

1701.

delay to the petitioners' bill filed in the Chancery Court there for the recovery of the portion assigned to Elizabeth by her father William Sharpe and detained from her by his sons, the defendants.]

[Anne, Vol. II. p. 61.] (1704.)

[On their report on the petition, in which the delay is ascribed to the influence of William Sharpe the younger, who is a member of the Council and a Chancery Judge in Barbados, the desired letter is ordered to be prepared by one of the Secretaries of State.] 9 March.

[Anne, Vol. II. p. 77.] (1704.)

[A petition of William Sharpe and his wife Barbara relating to the proceedings both here and in Barbados, is referred to the Board of Trade.] 23 March.

[Anne, Vol. II. p. 90.] (1704.)

[The Council refer to the Committee for Appeals the petition of James and Elizabeth Cowes for a hearing of their appeal from a decree of the Barbados Chancery of 17 May dismissing their bill.] 6 Sept.

[Anne, Vol. II. p. 173.] (1704.)

[The Committee recommend that the decree be reversed and the defendants obliged to answer the appellants' bill, and that the decree of April 1693 in favour of Wm. Sharpe be annulled so far as it relates to Elizabeth Cowes.] 6 Dec.

[Anne, Vol. II. p. 207.] (1704.)

[Order accordingly.] [Anne, Vol. II. p. 219.] 14 Dec.

[817.] [A representation from the Board of Trade on a petition from the Agents of Barbados and others concerned there for applying the  $4\frac{1}{2}$  per cent. duty to uses therein mentioned was read but nothing done thereon.] 20 March. Barbados.

[p. 174.]

[818.] [The Council refer to the Board of Trade the petition of Samuel Allen proprietor of New Hampshire that his appeal be admitted from a verdict in favour of Richard Waldron given in the Superior Court of Judicature in New Hampshire on 13 August last.] 20 March. New Hampshire.

[p. 174.]

[On a representation from the Board of Trade, the appeal, which relates to certain quit rents of land, is granted, and ordered to be heard on the first Council day in December.] 24 April.

[p. 191.]

366 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1701.

20 Nov. [The Council refer to the Committee for Appeals Allen's petition for a further day, since by reason of a miscarriage of the Order of 24 April in the sending of it to New Hampshire,] the Petitioner cannot Summon the Partys Concerned against the said day. [p. 275.]

18 Dec. [On the report of the Committee for Appeals, Allen is granted further time to prosecute his appeal until the first council day in August next, security of 500*l*. for his then prosecuting the appeal and abiding by the determination of the Council being given. On 26 Dec. this is given by John Usher and Whitfield Hayter.] [p. 285.]

(1702.)

9 July. [The petition of Richard Waldron and others for a further delay was referred to the Committee for Appeals.]

[Anne, Vol. I. p. 177.]

(1702.)

23 July. [On a petition of Samuel Allen, representing the consent of the solicitors of both parties that the case be heard on the first Council day in October, it is referred to the Committee for Appeals to be heard on that date.] [p. 185.]

(1702.)

17 Dec. [In accordance with a report from the Committee for Appeals, it is ordered] that the said Judgement be Affirmed, But in regard the said Judgement is not finall in its Nature that the Appellant be left at Liberty to bring a New Action in Ejectment in the Courts in New Hampshire in Order to trye his Title to the Propriety of the Lands in Question, or certaine Quitt Rents, payable out of the same, and that in Case upon such Tryall any Doubt in Law shall arrise the Jury be Directed to find the matter Specially, that is what Title the Appellant and Defendant do severally make out to the said Lands in Question, and that the Point in Law be reserved to the Court before whom the same shall be Tryed, or if upon such Tryall any Doubt shall arrise concerning the Evidence given at such Tryall such Doubts are to be Specially Stated and taken in Writing, To the end that in Case either Party shall think fitt to Appeal to Her Majesty

in Council from the Judgement of the Court therein, Her Majesty may be more fully Informed in Order to a finall Determination of the said Case.

[*pp.* 269-70.]

1701.

[The Council refer to the Board of Trade the petition of Thomas Allen that the appeal of his father Samuel Allen to the Governor and Council of New Hampshire against a verdict of the Superior Court there in favour of Richard Waldron, defendant to an Ejectment at Law brought by Samuel Allen in a dispute as to lands there, be revived in the petitioner's name, it having been abated by the death of his father.]

[*Anne*, Vol. III. *p.* 5.]

(1705.)

11 Oct.

[The petition is granted, and the jury ordered to find the matter specially as to the titles made out by the parties and to state specially any doubts concerning the evidence taken, for the information of the Council in case either party shall appeal to her Majesty.]

[III. *p.* 199.]

(1706.)

16 May.

[Reference to Committee for Appeals of Allen's petition that a day be appointed for hearing his appeal.]

[IV. *p.* 119.]

(1708.)

26 June.

[Committee minute for dismissal of Allen's appeal and affirmation of the judgments of 15 April and 12 Aug. 1707.]

[*p.* 221.]

(1708.)

20 Dec.

[Order accordingly.]

[*p.* 227.]

(1708.)

30 Dec.

[819.] [On the petition of Nicholas Gillibrand, he is recommended to the Admiralty for employment in the Navy for his services in the seizure of King the pirate at Cape Mountserade on the Guinea Coast in 1699.]

[*p.* 175.]

20 March.  
Piracy.

[820.] Representation from the Council of Trade, relating to the Governments under Proprietors and Charters Read.

[*p.* 183.]

3 April.  
Proprietary  
Colonies.

[821.] [The Council refer to the Treasury the petition of Lieutenant Daniel Hunt for examination of his services in the plantations and an allowance for the same] and particularly for bringing over Captain Kidds Treasure.

[*p.* 193.]

24 April.  
West Indies.

[822.] [The Council refer to the Board of Trade the petition of William Partridge Lieutenant Governor of New Hampshire

24 April.  
New  
Hampshire.