

614 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1738. patent, but the late Governor refused to admit Hammerton as Register.] [p. 597.]
- 27 July. [Referred by Committee to Board of Trade.] [p. 610.]  
(1739.)
- 2 Nov. [Committee postpone for the present the consideration of the Board of Trade report.] [VI. p. 386.]
- 20 July. [445.] [Reference to the Committee of the petition of John  
South Hammerton, Secretary and Register of South Carolina,] Carolina  
setting forth that the Petitioner and several other of His Majesty's Officers in that Province compounded their Fees for the Surveying and Granting the Lands in the New Townships Ordered to be laid out in the said Province by agreement with the Governor and Council and the Petitioner accepted of Seven hundred pounds Carolina Currency to be paid by the Publick Treasurer of that Province every 25th of March notwithstanding the Governor hath issued proper Orders to the said Publick Treasurer for the payment of the Sums due to the Petitioner and the other Officers yet he hath refused to pay Obedience to the said Governors Orders and therefore humbly praying that His Majesty will be graciously pleased to give such Instructions to the present Governor of that Province for procuring payment of the Sums due to the Petitioner and the other Officers upon the said Agreement as to His Majesty in His great Wisdom shall seem meet.  
[p. 597.]
- 27 July. [Referred by Committee to Board of Trade.] [p. 611.]
- 25 July. [446.] [Reference to the Committee of the petition of Isaac  
Antigua. Royal, Esq., of Antigua, and of Richard Roe his lessee that the appeal of Peter Wilcox, Giles Wilcox, Anne Reynolds, Francis Hamilton and Sarah, his wife, and Lydia Stephens from a judgment of the Court of Errors in Antigua, 2 Jan., 1735, reversing a judgment of the Court of King's Bench and Common Pleas, 19 June, 1734, on his action of ejectment to recover a third part of Sancta Maria Plantation in Antigua, may be dismissed for non-prosecution.] [p. 600.]

1738.

[In accordance with the Committee report of 27 July, the appeal, admitted 3½ years since and not prosecuted, is dismissed with 10*l.* costs.] [pp. 607, 615.] 31 July.

[447.] [Reference to the Committee of the] Petition of Wavel Smith Esqr. Secretary of the Leeward Islands humbly praying for the reasons therein set forth that His Majesty will be graciously pleased to Order that he may be permitted to bring a Writt of Error from a Judgement given against him in the Court of King's Bench and Common pleas on the 22d of July 1735 . . . And also further praying that the Cause may be heard without delay after the Writ of Error shall be brought and that in Case Either party should find himself Aggrieved by the determination of the Court of Errors that then they may Appeale therefrom to Your Majesty in Council. [p. 601.] 25 July. Antigua.

[Committee report for granting the petition, which sets forth] that at a Court of General Sessions of the Peace of Oyer and Terminer and Goal Delivery Held at the Town of St. Johns in Your Majestys Island of Antigua on the 12 of February 1733 an Indictment was preferred in the name of Thomas Jarvis against the Petitioner as Secretary of the said Island and an Officer of the Court of King's Bench and Common Pleas there for having on the 30th of March 1733 Extortiously Demanded and taken of John Burke Esqr. Thirteen Shillings and Six pence Current Money of Antigua for drawing an Execution and Bill of Costs in an Action in the said Indictment mentioned and which Fee is laid to be more than is appointed by the Dockett of Fees therein taken Notice of—That afterwards and before any further proceedings had on the said Indictment the Petitioner removed the same by Certiorari into the said Court of King's Bench and Common Pleas where the said Indictment came on to be tryed on the 15th of April 1735 and the Jury found a General Verdict against the Petitioner and the Court on the 22nd of July following gave Judgment thereon and fined the Petitioner no less than One hundred pounds and which has been since Levyed and 27 June.