

§ 72 *cont.*]

1768.

report of 28 June, agreeing with a Board of Trade representation of 18 Feb., referred to them on 26 Feb., showing that besides the want of a suspending clause, the following objections have been made by Sir M. Lamb :—] That this Act is of a very new and extraordinary kind, being to enable a married woman to prosecute Actions, and making her Liable to be prosecuted in the same manner as if she was a Female Sole, her Husband having left her some Years and gone to Foreign Parts, and no Person being empowered in the province to bring any Actions in his behalf : That this relates to a private concern between the Parties, and is a Matter in which (as he thinks) the Legislature should not Interfere ; That the Woman is in the same Condition as all other Married Women are, and must submit to such Remedies as the Law will admit of under the Circumstances of her Case ; That, was the Legislature to make a Law for every Particular Case, That may happen the Inconveniencies would be very great ; And that in this Case there is something extraordinary, for by this Act the Defendant, in an Action brought by the Woman, may have his Costs levied on the Goods and Chattles of her Husband, who is no ways Privy to the Action brought and yet may be liable to suffer by it. [pp. 89, 210, 223.]

[73.] [Reference to the Committee of the petition of John Millward, James Lewis, and Thomas Penoyre, executors and trustees named in the will of John Gardner, for a day for hearing their appeal from a decree of the Jamaica Chancery, 6 July, 1767, in a case arising out of an annuity in lieu of dower payable from Gardner's estate to Grace, wife of John Lindsay.] 29 June, Jamaica. [pp. 225, 244.]

[On the Committee report of 15 Mar., the decree is affirmed, and directions given for carrying into execution the agreement for payment of the annuity. The Lindsays are to allow their names to be made use of for recovering her dower out of the real estate, on being indemnified.] (1769.) 14 April. [pp. 501-2, 538.]

[74.] [Order in accordance with the following Treasury representation of 2 July :—] Whereas by an Act Passed in 6 July. Plantations.