

for a debt of 2,500*l.* currency due to Croose from the partnership.] [p. 542.]

[Committee. Order for hearing on 12 Aug. Appearance (1756.)  
for the respondents entered on 17 July.] [XVI. pp. 258, 260.] 9 July.

[293.] [Reference to the Committee of the petition of John Whipple, gent., of Providence, R.I., for a day for hearing his appeal from a judgment of the Supreme Court, 18 March, 1755, reversing a judgment of the Inferior Court, 17 Dec., 1754, in his action of trespass and ejectment against Ephraim Bowen, John Carlisle, and Joseph Sweeting, tertenants under John Mawney, deceased, of lands and premises in Providence, devised to the petitioner in fee by the will of his father, Joseph Whipple, deceased.] [p. 543.] 28 Nov.  
Rhode  
Island.

[In accordance with the Committee report of 1 July, part (1757.)  
of the judgment is reversed and a further trial ordered on 8 July.  
certain specified issues.] [p. 576 ; XVI. pp. 543-6, 551.]

[294.] [Reference to the Committee of the petition of Benjamin Hazard for a day for hearing his appeal from a judgment of the Superior Court of Rhode Island in Oct., 1753, affirming a judgment of the Inferior Court, 20 Feb., 1753, in his action against Mary Hazard (now wife of John Potter) as administratrix of George Hazard, deceased, for 5,992*l.* 10*s.* currency which the petitioner had paid to Francis Brinley for the use of George Hazard, with interest thereon.] [p. 543.] 28 Nov.  
Rhode  
Island.

[295.] [Reference to the Committee of the petition of Thomas Ninigret, gent., an infant, sachem of the tribe of Narragansett Indians in Rhode Island, by his guardian Jonathan Nichols of Newport, R.I., that the Council dismiss for non-prosecution the appeal of Joseph Whipple, Daniel Coggeshall, John Spencer, Samuel Perry and David Anthony Esqrs., from a judgment of the Superior Court at Newport, 2 Sept., 1746, affirming a judgment of the Inferior Court, 5 Aug., 1746, in his action of trespass and ejectment against them for recovery of 300 acres of land, &c., in Charles Town, King's co., R.I.] [pp. 238, 544.] 28 Nov.  
Rhode  
Island.

# 322 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1755.

18 Dec. [On the Committee report of 11 Dec., the appeal is dismissed with 30*l.* *stg.* costs.] [pp. 550, 561.]

18 Dec. [296.] [Reference to the Committee, and by them on  
Delaware 12 Feb., 1756 to the Board of Trade, of the petition of  
Bay. Dr. Cadwallader Evans, of Pennsylvania, for a grant of] all the Islands, scituate in the River and Bay of Delaware in America, and to annex the same to either of the Provinces of Pensilvania or new Jersey, to be Governed as part and parcel thereof. [p. 565; XVI. p. 38.]

(1756.) [The petition is rejected, on the Committee report of  
7 July. 24 June agreeing with the following report of the Board of Trade :—] That the requests of this Nature, have usually been founded on the merit of Services already performed, or the certain prospect of Benefit hereafter to accrue to the Publick, but that the Prayer of this Petition appears to them quite destitute of such foundations, and therefore unreasonable.

That they find also the Proprietors of Pensilvania claim a Right as derived to them from the Duke of York, to all the Islands in the Bay and River of Delawar; And that many private persons have for many Years past, held, and do now hold under Quit Rents paid to the said Proprietors, several of the said Islands, in the Cultivation and improvement of which, they have expended considerable sums of money.

As therefore the Request of the Petitioner cannot be complied with without injustice to the Proprietors of Pensilvania, upon whose said Claim no determination has as yet been made, as well as to all those Private Persons who have long possessed and improved some of the said Islands; And as the Petitioner had not been able to ascertain to the satisfaction of the said Lords Commissioners, that the rest of the said Islands, or which of them, are not now under some Degree of Improvement, they were of Opinion for all these Persons, that his Petition should be rejected.

[XVI. pp. 227–8, 247.]