 Feb., 23 March.

1743.—Richard Holmes *vice* Sir Charles Payne, deceased. 7 March, 29 March, 11 April.

1743.—John White *vice* Joseph Phipps, deceased. (28 May), 4 July, 4 July, 18 July.]

1725.—5 Aug. [Richard Fitz William. *See* Jamaica, same date. South
Carolina.

1729.—26 March. Richard Fitz William. *See* Jamaica, same date.]

1730.—17 Sept. [Johnson's instructions.] Col. Thomas Broughton, Arthur Middleton, Ralph Izard, Wm. Bull, Alexander Skene, Francis Yonge, James Kinloch, Robert Wright, John Fenwick, Joseph [or James] Wragg, Thomas Waring and John Hammerton Esqrs. [P.R. only.]

1736.—[John Colleton and John Braithwaite *vice* Ralph Izard, who refuses to act and Francis Yonge who is in England and does not intend to return. 21 May, 3 June, 16 June.

1738.—James Crockett and Edmund Atkins *vice* Col. Thomas Broughton, the Lieut.-Governor, and Arthur Middleton, deceased. 24 Feb., 4 May, 25 May.]

1738.—31 July. [Horsey's instructions.] William Bull, Alexander Skene, James Kinloch, Robert Wright, John Fenwick, Joseph Wragg, Thomas Waring, John Hammerton, John Colleton, John Braithwaite, James Crockett, Edmund Atkins. [P.R. only.]

1739.—6 Sept. [Glen's instructions. P.R.]

1740.—Col. Joseph Blake *vice* Thomas Waring deceased. (22 April), 29 May, 6 June, 12 June.

1740.—William Middleton *vice* Robert Wright, Chief Justice. (19 Feb.), 29 May, 13 Aug., 14 Aug.

1740.—John Cleland *vice* John Braithwaite deceased. (9 Oct.), 27 Nov., 5 Dec., 6 Dec.

1741.—Charles Pinckney *vice* James Crockett, whose affairs do not permit him to return from England. 18 June, 10 July, 16 July.

1741.—Richard Hill *vice* Alexander Skene deceased. 16 July, 31 July, 4 Aug.]

Virginia. 1724.—23 Jan. [John Carter *vice* William Bassett deceased.

1725.—5 Aug. Richard Fitz William. *See* Jamaica, same date.

1726.—29 Jan. John Grimes *vice* Col. John Lewis, deceased.

1727.—31 May. John Custis *vice* Edmund Jennings, who was suspended before the death of Major Drysdale, the Lieutenant Governor, on the unanimous opinion of the Council that by reason of his great age and infirmities, he was not capable of taking upon him the administration of the Government.

1727.—31 May. William Dandridge *vice* Philip Ludwell, deceased.

1728.—26 Feb. Col. Wm. Randolph *vice* Col. Nathaniel Harrison, deceased.]

1728.—22 March. [Orkney's instructions.] Robert Carter, James Blair, William Byrd, Nathaniel Harrison,* Mann Page, Cole Digges, Peter Beverly, John Robinson, John Carter, John Grimes, William Dandridge and John Custis, Esqrs. [P.R. only.]

1729.—26 March. [Richard Fitz William. *See* Jamaica, same date.

1730.—18 Nov. Henry Harrison *vice* Mr. Beverly, deceased.

1731.—2 June. David Bray *vice* Col Mann Page, deceased.

1732.—John Taylor *vice* David Bray, deceased. 10 Jan., 3 Feb., 24 Feb.

* Probably a mistake for William Randolph.

1733.—Philip Lightfoot and Thomas Lee *vice* Robert Carter and Henry Harrison. (10 Jan.), 25 Jan., 23 Feb., 29 March.]

1738.—12 Jan. [Albemarle's instructions.] James Blair, William Byrd, Cole Digges, John Robinson, John Carter, John Grimes, William Dandridge, John Custis, William Randolph, John Taylor, Philip Lightfoot, and Thomas Lee. [P.R. only.]

1743.—[Lewis Burwell, jun., *vice* William Randolph, deceased. (11 Jan.), 19 Jan., 25 Jan., 7 Feb.]

1743.—William Fairfax *vice* James Blair, deceased. (22 July), 13 Aug., 24 Aug., 1 Sept.]

1744.—John Blair *vice* William Dandridge, deceased. 9 Oct., 24 Oct., 7 Nov.]

APPENDIX III.

COLONIAL ACTS CONFIRMED OR DISALLOWED
BY THE PRIVY COUNCIL, 1740-1745.

[The normal procedure during this period in confirming or disallowing a Colonial Act was that the Board of Trade submitted a representation giving their opinion. This was referred to the Committee, who reported to the Council, whereupon an order was issued approving or rejecting the Act. Where the Act is confirmed, the Register rarely contains anything more than a notice of these formal stages : in cases of disallowance, and occasionally when the Act is confirmed, reasons are given, the Committee report generally quoting these from the representation of the Board of Trade. In most of these cases, the proceedings have been given in the body of the book, though a few, where the reasons are very briefly expressed, will be found in this Appendix. Three dates given without comment represent the stages of reference to the Committee, Committee report, and Order of Council. A date in brackets is that of the representation of the Board of Trade. When anything more than a notice of these ordinary stages of procedure is given in the Register, it is repeated in the text.

As in Volume II, when accessible printed collections of the Acts of a Colony exist, we have referred to the Act by its number in the collection.

Antigua. (The references are to "The Laws of the Island of Antigua." 3 vols., London, 1805-18.)

1727.—13 May, 31 May, 16 June. No. 184 confirmed.

1730.—14 Dec. 1731.—4 Jan., 7 Jan. No. 222 confirmed.

1732.—4 May, 14 May, 18 May. No. 224 confirmed.

[P.R.]

1732.—4 May. No. 223 referred.—17 May. Committee refer it to the Attorney and Solicitor General.—7 Sept. On their report, the Committee recommend that it be confirmed.—28 Sept. The Act confirmed [P.R.]

1733.—No. 188. 29 March. Referred with Board of Trade representation of 8 March.—27 April. Committee recommend that the Act be approved as passed in accordance with additional instructions lately sent to Michael Smith, President of the Council of Nevis and Commander in Chief of the Leeward Islands.—10 May. The Act confirmed.

1734.—(21 March), 3 April, 5 April, 11 April. Act of 29 Nov., 1733, for providing an honourable support for his Excellency William Mathew, Esq., during his government and appropriating particular funds for the payment thereof, confirmed. (The Committee approve, as the Act is in conformity with his Majesty's instructions for settling an additional salary on the Governor.)

1744.—27 Dec. An Act for raising a tax for paying public debts and charges and particularly applying the said tax and for clothing and subsisting an independent company of militia hereafter to be raised, referred, with Board of Trade representation of 14 Dec.

(References are to the "Acts of Assembly of Barbados," Barbados. London, 1721, 1732, 1739.)

1721.—28 May. No. 650 disallowed.

1722.—24 Aug., 9 Nov., 29 Nov. Nos. 594, 616, 622, 625-627, 632, 637, 640 confirmed. Nos. 643-44 disallowed.

1723.—1 Feb. Act of 1719 for quieting the minds of the people against the terrors of a Spiritual Court, considered by Committee and to remain under consideration with other Acts this day reported by the Board of Trade.

1724.—6 April, 7 April, 30 April. No. 661 confirmed.

1724.—4 July. No. 664 referred, with a petition of the agents for Barbados to be heard in its support.—7 Aug. Committee,

after hearing counsel for the agents in its favour, and for the merchants trading to Barbados against it, recommend its disallowance.—22 Aug. The Act disallowed.

1733.—29 Nov., 6 Dec., 20 Dec. No. 692 confirmed.

1736.—5 Feb., 28 Feb., 4 March. No. 703 confirmed.

1743.—23 March, 31 March, 25 April. An Act passed in 1742 for defraying the expenses his honour the President has been at in the exercise of the Government of this island, confirmed.

Bermuda. (The references are to "Acts of the Legislature of Bermuda." 2 vols., London, 1903.)

1723.—27 June. 1721, chap. 1, disallowed.

1723.—14 Aug. Committee recommend confirmation of 1722, chap. 1, and 1722-3, chaps. 1 and 2.—27 Aug. The Acts confirmed.

1738, 21 Dec.; 1739, 12 Jan., 17 Jan.—1738, chaps. 1, 2, 3, confirmed.

1742.—(25 June), 13 July, 22 July, 29 July. 1738-9, chap. 2, and 1739, chap. 2, confirmed.

1743.—(13 April), 25 April, 27 April, 2 June. 1738-9, chaps. 1, 3, 4, confirmed.

Georgia. 1735.—(a) "An Act for Maintaining the Peace with the Indians in the Province of Georgia: (b) An Act for rendring the Colony of Georgia more Defensible by Prohibiting the Importation and use of Black Slaves or Negroes into the same: (c) An Act to prevent the Importation and use of Rum and Brandys in the Province of Georgia."—9 Jan. These three Acts were laid before his Majesty by the Trustees for establishing the colony of Georgia and referred to the Committee.—13 Jan. Referred by Committee to Board of Trade.—7 Mar. Committee approve.—3 April. The Acts confirmed. [P.R.]

1743.—19 Jan. Three Acts transmitted by the Trustees are referred to the Committee: "(a) An Act to repeal so much

of an Act made in the eight Year of Your Majestys Reign Intituled An Act to prevent the Importation and Use of Rum and Brandies in the Province of Georgia as prohibits the Importation of Rum into the said Province from the other British Colonies: (b) An Act for the better Regulation of Publick Houses and Retailers of Rum in the Province of Georgia and for Suppressing the odious and loathsome Sin of Drunkenness And (c) An Act for establishing the Tenures of Lands in Georgia and reducing the Quit Rents thereof. And also praying that His Majesty will be graciously pleased to Release and Discharge the Petitioners and their Successors from the payment of all Rents reserved on all the Grants already made and hereafter to be made of Lands within the said Colony.”—25 Jan. Referred by Committee to Board of Trade.—1745, 5 March. Copies of the Board of Trade report to be delivered to the Trustees.

(The references are to “The Laws of Jamaica.” 2 vols., Jamaica. St. Iago de la Vega, 1802.)

1721.—24 Aug. 2 Geo. I, cap. 2, disallowed.

1722.—20 Dec. 8 Geo. I, private Act in favour of George Reid referred.—1723, 1 Feb. The Committee recommend approval of the Act, which completes an exchange agreed to between George and John Reid before the death of the latter, and which does not bar the claims of any other to the lands in question.—26 Feb. The Act confirmed.

1723, 17 Dec. ; 1724, 22 Jan., 23 Jan.—8 Geo. I, private Act in favour of William and Charles Bowles confirmed, as all parties agree that there are several saving clauses.

1726.—9 Aug. 12 Geo. I, cap. 4, disallowed. (*See* § 68.)

1727.—20 Sept. 10 Geo. I, cap. 8, confirmed.

1729.—14 May, 14 May, 22 May. 1 Geo. II, caps. 1, 3, 6, confirmed.

1730.—12 Nov. 2 Geo. II, cap. 2, referred to Committee.—23 Nov. Referred by Committee to Attorney and Solicitor General.

1730, 23 Dec. ; 1731, 4 Jan., 7 Jan.—11 Geo. I, private Act about estate of Thomas King confirmed.

1734.—24 Oct., 1 Nov., 7 Nov. 4 Geo. II, private Act in favour of the Hon. Edward Charlton confirmed. [P.R.]

1735.—16 May, 24 May, 11 June. 6 Geo. II, private Act in favour of John Golding confirmed. [P.R.]

1736.—(18 March), 29 April, 13 May, 21 May. Private Act in favour of Mary Howell confirmed.

1737.—31 March, 6 April, 21 April. 9 Geo. II, cap. 6, and 9 Geo. II, private Acts about the Fort House, and about David Jones, confirmed.

1737, 6 Dec., 15 Dec. ; 1738, 12 Jan.—9 Geo. II, cap. 4, confirmed.

1741.—23 April, 7 May, 21 May. 11 Geo. II, private Act in favour of Susanna Angier, 12 Geo. II, private Acts in favour of Jane Stone and William Cunningham, and 12 Geo. II, cap. 5, confirmed. [P.R.]

1742.—(21 Jan.), 2 Feb., 19 Feb., 20 Feb. 4 Geo. II, cap. 4, 6 Geo. II, caps. 7 and 10, 9 Geo. II, cap. 4, 10 Geo. II, cap. 6, 11 Geo. II, caps. 4, 6 and 7, confirmed.

1743.—(18 May), 30 June, 30 June, 12 July. 11 Geo. II, cap. 11, confirmed.

1744.—(17 Oct.), 7 Nov. ; 1745, 8 Jan., 10 Jan., 11 Geo. II, private Act concerning Anne Dufresnay, confirmed.

Leeward
Islands.

1721.—24 Aug. Acts of Feb., 1719, disallowed: (a) for declaring the qualification of those who shall vote for Assembly or Vestry men in this Island, or serve as such, and for ascertaining the rules, rights and privileges of Assemblies ; and (b) for establishing a Court of King's Bench, Common Pleas and Errors for the better regulating and settling due methods for the administration of justice, and limiting a time for issuing executions out of the Court of Chancery in this island.

1722.—20 Jan. Act of Aug., 1721, for raising a tax for paying a public debt to Walter Hamilton, Capt.-Gen. of the Leeward Islands, confirmed.

(The references are to Vols. II and III of "The Acts and Resolves of the Province of Massachusetts Bay," Boston, 1869-86.) Massachusetts Bay.

1721.—7 May. 1718-9, chap. 4, disallowed.

1731.—10 March. 7 Acts delivered by the agent for the colony to the Clerk of the Council are referred to the Board of Trade.

1731.—10 March. Act providing a more sure support for his Majesty's Governor referred to Board of Trade.—1 July. Board of Trade report referred to Committee.

1731-2.—12 Aug., 1731. 1730-1, chaps. 1-15, 17, 18, referred to Board of Trade.—23 Dec., 19 Jan., 27 Jan., 1732. The Acts confirmed.

1731.—23 Dec. 4 Acts of April, 1731, referred to Board of Trade.

1732.—27 Jan. 6 Acts of Nov., 1731, referred to Board of Trade.

1732.—21 July. 8 Acts of Dec., 1731-Feb., 1732 (delivered by the agent on 20 June), referred to the Committee.—25 July. Referred by Committee to Board of Trade.

1733.—11 Jan. 5 Acts of June-July, 1732 (delivered on 2 Jan.), referred to Committee.—13 Jan. Referred by Committee to Board of Trade.

1733.—2 Aug. 12 Acts of Jan.-April, 1733, referred to Committee.—15 Aug. Referred by Committee to Board of Trade.—2 Feb., 1736. 1732-3, ch. 8 (referred on 2 Aug., 1733), recommended by Committee.—5 Feb. The Act approved.

1734.—20 March. 5 Acts of June and Aug., 1733, referred to Committee.—22 March. Referred by Committee to Board of Trade.

1734.—8 Aug. 7 Acts of Nov., 1733, and March, 1734, referred to Committee.—1 Nov. Referred by Committee to Board of Trade.

1735.—9 Jan. 15 Acts of April and July, 1734, referred to Committee.—13 Jan. Referred by Committee to Board of Trade.

1735.—13 Oct. 8 Acts of Dec., 1734–Jan., 1735, and April, 1735 (delivered on 21 Aug.), referred to Committee.—27 Oct. Referred by Committee to Board of Trade.

1735.—1731–2, ch. 12 and 14–18; 1732–3, ch. 1–7, 9–17.—27 Oct. Recommended by Committee on Board of Trade report.—6 Nov. The Acts confirmed.

1736.—4 March. 17 Acts of April and July, 1735 (delivered on 26 Feb.), referred to Committee.—10 March. Referred by Committee to Board of Trade.

1737.—19 Jan. 11 Acts of Dec., 1735–Jan., 1736, and March, 1736 (delivered on 15 Dec., 1736), referred to Committee.—21 Jan. Referred by Committee to Board of Trade.

1737.—19 March. Committee report on 26 Acts referred on 20 March, 1734, and 9 Jan., 1735. For three of them see § 401. 1733–4, ch. 2, 3, 6, 8, 12, and 1734–5, ch. 8, 12, 13, appear to be temporary, and must either have had their full effect before this time or at least little remains depending thereon. 1733–4, ch. 1, 4, 5, 9, 10, 13, and 1734–5, ch. 2–7, 9–11, appear to have been enacted for the convenience of the province and should be confirmed.—21 April. These 15 Acts confirmed.

1737.—19 May. 7 Acts of July, 1736 (delivered on 29 April), referred to Committee.—27 May. Referred by Committee to Board of Trade.

1737.—18 Aug. 17 Acts of Feb., 1737 (delivered on 28 July), referred to Board of Trade, who are to report to the Committee.

1738.—8 March. 14 Acts of June–July, 1737 (delivered on 3 March), referred to Committee.—13 March. Referred by Committee to Board of Trade.

1738.—30 Nov. 11 Acts of Jan., 1738 (delivered on 26 Oct.), referred to Committee.—1 Dec. Referred by Committee to Board of Trade.—31 July, 1741. Committee report : no order is required on four Acts—1737-8, ch. 15-7, 22,—that have had their effect or are near expiring ; the other 7 should be confirmed.—4 Aug., 1741. 1737-8, ch. 18-21 and 23-5, confirmed.

1739.—31 July. Committee report that no order is necessary on 35 Acts of 1735-7—1735-6, ch. 14-7, 20-3 ; 1736-7, ch. 1-4, 6, 7, 10, 11, 13, 15, 17, 22-4 ; 1737-8, ch. 1-4, 6-14.

1739.—2 Aug. On Committee report of 31 July, 11 Acts are confirmed : 1735-6, ch. 18, 19, 24 ; 1736-7, ch. 5, 9, 12, 16, 18-21.

1740-2.—13 Acts of June, 1738 (delivered on 12 July, 1740).—31 July, 1740. Referred to Committee.—13 Aug. Referred by Committee to Board of Trade.—22 July, 1742. Committee report. 1738-9, ch. 2, 3, 13, have had their effect ; ch. 1, 4, 5, 12 are temporary and now expired ; ch. 6-11 should be confirmed.—29 July, 1742. These six Acts confirmed.

1741-4.—1740-1, ch. 12-16, 19-25 delivered on 26 Aug., 1741.—8 Sept., 1741. Referred to Committee.—10 Nov. Referred by Committee to Board of Trade.—15 Dec., 1743. Recommended by Committee for approval.—5 Jan., 1744. The Acts confirmed.

1742-4.—1741-2, ch. 1-6, delivered on 3 Feb., 1742.—13 Feb. Referred to Committee.—19 Feb. Referred by Committee to Board of Trade.—27 July, 1744. Committee recommend approval, as two relate only to the interior economy of the province and four are temporary.—9 Aug. The Acts confirmed.

1743.—37 Acts of June, July, September, 1740, and Jan., April, June, July, Nov., 1742 (delivered on 8 July).—12 July. Referred to Committee.—26 July. Referred by Committee to Board of Trade.—26 April, 1746. Committee report on 28 of

these Acts. The following are temporary and expired or have had their effect—1740-1, ch. 1-3, 8, 10 ; 1741-2, ch. 2, 3 ; 1742-3, ch. 1-7, 31. The following Acts relating to the economy of the province are recommended for confirmation—1740-1, ch. 4-6, 9 ; 1741-2, ch. 18-22 ; 1742-3, ch. 8-11. 1740-1, ch. 7, is also recommended, though contrary to the instruction ordered in § 501, as the Act was passed before his Majesty's pleasure could be known.—28 May. The Acts confirmed.

1743.—20 Acts of Jan., 1743 (delivered on 24 Aug.), 8 Sept., referred to Committee.—15 Sept. To Board of Trade.—3 May. 1746. Committee report. No order is necessary on 7 temporary Acts—1742-3, ch. 14, 18, 21-2, 24, 26, 29 ; 10 Acts are recommended—1742-3, ch. 12-3, 15-7, 19, 23, 25, 27-8 ; as also 1742-3, ch. 30 passed before the instruction in § 501 was known.—28 May. The Acts confirmed.

1746, 28 May.—In accordance with Committee report of 3 May, an Act of June, 1742, referred on 12 July, 1743, is disallowed. This Act—to take off the entail from certain lands in Ipswich in the County of Essex late the estate of John Wainwright, Esq., deceased, and to enable Christian Wainwright, his relict, widow, to sell the same—gives power to dispose of part of an estate entailed belonging to an infant without a proper and due regard to justice and equity, and has not the suspending clause required by article 17 of the Governor's instructions.

1744.—21 March, 24 April, 9 May. 1743-4, ch. 14 and 17, confirmed.

1744-7.—1744-5, ch. 1, delivered on 9 Aug., 1744, 20 Aug., 1747, 19 May, 3 June, confirmed, as relating to the public service and security of the province. 1744-5, ch. 6, referred and considered on same dates, expired in June, 1746 and on the recommendation of the Committee no order was made.

Montserrat. (The references are to " Acts of the Assembly of Montserrat," London, 1740.)

1729.—26 Sept., 14 Oct., 19 Nov. No. 88 confirmed.

1734.—7 Nov., 12 Dec., 19 Dec. No. 102 confirmed.

(The references are to "Acts of the Assembly of Nevis," Nevis.
London, 1740.)

1723.—6 Aug., 14 Aug., 27 Aug. No. 87 confirmed.

1734.—(3 April), 3 April, 5 April, 11 April. No. 101 confirmed.

1743.—(7 Feb.), 7 Feb., 18 Feb., 23 March. An Act for New
Hampshire.
granting to his Majesty the sum of 250*l.* proclamation money
or in bills of credit of this province equivalent thereunto
towards the support of the Governor, confirmed.

(The references are to "Acts of the General Assembly of New Jersey.
New Jersey," Burlington, 1776.)

1722.—20 Jan. Nos. 53, 66, 73 disallowed.

1732.—13 April. No. 136 disallowed.

1732.—13 April, 20 April, 4 May. Nos. 124 and 146 confirmed.

1735.—6 Nov., 17 Nov., 26 Nov. No. 151 confirmed.

(The references are to "The Laws of New York," New York.
York, 1774.)

1722.—14 June. No. 397 referred.—19 July. The petition
of several London merchants against the Act referred.—1724,
17 April. Committee appoint 24 April to consider it.—
24 April. Committee recommend disallowance, and the
preparation of a general instruction to all colonial governors
to refuse assent to any Act laying a duty on European goods
imported in English vessels.—30 April. The Act disallowed.

1723.—19 Sept.; 1724, 22 Jan., 23 Jan. No. 384 confirmed.

1724.—17 April, 17 April, 30 April. Nos. 408, 417, 430 confirmed.

1727.—29 July, 2 Aug., 5 Aug. No. 486 confirmed.

1728.—15 Feb. No. 502 referred to Board of Trade, with a representation against it of Richard Bentley, Attorney General of New York.—6 Nov. The Act disallowed on the report of the Board of Trade.

1731.—12 June, 7 July, 12 Aug. No. 559 disallowed.

1737.—(27 July), 18 Aug., 6 Dec.; 1738, 12 Jan. No. 573 confirmed. [P.R.]

1739.—(8 Feb.), 22 March, 5 April, 12 June. No. 661 confirmed.

Pennsyl-
vania.

(The references are to "The Charters and Acts of Assembly of Pennsylvania." 2 vols., Philadelphia, 1762.)

1725.—3 March, 20 March, 27 March. No. 267 confirmed.

1735.—Act for confirming the repeal of divers laws of this province, delivered by the agent to the Clerk of the Council on 4 Jan.—9 Jan. Referred to Committee.—13 Jan. Referred by Committee to Board of Trade.

1735-6.—Act of 24 June, 1735, for the more effectual vesting and settling certain lands in George McCall pursuant to the covenants and agreements of all the parties having any interest in the same, delivered by the agent on 22 Nov., 1735.—26 Nov. Referred to Committee.—8 Dec. To Board of Trade.—29 April, 1736. Petition of William Penn, grandson and heir of the first proprietor, to be heard against the Act, referred to Committee.—13 May. The Board of Trade having reported favourably, and Penn having waived opposition, the Committee recommend approval of the Act.—21 May. The Act confirmed.

1738-9.—3 Acts of Aug.—Sept., 1738, delivered on 18 Dec., 1738.—21 Dec. Referred to Committee.—12 Jan., 1739, to Board of Trade.

1739.—15 June. Nos. 322-5 and 327-30, are delivered by the Pennsylvania agent to the Council, and referred to the Committee.—18 June. Referred by Committee to Board of

Trade.—1740, 26 Feb. On their report, Committee recommend approval.—10 March. The Acts confirmed.

1739.—22 Nov. Nos. 334–339 referred to Committee.—23 Nov. Referred by Committee to Board of Trade.—1740, 6 May. Nos. 334–6, 338–9 recommended. For 337 *see* § 492.—12 May. The five Acts approved.

(The references are to “The Laws of St. Christopher,”
St. Christopher, 1791.)

1722.—6 Oct., 9 Nov., 29 Nov. Nos. 46 and 48 confirmed.

1724.—12 May. Nos. 38, 43, 45, with a representation of the Board of Trade on these and on several Montserrat Acts referred to Committee.—17 Junc. Committee refer the St. Christopher Acts to the Attorney and Solicitor General.

1729.—26 June, 31 July, 18 Aug. No. 68 confirmed.

1729.—26 June. No. 64 referred.—31 July. Committee, being informed that another Act has been passed relating to the same affair, postpone consideration of this Act till the Board of Trade report on the other. The other is No. 76, which follows.

1729.—26 June ; 1730, 24 Jan., 2 Feb. No. 76 confirmed.

1733.—20 Dec. ; 1734, 8 Jan., 10 Jan. Act of 7 Nov., 1722, confirmed—“to enable Andrew Audain and Peter Audain or the Survivor of them Infants under the Age of twenty one Years with the Consent of Isaac Peter Audain their Father to sell the Plantation and Lands therein mentioned unto William Pym Burt Esqr. and for securing the Moneys arising thereby unto the said Andrew Audain and Peter Audain.”

1734.—3 April. No. 86 referred, with a representation of the Board of Trade of 27 March.—5 April. Referred by Committee to Attorney and Solicitor General.—19 Dec. On their report the Committee recommend its confirmation.—1735, 9 Jan. The Act confirmed. [P.R.]

1734.—(3 April), 3 April, 5 April, 11 April. Nos. 92–3 confirmed.

1737.—19 Jan., 4 Feb., 21 Feb. No. 89 confirmed.

1741.—31 Dec. ; 1742, 14 Jan., 18 Jan. No. 111 confirmed.

South
Carolina.

(The references are to Vol. III of "The Statutes at Large of South Carolina," Columbia, S.C., 1836, &c.)

1723.—27 June. No. 464 disallowed, on hearing Mr. Yonge, the agent, in its favour, and Mr. Skelton for the inhabitants against it.

1732.—17 March. No. 526 referred to Committee.—18 May. Petition of Peregrine Fury, the agent, to be heard in support of the Act, referred.—5 June. Committee agree to consider Board of Trade report on 12 July.—16 June. Reference to Committee of petition of Thomas Lowndes, Provost Marshal, Clerk of the Peace and Clerk of the Crown, to be heard against the Act and in favour of the confirmation of an Act of 1720 for the Amendment of the Law.—12 July. Committee recommend that the Act of 1720 be confirmed and that of 1726 (No. 526) disallowed.—21 July. Orders accordingly.

1732-3.—No. 532.—30 Nov., 1732. Referred to Committee with Board of Trade representation of 1 Nov. and petition of Peregrine Fury to have a copy of the representation and to be heard in support of the Act.—11 Dec. Copies of papers to be given to all concerned.—25 July, 1733. Committee appoint Wednesday next for considering the Act.

1736.—No. 539 and 583.—4 March. Disallowed.

1738.—No. 530 referred to Committee with Board of Trade representation for its disallowance.

1741-2.—31 Dec., 1741, 14 Jan., 18 Jan., 1742.—No. 677 confirmed.

Virginia.

(The references are to Vols. IV and V of "Statutes at Large of Virginia," 1819-23.)

1727.—13 May, 31 May, 16 June. 1726, ch. 14, confirmed.

1731.—12 Aug. 1730, ch. 6, disallowed on Board of Trade report.

1733.—(29 June), 2 Aug., 15 Aug., 1 Nov. 1730, ch. 28; 1732, ch. 20, 24, 26-31, 33-5 confirmed. [All P.R.]

1733.—4 Oct., 23 Nov., 29 Nov. 1730, ch. 25-7, 29 confirmed. [P.R.]

1736.—19 Feb., 28 Feb., 4 March. 1734, ch. 6, 15 confirmed.

1737.—19 Jan., 4 Feb., 21 Feb. 1734, ch. 27, confirmed, as passed according to the forms prescribed in such cases by the Governor's instructions.

1737-8.—(11 Aug.), 6 Oct., 15 Dec., 1737; 12 Jan., 1738. 1734, ch. 29, confirmed. [P.R.]

1738.—6 Feb., 14 Feb., 15 Feb. 1736, ch. 21, confirmed. [P.R.]

1738.—6 April, 4 May, 25 May. 1736, ch. 13, confirmed, Lord Fairfax having consented.

1739.—22 Nov., 27 Nov., 27 Dec. 1738, ch. 25, confirmed. [P.R.]

1741-2.—31 Dec., 1741; 19 Feb., 20 Feb., 1742. 1740, ch. 13, confirmed. [P.R.] On 14 Jan. the Committee referred it back to the Board of Trade "to inform themselves whether Elizabeth, the Wife of Beverley Randolph has any Issue and if none whether she is of such an Age as to be capable of having any Issue."

1742.—24 June, 22 July, 29 July. 1740, ch. 14, confirmed. [P.R.]

APPENDIX IV.

PLANTATION REGISTER.

Besides the documents mentioned above which are marked P.R. the Plantation Register contains :

(VOL. V., 19 MAY 1720-AP. 1728.)

1. Commission of Health. *p.* 209.
2. Two Commissions for the Admiralty relating to the issuing letters of marque or reprisal against Spain ; and Instructions to the merchants or others that shall have said letters. *pp.* 371-3.
3. Commission for trying Merchantile Disputes at Gibraltar. *p.* 166.
4. East India Company's Charter. *p.* 354.

(VOL. VI., 18 AP. 1728-14 DEC. 1732.)

1. Three Commissions for trying pirates in the East Indies. *p.* 458.
2. Commission for Lord Lyon and the Heralds of Scotland to receive fees upon the creation of peers and other grants of honour. *p.* 376.
3. Copies of the 13th and 14th Articles of the Treaty of Utrecht relating to Newfoundland. *p.* 156.

(VOL. VII., 18 MAY 1732-23 JAN. 1738.)

1. For the Charity of Sea Officers Widows, *p.* 6.
2. For taking a Survey of the Fees of the Law Offices [not colonial], *p.* 19.

(VOL. VIII., 15 FEB. 1738-30 JULY 1741.)

Gibraltar.—Commissions &c. for the Governor to grant Letters of Marque against Spain, 268-88.

Commission for establishing Courts of Judicature, 316.

Order approving the Committee Report on a Memorial of Judge Robinson praying that he may be empowered to appoint Officers in the respective Courts of Judicature, 326.

Minorca.—Commissions &c. for the Governor to grant Letters of Marque against Spain, 268.

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