

§ 22 *cont.*]

1766.

Governor Murray should be dismissed, as groundless, Scandalous, and Derogatory to the Honour of the said Governor, who stood before the Committee unimpeached.

[*pp.* 202, 218.]

[23.] [Reference to the Committee of the petition of John Holmes, yeoman of Middletown, Newport co., Rhode Island, that the Council dismiss for non-prosecution the appeal of Thomas Freebody, merchant of Newport, from a judgment of the Superior Court in March, 1765, affirming one of the Inferior Court, 21 Nov., 1763, in Holmes's action of trespass and ejectment for 125 acres of land and a house and barn in Middletown.]

10 Dec.
Rhode
Island.

[*p.* 129.]

[On the Committee report of 7 July, the appeal is dismissed (1768.) with 20*l.* *stg.* costs for non-prosecution.] [VI. *pp.* 239, 249.] 15 July.

[Reference to the Committee of Holmes's appeals from two (1769.) judgments of the Superior Court in March, 1766, and March, 14 April. 1768, in cases against Freebody concerning the same property.]

[VI. *p.* 549.]

[On the Committee report of 7 April, the judgments of (1770.) March, 1766, and March, 1768, are reversed and that of March, 27 April. 1765, reaffirmed. In spite of Freebody's appeal from the earlier judgment, the General Assembly had ordered a new trial in the Superior Court, at which Holmes, relying on the jurisdiction of the Privy Council, made no appearance. On judgment passing against him, he was only enabled to bring the matter before the Council by applying for a new trial, and then appealing. The General Assembly declined to carry into effect the Order of 15 July, 1768, till the case should be determined on this new appeal. Names occurring in the report are Margaret Holmes, James Green, and Freebody's father, John, and brothers, John and Samuel.]

[VII. *pp.* 190, 332-40, 359.]

[24.] [Reference to the Committee of the petition of Jane Brown, of Newport, Rhode Island, widow, and Matthew Robinson, gent., and Robert Brown, yeoman, of South Kingstown, 10 Dec. Rhode Island.

1766-7. § 24 *cont.*]

the executors of John Brown, merchant of Newport, that the appeal of John Bannister, of Middletown, Rhode Island (to which an appearance had been entered for them on 1 Oct.) be dismissed with costs for non-prosecution. Judgments for the defendant had been given in the Rhode Island courts on 21 Nov., 1763, and in March, 1765, on Bannister's action to recover from Brown several sums due to him on book account.]

[*pp.* 52, 130.]

(1767.) [Bannister's petition for a day for hearing his appeal is
26 June. referred to the Committee. The name of Isaac Brown appears in place of that of Jane Brown.] [*p.* 369.]

(1768.) [On the Committee report of 7 July, the appeal is dismissed
15 July. with 20*l.* *stg.* costs. The appellants desired to withdraw their petition and the respondents asked that it be dismissed with costs.] [VI. *pp.* 239, 249.]

1767. [25.] [Reference to the Committee of the petition of Walter
27 Mar. Tullideph for a day for hearing his appeal from a decree of
Montserrat. the Montserrat Chancery, 27 Oct., 1766, dismissing his bill against Bethia Symes, widow, John Symes and Elizabeth his wife, of Montserrat, Thomas Dorsett and William French, deputy provost marshals of Montserrat, Alexander Willcock, merchant of Antigua, and Walter Skerrett, merchant of Montserrat, to recover the principal and interest of a loan on the mortgage of Symes's plantation in the parish of St. Anthony.] [*pp.* 192, 337.]

(1769.) [On the Committee report of 13 March, the decree is
14 April. reversed and directions given for selling the estate and taking accounts. Other names in the report are Alexander Gordon, Robert King, Henry Dyer and James Symes.]

[VI. *pp.* 489-92, 536.]

27 Mar. [26.] [Reference to the Committee of the petition of Jasper
Jamaica. Hall, merchant of Kingston, Jamaica, for a day for hearing his appeal from a judgment of the Court of Appeals, 18 Aug., 1766, reversing a judgment of July, 1763, in his action against Malcolm Laing, the Receiver General, for 83*6*l. currency,