

50 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1747,

(1748.) [On the Committee report of 20 May, the Act is repealed.
30 June. The Board of Trade objected] That This Act enlarges the Qualifications of the Electors as also of the persons to be Elected to Serve in the General Assembly of the said Province without any Apparent reason for such Alteration, and for this purpose repeals the third and Eighth Clauses in An Act passed in the said Province in September 1721 Entitled “ An Act to ascertain the Manner and Form of Electing Members to represent the Inhabitants of this Province in the Commons House of Assembly and to appoint who shall be deemed and Adjudged capable of chusing or being chosen Members of the said House ”—That this Act likewise repeals the Twenty first Clause in the said Act by which it is Enacted “ That the General Assembly shall be dissolved every three Years next after the date of the respective Writs by which they are called ” and directs the Assembly to continue only for One Year, That there is likewise a further Clause in this Act by which it is Enacted “ That no person whatsoever holding possessing or enjoying any Office or place of profit in this province whereby he shall receive a Yearly Salary from the publick to be raised by the General Assembly shall hereafter be capable of Serving as a Member of the Assembly during the time such person shall be possessed of such Office or place any Law Usage or Custom to the contrary in any wise notwithstanding.” That this Act appears to be of a very extraordinary Nature and likewise repeals three Clauses of a former Act passed in the said province without having any Clause inserted therein suspending the Execution thereof until His Majestys pleasure should be known as required by the 19th Article of His Majestys Instructions to the Governor of the said Province. [XII. pp. 25, 50.]

8 Sept. [68.] [Reference to Committee of the petition of Richard
Jamaica. Cargill, Esq., of Jamaica and Milborough his wife, late Milborough Hodgins, for a day for hearing their appeal from a Chancery decree, 10 Dec., 1746, in favour of Edward Hodgins,

1747.

Gibbons Hodgins, John Speke Sutton and Elizabeth, his wife.] [p. 386.]

[Committee order for hearing on 4 April, and for affixing the usual summons on the Royal Exchange and elsewhere, as none of the respondents has entered an appearance.] [XII. p. 204.] (1749.) 1 Mar.

[An appearance is entered for Sutton ; and his cross appeal referred to the Committee.] [XII. pp. 245-6.] (1749.) 2 May.

[Committee order for hearing Sutton's appeal on 20 June and for affixing the usual summons.] [XII. p. 247.] (1749.) 11 May.

[Appearance entered for the Cargills.] [XII. p. 248.] (1749.) 12 May.

[Orders are given in accordance with the Committee report of 27 June, reversing the decree and giving further directions. The appeal, which related to the will of George Hodgins, and involved John and William Hodgins, and Mary, wife of Thomas Cusans, besides those already named, was heard *ex parte*, no appearance being entered for Edward and Gibbons Hodgins.] (1750.) 28 June.

[XIII. pp. 35, 39.]

[69.] [Reference to the Committee of the petition of William Thomas, Esq., and Thomas Croose gent., of Jamaica, that the Council may dismiss with costs for non-prosecution the appeal of William Orgill from a Chancery order, 16 April, 1744, allowing a demurrer put in by the petitioners to a Bill of Revivor and Supplemental Bill filed by William Orgill against them in relation to a debt due from Jasper Ashworth to John Orgill deceased.] [pp. 345, 405.] 2 Oct. Jamaica.

[On the Committee report of 9 Feb., Orgill's appeal is dismissed with 10*l. stg.* costs.] [pp. 528, 540.] (1748.) 10 Feb.

[70.] [Reference to the Committee of the petition of Richard Kenner of Virginia for a day for hearing his appeal from a judgment of the General Court, 15 Oct., 1745, on an ejectment brought by him to recover from Jesse Ball seven messuages, a water grist mill, and 3,000 acres of land in Lancaster County.] [p. 443.] 4 Nov. Virginia.

[Committee. On a motion to report that the appeal should be dismissed with costs, having been abated a considerable (1749.) 8 Dec.