

382 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1773. § 266 *cont.*]

the Act will bear) he conceives the Law to be Improper to continue in Force, unless it should receive such Alterations by some Explanatory Act, as will perhaps be more Difficult than to pass a New Act. [pp. 254, 279, 295.]

1 Sept.
Prince
Edward
Island.

[267.] [On a Committee report of 26 Aug., agreeing with a Board of Trade representation of 14 June referred to them on 30 June, the islands of Panmure, Boughton and Lenox are granted to James Montgomery, Lord Advocate of Scotland, at a quitrent of 4s. per 100 acres. The islands are adjacent to land already in Montgomery's possession, and Governor Paterson reported to the Board of Trade on 27 Nov. 1772, that the first two at the entrance to Cardigan Bay are about 800 acres each, Lenox in Richmond Bay a little larger, and that, although the soil is reported to be good, there is no immediate prospect of selling them to advantage. Montgomery's great zeal and activity in carrying on the settlement of the island are specially commended by the Board, and this new grant is recommended as being for his Majesty's service and the public good.] [pp. 232, 283-5, 298.]

(1775.)
30 June.

[Reference to the Board of Trade of the petition of Thomas Desbrisay, Lieut.-Governor of the island of St. John, for the grant of the other small islands adjacent and belonging to St. John,—about 800 acres in all.] [XII. p. 58.]

29 Oct.
New
Hampshire.

[268.] [Reference to the Committee of the petition of George Wentworth of Portsmouth, New Hampshire, for relief from the many delays of justice and expenses he has incurred in prosecuting his right to 1,000*l.* due to him as executor of George Wentworth, deceased.] [p. 327.]

29 Oct.
Dominica.

[269.] [Reference to the Committee of the petition of John Fordyce, Andrew Grant, and William Trotter, merchants of London and partners, for a day for hearing their appeal from a decree of the Governor and Council of Dominica as a Court of Errors, 26 June, 1773, reversing a judgment of the Court of Common Pleas, 26 May 1772, in their action to recover 24,057*l.* 15*s.* 10*d.* due upon bond from James Morson,

§ 269 *cont.*]

surviving partner of Messrs. Hunter, Morson and Gemmell.]

[*pp.* 328, 456.]

[On the Committee report of 12 Jan., the decree of 1773 is reversed. Other names in the report are Walter Skirrett, and John Morson.] (1775.) 23 Jan.

[XI. *pp.* 349–51, 373.]

[270.] [Reference to the Committee of the petition of Charles Dudley, collector of customs in Rhode Island, for a day for hearing his appeal from a judgment of the Superior Court in March 1773, awarding John Innis Clarke and Joseph Nightingale, owners of the schooner *Industry*, 500*l.* 14*s.* 7*d.* and costs for refusing to receive the duties on 26 hogsheads of sugar and 55 hogsheads of molasses seized on board the vessel.] 29 Oct. Rhode Island.

[*pp.* 328, 446.]

[On the Committee report of 21 June, the judgment is reversed. On arriving at Newport on 27 June 1772, James Munro, the master of the *Industry*, reported at the Custom House only 33 hogsheads and 12 tierces of molasses, but later on the same day John Linzee, commander of H.M.S. *Beaver*, seized an additional quantity of molasses and sugar found on board the vessel, which were condemned in the Vice Admiralty Court. On 1 July the owners, who lived 30 miles from Newport, tendered the duties on the goods seized, but Dudley refused to admit them to an entry. A customs officer was on board at the time of the seizure, which took place before the schooner arrived at Providence, where she was owned and to be exchanged : no part of the cargo had been unloaded.] (1775.) 30 June.

[XII. *pp.* 26–31, 54.]

[271.] [Reference to the Committee of the petition of Charles Dudley, collector of customs in Rhode Island, for leave to appeal from certain orders of the Superior Court in 1772–3, in favour of Nathaniel Shaw relating to the condemnation of 109 casks of molasses and 2 casks of coffee seized on board the brigantine *Mermaid*, and for the stay of proceedings on a writ of restitution.] 29 Oct. Rhode Island.

[*p.* 329.]

[On the Committee report of 19 Dec., the appeal was 31 Dec.