

1764.

12 Dec. [582.] [Reference to the Committee of the petition of
New- Hezekiah Thurman, master of the brigantine *John and Ann*,
foundland. 120 tons, on behalf of himself, John Elliot, owner of the
vessel, and the owners of the cargo, for a day for hearing his
appeal from the condemnation of ship and cargo by the Judge
of the Admiralty Court at Newfoundland, 9 Oct., 1764, in
favour of Hugh Palliser.] [pp. 51, 317.]

(1770.) [On the Committee report of 6 April, the sentence is
27 April. affirmed.] [VII. pp. 331, 357.]

12 Dec. [583.] [Reference to the Committee of petitions of John
Jamaica. Doe, lessee of William Perrin and Thomas Vaughan, for a
day for hearing appeals from two judgments of 20 Nov., 1762,
in the Jamaica Court of Errors, affirming judgments of the
Supreme Court in Nov., 1758, in favour of Norwood Witter
and Hannah Blake respectively, relating to plantations in
Westmoreland parish.] [p. 52.]

(1765.) [Committee minute.] . . It appearing to their Lordships from
17 July. the Cases and Authorities Cited that a material Question
which Arises upon the Construction of the Will of William
Williams has undergone great Litigation in Westminster Hall
and has in Different shapes received Various Determinations
so that the Rule of Law by which such Question ought to be
Decided is not thoroughly settled—Their Lordships think
it highly fit for the sake of uniformity and Certainty in a
matter upon which titles to Land may depend, that a Case
should be made for the opinion of the Court of King's Bench.
[The case is accordingly stated at the end of the volume of the
Register. William Williams and his wife, Mary, had three
daughters, Bonella, Hannah, and Anna, and a son, John.
His brother-in-law, Isaac Gale, and Thomas Wollery, were the
only other devisees of any of the testator's real estate.]

[The Committee agree to report their opinion for the plaintiff
or defendant according as the Court of King's Bench are of
opinion that John Williams was or was not seized in fee or in
tail of the whole or any part of the premises devised by the
will of William Williams.] And in Case the Court of King's

1764-5.

Bench should be of opinion that it is proper to have the Question arising upon the above Case, treated in a more Solemn Way then the parties to this Cause are to agree to take the Judgment of the said Court in a Fictitious Suit.

[*pp.* 283-4, 739-41.]

[584.] [Letter from Philip Sharpe, Clerk of the Council, to Edward Sedgwick, transmitting to the Earl of Halifax, Secretary of State, a Board of Trade representation] relating to the conduct of the French Court in having the last Season sent several Ships of War to St. Pierre and Miquelon, and to the designs and proceedings of those Ships, and relating also to the defenceless and neglected State of the Forts and Garrisons in Newfoundland, that his Lordship may be pleased to receive His Majesty's Commands thereupon.

1765.

12 Jan.
Newfound-
land.

[*p.* 69.]

[585.] [A certificate signed by the four Clerks of the Council in Ordinary (W. Sharpe, W. Blair, Phil. Sharpe, Robert Walpole), acknowledging receipt from Capt. Thomas Blackburn of a box addressed to them by Governor Pinfold, containing a bond dated 16 Nov., 1753, purporting to be entered into by William Sims to John Carter for the payment of 4,000*l.* on Sims' death, with a minute of the Barbados Chancery showing that it was there exhibited on the hearing of a case between Sims' executrix and Carter.]

15 Jan.
Barbados.

[*p.* 70.]

[Reference to the Committee of Carter's petition for a day for hearing his appeal from a Chancery decree of 14 Jan., 1764, in favour of Katherine Sims, widow, making perpetual an injunction to stay proceedings for recovery of the bond.]

19 Mar.

[*p.* 162.]

[On the Committee report of 11 March, the decree is in part affirmed and in part reversed. The only additional name in the report is James Butcher.] [VI. *pp.* 476-7, 536.]

(1769.)
14 April.

[586.] [Reference to the Board of Trade of a] Petition from a considerable number of His Majestys New Subjects of the Province of Quebec representing against the Constitution

1 Feb.
Quebec.