

Treasurer of the island for three years, he was alleged to have misapplied the money and has not yet accounted for it. Downes replies that he had misapplied no money, that several of his accounts have been balanced, and that an account is now lying before a Committee of the Council and Assembly but cannot be passed without a particular order from the Governor; (6) the Council alleged that Downes publicly slighted and condemned her Majesty's letter by disrespectful and indecent expressions; which Downes absolutely denies; (7) it was alleged that Downes falls under the category of persons who should not be admitted to public trusts and employments because their ill fame and conversation may occasion scandal. He turned out of doors his wife, by whom he had a considerable estate, and lived for seven years with another woman. The Court of Chancery allowed Mrs. Downes 150*l.* alimony. Downes denies that he turned his wife out: he allowed her 150*l.* per annum, a sum proportionable to the fortune she brought him: he is ready on any legal prosecution to clear himself of the other aspersion; (8) the Council alleged that Downes violated the freedom of elections and prevented the determination of the Assembly thereon by getting so many of the members to absent themselves that there was no quorum; and that he required the Governor to admit him to the Council in an arrogant and insolent manner; both which facts he absolutely denies, abstaining from recriminations in order to heal the divisions in the island.

[135.] NEW YORK. *Council*. B. of T. representation for 6 July.  
R. Mompesson, J. Barberie, and A. Philips. II. p. 821.

[136.] VIRGINIA. *Wright and Burgess v. Rees*. Committee 6 July.  
report. II. p. 487.

[137.] BARBADOS. *G. Lillington*. (1) His petition and (2) 11 Oct.  
heads of complaint; (3) B. of T. representation of 22 Oct.; II. pp.  
(4) further petition, and (5) order of 29 Nov. for hearing 492-3  
this petition in Dec.

40 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1705-6. § 137 *cont.*]

Lillington was fined 2,000*l.* for having spoken scandalous and seditious words concerning the Governor. The informer against him was Thomas Lesly, a servant whom he had dismissed and who had threatened to have revenge on him. Lillington alleged that his defence was obstructed in several irregular ways at the trial. His second petition was for the rectification of certain misrecitals and defects in drawing up the Order of 26 Oct., and for a copy of the Committee report on which it was grounded.

Read [138.] BARBADOS. *Petition of Edward Chilton*. He heard 5 Dec. of one indictment for words supposed to be spoken against II. p. 496. the Governor only three hours before he was forced to come to trial, and no longer time allowed him to bring his witnesses from a distance. He was never arraigned upon, nor ever pleaded to, the second indictment. On the first he was fined 25*l.* and on the second 50*l.*

[139.] CHARTER AND PROPRIETARY GOVERNMENTS. Copy of a "Bill brought into Parliament in 1705 for vacating Charter Governments in America." 4 *pp.*

1706.

1706.

10 Jan. [140.] CONNECTICUT. *Appeals of E. Palmes*. His petition II. p. 453. for a hearing: and Committee report of 9 Ap. (8 Ap. in Vol. II.)

7 Feb. [141.] PENNSYLVANIA. *Acts*. Order on 105 Acts. II. p. 851.

27 Feb. [142.] NEWFOUNDLAND. *Convoy for fishing trade*. Admiralty II. p. 504. report.

7-9 Mar. [143.] PLANTATION TRADE. *Ships freed from embargo*. II. *pp.* 10 Admiralty reports: and one of 11 Sept. 490-1.

19 March. [144.] BARBADOS. *Act*. B. of T. representation for dis-II. p. 829. allowing an Act to ratify all instruments relating to the titles of lands and tenements, slaves and other hereditaments.