

said province shall think intitled thereto shall issue out a warrant of Survey for such a number of acres in one contiguous Tract, not exceeding five hundred as shall appear proportionable to the wants and circumstances of the proponent, and as the said proponent shall choose. But in case it shall so happen from the multiplicity of former grants that free lands cannot be had suitable to the purposes of the said several proponents Then and in all such cases, you . . shall proceed to cause other Lands such as the proponent shall choose to be surveyed notwithstanding such lands shall fall within the Boundaries of any Grant or Grants heretofore made under our order or Orders in Council ; provided it shall sufficiently appear to you . . and the Council of our said Province, that the Term of three years at least hath Expired since such Grant or Grants were dated, and that either no Settlement hath been made thereon, or not in the proportion required by the conditions of the said Grant or Grants, and in order to avoid as much as possible all foundation of complaint which might be made in such cases, by former Grantees if no notice was given of the said proceeding . . upon the return of any warrant for surveying lands already granted, no patent for suspending any such Subsisting Grants shall be passed until notice be given to the first grantee or his attorney to shew cause before you . . and Council, if he shall so think fit, within six months where the said Grantee shall be in the province, and in case of absence within Twelve Months why such patent to such proponet should not pass at the Expiration of which notice nothing to the contrary appearing, you . . shall proceed to pass a Grant for Lands according to the respective Survey to each proponent with the usual Terms, Conditions and Reservations to be granted free of all costs, Fees or perquisites for the same. [XIV. *pp.* 441, 462-3.]

[350.] [Reference to the Committee of the petition of 16 April. William Mathew Burt for leave to withdraw, without forfeiture of his recognisance, an appeal from a judgment of the Court of Errors in St. Christopher, 12 May, 1775, on Sir Gilliess Payne's

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Christopher.

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ejectment for 190 acres of mountain land in the parish of Sandy Point. The merits of the question do not appear on the transcript of the record and hence cannot be decided upon an appeal.] [p. 454.]
- 4 July. [On the Committee report of 24 June, the petition is granted.] [XIV. pp. 110, 131.]
- 16 April. [351.] [Reference to the Committee of the petition of Jamaica. Frances Elizabeth Watts (late Low, widow) by Adam Hobkirk, her next friend, that the Council dismiss with costs for non-prosecution the appeal of her husband, Robert Watts, planter of Jamaica, from a Chancery decree of 27 Jan., 1776, about her rights under her marriage settlement.] [p. 455.]
- 13 June. [On the Committee report of 27 May, the appeal is dismissed for non-prosecution without costs. Francis Allwood, James Claypole and Edward Foord are also named in the report.] [p. 523 ; XIV. p. 15.]
- 16 April. [352.] [Reference to the Committee of the petition of Antigua. Philip Hicks and Tryphena Ronan, executor and executrix of William Redhead, that the Council dismiss with costs for non-prosecution the appeal of Samuel Redhead from a decree of Thomas Jarvis, deputy-ordinary of Antigua, 20 Jan., 1776, in his suit to have his brother's will set aside.] [p. 456.]
- 20 June. [Redhead's petition for a hearing is similarly referred.] [XIV. p. 40.]
- (1781.) [On the Committee report of 3 Feb., the appeal is dismissed.
- 16 Feb. Thomas Warner is the only other named in the report.] [XIX. pp. 87-9, 126.]

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- 13 June. [353.] [Reference to the Committee of the petition of Jamaica. William Jackson of Papine, Jamaica, and Richard Thomas of Kingston, two of the executors of Adam Tinling, for a day for hearing their appeal from an order of the Supreme Court,