ACTS OF THE PRIVY COUNCIL (COLONIAL). 395

in providing such Salaries in future, but also that they take speedy and effectual Care to reimburse the said Governor whatever Sums he shall appear to have paid out of own Appointments as a Salary to the said Chief Justice, in Consequence of their Refusal to comply with his Request in that Behalf. [p. 279.]

[On the Committee report of 1 Dec., the instruction is 19 Dec. approved.] [pp. 292, 301.]

[365.] [Reference to the Committee of the petition of John Bell of Kingston, gent., for a day for hearing his appeal from a judgment of the Jamaica Court of Errors, 21 March, 1757, in favour of William Perrin, Charles Spencer, and Mark Hall, surviving executors of Mathias Philp, reversing a judgment of the Supreme Court in Aug. 1755, whereby Bell as administrator of Ann Rigby, deceased, was granted execution of a debt of 7,000*l. stg.* and 1*l.* 19*s.* 6*d.* costs, recovered by Ann Rigby against Mathias Philp, with damages for detention of the debt.] [*p.* 270.]

[On the Committee report of 15 March, the appeal is (1 dismissed. The original debt was to Richard Rigby, and the 29 Committee find] That the now Appellant, Plaintif below cannot by Law, as Administrator de bonis non of the said Richard Rigby revive the Judgment in Question recovered by the said Ann Rigby the Executrix of the said Richard Rigby against the said Mathias Philip The said Judgment not having been after a Verdict nor proceed upon such Judgment in any way whatsoever, but is put to bring an Action as if no such Judgment had ever been recovered And that as Administrator of the said Ann Rigby he has no Right at all. [pp. 405, 437-9, 454.]

[366.] [Reference to the Committee of the petitions of John Freebody, merchant, of Newport, R.I., for the hearing of his two appeals from judgments of the Superior Court in March, 1757, affirming previous judgments in favour of Jahleel Brenton, Benjamin Wickham, and George Gardiner,

(1759.) 29 Mar.

6 Nov. Jamaica.

1758.

396 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1758.

commissioners for the distribution of the estate of Joseph Whipple, an insolvent, on Freebody's actions of trespass and ejectment to recover (a) 520 acres of lands with 2 dwelling houses, etc., in the town of Middletown, and (b) 287 acres of land with 3 dwelling houses, etc., also in Middletown.]

[pp. 284-5.]

- (1764.) [Committee. On Freebody's death, the appeals are revived
- 1 May. in the names of his sons John, Thomas and Samuel.] [Geo. III. Vol. III. pp. 419-20.]
- (1764.) [On the Committee reports of 27 July, the judgments are
- 3 Aug. reversed, but on payment of certain sums the defendants may have the mortgaged premises reconveyed to them. The dispute is about the depreciation of the old tenor bills of credit which were named in the condition of the mortgage.] [III. pp. 562-8, 593-4.]
- 21 Nov. [367.] [Reference to the Committee of the petition of Jamaica. John M'Leod of St. Dorothy parish and William Patrick Brown of St. John parish, Jamaica, for a day for hearing their appeal from a Chancery order of 26 May, 1758, on a bill filed by Susannah Elletson and Thomas Hope Elletson against the petitioners as executors of William Foster, deceased, and also against Thomas Nicholas Swigle, devisee and personal representative of Thomas Wilson, deceased, touching a mortgage of certain plantations made by Richard and Susannah Elletson in 1734 to Wilson and assigned by him ^{So} to Foster.] [p. 285.]
- (1765.) [Committee order for hearing on 27 June, and for affixing16 May. a summons on the Royal Exchange as no appearance has been

entered for the respondents.] [Geo. III. Vol. IV. p. 199.]

21 Nov. [368.] [Reference to the Committee of the petition of Antigua. Robert Ritchie, late master of the snow *Elizabeth* for a day for hearing his appeal from the condemnation of the ship and cargo by the Vice Admiraty Court in Antigua,
2 Nov., 1756, on a libel exhibited by John Dearman Nanton, waiter of H.M. Customs for the port of Old Road, for importing