

Act of Assembly of this province, and asks him whether he did not transport & Carry in his Sloop several Goods from Williamstadt to Virginia, without paying the Ten p Cent, who says that he did take Goods on Board his sloop at Williamstadt which he carried to Potomock & from thence to Virginia; Cap^t Rich^d Cheshire (a party concern'd in the s^d Goods) being called in & appearing was asked about the premises the said Cheshire says that he findshimself vnder a mistake and is ready to pay the s^d Duty, which he humbly Craves the favour off, and that no further proceedings may be made therein; Ordered that the s^d Matter be Referred to M^r Attorney & Sollicito^r Gen^l for them to Report what the Law says in that Case, and in particular to his Ma^{ty} Receiver.

The which came Reported as follows Viz^t

In obedience to your Excell^s Commands We have pervsed the within Representation & do humbly conceive that Goods transported from Williamstadt to Stafford County in Virginia ought to pay the Duty of Ten p Cent, pursuant to the late Act of Assembly in that Case made & provided, it not coming within the benefit of the Exception of that Law, it not being in potomock River & exported directly from thence to that Colony, all which is humbly submitted by

Yo^r Ex^{ncies} most obedient & humble Servants

George Plater
Will^m Dent

Cap^t Cheshire by his humble Petition here p^rsented, setting forth that having made Entry of the aforementioned Goods with the Officer of the port of Williamstadt appointed, was at the same time made sensible of the intended design of Carrying the same down to potomock and from thence to Virginia, and had permit from the Dep^{ty} Collector for the same accordingly who was of Opinion that Goods transported from the River of Potomock to Virginia were Duty free; therefore prayed no Advantage might be taken of that Seizure, being then & now also willing to pay the s^d Duty of Ten p Cent Which s^d petition & Case being put to M^r Attorney & Sollicito^r Gen^l for Answer, Came Reported as follows, viz^t

To his Ex^{noy} the Govern^r in Council &c^a

In obedience to your Excell^s Commands hereunto Annexed We humbly say that if the true Owner or Exporter of the Goods did make an Entry of them with the Officer appointed acquainting him where he intended to Export them, and the Officer Refused or Omitted to Charge the Exporter with Ten p Centum vnder misconstruction of that Clause in favour