

Philips, Esq., Felix Doran, Mr. James Smith. Mr. Joseph Daniel employed to sort papers. Mr. Peter Tho. Tyson. 3 Dec. 1753, decree for the will of 5. Nov. 1748. Appeal to H.M. in Council. Nich. Taylor repeatedly declared that he had made no will. Endorsed: To be heard 11 Jan. 1757, and in writing "Decree reversed."

Respondents' Case.

1st paper. Will recited: Nich. Taylor of St. Geo., Basseterre, planter. To my wife Eliz. $\frac{1}{3}$ of all profits and my furniture. To s. Wm. and dau. Eliz. and the child my wife now goes with £6000 apiece at 21. My mother Mary Carr £20 a year. My two brothers, Geo. and Sam. T., £200 c. apiece. All residue to my son George. Richard Wilson and Anthony Wharton, Esquires, Ex'ors and G. 5 Nov. 1748.

2nd paper. To my wife Eliz. $\frac{1}{3}$ of plantation and furniture. Children, Eliz., Wm., and the child my wife goeth with, £21,000 c. equally among them. My brothers Geo. and Sam. T. £200 st. each. My mother Mary Carr £20 a year. All residue to my son George if he die my next h. at l. to pay my brother Sam. £1,000. Ex'ors as above, no date, of his own handwriting. (Add. MS. 36,217, fo. 103.)

JAMAICA.

Joseph Williams, Esq., eldest s. and h. of Joseph W., Esq., who was one of the four sons and a devisee of a part of the real estate of Rowland W., Esq., dec^d. App.

Hannah Beecher. Resp.

Appellant's Case.

Rowland Williams having 4 infant sons and a dau. living by will dated 19 June, 1722, devised his estate to his 4 sons gave £2,000st. or £3,000c. to his dau., and appointed Wm. W., Jonathan Gale and Tho. Wollery, Esquires, Ex'ors and G., and by a codicil gave to his friend Mary Sharp £300 c. and £100 st. a year, and d. 6 June, 1723, leaving a great estate. All the Ex'ors d. within 10 years. Lewis W., one of the sons, on 7 July, 1732, obtained adm'on. About 1742 some deed was made between the said Mary Sharp and her dau., the Resp. Hannah Beecher (wife of Edward Beecher), whereby she assigned to Hannah all sums due. Edward Beecher d. 16 Oct., 1751, and Hannah obtained adm'on of his estate. Mary Sharp was still living. Twenty-nine years after testator's death Hannah Beecher filed her Bill 24 Oct., 1751, and claimed payment of the £300 with interest at 10 per cent. amounting to £9,955 c. Mary Sharp d. 5 July, 1752.

Answer of the App., Joseph Williams, 29 Aug., 1753, that his grandfather gave the said legacy to plaintiff's mother not charged on the real estate. Testator's sons, Joseph, Lewis, John and Wm. Joseph, the eldest son, Appellant's late father. App. is in possession of *Carawona*.

1 Aug., 1754, the Gov. ordered that an account should be taken. App. appealed to H.M. in Council. The Master found £10,450 was due and on 1 Aug., 1755, the Gov. ordered payment and on 3 May, 1756, pending the appeal issued a sequestration and Appellant's whole estate has been seized to the amount of £30,000. To be heard 22 March, 1757. Endorsed in writing "Decree reversed and Restitution awarded."

Respondent's Case.

Rowland Williams, by his will, gave to his dau. and to 3 of his sons, Lewis, John and Wm., £8,500 in legacies, and to his 3 sons severally his real estate, and to John also 30 negroes, and to his eldest son, Joseph, until 27, £500 a year.