

1771. § 182 *cont.*]

claimed the land on pretence of a prior grant of 12,000 acres from the proprietors, and that his heirs have proposed to relinquish their claim for a consideration. The petitioners are too poor to defend their just title, and pray that the Attorney General be directed to defend them at his Majesty's expence, or that an equivalent grant be made to Baker's heirs elsewhere.]

[*p.* 176.]

(1772.) [The petition is dismissed on the Committee report of 19 June. 17 June, agreeing with the Board of Trade that his Majesty is not called upon to interpose either in point of justice or equity, and that compliance with the request would establish a precedent that might lead to great inconvenience.]

[IX. *pp.* 297, 319.]

15 May. [183.] [Reference to the Committee of a Board of Trade
Grenada. representation of 15 May, with a draft of an additional instruction to Governor Leyborne empowering him to accept additional salaries from the Assemblies of Grenada, the Grenadines, St. Vincent, and Tobago.]

[*p.* 188.]

24 May. [On the Committee report of 23 May, the instruction is approved (P.R.). Leyborne's salary was 1,200*l.* a year. Additional sums must be voted at the first Assemblies after his arrival and before proceeding to any other business, and must continue to him and his successors or at least for the whole period of his government.]

[*pp.* 196, 224.]

15 May. [184.] [Reference to the Committee of the petition of
Virginia. John Hunter, merchant of Virginia, that the Council dismiss for non-prosecution the appeal of Philip Ludwell Lee from a final judgment of the General Court, 3 May, 1770, on Hunter's action of debt against him.]

[*p.* 188.]

7 June. [Similar reference of Lee's petition for a day for hearing his appeal.]

[*p.* 260.]

(1772.) [On the Committee report of 26 June, when all parties
8 July. were heard, the appeal is dismissed.] [IX. *pp.* 328, 367.]

15 May. [185.] [Reference to the Committee of the petitions of
Jamaica. Alexander Hood and Bryan Edwards that the Council dismiss

§ 185 *cont.*]

1771.

for non-prosecution (*a* and *b*) two appeals of Jasper Hall from Chancery orders of 20 April, 1770, overruling his demurrers to bills brought by the petitioners and Zachary Bayly, since deceased, for an account of prizes taken by ships of war for which in the one case Hall, and in the other Hall and Malcolm Laing, was or were agents, and for the unclaimed shares forfeited to Greenwich Hospital, of which Hood is Treasurer and Bayly and Edwards his agents in Jamaica.]

[*pp.* 47, 188-9.]

[On Committee reports of 11 June, the appeals are dismissed for non-prosecution.] 14 June.

[*pp.* 263, 275-6.]

[Appearances for Hood and others to (*c* and *d*) appeals by Nicholas Bourke and other executors of George Paplay, and (*e*) an appeal by Patrick Lynch (referred on 6 Nov., 1772,) from an order of 23 Oct., 1771, relating to prizes taken between 1756 and 1762.] (1772.)
2 Mar.

[IX. *pp.* 99, 475.]

[Reference to the Committee of (*f* and *g*) two appeals by Hall from orders of the Chancellor, 13 Feb., 1773, confirming a report of Charles White, Master in Chancery, in disputes about money forfeited to Greenwich Hospital.] (1774.)
9 Mar.

[X. *pp.* 320, 466-7.]

[On the Committee report of 20 June, John Armistead's appeal (*h*) from a decree of 9 Feb., 1773, is dismissed with 10*l.* costs for non-prosecution.] (1774.)
6 July.

[X. *p.* 320; XI. *pp.* 23, 149, 172.]

[Reference to the Committee of the petition of (*i*) Elizabeth Bourke, widow, John and Thomas Bourke, Charles Palmer, Jasper Hall, William Patrick Browne, Richard Welch, Robert Cooper Lee, and James McCabe, for a day for hearing their appeal from a decree of the Chancellor of Jamaica, 23 Nov., 1774, in favour of Alexander Hood, Bryan Edwards, and John Woolfreys, in a case about moneys due from the estate of Nicholas Bourke to Greenwich Hospital. The respondents claim as representing the daughters of James Gunman, Treasurer of the Hospital.] (1776.)
12 April.

[XI. *p.* 506; XII. *p.* 512.]

[On Committee reports of 27 May the appeals (*c* and *d*) of Nicholas Bourke, Jasper Hall, Henry and Philip Livingston, (1777.)
13 June.

298 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1771. § 185 *cont.*]

and Charles Dawes, jun., executors of George Paplay (from orders of 23 Oct., 1771) ; and (*j*) of John Armistead (from an order of 9 Feb., 1773) are each dismissed with 20*l.* *stg.* costs for non-prosecution.]

[XIII. *pp.* 456-8, 519-23 ; XIV. *pp.* 14-5.]

(1778.) [On Committee reports of 26 June (*e*) is dismissed without
1 July. costs after hearing both sides : (*f*, *g*, *i*) are dismissed for non-prosecution, (*f* and *g*) each with 40*l.* costs, and (*i*) with 20*l.* costs. Other names occurring in the reports are Hubert Tassell and James Barclay, Gunman's agents in Jamaica ; Capt. Charles Holmes, of H.M.S. *Enterprise*, and Samuel Howell.]

[XV. *pp.* 237-44, 263-5.]

24 May. [186.] [An additional instruction is approved for the
New York. Governor of New York to pass a grant to Frederick Philipse for 99 years of all mines of gold or silver discovered by him or his agents or workmen on the manor of Philipsburgh (P.R.). Philipse's petition was referred in Mar., 1764—(*Cf.* Vol. IV. *p.* 550.) On a Board of Trade report of 22 Feb., 1771, the Committee on 29 April ordered the preparation of an instruction, which they submitted for approval on 23 May.

The Board of Trade, having considered (*a*) a letter of 19 Nov., 1770, from Lord Dunmore to Lord Hillsborough, stating that he had taken advice of counsel on Philipse's petition to him to support his application, and that no objection had been raised, and (*b*) a minute of the Council of New York that a mine appeared to have been discovered on Philipse's manor, recommended that the Governor be instructed to pass a grant on the following conditions :—]

1st. That there be reserved to Your Majesty . . one fifteenth Dish of the gross ore . . or one twentieth part of the Gold or Silver which shall be extracted therefrom to be accounted for upon oath [and paid] to the Receiver General of Your Majestys Revenue of the province of New York . . who shall have liberty to keep one or more Clerks at any of the Mines worked by the petitioner