

158 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1752.
(1758.) [On the death of John Spooner, the Committee revive the
17 Feb. appeal by making Charles Spooner, his sole executor, a party.]
[XVI. p. 259 ; XVII. p. 38.]
- (1758.) [On the Committee report of 6 March, it is ordered that
1 April. Spooner be put in possession of the whole plantation (Eolus's
Valley) and that the Jamaica Chancery carry this order into
speedy and effectual execution. Names occurring in the
report are Joseph Hiscox, Zachariah Bourryan, Richard
Oliver, Sarah Cossley, and Mr. Holford.]
[XVII. pp. 47, 49-53, 93.]
- 11 Mar. [170.] [Reference to the Committee of the petition of
Antigua. Gedney Clarke and Richard Gosling, Esqrs., of St. Michael
parish, Barbados, for a day for hearing their appeal from a
judgment of the Court of Errors of Antigua, 12 March, 1751,
whereby a judgment confest by Robert Jocelyn, Esq., on
28 Sept., 1747, to Richard Smith by virtue of a warrant of
attorney to Jocelyn from William Jenkins, was amended by
adding the words, "for and in the name and behalf of William
Jenkins of the parish of St. Michael in the island abovesaid,
Esqr."]
[pp. 304, 551.]
- (1753.) [On the Committee report of 20 March, the appeal is
10 May. dismissed.] [XIV. pp. 353, 355-6, 408.]
- 11 Mar. [171.] [Reference to the Committee of the petition of
Barbados. Gedney Clarke, Esq., Collector of Customs and of the $4\frac{1}{2}$ %
Duty at Bridgetown, Barbados, for a day for hearing his
appeal from a decree of the Vice Admiralty Court there,
22 Feb., 1751, in favour of Stephen Wolfenden, John
Brichinsa, and Thomas Liddel, on his libel for condemnation
of the ship *Infant Augusta* with its guns, &c., and 21 head
of cattle, 10 asses, 50 hogs, and 2 pipes of Vidonia wine,
brought into the island contrary to law.] [p. 552.]
- (1753.) [Order, in accordance with the Committee report of 16 Jan.,
7 Feb. reversing the decree in part, and ordering the condemnation
of the whole of the cargo and the payment to the appellant
of his costs in the court below. The Committee heard the
case *ex parte*, no appearance having been entered for the

respondents. Wolfenden and Brichinsa, the owners, and Liddel, the master, admitted that the ship belonged to Hamburg, and set up the frivolous excuse that she was not registered, because she was bought in and sailed from a foreign port, the very case which some of the clauses in the Acts were made to prevent. Depositions were also made in the courts in Barbados by Joseph Owen, mate, Robert Forrester, second mate, and Hendrick String, carpenter, of the ship concerning the sale of the ship's longboat by Liddel eight days after the seizure was made.]

[XIV. *pp.* 210, 254, 282-5, 307.]

VOL. XIV. (1 April, 1752—31 Dec., 1753.)

[172.] [A Commission for Peregrine Thomas Hopson as Gov- 14 April.
ernor of Nova Scotia is approved. (P.R.) The only changes from Nova Scotia.
that given to the Hon. Edward Cornwallis are] the Omitting
that Clause, in the former Commission whereby the Governor
was empowered to nominate and appoint Twelve Persons to
be of His Majestys Council in the said Province and likewise
such other Officers and Ministers as the Service intrusted to
his Care might require, the necessity of which Powers no longer
existing His Majesty's intentions in giving them having been
already fully carried into Execution by the present Governor.
And in that Part of His Majesty's former Commission whereby
a Power is given of calling a General Assembly of the
Freeholders these Words are added, Vizt. " In such manner and
Form as you in Your Discretion shall Judge most proper or
according to such further Powers, Instructions and Authoritys
as shall at any time hereafter be granted or Appointed you
under our Signet and Sign Manual or by Our Order in Our
Privy Council." [p. 32.]

[Draft of instructions referred to the Committee.] [p. 44.] 23 April.

[Order in accordance with the Committee report of the same 7 May.
date recommending approval of the instructions. Articles