

400 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1759.

unworthy to continue in it, and your Majesty will accordingly remove him from his Seat in the said Council. [The Order adds an instruction (not included in the Committee report) to report the result of the proceedings in this matter to the Board of Trade to be laid before his Majesty at this Board.]

[XVIII. *pp.* 479, 484.]

(1764.) [Reference to the Committee, and by them on 6 June to  
18 May. the Board of Trade, of the petition of Hutchison Mure, merchant, Andrew Miller, bookseller, and Sir Alexander Grant, Bart., all of London, and of Robert and Alexander Maitland, merchants of London, on behalf of Daniel Moore, merchant of Jamaica, praying for the removal of Witter from the Council of Jamaica or other relief to enable them to recover their just rights, which they have prosecuted in vain for several years.] [Geo. III. Vol. III. *pp.* 447, 466.]

(1764.) [On the Committee report of 17 July agreeing with the Board  
20 July. of Trade that Witter's estate is covered by collusive mortgages and deeds of trust and his person protected as a Councillor, order is given for sending a copy of the petition to the Commander-in-Chief of Jamaica, who is to deliver it to Witter with the same warning as in 1760, and to report the result.]

[III. *pp.* 532-3, 557.]

19 Jan. [372.] [Reference to the Committee of the petition of  
Jamaica. Hannah Blake, of Jamaica, widow, for a day for hearing her appeal from a Chancery decree of 31 March, 1758, on a bill filed by Alexander Paterson for her to account with him for his salary as overseer of the estate of Deans Valley and his disbursements on account of the estate.]

[*pp.* 260, 329.]

29 Mar. [On the Committee report of 8 March, the decree is reversed and Paterson's bill ordered to be dismissed with costs.]

[*pp.* 389, 402, 453.]

25 Jan. [373.] [An appearance is entered by F. J. Paris for Peter  
Jamaica. Furnell, respondent to the appeal of Zachary Bayly and others from Jamaica.] [p. 337.]

[Reference to the Committee of Furnell's petition that the Council dismiss for non-prosecution the appeal of Zachary and Nathaniel Bayly from a Chancery decree of 22 Aug., 1758, on Furnell's action against them in relation to the estate of Robert Thackeray, deceased.] [XVIII. p. 192.] 1759.  
 [The Baylys' petition for a hearing is referred to the Committee.] [XVIII. p. 335.] 9 Nov. (1760.)  
 [On the Committee report of 27 June, when all parties were heard, the appeal is dismissed. The only other names mentioned are ——— Guttarez and Organ Furnell.] 5 April. (1761.)  
 [Geo. III. Vol. I. pp. 362, 407-9, 425.] 2 July.

[374.] [In accordance with the Committee report of 1 Feb., agreeing with a Board of Trade representation of 18 Jan., referred to them on 30 Jan., a Virginia Act of 1752, for erecting a lighthouse at Cape Henry, is repealed. The Board of Trade represented] That this Act being of an Extraordinary Nature in as much as the Trade and Shipping of this Kingdom would be affected by the general Duty of Tonnage which it imposes has been passed with due regard to Your Majestys Instructions relative to such Acts accordingly contains a Clause suspending its Execution till it shall receive Your Majestys Approbation. 2 Feb. Virginia.

But there are several particulars in which this Act is defective. For it neither expresses any Computation of the Expence of erecting nor of maintaining the intended Light House nor does it appropriate the Surplus of the Duty which it imposes for those purposes and besides these Defects it is liable to One Objection which alone appears to Us to render it unfit to receive Your Majestys Confirmation and Allowance For the Duty of Tonnage being laid in General on all Ships and Vessels coming into and going out of the Bay of Chesapeak all Vessels Trading to and from Maryland would be comprized in those Words and be liable to that Duty And thus the Trade and Navigation of that province would be tax'd by the Legislature of Virginia to whose Authority the province of