

178 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1727.
13 Nov. [135.] [Reference to the Committee for Appeals of the petition of Charles Paine, Esq., and Jennet his wife, Nathaniel Paine and Christian his wife, and Margaret MacArthur, spinster, for leave to appeal from a judgment of the Governor and Council of St. Christopher as a Court of Errors, 25 Nov., 1724, in their action to recover a plantation in the parish of St. Anne Sandy Point from Anne De Witt, since deceased, Dorothy Bontinan, and Elizabeth Guithen, widows.] [p. 182.]
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- 14 Dec. [Order admitting the appeal on the Committee report of 21 Nov. Leave to appeal had been refused by the Governor and Council on the pretext that the value was under 500*l.*; an affidavit is produced from Thomas Butler, counsel for the petitioners in the case, that he had offered in open court to give the respondents 500*l.* for the lands in case their title was held good, besides paying the costs and damages awarded. [pp. 185, 189.]
- (1729.)
23 June. [Committee.] The Counsell for the Respondents objected against the entering into the Merits of this Appeale in regard the term of Years laid in the Action of Trespass and Ejectment was Expired, and that any orders to be made by Your Majesty herein would be ineffectuall, and the said Respondents Counsell at the same time, refusing to agree to an Enlargement of the said term, Their Lordships did not think it necessary to Enter into the Merits of the said Appeale; But Do agree to Report as their opinion to Your Majesty that the said appeal should be Dismist, without prejudice to the Appellants bringing a New Action of Ejectment—And that either Party should be allowed liberty to appeale from the Judgment to be given thereupon, who shall demand it, on giving the usuall Security; And their Lordships are further of Opinion that the Bond Entered into for the Appellants prosecuting this Appeale, should be Discharged. [pp. 206, 218; II. p. 8.]
- (1729.)
26 June. [Order accordingly.] [II. p. 11.]
- 13 Nov. [136.] [The petition of John Greathead of St. Christopher complaining that William Matthew, Lieutenant Governor
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