

1748.

[87.] [Reference to the Committee of the petition of William Thomas, Esq., of Jamaica, residuary devisee of Walter Thomas, gent., of Jamaica, deceased, for a day for hearing his appeal from a Chancery decree of 18 Feb., 1747, on a bill filed by John Dickons, gent., late of Jamaica and now of London, and Alexander Sutherland, merchant, of Jamaica, and Mary his wife (John Dickons and Mary Sutherland being the only children of Daniel Dickons, cooper), against Thomas Croose, Mathias Philp, Charles Price, and Thomas Walters, surviving executors of Gersham Ely, for payment of 376*l.* 2*s.* 7*d.* with arrears of interest out of the estate of Walter Thomas, to which bill the petitioner was afterwards made a party.] [p. 59.]

30 June.
Jamaica.

[In accordance with the Committee report of 23 July, the appeal is revived on the death of Thomas Croose, by making his executor, Richard Lewing, a party.] [XIII. pp. 282, 338, 351.]

(1751.)
31 Oct.

[The case arose from a bond entered into by Walter Thomas to Gersham Ely, and later assigned to Dean Pointz, who left Joseph Pointz and Mathias Philp his executors in possession of the bond. To them payment was made by the hands of John Cavalier and John Reeves, both since deceased. These received the bond but failed to restore it to Thomas, who died in Oct., 1728, leaving as executors, his wife Jane, who later married Kyrle Bowerman, Thomas Croose, Adam M'Questin, Cavalier and Reeves, of whom Croose was the acting executor to whom the bond should have been restored. Dickons and Sutherland claim that the bond was assigned by Joseph Pointz and Philp to Cavalier and Reeves as joint executors of Daniel Dickons in part payment of a debt due by them, and that instead of assigning the bond, they receipted and indorsed it by mistake. They therefore claimed payment from Croose out of the estate of Walter Thomas. William Thomas was admitted a party in Jan., 1745, and appealed from a Chancery order of Feb., 1747, ordering an account to be taken before Sidney Marriot, one of the Masters in Chancery.]

(1751.)
26 Nov.

Order is now given in accordance with the Committee report of 19 Nov., reversing the decree and ordering a new

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1748.

trial in which the representatives of Cavalier and Reeves shall be parties.] [pp. 363, 364-9, 388.]

30 June.
Jamaica.

[88.] [Reference to the Committee of the petition of Sarah Elletson, widow, one of the daughters and executrix of George Goodin, of Jamaica, deceased, for a day for hearing her appeal from a Chancery decree of 11 Nov., 1746, in favour of David Dehany and Mary his wife, relating to the payment of two legacies left by Goodin to Mary Dehany and her younger daughter, Mary.] [p. 59.]

(1757.) [Reference to the Committee of the respondents' petition
8 June. that the appeal be dismissed for non-prosecution, no proceedings having been taken since an appearance was entered for them on 14 June, 1751.]

[XIII. p. 247 ; XVI. p. 521.]

(1757.) [On the Committee report of 1 July, the appeal is dismissed.]
8 July. [XVI. pp. 546, 551.]

4 Aug.
St.
Christopher. [89.] [Reference to the Committee of a Board of Trade representation of 12 July on a memorial of Edward Jessup, Esq., complaining of being suspended from his seat in the Council of St. Christopher by Governor Mathew without the advice of the Council.] [p. 82.]

15 Nov. [Jessup's petition to be heard against the Board of Trade report is also referred to the Committee.] [p. 113.]

(1749.) [Similar reference of Governor Mathew's petition to be heard
16 Mar. against the report.] [p. 229.]

4 Aug.
Jamaica. [90.] [Reference to the Committee of the petition of Samuel Jackson, merchant, of Kingston, Ja., for a day for hearing his appeal from a sentence of the Governor and Council of Jamaica as a Court of Errors, 4 Aug., 1747, affirming a judgment of the Supreme Court of Judicature of the last Tuesday in Feb., 1745, in an action of debt brought by David Olyphant for 4,000*l.* Jamaica currency, which he pretended was due from the petitioner by bond dated 8 Dec., 1741.]

[p. 82.]