

1716.
8 June.

[Committee minute : the bill of John Clarke] pray'd relief against a Bond entered into by him to the said Thomas Clarke the younger and injunction to stay proceedings at Law, as well on the said Bond, as on an Ejectment brought at law for certain Lands and Hereditaments in the said Island, whereof the said Thomas Clarke the younger died possessed ; —and further praying to open an account duly stated by himself, and an Injunction to stay proceedings at Law on the said account stated ; and a commission to examine Witnesses in perpetuam rei memoriam ; and also to have an account of profits received by the said Thomas Clarke the Younger of the Estate late of Thomas Clark the elder deceased, the said John Clarks Father, and to have a parole Lease made by the said Thomas Clarke the younger confirmed : [the Committee recommend that the order of the Jamaica Chancery be affirmed, and that the appellants pay the defendant 10*l.* costs]. But in regard it was Insisted by the Council of the Appellants, that by the aforementioned Order (as Conceived in Jamaica) the Account Stated is opened, and the Bond entered into by the said John Clarke sett aside, and the Injunction perpetuall : [Their Lordships decide against this construction of the order], the same being to be considered when the Cause shall be heard, and that the said Injunction is to continue till the hearing of the Cause. . . . [p. 412.]

[Orders accordingly.]

[p. 422.] 6 July.

[1250.] [Reference to the Committee for Appeals of the 10 March. petition of John Halstead and William Gibbons for a short day for hearing their appeal from a decree of the Jamaica Chancery, 18 July 1715, in a case between them and Robert Needham.] Jamaica. [p. 350.]

[Committee minute : the appellants having] failed in their proofs by not producing under the Seale of the Island some Deeds refer'd too, [they are given further time to send for them, on payment of 6*l.* costs.] 8 June. [p. 413.]