

[On Browne's motion, Committee allow till 22 Dec. next for bringing over the proceedings] at which time the said Stephen Browne is peremptorily to bring in the said Proceedings. [VI. p. 27.]

1737.
(1738.)
17 Nov.

[In accordance with the recommendation of the Committee of 16 April, the appeal is dismissed.] [VI. pp. 167, 177, 211.]

(1739.)
12 June.

[419.] [Reference to Committee of the petition of Dorothy Stout, widow, and Mathias Philip, acting executor, of Henry Stout, Esq. of Jamaica, deceased, for a short day for hearing their appeal from an Ordinance of the Commander in Chief of the island as Ordinary, 19 April, 1737, and a sentence of the Ordinary of 2 May, 1737, in favour of James Stout, relating to the will of Henry Stout.] [p. 309.]

29 Nov.
Jamaica.

[The appeal sets forth that on the day of his death Henry Stout dictated a will, leaving his property to his wife Dorothy, his brother Alexander and sister Martha, who were at the time in England, and appointing as his executors the petitioners and William Perrin and Jacob Wilkinson. This was done in the presence of several witnesses, reduced to the form of a will by an indifferent person, read over to the testator and assented to by him; but before the will could be signed, the testator died, and his younger brother James and one of the executors opposed the granting of probate] the chief of his Evidence being to Sett forth all the disputes and Discords which any of the Witnesses had ever heard between the Appellant Dorothy and her said Husband, and to throw remote imputations on the Character of the Person who drew the Will. [In accordance with the report of the Committee of 23 Nov., the appeal is sustained, and the Governor ordered to decree a probate.] [VI. pp. 422-4, 491.]

(1739.)
27 Dec.

[420.] [Reference to the Committee of the petition of William Arnoll, Esq., of Barbados for leave to appeal from a judgment of the President and Council as a Court of Errors, 17 Feb., 1736,

29 Nov.
Barbados.

580 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1737.
reversing a judgment of 17 Sept., 1735, upon his action of Detinue against Margaret Phillips for recovery of five negroes.]
[p. 310.]
- (1738.)
12 Jan. [On the recommendation of the Committee, the appeal is admitted.]
[pp. 338, 366.]
- (1740.)
12 June. [The case concerns five negroes, named Harry Jack Carraway Cubbenah, Sharper Ben Mimbah Binnebah, Phillis Omah Jubbah, Sharry, a child, and Phillida. On the report of the Committee of 6 June, the judgment of 17 Sept., 1735 in favour of the petitioner is confirmed, and the later judgment reversed.]
[p. 599 ; VI. p. 11 ; VII. pp. 50, 88-9, 96.]
- 29 Nov. [421.] [Reference to the Committee of the petition of Robert Connecticut. Wheeler of Connecticut for leave to appeal from a judgment of the General Assembly, 27 Aug., 1734, in favour of Thomas Levenworth relating to the recovery of possession of 25 acres of land.]
[p. 310.]
- 15 Dec. [Committee recommend that the appeal be admitted.]
[p. 338.]
- (1738.)
12 Jan. [Order accordingly.]
[p. 366.]
- 29 Nov. [422.] [Reference to the Committee of the petition of Samuel Connecticut. Clark of Connecticut for leave to appeal from a sentence of the Superior Court, the first Tuesday of March, 1733, upon a writ brought by him against] Thomas Towsey Esq. and Hannah his Wife on their Own Account and against the said Thomas Towsey as Guardian to John Clark an Infant as also against Thomas Clark on his own Account and as Guardian to Gamaliel Clerk an Infant and against Richard Bryon Guardian to the Children of his late Wife Mehitabell deceased relating to the Division of the Real Estate of Samuel Clark Esqr. deceased.]
[p. 310.]
- (1738.)
25 May. [On the recommendation of the Committee, the appeal is admitted.]
[pp. 343, 521, 544.]