

1755.

been caused to the respondent, Anna Margaretta, widow of Thomas Hill. The petitioners are informed that their plea over-ruled by this order was not right in strictness of form and the case has proceeded below just as if no appeal had interposed. The petitioners have appealed from a subsequent order, on which the plaintiff must have taken out copies of the proceedings, so that no expense has been caused to her by the former appeal.] [pp. 210, 309.]

[The later appeal from Chancery orders of 18 and 24 May, 1754, is referred to the Committee.] 25 Feb. [p. 349.]

[On the Committee report of 9 July, the earlier appeal is dismissed with 20*l.* *stg.* costs, and the later appeal affirmed and the Chancery orders of 18 and 24 May, 1754 reversed. The only additional names in the report are those of two Masters in Chancery, John Duncommun and Daniel Stott.] (1756.) 13 Aug.

[p. 373; XVI. pp. 55, 254-6, 266.]

[261.] [Reference to the Committee of the petition of John Bannister, merchant, of Newport, R.I., in his own right and as administrator of his late brother Samuel Bannister, merchant of Stonington, New London, Conn., and his sister Frances Bowen, widow of William Bowen, gent., of Boston, for leave to appeal from a judgment of the Superior Court at Boston, 19 Feb., 1754, in an action of ejectment against Nathaniel Cunningham for lands in Boston.] 6 Feb. Massachusetts Bay. [p. 323.]

[On the Committee report of 12 June, the appeal is admitted on the usual security.] 24 June. [pp. 439, 455.]

[262.] [Reference to the Committee of a Board of Trade representation of 5 Feb. on a memorial by William Beverley, proposing that, according to the general custom, he may take rank and precedence in the Council of Virginia from the date of the mandamus to him in 1749. Before it arrived, he had embarked for England, where he resided on account of his private affairs and by virtue of his Majesty's leave of absence till Feb., 1751. Thus he was not sworn of the Council till May, 1751, and Philip Ludwell who was sworn and admitted in 1750 claims precedence of him.] 25 Feb. Virginia. [p. 348.]