

1699.

Injunction and the Decree for the said 1214*l.* 17*s.* 5½*d.* be Reversed and set aside by His Majesty, And the appellant permitted to take his Remedy at Law in Barbados against the Defendant [and] that in the Hearing and Determining the said Differences between the said Parties, The Courts in Barbados do allow of the Balance of the Accompt Stated between the Defendant and the said Peers in the year 1686, And that the Accompts be Stated between the said Parties from the said Balance without Retrospect before that time ; As also that the Damages to be Allowed to the Defendant for the said Peers not having put the said fifty Negroes on the Plantation within Three years from the Lease in 1685, according to the Covenant in 1684, be Tryed and Assessed, by a jury of twelve Men upon Oath in Barbados, and be Reckonned only from the first of March 1688, being three years after the making of the said Second Lease.

[VI. *pp.* 93-94.]

(1700.)

5 Nov.

[Order accordingly.]

[VI. *p.* 97.]29 June.
Bermuda.

[750.] [The Council refer to the Committee for Appeals the] Petition and Appeale of Martha Johnstowne, Widdow and Relict of Captain Edward Johnstowne, late of the Island of Bermudas, and formerly the Relict and Executrix of Thomas Outerbridge the Elder, and of William Outerbridge junior Son and another Executor of the said Thomas, Praying to be releived as to their Pretensions to a House and One Share of Land in Hambleton Tribe in the said Island, which was mortgaged by William Outerbridge Father of the said Thomas, to Robert Wood Esqr.

[*p.* 352.]

(1701.)

24 April.

[Their further petition is similarly referred, the hearing of the case on the former reference having been prevented by the death of John Place and some hopes of accommodation.]

[Vol. VI. *p.* 192.]

(1702.)

29 Jan.

[On the report of the Committee for Appeals the Council reverse the judgment of the Court of Chancery in Bermuda

of 7 Nov. 1696 which dismissed the appellants' bill against William Place touching the house and lands in question.]

1699.

[Vol. VI. p. 332.] (1704.)

[The Council refer to the Committee for Appeals the petition of Rhoda Place, widow, and William Place, an infant, for hearing their appeal against a decree of the Bermuda Chancery in favour of Martha Johnstowne and others.]

6 Sept.

[Anne, Vol. II. p. 173.]

[751.] [The Council refer to the Committee for Appeals the] Petition of George Powell of the Island of Antegoa in America Planter Brother and Administrator of Captain Garret Powell of the said Island deceased, Praying Liberty to proceed on a Decree made in his Majestys Court of Chancery in the said Island in a Cause depending between John Cockrane and Robert Cockrane by his Father and Guardian William Cockrane and the said Garret Powell and Elizabeth his Wife, formerly the Wife of Col. Archibald Cockrane, notwithstanding the Appeal of the said William Cockrane in regard he hath neglected to prosecute the same within the time limited, And that the Bond of 1000*l.* entred into by him and his Suretys may be put in suit in order to satisfy the Petitioner the Expencc and Damage he has susteyned by the said Vexatious Appeale.

29 June.
Antigua.

[p. 353.]

On the Petition of George Powell of Antigoa, The Partys concerned to be summoned to attend the next Committee.

6 July.

[p. 355.]

[His petition for liberty to proceed on the decree is ordered to be sent to the Governor of the Leeward Islands, to examine it, and to grant it if true, the Committee for Appeals having reported] that there was a summons sent upon the Exchange, and time given for the Appellant to appear, But the messenger who served it, was informed by divers Eminent Merchants Trading to the Leeward Islands, that the said appellant was not in England, nor expected that they knew off, and it being Eight months since that the said appeal should have been prosecuted, as the Petitioner sets forth.

3 Aug.

[p. 362.]