

1718.

in the Wars of Ireland and Flanders under whom He claims the said Estate, And their Lordships having taken the Petitioners Affidavitt as to the truth of the above Allegations, Do there-upon Agree humbly to Report their Opinion to His Majesty that the Governor of the Leeward Islands be Directed (if the Petitioner shall choose to take out a new Comission) to support his Commissioners in Acting by Virtue of the said Commission : Or if he Chooses to Commence a prosecution there, That the said Governor Do forthwith upon his request without delay, Assigne him Councill, and support them in Acting for him according to Law.

[p. 195.]

(1719.)

[Order accordingly.]

[p. 269.]

11 June.

[1304.] [On the petition of Edward Minshull, M.P. for Bramber, order is given to colonial governors to arrest Benjamin Pickman, who ran away with, and converted to his own use, the *Providence* galley and its cargo, which he had assigned to the petitioner as security for a debt. Pickman was arrested on judgments for 4200*l.*, but escaped from the Kings Bench Prison. No relief could be had from Mr. Broughton, the Marshal of the Prison, who died insolvent, a prisoner within the rules of the said prison. Pickman is said to have been seen in New England, but an Order in Council is necessary for the execution in the plantations of a warrant issued from the Courts at Westminster Hall.]

29 Sep.
New
England.

[p. 179.]

[1305.] [Reference to the Committee for Appeals of Edward Chester's complaint that by the demand of 4000*l.* security he is prevented from appealing from a decree of the Leeward Islands Chancery condemning him and Edward Chester jun. to pay to the Royal African Company, whose agents they were, 2000*l.* more than was due.]

6 Nov.
Antigua.

[p. 187.]

[Committee—delaying their determination till the Monday after New Year's Day, on Chester's representation that he has something to offer by way of accomodation to the Company.]

15 Dec.

[p. 194.]

750 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1718.

(1719.)

9 Jan.

[Committee. Chester's petition sets forth that in 1714 the African Company exhibited a bill in Chancery in Antigua for an account of his agency. Some of his evidences were in England, and a Commission issued from the said Court to examine them there, but the time limited for this being too short, the parties mutually agreed to enlarge publication in the cause for a month or longer, if necessary. Examinations were accordingly made, but the petitioners' agents attempting an amicable settlement with the Company, the depositions have not yet been sent to Antigua. The agents of the Company there, in breach of the agreement, hurried the suit to a hearing on 21st July 1718, and on the 28th Chester was ordered to pay 36785*l.* 1*s.* 11*d.* whereas he alleges that less than 16000*l.* is justly due, which he has always been able and willing to pay. As he cannot give sufficient security to obtain an appeal, he prays an order for rehearing the case, after the depositions taken in England have been returned to Antigua, and that all process against him and his effects be stopped in the meantime. It is recommended with the consent of both sides that Chester pay to the Company's agents in Antigua 16000*l.* Antigua money within six months in indigo, cotton, sugar, or other current commodity, and alienate no stock on the land above the value of 500*l.*, which is to be laid out for the benefit of the said land: all proceedings are to be stayed so long as the petitioner does nothing in breach of this agreement, and the Chancery are to rehear the case with the English depositions. But if Chester shall not comply with the agreement, then the Company may proceed on the decree already obtained and sequestration issue at the first process. Chester consents not to appeal against the Governor's interlocutory order by which a rehearing was denied.]

[*p.* 215.]

(1719.)

6 Feb.

[Order accordingly.]

[*p.* 218.]

(1721.)

24 March.

This day Mr. Francis Peters of the Temple Entered an Appearance for the Royal Affrican Company, to the Appeal of Edward Chester from the Leeward Islands. [III. *p.* 171.]