

1699.

Dalton late master and part Owner of the Friendship Sloop of New Providence in America, in behalf of himself, his mate and mariners, complaining of Fransico Ferdinando a Spaniard of Compeachy for taking away the said Sloop and her Cargo as Prize on the 2d of March 1697 as she was at Anchor, between the West End of Cuba and the Maine, and of other hard Usage and Sufferings by the Spaniards, Alleaging their Losses thereby Sustained, Amount to near Three Thousand five hundred Pounds and praying to be Releived. [p. 344.]

(1700.)

[On a further petition of Dalton praying letters of marque and reprisal, since nothing has been effected by Mr. Stanhope's intervention at the Court of Spain, further representation is ordered to be made at that Court by the Earl of Jersey.]

18 April.

[Vol. VI. p. 7.]

[747.] [On condition that security be given and that execution be not meanwhile stayed, the Council admit for hearing on the first Council day in June 1700, the Appeal] of George Peers of Barbados merchant, in behalf of himself and the rest of the Owners and Laders of the Sloop called the Turtle of Barbados, Robert Cunningham master, Setting forth that about the month of July 1697, The Petitioners laded on Board the said Sloop at Barbados, some sugar, Rum, Malosses and Negro Slaves, to the value of above Twelve hundred Pounds, and sent her on a Trading Voyage to Charles Town in the Province of Carolina; where she arrived on the 14th of August following. That on her arrivall in the said Port, the master duly Entred the said Sloop with the Navall Officer there Mr. Jonathan Amory, who afterwards seized and proceeded against her and her Cargo, in the Court of Admiralty of Carolina, as forfeited on pretence that the master was a Scots man, and so not navigated according to the Act of navigation. That the said Court on the 27th of August last, condemned the said Sloop and Cargo as forfeited, only because the master was a Scots man borne; From which Judgement the Petitioners Correspondents would have appealed, first to the Governor and Councill there, and afterwards to His Majesty

31 May.
Carolina.

334 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1699. in Council, But were Refused; Wherefore humbly praying to be admitted to Appeal from the aforesaid Judgement. .
[p. 345.]
- (1700.)
20 June. [His petition for a short day for hearing is referred to the Committee for Appeals. The defendant's agent, Mr. Mountague, is required to attend their Lordships from time to time.]
[Vol. VI. p. 57.]
- (1700.)
31 Dec. [Committee for Appeals. On consideration of the case of the *Turtle* of Barbados referred on 20 June, it is alleged that the informer against the vessel or his executors had not been duly summoned, and the Committee recommend that the hearing of the case be further postponed till 1 June 1701.] [VI. p. 123.]
- (1700.)
31 Dec. [Order accordingly.] [VI. p. 125.]
- (1701.)
17 July. [The petitioners seek a hearing, copies of the proceedings having been transmitted and all the parties summoned. They are referred to the Committee for Appeals.] [VI. p. 233.]
- (1701.)
11 Sept. [The Committee agree to hear their appeal.] [VI. p. 256.]
- 15 June. [748.] [The Council refer to the Admiralty the petition of West Indies. Elizabeth, widow of Charles Coates, late captain of the *Owners' Content* under the command of Col. Russell to be considered for the loss of her husband in his Majesty's service.] [p. 348.]
- 22 June. [749.] [Order as to Robert Chaplain of London.—C.S.P. Barbados. XII. 544.] [p. 349.]
- (1700.)
20 June. [The Council refer to the Committee for Appeals the petition of Robert Chaplin of London, merchant, for a speedy hearing of his appeal against a sentence of the Governor and Council of Barbados in favour of Captain Alexander Cunningham, the petitioner having obtained authentic copies of all proceedings relating to the said appeal.] [VI. p. 56.]