

1768. § 68 *cont.*]

recommended that this larger amount be granted free of quitrent for 10 years and located in tracts of not less than 20,000 acres each in districts to be chosen by the petitioner and his associates, William Coxe, merchant of Philadelphia, Rebecca Coxe of Trenton, New Jersey, spinster, and John Tabor Kemp, Attorney General of New York, and Grace Coxe, his wife :—provided that they first execute a grant, release and surrender of Carolana in terms given at full length in the Register. Special provision is made for securing Mrs. Kemp's consent by separate examination.

In the instrument Heath's grant of Carolana is described as comprising] All that River of Saint Mattheo on the South part And all that River of Passo Magno on the North part and all the Lands between the said Rivers to the Ocean on the East and West part to the Continent And all those Islands of Veanis and Bahama and all other Islands there or near and lying Southward from the Continent in America which are all between the thirty first and thirty sixth Degrees of North Latitude inclusive.

[The preamble to the instrument recited that Dr. Daniel Coxe] in his life time did at a very large expence and almost to the ruin of his Family and ffortune exert his endeavours to carry the intention of the said Letters Patent into execution by attempts of Colonization and Settlement All which failed not through his own default but unavoidable and insurmountable obstacles. [P.R.] [pp. 529–33, 544.]

(1774.) [Reference to the Committee of Coxe's petition for an order  
8 June. to the Governor of West Florida for taking up and locating  
any quantity of land not less than 53,000 acres.] [XI. p. 125.]

11 May. [69.] [Reference to the Committee of the petition of Eleazer  
Quebec. Levy, merchant, for a day for hearing his appeal from a  
judgment of the Lieut.-Governor and Council of Quebec,  
18 May, 1767, reversing a judgment of the Supreme Court,  
24 Aug., 1766, in his action against Ralph Burton, Daniel  
Disney, Daniel Robertson and William Jones, for forcibly

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1768.

entering his house in Montreal and carrying away goods to the value of 1,000*l.* Quebec currency.] [p. 177.]

[On Burton's death the Committee revive the appeal by making his sole executor, Robert Burton, a party.] (1769.) 22 Dec.

[VII. p. 183.]

[On the Committee report of 20 July, the judgment of 1767 is reversed and that of 1766 affirmed. The petitioner, when acting at Montreal as agent for the bankrupt estate of Thomas Wilson, refused to give preference to a demand for payment by Daniel Robertson, a lieutenant in the Army. Robertson applied to the Military Council, and without notice to Levy obtained a decree on 20 Oct., 1763, for payment in preference to every other debt. Although Levy did not yet possess any effects belonging to Wilson, Lieut.-Governor Burton ordered Daniel Disney, the town major, to cause his goods to be sold for payment, and this was accordingly done by William Jones, the provost marshal. Burton and the other officers pleaded that they were executing a decree of the Military Court under the military government then existing in the province. The verdict of 1766 awarding 500*l. stg.* and costs was given by a jury on a trial before Chief Justice Gregory: this was reversed in 1767 on a hearing by the Lieut.-Governor and Council on a writ of error.] (1771.) 31 July.

[VIII. pp. 349-53, 364.]

[Reference to the Committee of Levy's complaint that Chief Justice Hey has not carried into execution the Order of 31 July, 1771, and has allowed the destruction of a recognisance entered into by Colin Drummond and Henry Kneller on behalf of the respondents.] (1774.) 19 Oct. [XI. p. 228.]

[70.] [Reference to the Committee, and by them on 28 June to the Board of Trade, of an extract of a letter of 16 Jan. from Governor Moore of New York to Lord Shelburne, relative to the settling the boundary between that province and Quebec.] 13 June. Quebec and New York. [pp. 204, 218.]

[Order in accordance with the Committee report of 9 Aug., agreeing with the Board of Trade, who reported,] That it having been mutually agreed upon between Sir Henry Moore 12 Aug.