

# 618 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1738.

the appellant, and the writ against Harrison *ne exeat insulam* continued. The case concerned the estate of Thomas Sexton of Barbados, who died intestate and without issue, and whose widow Temperance intermarried with William Harrison.]

[pp. 130, 154-8, 211.]

30 Nov.  
Rhode  
Island.

[451.] [Reference to the Committee of the petition of Elizabeth Gibbs of Newport, that the appeal of James Martin from a judgment of the General Court, 26 Oct., 1737, in favour of the petitioner touching the personal estate of William Gibbs, a painter, deceased, may be dismissed for non-prosecution.]

[pp. 5, 48.]

21 Dec.

[In accordance with the report of the Committee of 13 Dec. Martin's appeal is dismissed with 20*l.* costs.] [pp. 62, 64.]

17 Nov.  
Jamaica.

[452.] [Mr. John Sharpe enters an appearance for Lewis Williams, an infant, by his mother and guardian Elizabeth, to the appeal of John Doe on the demise of Lewis, John, and William Williams from a judgment of the President and Council of Jamaica, 26 Nov., 1736.] [p. 28.]

(1739.)

22 Mar.

[Reference to the Committee of the petition of Lewis Williams by Elizabeth Williams for the dismissal of the appeal for non-prosecution.] [p. 149.]

(1739.)

12 June.

[The case concerns the estate of Rowland Williams, father of Lewis, John, and William Williams. On the report of the Committee of 28 March, the appeal is dismissed for non-prosecution with 20*l. stg.* costs.] [pp. 161-2, 212.]

30 Nov.  
St.  
Christopher.

[453.] [Reference to the Committee of the petition of William Ottley, Esq., and Elizabeth his wife and Margaret Willett the younger, spinster, for a short day for hearing their appeal from a judgment of the Governor and Council as a Court of Errors, 31 Aug., 1737, affirming a judgment of the Court of King's Bench and Common Pleas at Basseterre, 15 June, 1736, on an action of trespass and ejectment brought against them by John Denn on the demise of Robert Pearne, for the recovery of one messuage or tenement, 200 acres of land, 200 acres of

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- cane land, 100 acres of pasture, and 100 acres of woodland,  
with the appurtenances, situate in the parish of St Mary  
Cayou.] [p. 45.] 1738.  
(1739.)
- [Appearance for the respondent entered by Joshua Sharpe.] 17 Oct.  
[p. 362.]
- [454.] [Reference to the Committee of the petition of Thomas 30 Nov.  
Brown, of London, merchant, and of his attorney, Henry New York.  
Lane of New York, from a sentence of the Lieutenant-  
Governor of New York, 5 Aug., 1738, in a Court of Probates  
for hearing causes on wills and administrations, by which  
administration of the estate in New York of the late John  
Caswell, of London, merchant, was granted to Frederick  
Philips, Esq.] [p. 46.] (1739.)  
27 Dec.
- [Order is given in accordance with the Committee report  
of 15 Dec., that no appearance having been entered for the  
respondent, they have heard the case *ex parte*, and recommend  
that the decree be affirmed and the appeal dismissed. The  
decree granted administration of Caswell's estate to Philips,  
who was only a simple contract creditor and that for a small  
sum in comparison with Brown's bond debt; and Brown  
petitioned that the administration should be granted to  
himself.] [pp. 335, 441, 454, 492.]
- [455.] [Reference to the Committee of the] Petition and Ap- 30 Nov.  
peals of Edmund Jennings Esq. and John Gallaway as Attorney Maryland.  
for William Woodward and Mary Holmes Executors of the last  
Will and Testament of Mary Woodward deceased who was  
one of the Sisters and Coheirs of Amos Garret late of the City  
of Annapolis in the Province of Maryland Merchant deceased,  
and also of the said William Woodward and Mary Holmes and  
also of Sayer Rudd and Edmund Seely Gent. Executors of  
Elizabeth Gwin deceased from a Sentence given in the Court  
of Delegates in that Province on the 25th of October 1737  
affirming a Sentence of the Commissary General and Judge  
for the Probate of Wills given on the 30th of August 1737