

198 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1753.

therefore prays, that the Additional Instruction lately given by His Majesty, may be so far explained, or such further Instruction be given, as may admit Appeals to His Majesty in Council, in Cases where the matter in Question relates to the Titles of Lands, Messuages or Tenements, and on which the Right to other Lands, Messuages, or Tenements of the full value now Limited for the allowing of Appeals, depends, altho' the value of the Lands immediately appealed for, be of less value. [XV. p. 465.]

(1755.)

12 Aug. [On the Committee report of 7 Aug., the Council approve an additional instruction prepared by the Board of Trade on an order made by the Committee on 23 July, when they approved the original representation of the Board of Trade recommending that the petition be granted, as the Attorney and Solicitor General consider it convenient and reasonable.] [XV. pp. 470, 484, 498.]

7 Feb.
Barbados.

[203.] [Reference to the Committee of the petition of William Kennedy, Esq., of Barbados, for a day for hearing his appeal from a Chancery decree of 19 Feb., 1752, on a bill filed by John Gay Alleyne and Christian his wife, and Thomas Nicholas, for an injunction against him to stay his proceedings on a *Scire Facias* to have satisfaction of a judgment confessed by George Nicholas, Esq., deceased, to Oliver Kennedy, Esq., deceased, on 5 July, 1725.] [p. 315.]

7 Feb.
Leeward
Islands.

[204.] [Reference to the Committee of the petition of Wavel Smith and Savile Cust, Esqs., Secretary and Clerk of the Crown of the Leeward Islands, for leave to bring a writ of error from a judgment of the Court of King's Bench and Common Pleas in St. Christopher, 14 July, 1752, and if necessary to appeal to the King in Council in their action of trespass against William Buckley] for money for their Use, by him had, and received for Fees due to them by Virtue of their said Offices. [p. 315.]

7 Mar.

[On the Committee report of 27 Feb. the petition is granted. As far back as the records of St. Christopher go, *i.e.* 1675, it was customary to record in the office of Secretary, powers

of attorney for recovery of debts in the island, and for this the Secretary received a fee. To this office the petitioners were appointed by letters patent under the Great Seal of Great Britain on 18 Oct., 1722. On 14 June, 1727, an Act was passed in St. Christopher establishing a compulsive registry of all deeds, conveyances and wills of lands and slaves there. William Buckley is the Register of this new office, appointed by the Governor, Council and Assembly, and has encroached yet farther on the petitioner's office, as in the case of powers of attorney to sue for debts. The petitioners brought their action on a particular case of this kind, but as it affects the rights of an office, the matter in dispute may in the course of years greatly exceed the sum appealable.]

[*pp.* 324-6, 345.]

[205.] [Horatio Sharpe is approved as Lieut.-Governor of Maryland on the usual conditions.] 7 Mar. Maryland. [*p.* 340.]

[Board of Trade report of 18 April with trade instructions for the proprietor referred to the Committee.] 19 April. [*p.* 387.]

[Sharpe takes the oaths. The instructions are approved (P.R.), on the Committee report of 19 April approving the Board of Trade report that security has been given, and that the instructions differ from those given to Samuel Ogle in the direction to correspond with the Board of Trade instead of with the Secretary of State in accordance with the Order in Council of 11 March, 1752, and in the following particulars :—] 10 May.

That in the first Article of these Instructions they have inserted the Titles of many Laws, which were omitted when the former Instructions were given to the late Lord Baltimore, for the Direction of Mr. Ogle and of such as have been passed since that time relative to the Plantation Trade.

That they have added the 3d and 7th Articles, and have made Additions to the 2nd 6th 9th and 12th Articles, chiefly containing Directions for the more effectual preventing Frauds in the Plantation Bonds, conformable to a Representation of the Commissioners of Your Majestys Customs in the Year 1737.