

1744.

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.]

12 Mar.

[XI. pp. 145, 185.]

[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

5 Mar.

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1744-5.

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.