

736 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1742. Chancery, 18 Feb., 1743, in a matter of account in favour of Mary Warren, Henry Peers, and Thomas Applewhaite, executors of Robert Warren, deceased, and from subsequent proceedings on the said decree.] [X. p. 481.]
- (1748.)
- 30 Jan. [Committee agree to hear on 9 Feb. both of Price's petitions, and another presented to the Committee on 19 April, 1746, against the Board of Trade report on his first petition.]
- (1748.) [XI. p. 515.]
- 10 Feb. [On the Committee report of 9 Feb. the first petition is dismissed, but leave is given to appeal from the decree of 18 Feb., 1743.] [XI. pp. 526, 530.]
- (1749.)
- 16 March. [Reference to the Committee of Price's petition for a short day.] [XII. p. 220.]
- (1751.)
- 26 Nov. [In accordance with the Committee report of 5 Nov., the decree, for commissioners to settle the accounts with Thomas Withers as umpire, is affirmed.] [XIII. pp. 263, 339, 357, 387.]
- 15 Sept. [556.] [Reference to the Committee of the petition of Mathias Philp of Westmoreland Parish, Jamaica, that his Majesty will discharge an order of the Governor and Council sitting as a Court of Errors on 22 Oct., 1741,] in favour of Alexander Crawford and Jane his Wife and Thomas French and Mary his Wife with Costs and to Direct the said Court of Errors to retain the Petitioners Assignment of Errors and to proceed to hear the Petitioners Writ of Error on the Merits thereof . . and that in case the said Court of Errors shall be of Opinion to confirm the Judgment of the Supreme Court of the said Island of the last Tuesday of May 1741 that the Petitioner may be allowed an Appeale therefrom to His Majesty in Council or otherwise that His Majesty will be graciously pleased to admit the Petitioner to Appeale to His Majesty in Council . . and that His Majesty will be further pleased to Order that the proper Officer of the said Court of Errors do amend and Rectify his Minutes in the particulars complained of and give the Petitioner an Authentick Copy thereof or that the said Court may be Ordered to Certify the

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1742.

Truth of the Facts to His Majesty or that otherwise the Petitioner may be at liberty to take and make use of the Deposition of the Clerk who was examined before the said Court of Errors touching his examination of the proceedings then had before the said Court and that such Deposition may be Authenticated under the Seal of the said Island.

[pp. 236-7.]

[On the report of the Committee of 15 Dec., the appeal is admitted on the usual security ; all premises taken in execution are to be restored to the petitioner, unless the defendants within fourteen days give full and ample security to abide the issue.] 16 Dec.

[pp. 263, 264-5, 275-6.]

(1743.)

[The Committee appoint the hearing for October.] 17 Feb.

[pp. 280, 297, 330.]

(1743.)

[William Shettlewood and Thomas Mathew of Jamaica entered into partnership to settle a sugar work on the said plantation. Mathew died insolvent, leaving one son Robert and three daughters Elizabeth, Jane and Mary, and Dean Poyntz, Joseph Poyntz and the appellant as executors. Shettlewood was in financial difficulties, and in May, 1729, the appellant and William Perrin, co-executors of Joseph Poyntz, paid off a mortgage held on Shettlewood's moiety of the plantation by Joshua Crosby. Out of this the trouble has grown with the defendants Jane and Mary, Mathew's married daughters. In accordance with the Committee report of 21 June, judgment is given to the fullest extent in favour of the appellant,] And their Excellencies do hereby Declare that every Appeale from any Order, Decree or Judgment of any of the Courts in the said Island of Jamaica to His Majesty in Council is an immediate Supersedeas to any proceedings under such Order Decree or Judgment unless good and Sufficient Security be first given as is required by His Majestys Instructions in Cases of Appeales. 30 June.

[pp. 431-442, 460-1.]

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1742.
(1743.)
20 Dec. [Committee. It having been this day represented to this Committee that the ship wherein the order of 17 Feb. was sent had been lost, and that thus the order could not be served upon the respondents in Jamaica, hearing of the appeal is appointed for next July.] [IX. p. 85.]
- 15 Sept.
Leeward
Islands. [557.] [Reference to the Committee of the petition] of the Planters interested in His Majestys Island of Antigua at present resident in Great Britain Setting forth that the Legislature of the said Island of Antigua have for three Years together passed Acts of a very grievous extraordinary and unusual Nature laying Double Taxes on the Estates there of such Persons as did not within Six Months from the Dates of such Acts go to and personally reside in the said Island That the Assembly of Antigua have by their Annual Tax Acts appointed these Taxes to be raised so suddenly that the Acts have been executed and had their Effect and the Petitioners Agents been obliged to pay such Double Taxes before the Acts arrived here whereby the Assembly have attempted (and hitherto Succeeded) to bind the Petitioners unheard and to preclude His Majestys Royal Judgment in a matter of so great Consequence and Importance : [and praying that instructions may be sent to the Governor of the Leeward Islands not to assent to any bill taxing absentees more heavily than residents unless a clause prevents its taking effect till his Majesty's pleasure be signified]. [p. 239.]
- 24 Nov.
(1744.) [The Committee refer it to the Board of Trade.] [p. 252.]
- 2 July.
(1745.) [Copy of Board of Trade report granted to parties by Committee.] [IX. p. 408.]
- 7 Mar. [Order in accordance with the Committee's report of 5 March. The Board of Trade had reported that the petitioners' request should be complied with ; on consideration of this, and of a petition against it of Samuel Martin, agent of the island, of a representation of the Board of Trade upon a