

ACTS OF THE PRIVY COUNCIL (COLONIAL). 727

1742.

[The appeal is admitted, referred to the Committee, and ordered to be heard in January, 1744.]

[*pp.* 152, 163, 428, 451.] (1744.)

29 Mar.

[Reference to the Committee of the representation of the Lieut.-Governor and Council of Virginia that Randolph has misrepresented the proceedings of the General Court of the Colony in his petition] and Praying that His Majesty will be graciously pleased to make such Order herein as may be most agreeable to His Majesty's known Wisdom and Justice and that wonted Tenderness and Care His Majesty so eminently shews for the ease and Prosperity of his subjects. [*p.* 278.]

(1745.)

[On Committee report of 8 July, the appeal is dismissed.]

18 July.

[*X. pp.* 148-9, 165.]

[547.] [Reference to the Committee of the Appeal of Charles Brown of Jamaica and Dorothy his wife from two orders of the Jamaica Chancery of 16 Feb. and 4 July, 1741, upon a bill filed by the petitioners] against Edmund Hyde Surviving Executor of the Personal Estate of Pancefort Miller deceased and against Robert Hamilton and Jane his Wife Devisee of the Real Estate of the said Pancefort Miller for Payment of a Legacy of 500*l.* sterling left by the said Pancefort Miller to Thomas Mitchell deceased with Interest for the same. [*pp.* 144-5.]

17 May.  
Jamaica.

(1743.)

2 June.

[Order, in accordance with Committee report of 5 May, that the order of 16 Feb., 1741, be reversed,] And that the Plaintiffs be at liberty to amend their Bill or Reply to the Defendants Answers and proceed as they shall be Advised in the Cause and that the defendants or any of them be at liberty to File a Cross Bill if they shall think proper. [Pancefort Miller left a certain sum to the petitioner Dorothy, then wife of Thomas Mitchell the younger; his real estate to his son Pancefort; and appointed Edward Pratter, Joseph Maxwell and Edmund Hyde his executors. His wife Jane, daughter of Thomas Mitchell the elder by his wife Frances,

728 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1742. afterwards married James Garth, and on his decease Robert Hamilton. The case concerns the real estate, left to Pancefort Miller the younger, who died before reaching the age of twenty-one.] [pp. 404-7, 426.]
- (1747.)  
15 Jan. [Reference to the Committee of Hyde's petition for a day for hearing his appeal from a Chancery decree and order of 17 and 30 Jan., 1745, in favour of Charles and Dorothy Brown relating to Mitchell's legacy.] [Vol. XI. p. 110.]
- (1749.)  
1 Mar. [Committee. Neither of the respondents having entered an appearance, the case is ordered to be heard on 5 April, and a summons to be affixed on the Royal Exchange, and at the Jamaica Coffee House.] [XII. p. 205.]
- (1750.)  
17 Jan. [Order in accordance with Committee report of 8 Dec., who have heard the case *ex parte*, that the orders of 24 Feb., 1741, and 15 Jan., 1745, the decree of 17 Jan., 1745, and all subsequent proceedings be all of them reversed] And that the Respondents Bill be dismissed with Costs as against the Appellant with liberty for the Respondents to reply to the Answers of Robert Hamilton and Jane his wife, and to proceed against them according to the course of the Court and as they shall be advised. [In the petition as read before the Committee occur the names of Richard Basnett, Richard Mill, Edward Whincop, William, Thomas, and George Miller, brothers of Pancefort Miller, Richard, William, George, Hester and Elizabeth, his nephews and nieces, Patrick Adam, and Dennis McCreagh.] [XII. pp. 371, 385-95, 428.]
- 24 June. [548.] [Reference to the Committee of the petition of]  
North Nathaniel Rice Eleazer Allen Edward Moseley Roger Moore  
Carolina. and William Forbes Members of His Majestys Council for the Province of North Carolina in behalf of themselves and other Inhabitants of Cape Fear River in the said Province Setting forth amongst other things the defenceless Condition of the said River for want of a Fortification at the Mouth of it and