

10 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1745.

* martial at the Nore on 18 May, 1744, for being absent from his ship for two nights when on a station at North Carolina in 1741.] [p. 215.]

(1747.) [On the Admiralty report of 15 Nov., Rawlings is reinstated
15 Jan. as a lieutenant.] [XI. p. 105.]

7 Nov. [12.] [Reference to the Committee of the petition of William
Rhode Harvey of Charleston, S. Ca., merchant, that the appeal of
Island. Edward Fogg from a judgment of the Superior Court of
Judicature in Rhode Island, 27 March, 1744, to recover from
Fogg 3,500*l.* South Carolina currency with 6*l.* 15*s.* costs, may
be dismissed with costs for non-prosecution.] [pp. 225, 242.]

28 Nov. [Fogg's appeal is dismissed, in accordance with the Com-
mittee report of 25 Nov. Verdicts had been given for Harvey
in the Inferior and Superior Courts of Rhode Island, but both
he and Fogg appealed] unto the then next Court of Equity in
Rhode Island. But while the said Appeales were depending
the Assembly of Rhode Island thought fit to abolish the said
Court of Equity, but past a General Act of Assembly on the
22d of May 1744 that persons who had had Appeales
depending in that Court of Equity and undetermined at the
time the same was abolished if there had been two Verdicts
of Jurys against them might have liberty to pray Appeales
to Your Majesty in Council and in such Case the Appeales
should be granted if the matters in Dispute would intitle
them to Appeal, That in pursuance of the said Act the said
Edward Fogg on the First Tuesday of September 1744 prayed
and was allowed an Appeale to Your Majesty in Council That
the Petitioner finds the said Edward Fogg only prayed the said
Appeal for the sake of unjustly delaying the payment of the
said Sum to the Petitioner and has not in any sort prosecuted
his said Appeale or so much as presented any Petition of
Appeale to Your Majesty although the time for so doing is
long since Elapsed. [pp. 260-1, 268.]

7 Nov. [13.] [Reference to the Committee of the petition of the
Cape Breton General Court of Massachusetts Bay] Setting forth the great
Island.