

1709.

Setling of those Boundaries, the Lords Proprietors having by an Instrument under their hands, Submitted the same to Your Majesty's Royal Determination; Which Instrument dated in March 1708, is lying in this Office.

And Lastly, We humbly propose that your Majesty's further Pleasure be Signified to the said Lords Proprietors, And in like manner to the Lieutenant Governor of Virginia, That no Grant be Passed by either of those Governments of any of the Lands lying within the Controverted Bounds, untill such Bounds shall be Ascertain'd and Setled as aforesaid, whereby it may Appear whether those Lands do of Right belong to Your Majesty or to the Lords Proprietors of Carolina. [V. pp. 204-7.]

[1080.] [Reference to the Committee for Appeals of the appeal of Manuel Manasses Gilligan and Butler his wife, from a decree of the Barbados Courts of 1 Oct., 1707, in favour of Mitford Crowe and Oriana his wife, touching a portion bequeathed to the petitioner's wife by her father Edward Chamberlain.] 27 Jan. Barbados. [p. 248.]

[Committee Minute. All parties to attend on Saturday to fix a day for hearing the appeal.] 16 Feb. [p. 262.]

[Committee minute recommending reversal of the decree of Oct. 1707 and affirming a judgment of July 1704 in favour of the appellants.] 5 March. [p. 277.]

[Order accordingly.] [p. 288.] 31 March,

[Petition for liberty to appeal in a similar case relating to property in negro slaves, referred to Committee for Appeals.] 16 April. [p. 305.]

[Committee minute recommending that the appeal be admitted. The number of slaves is given as 16.] 10 May. [p. 314.]

[Order accordingly: copies of proceedings to be transmitted to the Board.] 29 May. [p. 324.]

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18 July. [The petitioners complaining that the Governor has failed to comply with the order of 31 Mar., it is ordered that the Secretary of State prepare a letter for her Majesty's signature, by which he is admonished and required to give immediate effect to the order.] [p. 368.]
- (1711.)
17 Sept. [The petition of Mitford Crowe Esqr. and Dame Oriana his wife, sole executrix of Sir Willoughby Chamberlain, her late husband, praying a day for hearing their appeal from a judgment of the Court of Common Pleas of Barbados of 15 Sep. 1710, and confirmed by the Governor and Council on 20 Feb. 1711, relating to a parcel of land in the parish of St. George, is referred to the Committee for Appeals.] [Vol. V. p. 315.]
- (1711.)
29 Dec. [Committee minute for reversing decrees in favour of Smithell Matson, Anne his wife and Rebecca Butler spinster, and restoring the appellants to all they have lost by the said judgments.] [V. p. 353.]
- (1712.)
10 Jan. [Order accordingly.] [V. p. 355.]
- (1712.)
19 Feb. [Committee minute on the appeal of Mitford and Oriana Crowe] from divers Proceedings against them in Barbados in favour of Manasses Gilligan and Butler his wife, on a judgment obtained by the said Butler Gilligan before her intermarriage. [On the said Oriana's agreement of marriage with Sir Willoughby Chamberlain, the Chapple Plantation with the buildings, appurtenances, negroes, cattle and stock was settled on her for life in order to secure her an annuity of 500*l.* payable quarterly, with power of entry in case of non-payment. The Committee recommend that the petitioners be immediately restored to possession of the plantation, and that they come to an agreement with Gilligan and his wife in the Barbados Court of Chancery as to the receipts of the petitioners from the plantation since Sir Willoughby's death. If all arrears of the annuity are satisfied to the date of the account, Gilligan and his wife are to have again the estate and pay the annuity regularly—subject to entry for non-payment. If the annuity

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has been overpaid the surplus is to go towards meeting a judgment obtained by Mrs. Gilligan against Sir Willoughby before her marriage. If the annuity is in arrear, Crowe is to retain the plantation till it is satisfied.] [V. pp. 380-1.]

(1712.)

[Order accordingly.]

[V. pp. 387-8.]

8 March.

(1713.)

[Reference to the Committee for Appeals of the petition of Gilligan and his wife complaining of hardships and injuries done them by Crowe and his wife as to a debt of 4242*l.*, and of the injustice of the Chancery Court of Barbados in putting in execution an order of Council, against which they had appealed.] [VI. p. 109.]

18 May.

(1713.)

[Reference to the Committee for Appeals of the petition of Gilligan and his wife, relating to a debt of 12,000*l.*, and praying that Dame Crowe being now dead and the jointure determined, they may have possession of the estate on giving security to pay the arrears of the jointure.] [VI. p. 236.]

13 Sept.

(1713.)

[Committee minute for granting the petition, and reversing the judgment of the Court of Chancery on 11 June 1712, on Gilligan giving security of 5000*l.* to Crowe to abide the final decision of the Court of Chancery of Barbados. In coming to an account, Mr. Crowe is to include such profits as he and his wife might have received without their wilful default.]

11 Oct.

[VI. pp. 251-2.]

(1713.)

[Order accordingly.]

[VI. p. 267.]

9 Nov.

(1718.)

[Reference to the Committee for Appeals of Crowe's petition of appeal from a judgment of the Barbados Chancery confirming the report of three referees relating to the arrears of the annuity.] [Geo. I. Vol. II. p. 104.]

9 Feb.

(1718.)

[Committee. Crowe alleges that there were to be two referees on each side and an umpire, and that his referees were not consulted: but it is recommended that his appeal be dismissed, the verdict of the referees upheld that no arrears

20 March.

596 ACTS OF THE PRIVY COUNCIL (COLONIAL).

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 5*l.* costs are allowed to Gilligan.] [Geo. I., Vol. II. *p.* 125.]
- (1718.)
 31 March. [Order accordingly.] [Geo. I., Vol. II. *p.* 128.]
- 27 Feb. Barbados. [1081.] [The Governor and Council of Barbados to receive a copy of, and return their answer to, the complaint of Norman Mackaskell, Deputy Clerk of the Crown there, against Mitford Crowe, the Governor, for committing him to gaol for refusing to answer questions as to the proceedings of the Court of Grand Sessions of December last.] [*p.* 264.]
- 22 Aug. [Reference to the Board of Trade of Mackaskell's petition complaining of Crowe's disobedience of the above order and other unjust proceedings.] [*p.* 417.]
- 31 March. Barbados. [1082.] [Reference to the Board of Trade of the complaint of Alexander Skene, Secretary of Barbados, of several encroachments on his office, and praying redress.] [*p.* 297.]
- 28 April. [Order for restoring Skene to all the rights, profits, advantages and fees of his offices according to the report of the Board of Trade of 15 April which showed that Governor Crowe had refused to admit Skene as Secretary till he paid 400*l.*, which he paid for one year, but found to be more than he could justly make of the said office: on his refusal to pay again, the Governor appointed one Arthur Upton to be his private secretary, who took various books from the Secretary's office and secured fees for various matters of right belonging to the petitioner—which the Board declare an encroachment on her Majesty's patent and prejudicial to the people of the island: in case the Governor shall think fit to employ a private secretary he himself ought to make him an allowance for it.]
- (1710.) [*pp.* 308-10.]
- 30 March. [Reference to the Board of Trade of Skene's complaint that the Governor refuses to obey the Order of 28 April and praying that it be enforced.] [*p.* 565.]
- (1715.)
 22 Nov. [Reference to the Committee for Appeals of the petition of Arthur Upton for a day for hearing his appeal from a decree