

744 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1718.
14 Nov. [Hodgson's agent pleading want of instructions to defend and praying time to send over for the same, the hearing is peremptorily fixed for the first meeting in May.] [p. 189.]
- (1719.)
10 July. [Committee recommend by consent of both parties, that if Ford pay within a month the costs incurred by Hodgson through the appeal, which costs are to be taxed by Mr. Vernon, the case be tried *de novo* : otherwise, the appeal is to be dismissed and the verdicts affirmed.] [pp. 287-8.]
- (1719.)
25 Aug. [Order for a new trial, Mr. Vernon certifying that the costs (2*l.* 1*s.*) have been paid.] [p. 306.]
- 1 July.
Massachu-
setts Bay. [1297.] [Reference to the Committee for Appeals of the petition of William Tunley and Christian, his wife, widow of Florence Maccarty, for liberty to appeal from proceedings in the courts of Massachusetts Bay and from the appraisement of the estate of Florence Maccarty, alleged to be in favour of William Maccarty to the prejudice of the petitioners.] [p. 154.]
- 1 July.
Massachu-
setts Bay. [1298.] [Reference to the Committee for Appeals of the petition of Henry Flint of Cambridge, Massachusetts Bay, for liberty to appeal from a judgment of the General Court of Trials at Newport, touching his right to part of an estate left by Thomas Willett, his grandfather.] [p. 154.]
- 8 Aug. [Committee—for dismissing the appeal ; as the proceedings both on the part of the defendant Ann Willett and on the part of the petitioner were] Erroneous, and without form and no Judgment regularly given, And that therefore the petitioner can't be relieved altho' an Appeale should be Granted him, and altho' the Judgment should thereupon be Reversed, But a New Suit must be Commenced.] [p. 164.]
- 27 Aug. [Order accordingly.] [p. 170.]
- 21 July.
Nova Scotia. [1299.] [Reference to the Lords of the Committee of the Council of the petition of Jeremiah Dummer, agent for Massachusetts Bay, to be heard upon the report of the Board of Trade of 26 Sep. 1717, on the petition of Sir Alexander