

482 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1735.

13 Oct. [356.] [Reference to the Committee of the petition of Lewis
Jamaica. Williams for a short day for hearing his appeal from several
orders of the Jamaica Chancery and reports of Commissioners
and Masters of Chancery in 1730, 1733 and 1734, and from
a Chancery decree of 14 Oct., 1734, in a case between him
and Robert Saunders.] [p. 231.]

(1737.)

19 Jan. [The case concerns the will of Col. Thomas Raby of
Jamaica, of which his wife Priscilla and Rowland Williams
were executors. In accordance with the Committee report of
8 Dec., 1736, the appeal is in part sustained, in part dismissed,
and further proceedings ordered in the Jamaica Court of
Chancery.] [p. 506. V. pp. 27-31, 54.]

13 Oct. [357.] [Reference to the Committee for Appeals of the appeal
Antigua. of Charles Dunbar of Antigua and of Richard Roe his lessee from
a judgment of the Governor and Council as a Court of Errors,
30 Dec., 1734, affirming a judgment of the Court of King's
Bench and Common Pleas, 14 April, 1733, in favour of John
Kerr on their action of trespass and ejectment against him
for recovering possession of 68 acres of land with a messuage,
mills, &c., and 64 slaves,] which had been part of John Kerr
the Younger of the said Island deceased. [p. 232.]

(1737.)

21 April. [Order, in accordance with Committee report of 24 March]
that the Judgment of the Inferior Court of the 14th of April
1733 and the Judgment of the Court of Errors of the
30th of December 1734 Affirming the same should be both
reversed and that the Plaintiff in the action of Trespass and
Ejectment should recover three fifths of the Messuage Mill
Lands Buildings and Negroes in the Declaration mentioned
found to be in the Possession of the Defendent together with
Costs of Suit in the Courts in Antigua.

[V. pp. 116, 148-156, 210.]

13 Oct. [358.] [Reference to the Committee for Appeals of the petition
Antigua. of William Smith of Antigua and Mary his wife formerly widow
and administratrix of Patrick West of Antigua, merchant,

1735.

and of Thomas Kirby of Antigua, Esq., for a short day for hearing their appeal from a Chancery decree of 19 May, 1733, and two subsequent reports of the Master in Chancery and orders confirming the same] upon a Bill filed in the said Court against the Petitioners Mary and Thomas Kerby by Joseph Mathews James Salmond Patrick Lynch John Turnell Cæsar Rodeney James Read and Paul Fisher of Antigua Merchants Robert Lone William Snelgrave and Edward Jones Mariners and Robert Weir of the said Island Esqr.

[p. 232.] (1736.)

[Order, in accordance with Committee report of 24 May, 28 May. that the decree, with all subsequent proceedings, be reversed and set aside.] And that the Respondents should be at Liberty to amend their Bill by making the Heirs at Law of the said Patrick West or any other persons they think proper or their Lawfull Attorneys parties to the said Bill, upon paying the Costs of the day of Hearing in the said Island of Antigua such Costs to be Settled by the Court there according to the Custom of that Court. [pp. 459-62, 468.]

[359.] [Reference to the Committee of the petition of Rip van Dam, late President of the Council of New York, setting forth that Governor Cosby] had Commenced a Suit against the Petitioner in the Exchequer Court there for a Moiety of the Salary and Perquisites which the Petitioner had received between the time of Governor Montgomerys Death and the said Governor Cosbys arrival in that Province That the Petitioner conceiving himself intitled to a Moiety of what had been received by the said Governor during the said time filed his Action at Law in the Supreme Court of that Province against the said Governor for that purpose But the said Governor having refused to appear to the said Action and the Petitioner not being able to compell him thereto—most humbly prays that His Majesty would be graciously pleased to Order the said Governor to appear to the Petitioners said Action or any other Suit which the Petitioner shall Commence

6 Nov.
New York.