

1733.

of the said Lord Fairfax to Confirm and Secure the said Grantees in the Possession and Enjoyment of their Lands as likewise to Discharge Your Majesty from all Demands of the said Lord Fairfax on Account of the said Quit Rents that have been received by Your Majesty and to Yield up to Your Majesty all Arrears thereof that have hitherto become due or on the part of Your Majesty to Enable the Lord Fairfax for the future to receive the Quit Rents or any other Benefit reserved by or which may Arise from the Grants under the Crown of Lands within his Boundaries.

[X. pp. 29-31.] (1745.)

[Orders accordingly.]

[X. pp. 34-36.] 11 April.

[282.] [Reference to the Committee of the appeal of Thomas Garbrand, eldest son and heir of Joshua Garbrand, deceased, by his guardians Mathias Philip and William Perrin, and of Edward Pratter, against several interlocutory orders made by the Governor of Jamaica as Chancellor on 6, 16, 23, 27 Nov., and 13 Dec., 1732, upon a bill brought against the petitioners by Robert Strachan,] Executor of Caleb Garbrand deceased and Caleb and Anna Maria Garbrand Son and Daughter of the said Caleb Infants by their next Friend, and Samuel Wallis and Susannah his Wife who was Widow of the said Caleb Garbrand deceased Richard Mill and Richard Basnett Esqrs. Joshua Crosby Merchant and Alexander Brown Apothecary Creditors of the said Caleb Garbrand. [p. 200.] (1735.)

[Order in accordance with the Committee report of 13 Feb. that the orders of Nov. and Dec., 1732, be reversed with all proceedings grounded thereon, and that Strachan restore to the appellant anything of which he has secured possession by virtue of these orders, but this to be without prejudice to any direction to be given by the Jamaica Chancery at the hearing of the case.] 3 April.
[pp. 201, 221, 242, 248, IV. pp. 41, 84, 91, 93, 95, 104, 143.]

[283.] [Reference to the Committee for Appeals of the petition of Charles Huggins for leave to appeal from a judgment of the President and Council of Barbados as a Court of Errors] 1 Nov. Barbados.

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reversing a judgment of the Barbados Court of Exchequer, 28 Sept., 1722, in favour of the petitioner in an action brought in his name by John Hope against Robert Warren for the profits of the office of Clerk and Remembrancer of the Court of Exchequer.] [p. 241.]

20 Dec. [The appeal admitted. Security given the same day by] John Huggins of the parish of St. Martins-in-the-Fields, Middlesex, and John Thornhill of the same parish, Esqr. [pp. 270, 277.]

(1735.)

5 Feb. [Committee. The petitioner alleges that, being appointed Clerk and Remembrancer of the Exchequer by royal letters patent, he named Nicholas Hope his deputy :] But one Robert Warren being in possession of the said Office, as he pretended under some appointment by the Chief Baron or other Barons of the said Court of Exchequer or of some other Persons he refused to Deliver up the possession thereof whereupon the said Nicholas brought an Action in the said Court of Exchequer in the Petitioners name against the said Warren, for recovery of the Profits of the said Office, which coming on to be heard on the 28th of September 1722 after a full hearing, the Barons gave Judgment for the Petitioner, whereby he recovered 84*l.* 6*s.* 4*d.* for Costs and Damages which the said Warren not only paid but Delivered up the possession of the said Office, with all records to the Petitioners said Deputy Nicholas Hope, who afterwards continued to Execute the said Office for ten Years without the Interruption of any Person whatsoever, After which time, and in the Absence of a Governor in the said Island, the said Robert Warren brought a Writt of Error before the President and Council of the said Island, which coming on to be heard on the 6th of March 1732 they reversed the aforesaid Judgment given in favour of the Petitioner after so long an Acquiescence.

[It is recommended that the judgments be reversed, the special verdict set aside by reason of its uncertainty, and that new process be awarded by the Court of Exchequer for trying the case *de novo*.] [pp. 290, IV. pp. 84, 93, 94.]

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[Order accordingly.]

[p. 100.]

1733.
(1735.)
12 Feb.

[284.] [Reference to the Committee of the petition of several London merchants trading to South Carolina complaining of an Act passed there, 20 Aug., 1731, for appropriating the sum of 104,725*l.* 1*s.* 3½*d.* towards payment of the public debts, and praying to be heard against the Act and that it may be repealed.]

[p. 265.]

29 Nov.
South
Carolina.

[Committee refer the petition to the Board of Trade.]

[p. 270.]

6 Dec.
(1734.)

[Committee order that copies of the Board of Trade report be granted to the solicitors on both sides.]

[p. 429.]

5 April.
(1734.)

[Reference to the Committee of the] Petition of Colonel John Peter Purry setting forth that he hath transported a Considerable Number of Swiss and other Protestants to the Province of South Carolina and has now Actually on the Road near four hundred more to be transported and settled there ; That for Encouraging New Comers, An Act hath been past in that province for appropriating a Certain sum to be applied to the buying Tools and other necessarys and provisions for any Poor Protestants that should go and be willing to settle there, which Act, the Petitioner is informed hath been under the consideration of the Lords Commissioners for Trade and Plantations and Represented by them as not proper to receive His Majestys Royall Approbation, That if the said Act should be repealed, The Petitioner humbly conceives that not only those Protestants that he hath already settled in that Province, but also those who are now going thither, will be deprived of the necessary Assistance provided for them by the said Act, and be rendered utterly unable to Subsist and settle themselves in the said Province ; wherefore the Petitioner humbly prays, that the said Act may not be repealed.

[p. 525.]

11 July.

(1734.)

[Reference to the Committee of the remonstrance of the Governor, Council and Assembly praying for the confirmation of the Act.]

[p. 538.]

18 July.