

378 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1773.

- 28 July. [261.] [Reference to the Committee of the petition of
Jamaica. Abraham Solomons, merchant, for a day for hearing his
appeal from a decree of the Jamaica Chancery, 22 June, 1772,
in an action of account brought by Sarah Israel.] [p. 257.]
(1774.) [On the Committee report of 12 May, the decree is reversed.]
20 May. [XI. pp. 46-8, 77.]

- 28 July. [262.] [Reference to the Committee of the petition of
Jamaica. Thomas Cussans, of St. Thomas in the East, Surrey county,
Jamaica, eldest brother and one of the next of kin to Jane
Richards, widow, deceased, for a day for hearing his appeal
from a decree of the Court of Ordinary, 3 July 1772, in a
case between him and Richard, John and Thomas Cargill
and John Macdonald, about the administration of
Mrs. Richards' estate.] [pp. 258, 321.]
6 July. [On the Committee report of 20 June, the appeal is dismissed.
Mrs. Richards' husband was named George, and her children
George Cussans and Elizabeth Mary.] [XI. pp. 140, 169.]

- 28 July. [263.] [Reference to the Committee of the petition of Peter
New Jersey. Wickoff and Joseph Reed, assignees of Ezekiel Forman, late
of New Jersey, for leave to appeal from a judgment of the
Governor and Council as a Court of Errors, reversing a verdict
of the Supreme Court in April, 1770, in Forman's action
against William Ouke, manager of Bill Island Lottery, to
recover the amount of a fortunate ticket held by Forman.]
[p. 258.]

- 4 Aug. [264.] [Reference to the Committee of the petition of John
West Florida. Campbell, Esq., of Pensacola, that the Council dismiss with
exemplary costs for non-prosecution the appeal of Samuel
Thomas and Phillips Comyn from the condemnation of the
brig *Africa* in the Vice Admiralty Court of West Florida,
2 June, 1772.] [pp. 240, 266.]
31 Dec. [On the Committee report of 17 Dec., the appeal is dismissed,
with 20*l. stg.* costs, for non-prosecution.] [pp. 377, 396.]
(1774.) [Reference to the Committee of Campbell's complaint that
19 Dec. the Chief Justice, William Clifton, has issued a writ of

§ 264 *cont.*]

1773.

prohibition against all concerned in executing the Order in Council of 31 Dec.] [XI. p. 318.]

[Order, in accordance with the Committee report of 12 Jan.,] (1775.)
that the party should not proceed upon the Writ of Prohibition, 23 Jan.
but that the Chief Justice should Order a Consultation, and
that the Governor should be directed to give proper Orders
for enforcing the sentence of the Court of Vice Admiralty of
the 13th of June, 1772. But a marginal memorandum and a
separate entry of 6 March 1775, show that "This Order was
directed not to be issued until further Directions." The
case concerned a trunk belonging to Campbell, shipped at
London but not delivered at Pensacola. Clifton's reason for
intervening was that the Admiralty Court was incompetent
to determine the claim; but the respondents had acceded to
its jurisdiction by their proceedings. John Stephenson and
Thomas Bouker are also named in the report.]

[XI. pp. 353-8, 374, 442.]

[265.] [Three New Jersey acts of Aug.-Sept., 1772, are 1 Sept.
disallowed, and one confirmed, in accordance with a Committee New Jersey.
report of 26 Aug. on a Board of Trade representation of 27 May,
referred to them on 9 June :—]

1. An Act to naturalize John Felthausen.
2. An Act for the Relief of Benjamin Ayars now a
prisoner in the Goal of the County of Cumberland.
3. An Act to Enable all persons who are His Majestys
Liege Subjects, either by Birth or Naturalization, to
Inherit and hold Real Estates, notwithstanding any
Defect of Purchases made before Naturalization within
this Colony.
4. An Act to Dissolve the Marriage of David Baxter
with Margaret his Wife late Margaret McMastry.

[1. Disallowed. The Board of Trade declared that it was
for the law officers to determine whether the colonies were
warranted in passing such acts of naturalisation, and, if not,
suggested a circular instruction to that effect. *Vide infra* and
Appendix I.