

and proper Goods and Effects and to the Brigantine and Vessel called the Mentor her Apparel Tackle and Furniture and to the necessary and Suitable Provisions for the Voyage ; but ought not to be deemed to extend to protect or give Countenance to any illicit Trade, or to any Goods, Wares or Effects laden on Board the said Brigantine as Merchandize or Supplies to the Enemy ; His Honour by and with the Advice and Assistance aforesaid was therefore pleased to Order adjudge and Decree that the Defendant do forthwith make Restitution of and deliver unto the said Plaintiff the said Brigantine called the Mentor in the Pleadings of the Cause mentioned with her Apparel Tackle and Furniture : and also the proper and necessary Goods and Effects of the said Plaintiff his Officers Mariners and Prisoners and also the necessary and Suitable Provisions of and belonging to the said Brigantine Mentor and by the said Defendant taken and detained as in the Pleadings of the said Cause mentioned. And as to so much of the said Bill as seeks Relief for any Goods or Effects laden on Board the said Brigantine and Exported as Merchandize or Supplies for the Enemy ; His Honour by and with the Advice aforesaid was pleased to Order, Adjudge and Decree that the same and such part of the said Bill be and stand dismissed and reserve all further Considerations until the Court shall be informed after what manner this Decretal Order shall be Complied with." [From this dismissal of his bill Le Conte appealed, while Mantle appealed from the order for restoring the ship, etc. Mantle's appeal was upheld, and Le Conte's dismissed.]

[*pp.* 361 ; II. 121-3, 167.]

[439.] [Reference to the Committee of the petition of Jasper Hall, merchant, of Kingston, Jamaica, that the Council dismiss with exemplary costs for non-prosecution the appeal of John Harvey, Esq., of Kingston, one of the surviving executors of Alexander Macfarlane, Esq., from a Chancery order of 17 Nov., 1758, quashing the report of a Master in Chancery in a case relating to a partnership account.] [*p.* 186.]

28 Jan.
Jamaica.

472 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1761.

20 Mar. [On the Committee report of 14 March, the appeal is dismissed.] [pp. 244, 257.]

28 Jan. [440.] [Reference to the Committee of the petition of
Jamaica. Vicente Abendana, master and part owner of the Spanish ship *Armitad* or *Friendship*, and Don Francisco Xavier da Costa on behalf of himself and Juan Antonio de la Sierra and Andres Sesey, the other part owners, for a day for hearing their appeal from the condemnation of the ship in the Vice Admiralty Court of Jamaica, 27 Jan., 1757, on its seizure by the *Hawke* privateer, John Alexander, commander.] [p. 186.]

(1762.) [On the Committee report of 6 April, when the case was
12 April. heard *ex parte*, no appearance having been entered for the respondent, the judgment is reversed, and the ship and goods, or value thereof, ordered to be restored to the appellant.]

[II. pp. 135, 174, 200.]

28 Jan. [441.] [Reference to the Committee of the petition of
Jamaica. Zachary Bayly, administrator of Mark Warkman, merchant of Jamaica, deceased, for a day for hearing his appeal from a decree of the Jamaica Chancery, 22 Feb., 1758, on a bill filed against him and others by Thomas Jackson, planter, for 488*l.* 2*s.* 6*d.* currency for three pieces of Genoa damask.]

[p. 187.]

(1762.) [On the Committee report of 6 April, when the case was
12 April. heard *ex parte*, no appearance having been entered for the respondent, the decree is reversed and Jackson's bill dismissed. Maria Paxton, administratrix of Thomas Paxton, is named in the report as another defendant.]

[II. pp. 136, 173, 200.]

(1764.) [Reference to the Committee of Bayly's petition for leave
6 June. to appeal from an order of the Chancellor, 20 May, 1763, refusing to order Thomas Jackson to repay to him 977*l.* 0*s.* 9*d.*]

[III. p. 472.]

(1764.) [On the Committee report of 27 July, the appeal is admitted.
3 Aug. Security is given on 6 Aug. by Nathaniel Bayly and John Edwards of Lincoln's Inn Fields.] [III. pp. 586, 600.]