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of this Island, and repealing of an Act Entituled a Supplemental and explanatory Act.

That this Act is for amending a Mistake in an Act upon which the said Lords Commissioners have already submitted their observations in a former Part of this Representation.

That these are all the Observations which Occur to them upon these Twelve Acts, and they humbly submit whether it may not be for Your Majestys Service that they should all receive Your Royal disallowance, and what steps it may be proper to take to prevent the like Encroachments upon Your Majestys Royal prerogative and Authority for the Future.

[XV. pp. 29, 31, 40, 42, 46-55, 58, 61.]

[217.] [Reference to the Committee of the petition of Frederick, Lord Baltimore, setting forth the grant to his ancestor, Sir George Calvert, by James I on 7 April, 1624, of the province of Avalon, a large tract of land in Newfoundland with all islands within ten leagues of the eastern shore, and praying that John Bradstreet, Esq., may be appointed Governor of Avalon on the nomination of the petitioner as Lord Proprietary. 19 July.
Newfound-
land. [p. 442.]

[Referred by Committee to Board of Trade.] [p. 455.] 26 July.

[218.] [Reference to the Committee of the petition of Thomas Bontein, Esq., of Kingston, Ja., for a day for hearing his appeal from a Chancery order of 20 Jan., 1753, overruling his demurrer to a bill filed by Gov. Trelawny relating to three ships, *King's Meadow*, *Dolphin*, and *Mercury*, seized by the petitioner as Naval Officer and condemned in Jamaica, and that in the meantime proceedings against the petitioner for want of his answer to the said bill may be stayed.] 31 July.
Jamaica. [p. 459.]

[On the Committee report of 18 Dec. the appeal is dismissed.] (1754).
22 Jan. [p. 546; XV. p. 19.]

[219.] [Reference to the Committee of the petition of Lucas Rodriguez, commander of the Spanish schooner *La Santa Rosetta* for a day for hearing his appeal from the 10 Aug.
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condemnation of the vessel in the Vice-Admiralty Court of Nevis, 3 June, 1752, on a libel filed by John Scholes, a searcher, for having imported sundry merchandizes contrary to law.]

[p. 490.]

- (1756.) [In accordance with the report of the Committee, who heard
3 Sept. the case *ex parte* on 18 Aug., no appearance having been entered for the respondent, the sentence is reversed and Scholes ordered to account for and restore the value of the schooner and cargo with 100*l. stg.* costs. The petition set forth] that the said Schooner was fitted out for Sea at Perito, a Port in America belonging to the King of Spain, and was the property of Marcos Rodriquez a Spaniard ; who about April 1752 let her out to freight to several other Spaniards, who loaded her with 40,000 Weight of Cocoa, and sundry other Goods, and the said Schooner was duly cleared out from Perito with such Cargo on Board, and was intended for Martinique, the Cargo being consigned to a Gentleman residing there. That such Voyage being directly against the Strong constant Trade Winds, the Petitioner after beating up against the wind for twenty three days together, had got no farther than the Dutch Island of Eustatia ; And having in that time exhausted the Provisions and Stores which had been taken in at his Outset, he put in to Eustatia, and by the Governors permission there stayed about three Days, and got in Wood, Water and Bread for about Six days Provision ; That the Petitioner proceeded from thence to the Southward, in the Tract of his Voyage for Martinique, for Seven days Sail from Eustatia his last Port ; But then, besides the Constant contrary winds, the Petitioner met with a severe Squall, whereby the said Schooner fell away greatly to Leeward, And the said Squall continuing very strong at South, and, at the same time, a great Leake being discovered in the said Schooner, occasioned by the unusual Severity of the Weather, And there being then left on Board, but one single Barrel of fresh Water and no wood at all, and the imminent danger not only of the loss of the Schooner and her Cargo, but of the Lives

of the Mariners, appearing manifest, if they did not bear away before the wind to Leeward for some near Port, the Petitioner after a Consultation held by all the People on Board, did accordingly bear away to Leeward down to the open road of Your Majestys Island of Nevis, and arrived there on the 21st of May 1752, at about Nine of the Clock in the morning of that day ; that the Petitioner did instantly on his coming into the said Road, send his Boat on Shore to the Commander of Your Majesty's Fort, acquainting him with the Petitioners distress, and desired leave to come to an Anchor, which the said Commander gave leave to do ; the Petitioner also desired leave to have his Leak repaired and to take in a supply of Provisions, but for that last mentioned matter, the said Commander acquainted the Petitioners Men, that application must be made to the President of the Council, who was then the Commander in Chief of that Island ; And the Petitioner immediately sent to him and obtained his Leave as to the latter part of such Request. That the Petitioner having obtained such leave to Anchor, did upon the said 21st of May 1752, in Broad day between Nine and ten in the morning, with his Spanish Colours flying, openly and publickly Sail into the Common Road at Nevis under the Guns of Your Majestys Fort there, in the Sight of great numbers of Persons, and dropt his Anchor, but immediately thereafter, and before ever his Ship was settled at Anchor, Mr. John Scoles, a Searcher there, came on Board the Petitioners Schooner, and by force took away and carried on Shore the Petitioner and the whole number of his Passengers and Sailors (one Common Sailor only excepted) and also Seized and took away every one of the Petitioners Ships Papers and Sea Briefs, and Seized the said Vessel and her Cargo, declaring that she was a good Prize, and absolutely refused to let the Petitioner or any of his Ships Company stay on Board of, or return, to the said Schooner. That four days after the said Scoles had seized and taken away the Petitioners Vessel and Cargo, to wit, on the 25 of May 1752,

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he libelled the said Schooner, in the Vice Admiralty Court of Nevis. . . [The following names occur in the report, William Symonds, President of Nevis; Roger Pemberton, Judge of the Vice Admiralty Court, and Mr. Weekes, the Commander of the fort.] [XVI. *pp.* 257, 276-9, 296.]

14 Nov.
Massachu-
setts Bay.

[220.] [Reference to the Committee of the petition of William Vassall for a day for hearing his appeal from a judgment of the Superior Court at Boston, 12 Dec., 1752, on a writ of review brought by William Fletcher from a judgment of the said Court of the third Tuesday in Feb., 1752, affirming a judgment of the Inferior Court of the first Tuesday in Jan., 1752, in Fletcher's action] for Slander and defamation, charging the Petitioner with having said many words of the said William Fletcher to the prejudice of his Character and good name. [*pp.* 428, 506.]

(1754.)

31 Jan.

[In accordance with the Committee report of 22 Jan., the judgment of the Court of Review is reversed, but Fletcher is to be at liberty, after repaying Vassall the damages and costs awarded with interest, to bring a new action in the Inferior Court. The ground for reversing the judgment is that the plaintiff gave no evidence in either of the former trials on which the case could with any propriety be reviewed by a jury, and was therefore not entitled to a writ of review.] [XV. *pp.* 14, 25-8, 32.]

28 Nov.
Pennsyl-
vania.

[221.] [A Pennsylvania Act of 18 Aug., 1750, for the continuance of an Act of Assembly of this province entitled a supplementary Act to the Act entitled an Act for preventing the exportation of bread and flour not merchantable and for the new appointment of officers to put the said law in execution, is delivered by the agent and referred to the Committee.] [*p.* 522.]

4 Dec.

[Referred by Committee to Board of Trade.] [*p.* 530.]

28 Nov.
Barbados.

[222.] [Reference to the Committee of the petition of John Stone, Esq., of Barbados, and Margaret his wife, widow and devisee of George Ball, who was devisee of Joseph Ball,