

1738.

judgment of the Superior Court was affirmed with costs. The Committee recommend that the appeal be sustained, and] that upon the said Allen and Chevers paying the Dutys for the said Melasses imposed by the said Act of Parliament . . the same be restored to them by the said Appellant Peleg Browne But in case the said Melasses or any Part thereof shall have been Sold and disposed of the Money arising thereby be Applied in the first place to the Payment of the said Dutys and the Overplus be returned to the said Owners.

[*pp.* 536, 556–8.]

[Order accordingly.]

[*p.* 591.] 20 July.

[436.] [Reference to the Committee of the petition of Daniel Coggeshall of North King's Town, King's County, R.I., for a short day for hearing his appeal from two judgments of the Superior Court, 30 March, 1736, and 6 Sept., 1737, reversing a judgment of the Inferior Court, 18 Nov., 1735, on a writ sued out by him] against Mary Coggeshall to answer the Petitioners Complaint in an Action of Trespass and Ejectment for illegally entring into and unjustly with holding from the Petitioner the possession of a certain Farm or Tract of Land with a Dwelling house and other Buildings thereon containing about one hundred and Forty Acres consisting of Orchard Meadow Pasture Arable and Wood Land lying and being in Portsmouth in the said Colony.

[*p.* 499.] (1739.)

[The dispute is a family one, arising out of the will of Joshua Coggeshall, grandfather of the appellant. On the report of the Committee of 12 April, the appeal is sustained, with costs, without prejudice to any demand the respondent may have upon account of her dower.]

12 June.

[*VI. pp.* 5, 164, 166, 167–177, 209–10.]

[437.] [The commission and instructions for Philip Vanbrugh, Esq., commander of H.M.S. *Chatham*, as Governor of Newfoundland, are approved, save that the Board of Trade in their representation of 13 April proposed to insert a clause in the commission empowering the Governor to

25 May.  
Newfound-  
land.