

704 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1715.
8 Nov. Barbados. [1242.] [Reference to the Committee for Appeals of the petition and appeal of Bernard Cook of London, mariner, and Sarah his wife, and Susannah King of London, spinster, from a decree of the Barbados Chancery, 12 Jan. 1715, in favour of Robert Lettice Hooper touching a plantation with buildings and negroes, claimed by the petitioners on the death of John Perrot and Mary his wife and unjustly withheld from them by Hooper.] [p. 309.]
- 15 Dec. [Committee minute: agreed to recommend that the decree of the Barbados Chancery be reversed, that Hooper do at once answer the appellant's bill, and that he pay 10% costs.] [p. 326.]
- (1716.)
12 Jan. [Order accordingly.] [p. 335.]
- (1718.)
31 March. [Reference to the Committee for Appeals of Hooper's petition that the appeal be dismissed for non-prosecution.] [II. p. 131.]
- (1718.)
23 July. [Committee—for dismissing Cook's appeal from the Chancery decree against him on 31 Oct. 1716, which was admitted 20 months since, and has not been prosecuted.] [II. p. 162.]
- (1718.)
27 Aug. [Order accordingly.] [II. p. 169.]
- 22 Nov. Barbados. [1243.] [Reference to the Committee for Appeals of the petition of William Heysham of London, and William Roberts and Thomas Withers of Barbados, merchants, his attorneys, for a day for hearing their appeal from a decree of the Barbados Chancery of 25 Nov. 1714 in favour of James Aynsworth, who with Robert Corlet was attorney for Heysham, touching a bond given by Aynsworth and Corlet for performance of an agreement between them and Heysham.] [p. 311.]
- (1716.)
27 Jan. [Committee minute. Heysham terminated the first agency on 15 July 1704 by appointing Roberts and Withers. The decree of perpetual injunction against proceedings on the bond should be reversed: remittances made by Aynsworth, Corlet, and Roberts jointly are not to be reckoned in discharge

1715.

of what is due from the first agency, for which the bond was given: the accounts of the first agency are to be stated by the Chancery Court and decree given according to equity.]

[p. 337.] (1716.)

[Order accordingly.]

[p. 349.] 10 March.

[1244.] [Reference to the Committee for Appeals of another appeal of Heysham's attorneys from a Chancery decree of 21 Jan. 1715 in favour of Alexander Walker, touching a parcel of sugars bought by them from him.] 22 Nov. Barbados.

[p. 311.] (1718.)

[Committee. The decree was one dismissing the appellants' bill for relief from a judgment at law in favour of Walker for 1242*l.* 12*s.* 2*d.* for 91 hogsheads and 3 teirces of muscovado sugar, whereupon they had to pay Walker 918*l.* 10*s.* and 111*l.* 8*s.* 4*d.* costs. Part of the sugars, Roberts and Withers allege, were delivered to them as agents of Robert and William Heysham in discharge of a debt due to the latter by Walker, and the remainder on an agreement for assigning to Walker four judgments obtained by them as agents of William Heysham on 3 Ap. 1710 against the estate of William Battyn, deceased, for 881*l.* 18*s.* 2*d.*, Walker then intending to purchase Battyn's estate. The Committee recommend that the decree be reversed, and the money if already paid refunded with interest and costs: and that the appellants then assign to Walker the judgments obtained against Battyn's estate, with covenants that no part of the moneys for which the judgments were given has been paid to them or their order or for the use of Heysham, and that they have done no act whereby Walker may be hindered from the benefit of the said judgments.] 5 March.

[Vol. II. p. 110.]

[Order accordingly.]

(1718.)
[II. p. 117.] 16 March.

[1245.] [Reference to the Attorney General of the petition of Hannah, widow of Henry Harvey, for redress for] the Death of her said Husband Occasioned by the Bruises and Wounds given him by his Comander Peter Papillion in New England, for which he was Indicted at the Old Bailey, but discharged, 5 Deco. New England.