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Harvard Law School

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APPEALS TO THE PRIVY COUNCIL FROM THE AMERICAN COLONIES: AN ANNOTATED DIGITAL CATALOGUE

COMPILED
FOR THE AMES FOUNDATION BY

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Summary: This catalogue lists all currently known colonial cases appealed to the Privy Council from the 13 colonies, plus the other "American" colonies in Canada and the Caribbean. For each appeal from the 13 colonies, the report gives: the colony from which the case was appealed; full and short name of the appeal as compiled from the entry in the 'Acts of the Privy Council, Colonial Series' (APC); the names and dates of lower court actions; the names of participants; the subject matter and disposition of the case; and more. Lists include case names and parties to the cases, counsel retained in England, vessels, preliminary lists of appeals from Canada and from the Caribbean and a brief list of Caribbean printed cases found in three major libraries. The printed catalog is accompanied by a website (<http://ames-foundation.law.harvard.edu/ColonialAppeals/>) that provides links to original documents.--Publisher.

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THE AMES FOUNDATION

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FOR THE PURPOSE OF CONTINUING
THE ADVANCEMENT OF LEGAL KNOWLEDGE
AND AIDING THE IMPROVEMENT
OF THE LAW

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1989. YEAR BOOKS OF RICHARD II: 7 RICHARD II. Edited by Maurice J. Holland, Dean of the Oregon University School of Law. (Cambridge, Mass.: The Ames Foundation, Harvard Law School.)

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1998. *LEX MERCATORIA* AND LEGAL PLURALISM: A LATE THIRTEENTH-CENTURY TREATISE AND ITS AFTERLIFE. Edited by Mary Elizabeth Basile, of the Massachusetts Bar; Jane Fair Bestor, Research Associate in Brandeis University; Daniel R. Coquillette, J. Donald Monan University Professor in Boston College, and Charles Donahue, Jr., Paul A. Freund Professor of Law in Harvard University. (Cambridge, Mass.: The Ames Foundation, Harvard Law School.)
2011. THE COMMON AND PIEPOWDER COURTS OF SOUTHAMPTON, 1426–1483. Edited by Tom Olding, private scholar of Southampton England, with an introduction by the editor and Penny Tucker, private scholar of Tavistock England (Cambridge, Mass: The Ames Foundation, Harvard Law School) (published in conjunction with the Southampton Records Series)
2014. THE SPOILS OF THE POPE AND THE PIRATES, 1357: THE COMPLETE LEGAL DOSSIER FROM THE VATICAN ARCHIVES. Edited by Daniel Williman, Professor of Latin and History Emeritus, Binghamton University, and Karen Ann Corsano, private scholar of Cambridge, Massachusetts (Cambridge, Mass.: The Ames Foundation, Harvard Law School.)
2014. APPEALS TO THE PRIVY COUNCIL FROM THE AMERICAN COLONIES: AN ANNOTATED DIGITAL CATLOGUE. Compiled by Sharon Hamby O'Connor, Professor Emerita in Boston College Law School, and Mary Sarah Bilder, Professor of Law in Boston College Law School, with the assistance of Charles Donahue, Jr., Paul A. Freund Professor of Law in Harvard University. (Cambridge, Mass.: The Ames Foundation, Harvard Law School.)
2015. THE REGISTER OF THE OFFICIAL OF THE BISHOP OF ELY: 21 MARCH 1374 – 28 FEBRUARY 1382. Edited by Marcia Stentz, formerly archivist of the Hudson's Bay Company, Archives of Manitoba, and Charles Donahue, Jr., Paul A. Freund Professor of Law in Harvard University. (Cambridge, Mass.: The Ames Foundation, Harvard Law School.)

PREFACE

THIS volume continues the Ames Foundation's series of volumes independent of the *Year Books of Richard II*.¹ Since the *Year Book* series is virtually complete, we hope to publish more works along the lines of these volumes. We have recently converted this series into an 'eseries', in which an electronic book in PDF format accompanies the publication in a traditional paper format.²

Published here is a catalogue that lists all currently known colonial cases appealed to the Privy Council from the 13 colonies that became the United States. As is well known, in the century before the creation of the Supreme Court of the United States, the British Privy Council heard appeals from these colonies, and from the other 'American' colonies in Canada and the Caribbean. This catalogue lists nearly one-third of the more than 800 heard from the Americas. The printed catalogue is accompanied by a website (<http://amesfoundation.law.harvard.edu/ColonialAppeals/>) that provides links to original documents in England and the United States. The website includes images of surviving briefs filed in 54 of these appeals. Images of all the pages of Joseph H. Smith's *Appeals to the Privy Council from the American Plantations* are also available on the site.

Conversion of a website drawn from a database into a printed book presented challenges that the Foundation had not faced before. Ultimately, we decided to err on the side of inclusiveness. Obviously, we could not include the links on the website in a printed book, nor could we include the images that are reached via the links. In the printed catalogue, the items that are linked on the website are shown in slightly grayer type, so that the reader can tell what can be found the website. Otherwise every page that is on the website is included here. Hence, the Introduction includes information that is useful only to those who have access to the website, but most of it is relevant

¹ The series is represented, for example, by Tom Olding's *The Common and Piepowder Courts of Southampton, 1426–1483*, which we published in conjunction with the Southampton Records Series and for which we posted the im-

ages of the manuscripts online.

² The first volume in this 'eseries' is an edition by Dan Williman and Karen Ann Corsano of a series of papal documents telling a remarkable story of piracy in the mid-fourteenth century.

to the printed book as well.

The layout in the printed book differs from that on the website. Probably most noticeable is that the lines of text are shorter to allow them to fit on the printed page. All the data, however, is there.

The heart of the catalogue is a series of 257 reports on the ‘cases’ appealed to the Privy Council. The composition and limitations of these reports are described in some detail in the Introduction. The book also includes a memorandum, called ‘Opportunities for Further Research’, addressed to students and enthusiasts that offers advice on how to use the catalogue for developing a paper for a course or for advancing research in the field, and an example of the kind of research that can be done using the material in the catalogue.

All the Useful Lists available on the website can be found here. These lists substitute for an index. Parties to the cases can be found on the lists of case names. Counsel retained in England can be found on the list of counsel. There is a separate list for vessels. There are also preliminary lists of appeals from Canada and from the Caribbean and a brief list of Caribbean printed cases found in three major libraries. The preliminary list of Caribbean appeals is particularly extensive. Persons other than parties and counsel, and place-names, are best found by using the search engines on the website.

The normal list of acknowledgements that are found at this point in Ames publications are found in this one at the end of the Introduction. Suffice it to say here that the Foundation is also grateful to all of the institutions and people who helped with this project. It is also grateful to Professors O’Connor and Bilder for having gently guided us into doing something that is at once quite far from what we have traditionally done but also quite closely related to it. It has been quite a trip for the undersigned, and it would not have been possible were it not for the fact that the compilers of the catalogue were such a delight to work with.

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CONTENTS

PREFACE	v
CONTENTS	vii
INTRODUCTION	ix
<i>Overview</i>	ix
<i>Background.</i>	ix
<i>Catalogue Content</i>	x
<i>Additional Resources – Catalogue</i>	xiv
<i>Advice on Using the Catalogue</i>	xv
<i>Additional Resources – Elsewhere</i>	xviii
<i>Updating</i>	xix
<i>Acknowledgements</i>	xix
<i>Notes</i>	xx
CONTENTS OF REPORTS BY COLONY	1
CONTENTS OF REPORTS BY YEAR	9
REPORTS	16
CONNECTICUT	16
DELAWARE	35
GEORGIA.	37
MARYLAND	40
MASSACHUSETTS	65
NEW HAMPSHIRE	142
NEW JERSEY	170
NEW YORK	177
NORTH CAROLINA	213

PENNSYLVANIA . . . . .	.218
RHODE ISLAND . . . . .	.240
SOUTH CAROLINA . . . . .	.371
VIRGINIA. . . . .	.375
FURTHER RESEARCH. . . . .	.470
<i>Opportunities for Further Research</i> . . . . .	.470
<i>Additional Research on Ejectment Cases</i> . . . . .	.476
ABBREVIATIONS AND BIBLIOGRAPHY . . . . .	.483
USEFUL LISTS . . . . .	.493
<i>Case Names Long</i> . . . . .	.494
<i>Case Names Short</i> . . . . .	.505
<i>Vessels</i> . . . . .	.513
<i>Proceedings That Have Printed Cases.</i> . . . . .	.516
<i>All Printed Cases</i> . . . . .	.518
<i>Printed Cases in ESTC.</i> . . . . .	.522
<i>Repositories of Printed Cases</i> . . . . .	.524
<i>List of Those Who Argued Appeals.</i> . . . . .	.528
<i>Cases That Are Not 'True' Appeals.</i> . . . . .	.534
<i>Conversion Chart</i> . . . . .	.535
<i>Canadian Appeals</i> . . . . .	.539
<i>Caribbean Appeals.</i> . . . . .	.543
<i>Caribbean Appeals – Printed Cases</i> . . . . .	.630

Introduction

Contents

Overview	Background	Catalogue Content
Additional Resources – Catalogue	Advice on Using the Catalogue	Additional Resources – Elsewhere
Updating	Acknowledgements	Notes

Overview

This annotated digital catalogue offers a systematic presentation of the appeals to the Privy Council from the 13 colonies that became the United States, with links to related documents. The purpose is to provide a foundation for further study of these appeals through improved access to source material. This effort complements other ongoing international efforts to uncover the record of appeals within the colonies of the British Empire. Current complementary international projects address previously unpublished Privy Council cases from a somewhat later period and colonial appeals from India and Australia. Preliminary lists of appeals from Canada (pdf) and from the Caribbean (pdf) are included here. A brief list of printed cases for the Caribbean found in the British Library, the Law Library of Congress and the Law Library at Columbia University (pdf) may provide a beginning for similar study by interested scholars.

This catalogue incorporates four bodies of material:

- a list of appeals based on the information presented in *Acts of the Privy Council, Colonial Series (APC)*;
- digital images of the extant printed cases or briefs for the appeals;
- images of related documents preserved and classified at The National Archives (TNA) as PC 1;
- links to discussion of the appeals in the Privy Council's registers (TNA PC 2).

Background

The Privy Council in England evolved with the monarchy over centuries. Its size and precise functioning varied from reign to reign as it advised the sovereign on administrative, legislative, and judicial matters. By the dawn of the eighteenth century, its power was already waning. Nonetheless, the Council and its associated subsidiaries retained responsibility for the administration of the growing number of English colonies. As part of this oversight of colonial governance, the Council exercised appellate jurisdiction over the decisions of the highest courts in each colony.

For a brief overview of the Council's appellate jurisdiction and its significance, see Sharon Hamby O'Connor and Mary Sarah Bilder's "Appeals to the Privy Council before American Independence: An Annotated Digital Catalogue" (pdf).¹ To date, the most exhaustive study of the appellate process remains undoubtedly Joseph H. Smith's *Appeals to the Privy Council from the American Plantations*, images of which are available on this site. A number of other studies have provided detailed discussion of more particular aspects.²

Catalogue Content (and Related Documentation)

1. List of appeals

a. Content

The list includes controversies indexed as appeals from the 13 'American' colonies or that identify themselves as appeals in their descriptions in the *APC*, beginning with the establishment in 1696 of the Lords Commissioners of Trade and Plantations (commonly called 'the Board of Trade') and continuing until the Revolutionary War. The list also includes a limited number of earlier cases from colonies noted by Joseph Smith as sending appeals.³

What counts as an 'appeal' is an issue of some complexity. The vast majority of the cases listed here resemble modern notions of appeals by private parties from lower court determinations, but the Privy Council heard matters in this process that blur these boundaries. Some matters were in fact petitions for assistance of other sorts; some were appeals meant for other bodies; some lack a clear lower court judgment. Prize and admiralty matters generate more than their share of confusion. Some inclusions appear to be the result of indexing choices made by *APC* editors. Joseph Smith, in his most scrupulous manner, sometimes notes that matters he treats extensively are not in a technical sense 'appeals'. For example, in the case of *Bayard v Rex*, Smith notes that the case really reflects the pardoning power of the Council. Without further investigation into each case, it would have been a challenge to limit the list to those that fit the technical category of 'true' appeal.

Thus, we have erred here on the side of inclusion. If indexed or described as an appeal, the matter is included, leaving to the researcher further classification. The result is 257 reports, each reflecting a dispute or, in some cases, related disputes reported in a single numbered section in the *APC*. Comments in the Notes sections allude to the actions most obviously not formal appeals. Twenty-six of the 257 reports most clearly falling short of the definition of an appeal in various ways are marked 'not a "true" appeal' and can be searched separately by using the 'true' appeals search form, which can accessed from Specific Search Options or from Useful Lists. The Privy Council's registers were not online when the catalogue was compiled. Their availability now, along with a growing number of related sources, will be a help in developing a more definitive list.

The Privy Council also heard a small number of appeals from royal commissions

on boundary disputes and on the long-running controversy between the Mohegans and the colony of Connecticut. That category of complaints is *not* included in this list of appeals. Researchers interested in these matters are advised to consult the significant number of secondary sources on these topics.

b. Description of appeal

The following information is provided for each appeal :

- the colony from which the case was appealed;
- full and short name of the appeal as compiled from the *APC* entry;
- references to all of the entries in the *APC* with links to those entries;
- references to entries in the Privy Council's registers with the TNA request number (PC 2) for the registers and with links to the register entries on the Anglo-American Legal Tradition (AALT) website;
- reference to entries in the *Calendar of State Papers, Colonial: America and the West Indies, 1680–1700 (CSP)*, if, and only if, that information was supplied by the editors of the *APC*;
- the names and dates of lower court actions as given in the *APC*;
- the names of participants;
- vessel names, if any;⁴
- the subject matter and disposition of the case, if given.

A PDF version of all the reports will shortly be available for viewing and downloading. A hard-bound paper copy of it may be obtained from W. S. Hein & Co. Adobe does not quite capture all the formatting, but all the data is there. Individual reports can be downloaded from most browsers as a PDF file with the software known as 'Acrobat Pro'. In the lower right-hand corner of each report there is a link to an HTML version of the report that is optimized for printing on 8.5 x 11 inch paper. It is a bit faster than converting the report to PDF, and it preserves all the formatting except for the horizontal spacing.

c. Relationship of catalogue description to *Acts of the Privy Council, Colonial Series*

The *APC*, the foundation of the catalogue's list, was compiled from the Privy Council's registers. Researchers are advised to keep this aspect of the catalogue in mind. For example, in the *APC* female executors are sometimes called 'executor' and sometimes 'executrix'; we have carried these designations over into the catalogue. This means that if one is searching for female executors, one has to use both terms. We noted and corrected some obvious errors in the *APC*, but further study of the appeals will undoubtedly uncover errors, confusions, and omissions that are reproduced here. Use of the *APC* and the registers means, of course, that appeals granted in the colonies but not pursued to the next level are not noted.

The cases grouped together in the *APC* are grouped together here as a single report.

Dates used in the *APC* are accepted.

Spelling in the *APC* is retained. When more than one spelling of a name is used, it is indicated in the case description for that appeal only, even if the same person appears in a different case.

Each participant's status, occupation, and place of residence or origin is given, if provided. Descriptors for that information use the terminology employed in the *APC*. The relationships of the participants are explained as best they can be determined from the *APC* entry. Parties are described as deceased if the *APC* so states or if the *APC* indicates the presence of an heir; in cases of uncertainty the descriptor 'presumed deceased' is used.

In cases involving vessels, the name of the case used by the *APC* or by Joseph Smith is used. If neither applies a name to the case, the parties are named if the parties are certain. Otherwise, the case is called 'X, appeal of' when there is an element of doubt as to the opposing party.

The nature of the case is likewise taken from the wording of the *APC*. Note, however, that the sketchy nature of the material in the *APC* often obscures the real issue in an appeal. What appears to be an action to recover a debt becomes really an issue of currency valuation; what looks to be just another family dispute in fact questions the validity of a statute regarding inheritance.

In compiling the *APC*, its original editors took little interest in the specifics of appeals from the colonies and, unfortunately, chose not to document them in detail. To quote from the preface to volume 3, p.xii, of the *APC*, "Considerations of space have led in this volume to the compression into very narrow limits of the numerous colonial appeals. Most of these are of no biographical or legal interest and to have given in full the complicated details of the family broils and commercial vicissitudes of the forgotten, or the record of the orders for hearing, postponements, partial hearings and further postponements, would have been neither advantageous nor possible. But in no case has a name or the number of any page referring to the case been omitted, and any matters of biographical or legal importance have been given at length." Researchers seeking more detail are encouraged to consult the registers and the *CSP*, the contents of which have not been searched beyond the citations given in the *APC*.

Except for the section number for entries in the *APC* (e.g., v.4 [601] p.717), information about an appeal presented in square brackets on the website was obtained from the work of Joseph Smith and does not appear in the *APC*.

Any other commentary not directly from the *APC* is referenced to its source. Only material in the Notes section of the description is provided by the compiler. Because of the particular interest in slavery in scholarly research, the compiler has included in the Notes references by the *APC* to instances in which

slaves figure in an appeal. However, a reading of the printed cases will undoubtedly reveal more cases concerning slaves.

While the catalogue itself is complete within the limits described above, much more clearly could and should be done. One of the advantages of web publication is that the contents of the website can be expanded as new research is done. We have included in two reports (Oulton v Savage, 05_1717_00, and Apthorpe v Pateshall, 05_1768_00) samples of such additional research, matter that was discovered in a quick trip to the Massachusetts State Archives. A more ambitious example of additional research is a memorandum that Charles Donahue prepared about the forty-seven cases that originated in actions of ejectment or like ejectment in the colonies. The Notes in the reports reference this memorandum where it is relevant. We have included on the site another memorandum by Mary Bilder that offers advice to students and enthusiasts about how to undertake further research using the catalogue.

2. Printed cases

A number of the appeals in the catalogue are accompanied by links to digital images of a 'printed case'. Americans might use the term 'brief'. The production of a printed case prepared for the hearing of the appeal before the Council became customary or required by a date as yet undetermined. These printed cases, central to the appeals, contain a summary of the facts and the legal arguments.

To date, printed cases for 54 appeals from the 13 'American' colonies have been found, some with multiple copies, the earliest dating from 1727/8.⁵ For many appeals, the cases for both the appellant and respondent have been located. In others, only the papers of one party have been found. Many include handwritten notations and underlinings, some attributable and others a mystery. All have a similar look and feel, mirroring not only each other but also appeals presented in this era to the Lords Commissioners for Hearing Prize Appeals and to the House of Lords.

The major collections of printed cases are found in the Hardwicke Papers in the British Library, many with notes of Charles Yorke; in the papers of Sir George Lee in the Law Library of Congress; and in the collection of William Samuel Johnson in the Law Library at Columbia University. A smattering of cases has been located in other repositories.

For each appeal for which a printed case has been located and viewed, information as to the holding library or libraries is provided with a link to its images if (1) the copy contains manuscript notes, (2) it is the only copy of the case located, or (3) it is one of several copies located, none with manuscript notes. Where a number of copies meets this last criterion, preference is given to the one at the British Library. Call numbers at holding libraries are current as of 2009.

3. Privy Council documents

For some appeals, related documents filed with the Privy Council remain extant.

Privy Council documents within the PC 1 classification at The National Archives at Kew are included with their PC 1 reference number and are linked to their images. Documents are entered as ordered and described in volume 6 of the *APC* or the online catalogue of TNA. Other classifications at TNA were not searched for relevant material, and only a few selected documents from other classifications are noted here.

The images of PC 1 documents are also available on the Anglo-American Legal Tradition website.

4. Privy Council registers

References to the Privy Council's registers (classified as PC 2 at TNA) are linked to the AALT website.

Additional Resources Available in the Catalogue

As an aid to researchers, the following separate lists have been prepared, all of which can be accessed from the 'Useful Lists' index page:

1. appeals arranged by colony and date using the long form of the case name;
2. appeals arranged alphabetically by the short form of the case name;
3. legal counsel who signed the printed cases, arranged alphabetically by their surnames, accompanied by a list of the appeals each signed, as compiled from the printed cases located to date;
4. all vessels named in actions, arranged alphabetically;
5. names, addresses, and phone numbers of repositories identified as holding a printed case;
6. a conversion chart noting the differences in TNA and *APC* forms of citation and dating of volumes of the Privy Council's registers;
7. a preliminary list of appeals taken from the Canadian provinces prior to 1784;
8. a preliminary list of appeals taken from the Caribbean prior to 1784;
9. a brief list of eighteenth-century Caribbean printed cases known to be extant in the British Library's Hardwicke Papers, the Law Library of Congress, and the Law Library at Columbia University;
10. a bibliography of all published works cited in the catalogue;
11. a list of all the reports that contain printed cases;
12. a list of all the printed cases, with the report number and the surname of the party for whom they were produced;
13. a list of all the printed cases that have been assigned numbers in the

English Short Title Catalogue;

14. a link to a search engine that allows one to list both those reports that are believed to be ‘true’ appeals and those that are not.

The first four lists organize material that is in the database fields ‘Case Names Long’, ‘Case Names Short’, ‘Appellant’s Case Signature’ and ‘Respondent’s Case Signature’, and ‘Vessels’. The next five contain material that is not in the database. All nine are PDF documents that can be viewed online, or downloaded. The tenth is an HTML page with links, in most cases, to the reports in which the item is cited. The last four are made up dynamically by the user from the database.

Advice on Using the Catalogue

There are a number of ways to navigate through the catalogue. On the bottom of the home page there are links to the ‘Useful Lists’ index page and to three successively more detailed chronological lists with (1) colony and report number only; (2) colony, report number, and case name; and (3) year, report number, case name, and colony.

1. Markers in the report

a. Report number

The report number is broken into three parts separated by underscores, for example, 01_1699_01. The first part designates the name of the colony in alphabetical order: 01 = Connecticut, 02 = Delaware, 03 = Georgia, 04 = Maryland, 05 = Massachusetts, 06 = New Hampshire, 07 = New Jersey, 08 = New York, 09 = North Carolina, 10 = Pennsylvania, 11 = Rhode Island, 12 = South Carolina, 13 = Virginia. The second part designates the year (New Style or Gregorian calendar⁶) of the first entry in the Privy Council records. The third part is a reference number that we assigned to each appeal from that colony in that year. ‘00’ indicates that it was the only appeal in that year from that colony. If you are looking at a report, you can move to another one by replacing the number of the report you are viewing, which appears at the end of the URL on your browser bar, with the number of the report you wish to see.

b. Report name

The *APC* frequently consolidates appeals from more than one case in the colonies when the cases dealt with the same or similar issues or have overlapping parties. In most cases what the *APC* does is reflected in the Privy Council records themselves. Later in the history of the appeal, different cases may be treated differently, for example, by having a different committee report for each case. The catalogue’s reports consolidate appeals when the *APC* does, but normally list at the head of the report the short names of all the cases involved in the appeal. All the case names are also found in the full contents lists referred to above. Other references to reports, however, for example, those that appear in the returns from searches, list only one name for each report.

c. Report navigation

There is a blue navigation bar at the top of each report. In addition to providing links to the home page, a list of Abbreviations used, the Bibliography, and the search engines, it allows one to navigate to the first, previous, next, and last report in chronological order for the entire database or in alphabetical order by colony and then by date within each colony (i.e., in report number order).

d. Bibliography and abbreviations

Citations in the reports are normally given in short form. The Bibliography, which is available on the navigation bar of the reports, gives the full references. With the exception of references that appear in a large number or all reports, the Bibliography gives the report number in which the item is cited, with a link to the report itself. The Bibliography begins with a list of Abbreviations that are used throughout the catalogue. This list can also be reached from the navigation bar.

2. Searching by search engine

a. Basic search

The basic search engine that appears on the home page searches most of the fields and most of the tables in the database. The most important fields that are not included are those that contain references to the *APC*, to the original Privy Council registers, and to the documents that we found at The National Archives. There are specific searches for these fields. The basic search engine searches for ‘words’ (i.e., any string of alphanumeric characters that begins and ends with a space or mark of punctuation or the beginning or ending of the field). The basic search engine is not case sensitive. It returns a list of reports that contain the searched-for item. It is a little slow, and would be even slower if it did not have the limitations that it has. Because the basic search engine searches the database rather than the reports, it will sometimes return words that are in the database but which, for one reason or another, are not included in the reports.

b. Advanced search

Because the basic search engine combines alphabetical characters and numeric characters, one can search for ESTC numbers. It will accommodate Boolean searching either by using MySQL’s markers or by using the words (all upper case) AND, OR, or NOT; it will accommodate string searching (use double quotation marks); it will accommodate truncated searching by using ‘*’. It uses MySQL’s rather large list of stop words (but such words may be included in string searches). It will not search for punctuation, but punctuation may be included in string searches. (The underscore character is not regarded as punctuation; hence, one can search for a specific report number if one enters the number with its underscores.) Truncated searching may be combined with Boolean searching, but combining Boolean searching with string searching sometimes produces unpredictable results.

Boolean searching using OR and NOT almost always produces the desired results. The same cannot be said of AND. It frequently delivers more than one asked for because the way we have interpreted it is that the first-named item must be included and the second-named item may be. It thus is no different from searching for the first-named item. You can narrow the search further by entering the two words again and putting a plus sign (+) before each of them (and leaving out AND). This may, however, miss a report that you are looking for because MySQL searches by rows, and many reports contain more than one row. An example of a search with the double pluses that achieves the desired result is '+attorney +general' in the basic search engine. That seems to turn up all the attorneys general in the fields searched. An example of a search that does not achieve the desired result is '+Anne +George' in the specific search engine for the APC. There is, in fact, one case that has records from both reigns (Lillie v Bromfield), but they are noted on different rows in the report, so the search returns a null result.

c. Searching with specific search fields

We have also provided a number of specific search engines that search one or more of the fields in one or more of the tables. Fields that contain the names of parties, the names of participants, the names of counsel, and the names of vessels may all be searched specifically. Specific search forms are also provided for the fields that reference the APC and the original registers. Another specific search form is provided for searching the references to the TNA documents in PC 1.

d. Interpreting results

As already explained (1b, Report name), the reports in the catalogue frequently combine a number of separate cases, all of which are given names. Returns from searches, however, list only one name for each report. The results of the search will be found someplace in the report (which is linked in the return), but will not necessarily have anything to do with the case name or names.

3. Navigating by useful lists

Another way of navigating through this material is by making use of the page called 'Useful Lists'. The contents of these lists are described above in *Additional Resources Available in the Catalogue*.

4. Viewing images

a. View link

If the database contains an image of the item being referred to, there will be a link marked 'view' in the right-hand margin of the line.

b. APC and CSP view images

View images are provided in PDF for the pages of the APC that describe the case or cases that are the subject of the report, and the same holds true for the descriptions of the case in the CSP that are referenced in the APC. The view

links on the lines noting the entry in the original registers of the Privy Council (PC 2) take you ultimately to the relevant image on the AALT website at the University of Houston, after stopping off at a page that lists all of the PC 2 entries relevant to the report. (The view links open on a new page or tab, so that you will not lose your place in the report.)

c. Printed cases and other documents

The view links that are marked on the printed cases, on the handwritten documents in The National Archives, and on the relatively small number of 'Other Documents' for which we have provided images take you to an intermediate image list. These are arranged by library or archive and list each of the images that concern the report that are in that library or archive, normally by linked page numbers. (The page numbers are our creation, and do not necessarily correspond to the page or folio numbers on the original; these latter are given in the reference on the image list.) Clicking on the page link will bring you to the image in question; it is embedded in an HTML frame, which provides the means to navigate through the document. The previous and following images (where they exist) are listed in the upper left-hand corner of the frame, and large navigation arrows at the top and bottom of the image allow one to flip back and forth. A few of the image holders have a link in the upper right-hand corner to images of higher resolution than those that are displayed. These images are sent directly to your browser (which may object to receiving them because of the size). From there they can be downloaded and manipulated if you want, say, to study watermarks or a particularly puzzling piece of handwriting.

d. Browsers

These pages have been tested in Internet Explorer 8 and Firefox 24.0. They do not look quite the same in those browsers (the vertical spacing on some pages is a bit different), but they work in both. We would appreciate hearing of any difficulties that users encounter with other browsers. (We are aware that IE 11 seems to have a mind of its own when it comes to vertical spacing. We do not recommend it if it can possibly be avoided.)

Additional Resources Available Elsewhere

Related materials can be found in manuscript, print collections, and online. These documents include petitions, committee reports, opinions of law officers, orders of reference, and filings found in local colonial court records. For example, the *Journals of the Board of Trade and Plantations, 1704–1782* and the *Calendar of State Papers, Colonial* are available at British History Online with some links to images of the documents in the case of the CSP. The CSP is also available with The National Archives collection CO1 (Privy Council and related bodies: America and West Indies, Colonial Papers) in digital form in ProQuest's Colonial State Papers for those with access to a subscription. Citations to related documents in those series are not generally noted here unless referenced in the APC. Grace Griffin's *Guide to Manuscripts* enumerates many printed cases and

related materials available at the Library of Congress in transcription.

In their works, Joseph Smith and Mary Bilder provide many additional citations to related primary and secondary materials. The bibliography of manuscript sources in Bilder's dissertation, *Salamanders and Sons of God*, is an especially rich resource. Only a limited number of additional resources are noted on this website. These include: (1) reference to manuscript drafts of printed cases, (2) the reporting of the colonial case by an early American reporter, and (3) library holdings of extremely relevant manuscript collections. No attempt has been made to bring up to date the bibliographies of Smith and Bilder with later secondary resources. Only when necessary to make sense of an *APC* entry were additional secondary sources consulted and noted in the database. Researchers are encouraged to check for new resources as more and more materials, including colonial court records, become available online every day.

Those interested in the later history of the Privy Council should consult the ambitious records project devoted to the Judicial Committee of the Privy Council, *Privy Council Papers Online (1792–1998)*. The modern Judicial Committee has its own site.

Updating

Researchers are encouraged to email the Ames Foundation upon the discovery of additional printed cases along with verifying documentation. Please include "Colonial Appeals" in the subject line of the email.

Acknowledgements

Compilation of the list of appeals and related data from the *Acts of the Privy Council*, *Colonial Series* and location of extant printed cases and documents were carried out by Sharon Hamby O'Connor, Associate Professor Emerita at Boston College Law School, bolstered, supported, and assisted throughout by her husband and photographer, Ron O'Connor. The project was the inspiration of Mary Sarah Bilder, Professor of Law at Boston College Law School, who provided invaluable scholarly advice and counsel throughout the process and who has worked assiduously to insure the catalogue's long-term accessibility on the web. It was nurtured into existence by the wise guidance and continual assistance of the late Morris L. Cohen, Professor Emeritus at Yale Law School. Its presentation on this website was made possible through the generous support of the Ames Foundation and the extraordinary commitment and dedication to the enterprise of its Literary Director, Professor Charles Donahue, Jr., Paul A. Freund Professor of Law at Harvard Law School. Its design and functionality are all due to the combination of his technical sophistication and his willingness to deal in depth with an historical period far removed from the medieval era of which he is master. Temple Goodhue, the proofreader for the project, added a degree of precision to this presentation that could never have been achieved without her. The technical support team at the Harvard Law School Library, especially Annie Cain, who manages the Ames server, and Stephen Chapman, Manager, Digital

Strategy for Collections, provided excellent assistance throughout the process. Filippa Anzalone, Associate Dean for Library and Technology Services and Professor of Law, and Nick Szydowski, Digital Services and Institutional Repository Librarian, at Boston College Law School thoughtfully enabled the presence and preservation of the project through the website Digital Commons @ Boston College Law School. Jason Liu, Law School Technology Consultant, also at the Boston College Law School graciously prepared black and white images for the many documents from The National Archives. Devon Coleman and Michael Rios assisted with the linking to images of original documents. The librarians at the various repositories holding printed cases and Privy Council documents were unfailingly helpful. Special thanks are due to Paul Johnson at The National Archives at Kew. At the British Library, our special thanks go to Frances Harris, Richard Davies, Jonathan Sims, the staff of Imaging Services, and especially to Arnold Hunt, Curator of Modern Historical Manuscripts, for his steadfast perseverance and patience. Much appreciation is extended to Robert C. Palmer, Cullen Professor of Law and History at the University of Houston, for his enhancement of the online availability of Privy Council resources. The efforts of A. Mitchell Fraas, Schoenberg Scholar-in-Residence at the University of Pennsylvania Libraries, the cooperation of the officers of the American Society for Legal History, and the generosity of Linda Price, daughter of the late Joseph Smith, enabled the inclusion of a scanned copy of Smith's monumental work, *Appeals to the Privy Council from the American Plantations*, on this site.

1 March 2014 n.s.

Notes

¹ Bibliographical details for this and all other published works cited in this catalogue may be found in Abbreviations and Bibliography.

² Older treatments include George A. Washburne's monograph, *Imperial Control of the Administration of Justice in the Thirteen American Colonies, 1684–1776*, Arthur M. Schlesinger [Sr.]'s article "Colonial Appeals to the Privy Council," and Harold Hazeltine's article "Appeals from colonial courts to the King in council with especial reference to Rhode Island." More recently, Mary Sarah Bilder has brought to light the changing nature of the substance of appeals over time in *The Transatlantic Constitution: Colonial Legal Culture and the Empire*. For the colony of New York, note also the recent work of Daniel Hulsebosch, *Constituting Empire: New York and the Transformation of Constitutionalism in the Atlantic World, 1664–1830*. Work on the topic continues to appear as newer historians explore this era. See, for example, Craig Yirush's article "Claiming the New World: Empire, Law, and Indigenous Rights in the Mohegan Case, 1704–1743," and Arthur Fraas's dissertation "*They Have Travailed Into a Wrong Latitude:*" *The Laws of England, Indian Settlements, and the British Imperial Constitution 1726–1773*.

Smith (p.73) states that in addition to the 14 appeals of Edmund Randolph, there are 16 appeals before 1696, but he does not name them. It would seem that they are the following: Massachusetts (Thayre v Savage, three appeals of Jahleel Brenton); New Hampshire (Walton v Walford, Barefoot v Wadleigh, four appeals by William Vaughan); New York (Ward v Palmer, Darvall v Hall, Wright v Cornwall, Billop v West); and Virginia (Bland v Codd, Ludwell v Toton).

⁴ Owen and Tolley, in *Courts of Admiralty in Colonial America*, p.237, note that “terms for vessels were used loosely by the colonists. For example, a ‘ship’ is technically a three-masted square-rigged vessel but in all likelihood the term was most often used as synonymous with the generic ‘vessel.’” Vessels here are described using whatever term is applied in the *APC*.

⁵ In attempting to locate printed cases, the compiler followed up the leads of Joseph Smith and consulted various printed guides, such as Charles Andrews and Frances Davenport’s *Guide to the Manuscript Materials for the History of the United States to 1783*; Grace Griffin’s *Guide to Manuscripts relating to American History in British Depositories*; the Library of Congress, *Handbook of Manuscripts*; and John Raimo’s *Guide to Manuscripts relating to America in Great Britain and Ireland*, plus the online catalogues of historical societies and major research libraries and the online ESTC. Tips from librarians sometimes led to other findings when material had not yet been catalogued. With the exception of some of the copies of the respondent’s printed case in *Fothergill v Stover*, all printed cases were viewed by the compiler. In the case of *Fothergill*, a librarian at the holding institution verified ownership and whether there were manuscript notes.

It was not possible to consult the papers of Privy Council members attending hearings of appeals or all papers of counsel on the appeals. Efforts were made to check archive entries for counsel in the *Oxford Dictionary of National Biography* if they covered the years in question and if the description of the holdings held out some hope of finding a printed case within them. The librarian at Lincoln’s Inn reports that though it holds some papers of counsel, no printed cases are within their collection. Charles Yorke’s copies of his cases are in the Hardwicke collection. Sadly, the papers of Alexander Forrester, who is second in number only to Yorke as counsel on the signed cases located so far, do not seem to have survived.

⁶ Until 1753, the *APC* gives the day of the month in Old Style. That means that although the year begins on 1 January and not 25 March, an appeal filed before 1753 in the first few days of January will be designated by the preceding year in the Gregorian calendar.

Contents of Reports by Colony, Report Number, and Case Name

Connecticut

01_1699_01 Palmes and Hallam v [Winthrop]
01_1699_02 Hallam v Winthrop
01_1703_00 Palmes v Winthrop
01_1727_00 Winthrop v Lechmere
01_1737_01 Wheeler v Levenworth
01_1737_02 Clark v Towsey
01_1756_00 Danielson v Throop
01_1756_00 Danielson v Fish
01_1765_00 Appeal of Whittlesey

Delaware

02_1774_00 Finney v Bickerton
02_1774_00 Finney v Byrne

Georgia

03_1751_00 Davis v Powell
03_1755_00 Demere v Davis

Maryland

04_1694_00 Appeal of Rawstone
04_1707_00 Taylor v Jones
04_1711_00 Macnamara v *Rex*
04_1720_00 Forward v Poulson (later Hunt)
04_1723_00 Brown v Boardley
04_1730_01 Macnamara v Brooke
04_1730_02 Nelson v Beale
04_1735_00 Appeal of Collins
04_1738_01 Jennings v Cuming
04_1738_02 Carroll v Parran
04_1739_00 Tasker v Simpson
04_1748_00 Frisby v Baldwin
04_1773_00 Bordley v Thomas
04_1776_00 Chew v Weems (Heeltap v Weems)

Massachusetts

05_1681_00 Appeals of Randolph
05_1682_00 Thayre v [Savage]
05_1691_00 [*In re* The Salisbury]

05_1692_00 Brenton v Lawson (*In re* The Two Brothers)
05_1692_00 Brenton v Wilkinson (*In re* The Three Brothers)
05_1692_00 Appeal of Brenton (*In re* The Mary)
05_1698_00 Brenton v Shrimpton
05_1700_00 Ting v Wynthrop
05_1705_01 Allen v Spencer
05_1705_02 Gookin v Smith
05_1706_00 Lason v Serjeant
05_1711_00 Lillie v Bromfield
05_1711_00 Lillie v Adams
05_1715_00 Bannister v Bowe
05_1717_00 Oulton v Savage
05_1718_01 Tunley v Maccarty
05_1718_02 Flint v Willett
05_1718_03 Taylor v Taylor
05_1722_00 Gilbert v Branfield
05_1726_00 *In re* The Mary Ann
05_1731_00 Bennet v Gray
05_1733_01 Waldo v Fairweather (1)
05_1733_01 Waldo v Fairweather (2)
05_1733_02 Stoddard v Barrell
05_1733_03 Byfield v Swasey
05_1734_01 Waldo v Waldo
05_1734_02 Gooch v Dummer
05_1734_03 Tidmarsh v Brandon
05_1734_04 Waldo v Waldoe
05_1734_05 Philips v Savage
05_1734_06 Waldo v Fairweather
05_1734_06 Waldo v Waldo
05_1734_06 Waldo v Tyng
05_1735_01 Ellis v Sprague
05_1735_02 Leighton v Frost
05_1737_01 Stoddard v Jones
05_1737_02 Pelham v Stone
05_1738_00 Pelham v Bannister
05_1742_00 Francis v Jeffries
05_1749_00 Liebenrood v Dennie
05_1750_01 Shirley v Waldo
05_1750_02 Knowles v Douglas
05_1753_00 Vassall v Fletcher
05_1755_00 Bannister v Cunningham
05_1764_00 Dudley v Richards
05_1767_00 Jeffries v Donnell

05_1768_00 Apthorpe v Pateshall
05_1774_00 Wentworth v Bowdoin
05_1775_00 Pease v Pullibank
05_1776_00 Appeal of Beale

New Hampshire

06_1683_00 Walton v Walford
06_1683_00 Barefoot v Wadleigh
06_1684_00 Vaughan v [Martin]
06_1684_00 Vaughan v [Mason]
06_1684_00 Vaughan v [Rex]
06_1684_00 [*In re* The Diligence]
06_1700_00 Appeal of Allen
06_1701_00 Allen v Waldron
06_1750_00 French v Folensby
06_1753_00 Appeal of Walker
06_1754_00 Merrill v Proprietors of Bow
06_1758_00 Trecothick v Wentworth
06_1759_01 Sherburne v Sherburne
06_1759_02 Dering v Packer
06_1762_00 Rolfe v Proprietors of Bow
06_1765_00 Hilton v Fowler
06_1765_00 Fowler v Hilton
06_1773_00 James v Moffatt

New Jersey

07_1696_00 Jones v Fullerton
07_1712_00 Appeal of Crowley
07_1716_00 Sonmans v Ormstone
07_1773_00 Wickoff v Ouke
07_1775_00 Reid v Reed

New York

08_1680_00 Ward v Palmer
08_1681_01 Darvall v Hall
08_1681_02 Dyer v Winder
08_1683_00 Wright v Cornwall
08_1685_00 Billop v [West]
08_1692_00 Mauritz v Philips
08_1699_00 Cruger v Depeyster
08_1700_00 Alsop v Vaudall
08_1702_01 *In re* The Elizabeth and Catherine
08_1702_02 Bayard v *Rex*
08_1702_02 Hutchins v *Rex*

08_1708_00 Appeal of Budge
08_1716_00 Gouverneur v DeBiemer
08_1717_01 Appeal of Summers
08_1717_02 Appeal of Smith
08_1735_00 Mossesson v Norris
08_1738_00 Brown v Philips
08_1741_01 Pearse v Cummysns
08_1741_02 Pearse v Key
08_1742_00 Kennedy v Fowles
08_1765_01 Appeal of Etherington
08_1765_02 Cunningham v Forsey
08_1773_00 Van Rensselaer v Jackson

North Carolina

09_1729_00 Gale v Everard
09_1773_00 Nash v Dobbs
09_1774_00 Appeal of Casey

Pennsylvania

10_1712_00 Appeal of Macarell
10_1720_00 Appeal of Clement
10_1736_00 Appeal of Evans
10_1765_01 Fothergill v Stover
10_1765_02 McMurterie v Browne
10_1766_01 Long v Harper
10_1766_02 Crawford v Hawker
10_1770_01 Swift v Jones
10_1770_01 Swift v Hawkins
10_1770_01 Swift v Mitchell
10_1770_02 Pike v Hoare
10_1773_00 Styles v Kirkbride
10_1774_00 Sheipers v Logan (Thrustout v Logan)

Rhode Island

11_1698_00 Peirce v Willie
11_1699_00 Brinley v [Dyer]
11_1705_01 Appeal of Harris
11_1705_02 Appeal of Newton
11_1709_00 Remington v Brenton
11_1718_01 Ford v Hodgson
11_1718_02 Carr v Holmes
11_1721_01 Appeal of Owen
11_1721_02 *In re* The Pearl
11_1724_00 Cranston v Jekyll

11_1724_00 Jekyll v Cranston
11_1725_00 MacSparran v Mumford
11_1729_01 Wharton v Northrup
11_1729_02 Wood v Sanford
11_1730_00 Sabere v Sabere
11_1732_00 Brenton v Boreland (1)
11_1732_00 Boreland v Brenton
11_1732_00 Brenton v Boreland (2)
11_1733_00 Torrey v Mumford
11_1735_01 Coggeshall v Pelham
11_1735_02 Hassard v Potter
11_1735_03 Johnson v Arnold
11_1736_00 MacSparran v Hassard
11_1737_00 Brenton v Brenton
11_1738_01 Brown v Allen
11_1738_02 Coggeshall v Coggeshall
11_1738_03 Martin v Gardiner
11_1738_04 Martin v Gibbs
11_1745_01 Fogg v Harvey
11_1745_02 Potter v Freeborn
11_1746_01 Rous v Hassard
11_1746_01 Hassard v Rous
11_1746_02 Vanbrugh v Powers
11_1746_02 Powers v Vanbrugh
11_1746_03 Pollock v Verplank
11_1746_04 Tripp v Tripp
11_1747_01 Staniford v Newell
11_1747_02 Freebody v Wanton
11_1747_03 Brenton v Remington
11_1748_00 Gibbs v Sheldon
11_1749_01 Wheelwright v Tyler
11_1749_02 Taylor v Clark
11_1749_03 Channing v Fenner
11_1750_00 Clemence v Angel
11_1751_00 Rodman v Bannister
11_1752_01 Peirce v Rice
11_1752_02 Walker v Paget
11_1752_03 Whitman v Whitman
11_1753_00 Borden v Cook
11_1754_00 Freebody v Cook
11_1755_01 Grant v Dyre
11_1755_02 Stanton v Thompson
11_1755_03 Chaloner v Bland

11_1755_04 Whipple v Bowen
11_1755_05 Hazard v Hazard
11_1755_06 Whipple v Ninigret
11_1756_00 Brenton v Sylvester
11_1757_00 Isaacs v Merrett
11_1758_00 Freebody v Brenton
11_1759_00 Moss v Hopkins
11_1760_01 Creagh v Whitfield
11_1760_02 Larkin v York
11_1761_00 Simons v Wanton
11_1762_01 Read v Nicholls
11_1762_02 Potter v Hazard
11_1765_01 Stead v Hart
11_1765_01 Stead v Elizer
11_1765_02 Shearman v Cornell
11_1766_01 Stead v Isaacs
11_1766_02 Lewis v Wilkinson
11_1766_03 Arnold v Green
11_1766_04 Freebody v Brenton
11_1766_04 Brenton v Freebody
11_1766_05 Freebody v Holmes
11_1766_05 Holmes v Freebody
11_1766_06 Bannister v Brown
11_1767_00 Laycock v Clarke
11_1768_00 Isaacks v Stead
11_1769_01 Hart v Solomons
11_1769_02 Grant v Hardy
11_1773_01 Sandford v Smith
11_1773_02 Elam v Dockray
11_1773_03 Dudley v Clarke
11_1773_04 Dudley v Shaw
11_1773_05 Keeler v Rhodes
11_1774_00 Bean v Wanton
11_1775_00 Andrews v Farrint

South Carolina

12_1699_00 Peers v Amory (*In re* The Turtle)
12_1700_00 Niccoll v [Blake] (*In re* The Cole and Bean)

Virginia

13_1682_00 Bland v Codd
13_1685_00 Plampin v Scarborrow
13_1690_00 Ludwell v Toton
13_1696_00 Appeal of Bowtell

13_1699_00 Starke v Parker
13_1703_00 Selden v Beverley
13_1703_00 Ballard v Beverley
13_1709_00 D'Oyly v Harrison
13_1715_00 Beverly v Seldon
13_1716_00 Stannard v Wormeley
13_1719_00 Jones v Toleson
13_1719_00 Winder v Jones
13_1720_00 Corbin v Roscow
13_1724_00 Perry v Randolph
13_1727_00 Heal v Ball
13_1727_00 Ball v Heal
13_1729_00 Bayler v Carter
13_1732_00 Corbin v Corbin (Corbin v Faldo)
13_1736_00 Burges v Hack (Gulliver v Hack)
13_1738_00 Hunt v Hill
13_1740_01 Rogers v Spalding
13_1740_02 Perry v Churchill
13_1740_03 Walker v Tucker
13_1742_01 Randolph v Woodford
13_1742_02 Randolph v Beverley
13_1742_03 Starke v Hawkins (Starke v Thrustout)
13_1743_00 Meade v Godwin (Meade v Thrustout)
13_1747_01 Lillie v Tab
13_1747_02 Kenner v Ball
13_1749_01 Appeal of Ludwell
13_1749_02 Randolph v Wormley
13_1751_00 Degge v Kay
13_1752_01 Mason v Withers
13_1752_02 Robinson v Anderson
13_1752_03 McCarty v McCarty (McCarty v Turf)
13_1753_01 Jones v Shields
13_1753_02 King v Lewis
13_1753_02 King v Braxton
13_1753_02 Braxton v King
13_1753_03 Jones v Porter
13_1755_01 Lidderdale v Chiswell
13_1755_02 Dunbar v Custis
13_1759_01 Nelson v Ambler
13_1759_02 Burwell v Johnson
13_1760_00 Tabb v Edmundson
13_1760_00 Edmundson v Tabb
13_1762_01 Camm v William and Mary College

13_1762_01 Graham v William and Mary College
13_1762_02 Rickards v Hudson
13_1763_01 Cleeve v Mills
13_1763_02 Steuart v Buchanan
13_1763_03 Howlett v Osburne (Howlett v Doe)
13_1763_04 Parsons v Parsons (Doe v Parsons)
13_1765_01 Camm v Hansford
13_1765_02 Wilson v Darrell
13_1766_00 Corbin v Lomax
13_1768_01 Dixon v Turner
13_1768_02 Hiscox v Hill
13_1771_00 Lee v Hunter
13_1775_00 Taliaferro v Taliaferro

Contents by First Year in Privy Council, Report Number, Case Name, and Colony

Unlike the Contents by Colony, this table lists only one case name for each report. Where there are multiple reports for the same year, the order is by report number and, hence, by colony.

1680 – 1689

08_1680_00 Ward v Palmer (New York)
05_1681_00 Appeals of Randolph (Massachusetts)
08_1681_01 Darvall v Hall (New York)
08_1681_02 Dyer v Winder (New York)
05_1682_00 Thayre v [Savage] (Massachusetts)
13_1682_00 Bland v Codd (Virginia)
06_1683_00 Walton v Walford (New Hampshire)
08_1683_00 Wright v Cornwall (New York)
06_1684_00 Vaughan v [Martin] (New Hampshire)
08_1685_00 Billop v [West] (New York)
13_1685_00 Plampin v Scarborough (Virginia)

1690 – 1699

13_1690_00 Ludwell v Toton (Virginia)
05_1691_00 [*In re* The Salisbury] (Massachusetts)
05_1692_00 Brenton v Lawson (Massachusetts)
08_1692_00 Mauritz v Philips (New York)
04_1694_00 Appeal of Rawstone (Maryland)
07_1696_00 Jones v Fullerton (New Jersey (East))
13_1696_00 Appeal of Bowtell (Virginia)
05_1698_00 Brenton v Shrimpton (Massachusetts)
11_1698_00 Peirce v Willie (Rhode Island)
01_1699_01 Palmes and Hallam v [Winthrop] (Connecticut)
01_1699_02 Hallam v Winthrop (Connecticut)
08_1699_00 Cruger v Depeyster (New York)
11_1699_00 Brinley v [Dyer] (Rhode Island)
12_1699_00 Peers v Amory (South Carolina)
13_1699_00 Starke v Parker (Virginia)

1700 – 1709

05_1700_00 Ting v Wynthrop (Massachusetts)
06_1700_00 Appeal of Allen (New Hampshire)
08_1700_00 Alsop v Vaudall (New York)
12_1700_00 Niccoll v [Blake] (South Carolina)
06_1701_00 Allen v Waldron (New Hampshire)

08_1702_01 *In re* The Elizabeth and Catherine (New York)
 08_1702_02 Bayard v *Rex* (New York)
 01_1703_00 Palmes v Winthrop (Connecticut)
 13_1703_00 Selden v Beverley (Virginia)
 05_1705_01 Allen v Spencer (Massachusetts)
 05_1705_02 Gookin v Smith (Massachusetts)
 11_1705_01 Appeal of Harris (Rhode Island)
 11_1705_02 Appeal of Newton (Rhode Island)
 05_1706_00 Lason v Serjeant (Massachusetts)
 04_1707_00 Taylor v Jones (Maryland)
 08_1708_00 Appeal of Budge (New York)
 11_1709_00 Remington v Brenton (Rhode Island)
 13_1709_00 D'Oyly v Harrison (Virginia)

1710 – 1719

04_1711_00 Macnamara v *Rex* (Maryland)
 05_1711_00 Lillie v Bromfield (Massachusetts)
 07_1712_00 Appeal of Crowley (New Jersey (East))
 10_1712_00 Appeal of Macarell (Pennsylvania)
 05_1715_00 Bannister v Bowe (Massachusetts)
 13_1715_00 Beverly v Seldon (Virginia)
 07_1716_00 Sonmans v Ormstone (New Jersey (East))
 08_1716_00 Gouverneur v DeBiemer (New York)
 13_1716_00 Stannard v Wormeley (Virginia)
 05_1717_00 Oulton v Savage (Massachusetts)
 08_1717_01 Appeal of Summers (New York)
 08_1717_02 Appeal of Smith (New York)
 05_1718_01 Tunley v Maccarty (Massachusetts)
 05_1718_02 Flint v Willett (Massachusetts)
 05_1718_03 Taylor v Taylor (Massachusetts)
 11_1718_01 Ford v Hodgson (Rhode Island)
 11_1718_02 Carr v Holmes (Rhode Island)
 13_1719_00 Jones v Toleson (Virginia)

1720 – 1729

04_1720_00 Forward v Poulson (later Hunt) (Maryland)
 10_1720_00 Appeal of Clement (Pennsylvania)
 13_1720_00 Corbin v Roscow (Virginia)
 11_1721_01 Appeal of Owen (Rhode Island)
 11_1721_02 *In re* The Pearl (Rhode Island)
 05_1722_00 Gilbert v Branfield (Massachusetts)
 04_1723_00 Brown v Boardley (Maryland)
 11_1724_00 Cranston v Jekyll (Rhode Island)
 13_1724_00 Perry v Randolph (Virginia)

11_1725_00 MacSparran v Mumford (Rhode Island)
 05_1726_00 *In re* The Mary Ann (Massachusetts)
 01_1727_00 Winthrop v Lechmere (Connecticut)
 13_1727_00 Heal v Ball (Virginia)
 09_1729_00 Gale v Everard (North Carolina)
 11_1729_01 Wharton v Northrup (Rhode Island)
 11_1729_02 Wood v Sanford (Rhode Island)
 13_1729_00 Bayler v Carter (Virginia)

1730 – 1739

04_1730_01 Macnamara v Brooke (Maryland)
 04_1730_02 Nelson v Beale (Maryland)
 11_1730_00 Sabere v Sabere (Rhode Island)
 05_1731_00 Bennet v Gray (Massachusetts)
 11_1732_00 Brenton v Boreland (Rhode Island)
 13_1732_00 Corbin v Faldo (Virginia)
 05_1733_01 Waldo v Fairweather (Massachusetts)
 05_1733_02 Stoddard v Barrell (Massachusetts)
 05_1733_03 Byfield v Swasey (Massachusetts)
 11_1733_00 Torrey v Mumford (Rhode Island)
 05_1734_01 Waldo v Waldo (Massachusetts)
 05_1734_02 Gooch v Dummer (Massachusetts)
 05_1734_03 Tidmarsh v Brandon (Massachusetts)
 05_1734_04 Waldo v Waldoe (Massachusetts)
 05_1734_05 Philips v Savage (Massachusetts)
 05_1734_06 Waldo v Fairweather (Massachusetts)
 04_1735_00 Appeal of Collins (Maryland)
 05_1735_01 Ellis v Sprague (Massachusetts)
 05_1735_02 Leighton v Frost (Massachusetts)
 08_1735_00 Mossesson v Norris (New York)
 11_1735_01 Coggeshall v Pelham (Rhode Island)
 11_1735_02 Hassard v Potter (Rhode Island)
 11_1735_03 Johnson v Arnold (Rhode Island)
 10_1736_00 Appeal of Evans (Pennsylvania)
 11_1736_00 MacSparran v Hassard (Rhode Island)
 13_1736_00 Burges v Hack (Virginia)
 01_1737_01 Wheeler v Levenworth (Connecticut)
 01_1737_02 Clark v Towsey (Connecticut)
 05_1737_01 Stoddard v Jones (Massachusetts)
 05_1737_02 Pelham v Stone (Massachusetts)
 11_1737_00 Brenton v Brenton (Rhode Island)
 04_1738_01 Jennings v Cuming (Maryland)
 04_1738_02 Carroll v Parran (Maryland)
 05_1738_00 Pelham v Bannister (Massachusetts)

08_1738_00 Brown v Philips (New York)
 11_1738_01 Brown v Allen (Rhode Island)
 11_1738_02 Coggeshall v Coggeshall (Rhode Island)
 11_1738_03 Martin v Gardiner (Rhode Island)
 11_1738_04 Martin v Gibbs (Rhode Island)
 13_1738_00 Hunt v Hill (Virginia)
 04_1739_00 Tasker v Simpson (Maryland)

1740 – 1749

13_1740_01 Rogers v Spalding (Virginia)
 13_1740_02 Perry v Churchill (Virginia)
 13_1740_03 Walker v Tucker (Virginia)
 08_1741_01 Pearse v Cummyns (New York)
 08_1741_02 Pearse v Key (New York)
 05_1742_00 Francis v Jeffries (Massachusetts)
 08_1742_00 Kennedy v Fowles (New York)
 13_1742_01 Randolph v Woodford (Virginia)
 13_1742_02 Randolph v Beverley (Virginia)
 13_1742_03 Starke v Thrustout (Virginia)
 13_1743_00 Meade v Thrustout (Virginia)
 11_1745_01 Fogg v Harvey (Rhode Island)
 11_1745_02 Potter v Freeborn (Rhode Island)
 11_1746_01 Rous v Hassard (Rhode Island)
 11_1746_02 Vanbrugh v Powers (Rhode Island)
 11_1746_03 Pollock v Verplank (Rhode Island)
 11_1746_04 Tripp v Tripp (Rhode Island)
 11_1747_01 Staniford v Newell (Rhode Island)
 11_1747_02 Freebody v Wanton (Rhode Island)
 11_1747_03 Brenton v Remington (Rhode Island)
 13_1747_01 Lillie v Tab (Virginia)
 13_1747_02 Kenner v Ball (Virginia)
 04_1748_00 Frisby v Baldwin (Maryland)
 11_1748_00 Gibbs v Sheldon (Rhode Island)
 05_1749_00 Liebenrood v Dennie (Massachusetts)
 11_1749_01 Wheelwright v Tyler (Rhode Island)
 11_1749_02 Taylor v Clark (Rhode Island)
 11_1749_03 Channing v Fenner (Rhode Island)
 13_1749_01 Appeal of Ludwell (Virginia)
 13_1749_02 Randolph v Wormley (Virginia)

1750 – 1759

05_1750_01 Shirley v Waldo (Massachusetts)
 05_1750_02 Knowles v Douglas (Massachusetts)
 06_1750_00 French v Følensby (New Hampshire)

11_1750_00 Clemence v Angel (Rhode Island)
 03_1751_00 Davis v Powell (Georgia)
 11_1751_00 Rodman v Bannister (Rhode Island)
 13_1751_00 Degge v Kay (Virginia)
 11_1752_01 Peirce v Rice (Rhode Island)
 11_1752_02 Walker v Paget (Rhode Island)
 11_1752_03 Whitman v Whitman (Rhode Island)
 13_1752_01 Mason v Withers (Virginia)
 13_1752_02 Robinson v Anderson (Virginia)
 13_1752_03 McCarty v Turf (Virginia)
 05_1753_00 Vassall v Fletcher (Massachusetts)
 06_1753_00 Appeal of Walker (New Hampshire)
 11_1753_00 Borden v Cook (Rhode Island)
 13_1753_01 Jones v Shields (Virginia)
 13_1753_02 King v Lewis (Virginia)
 13_1753_03 Jones v Porter (Virginia)
 06_1754_00 Merrill v Proprietors of Bow (New Hampshire)
 11_1754_00 Freebody v Cook (Rhode Island)
 03_1755_00 Demere v Davis (Georgia)
 05_1755_00 Bannister v Cunningham (Massachusetts)
 11_1755_01 Grant v Dyre (Rhode Island)
 11_1755_02 Stanton v Thompson (Rhode Island)
 11_1755_03 Chaloner v Bland (Rhode Island)
 11_1755_04 Whipple v Bowen (Rhode Island)
 11_1755_05 Hazard v Hazard (Rhode Island)
 11_1755_06 Whipple v Ninigret (Rhode Island)
 13_1755_01 Lidderdale v Chiswell (Virginia)
 13_1755_02 Dunbar v Custis (Virginia)
 01_1756_00 Danielson v Throop (Connecticut)
 11_1756_00 Brenton v Sylvester (Rhode Island)
 11_1757_00 Isaacs v Merrett (Rhode Island)
 06_1758_00 Trecothick v Wentworth (New Hampshire)
 11_1758_00 Freebody v Brenton (Rhode island)
 06_1759_01 Sherburne v Sherburne (New Hampshire)
 06_1759_02 Dering v Packer (New Hampshire)
 11_1759_00 Moss v Hopkins (Rhode Island)
 13_1759_01 Nelson v Ambler (Virginia)
 13_1759_02 Burwell v Johnson (Virginia)

1760 – 1769

11_1760_01 Creagh v Whitfield (Rhode Island)
 11_1760_02 Larkin v York (Rhode Island)
 13_1760_00 Tabb v Edmundson (Virginia)
 11_1761_00 Simons v Wanton (Rhode Island)

- 06_1762_00 Rolfe v Proprietors of Bow (New Hampshire)
- 11_1762_01 Read v Nicholls (Rhode Island)
- 11_1762_02 Potter v Hazard (Rhode Island)
- 13_1762_01 Camm v William and Mary College (Virginia)
- 13_1762_02 Rickards v Hudson (Virginia)
- 13_1763_01 Cleeve v Mills (Virginia)
- 13_1763_02 Steuart v Buchanan (Virginia)
- 13_1763_03 Howlett v Osburne (Virginia)
- 13_1763_04 Parsons v Parsons (Virginia)
- 05_1764_00 Dudley v Richards (Massachusetts)
- 01_1765_00 Appeal of Whittlesey (Connecticut)
- 06_1765_00 Hilton v Fowler (New Hampshire)
- 08_1765_01 Appeal of Etherington (New York)
- 08_1765_02 Cunningham v Forsey (New York)
- 10_1765_01 Fothergill v Stover (Pennsylvania)
- 10_1765_02 McMurterie v Browne (Pennsylvania)
- 11_1765_01 Stead v Hart (Rhode Island)
- 11_1765_02 Shearman v Cornell (Rhode Island)
- 13_1765_01 Camm v Hansford (Virginia)
- 13_1765_02 Wilson v Darrell (Virginia)
- 10_1766_01 Long v Harper (Pennsylvania)
- 10_1766_02 Crawford v Hawker (Pennsylvania)
- 11_1766_01 Stead v Isaacs (Rhode Island)
- 11_1766_02 Lewis v Wilkinson (Rhode Island)
- 11_1766_03 Arnold v Green (Rhode Island)
- 11_1766_04 Freebody v Brenton (Rhode Island)
- 11_1766_05 Freebody v Holmes (Rhode Island)
- 11_1766_06 Bannister v Brown (Rhode Island)
- 13_1766_00 Corbin v Lomax (Virginia)
- 05_1767_00 Jeffries v Donnell (Massachusetts)
- 11_1767_00 Laycock v Clarke (Rhode Island)
- 05_1768_00 Apthorpe v Pateshall (Massachusetts)
- 11_1768_00 Isaacks v Stead (Rhode Island)
- 13_1768_01 Dixon v Turner (Virginia)
- 13_1768_02 Hiscox v Hill (Virginia)
- 11_1769_01 Hart v Solomons (Rhode Island)
- 11_1769_02 Grant v Hardy (Rhode Island)

1770 – 1776

- 10_1770_01 Swift v Jones (Pennsylvania)
- 10_1770_02 Pike v Hoare (Pennsylvania)
- 13_1771_00 Lee v Hunter (Virginia)
- 04_1773_00 Bordley v Thomas (Maryland)
- 06_1773_00 James v Moffatt (New Hampshire)

- 07_1773_00 Wickoff v Ouke (New Jersey)
- 08_1773_00 Van Rensselaer v Jackson (New York)
- 09_1773_00 Nash v Dobbs (North Carolina)
- 10_1773_00 Styles v Kirkbride (Pennsylvania)
- 11_1773_01 Sandford v Smith (Rhode Island)
- 11_1773_02 Elam v Dockray (Rhode Island)
- 11_1773_03 Dudley v Clarke (Rhode Island)
- 11_1773_04 Dudley v Shaw (Rhode Island)
- 11_1773_05 Keeler v Rhodes (Rhode Island)
- 02_1774_00 Finney v Bickerton (Delaware)
- 05_1774_00 Wentworth v Bowdoin (Massachusetts)
- 09_1774_00 Appeal of Casey (North Carolina)
- 10_1774_00 Thrustout v Logan (Pennsylvania)
- 11_1774_00 Bean v Wanton (Rhode Island)
- 05_1775_00 Pease v Pullibank (Massachusetts)
- 07_1775_00 Reid v Reed (New Jersey)
- 11_1775_00 Andrews v Farrint (Rhode Island)
- 13_1775_00 Taliaferro v Taliaferro (Virginia)
- 04_1776_00 Heeltap v Weems (Maryland)
- 05_1776_00 Appeal of Beale (Massachusetts)

Report

Report No. 01_1699_01

**Palmes and Hallam v
[Winthrop]**

Connecticut

Case Name Short Palmes and Hallam v [Winthrop]

Case Name Long Edward Palmes and John Hallam v [FitzJohn Winthrop,
Richard Christopher and Samuel Fosdick]

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [733] p.328 – 23 February 1699 – entry 1

CSP Citation XII no.119

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.302:

PC 2/77/302

[view](#)

APC Citation v.2 [733] p.328 – 9 March 1699 – entry 2

CSP Citation XII no.160

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.310–

311: PC 2/77/310–311

[view](#)

Colonial Courts

Unnamed

Participants

Hallam, John, merchant

Palmes, Edward, esquire

[Christopher, Richard]

[Fosdick, Samuel]

[Winthrop, FitzJohn]

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Related to other Privy Council appeals:

Hallam v Winthrop – Report No. 01_1699_02 (*APC*, v.2 [734] p.328)

Palmes v Winthrop – Report No. 01_1703_00 (*APC*, v.2 [913] p.453)

The appeals of Palmes and Hallam are related, arising predominately from a dispute about the will of John Liveen, stepfather of John and Nicholas Hallam. This case amounts to requests by Palmes and Hallam to require Connecticut to allow an appeal in its courts in a matter regarding

the seizure of the ship *Liveen*, with further right to appeal to the King in Council if desired.

Hallam v Winthrop concerns the Hallam brothers' attempt to obtain the estate of John Liveen. Palmes v Winthrop continues Palmes's controversy regarding the *Liveen* and adds an appeal from a dispute related to his rights to a part of the estate of the late John Winthrop through Palmes's late wife Lucy, daughter of John Winthrop.

These appeals are noted particularly for the comment of the crown law officers that appeals lay to the King in Council as a right inherent in the crown.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Palmes and Hallam v Winthrop *et al*)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document

Notes

All documents for this action are entered under Report No. 01_1703_00 (Palmes v Winthrop).

Report

Report No. 01_1699_02

Hallam v Winthrop

Connecticut

Case Name Short Hallam v Winthrop

Case Name Long John Hallam and Nicholas Hallam v John Fitz Winthrop
and Edward Palmes

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [734] p.328 – 9 February 1699 – entry 1

CSP Citation XII no.120

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.302:
PC 2/77/302

[view](#)

APC Citation v.2 [734] p.329 – 5 December 1700 – entry 2

CSP Citation XIII no. 974

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.109: PC 2/78/109

[view](#)

APC Citation v.2 [734] p.329 – 12 June 1701 – entry 3

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.218: PC 2/78/218

[view](#)

APC Citation v.2 [734] p.329 – 12 February 1702 – entry 4

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.343–344: PC 2/78/343–344

[view](#)

APC Citation v.2 [734] p.329–330 – 18 March 1702– entry 5

PC Register Citation Anne v.1 (8 March 1702 – 18 January 1704) p.39: PC
2/79/39

[view](#)

APC Citation v.2 [734] p.330 – 2 December 1703 – entry 6

PC Register Citation Anne v.1 (8 March 1702 – 18 January 1704) p.467: PC
2/79/467

[view](#)

APC Citation v.2 [734] p.330 – 3 January 1704 – entry 7

PC Register Citation Anne v.1 (8 March 1702 – 18 January 1704) p.489: PC
2/79/489

[view](#)

APC Citation v.2 [734] p.330 – 9 January 1704 – entry 8

PC Register Citation Anne v.1 (8 March 1702 – 18 January 1704) p.494: PC
2/79/494

[view](#)

Colonial Courts

General Assembly (address relating to the case)

Court of Assistants – 2 May 1700

Participants

Hallam, John (brother of Nicholas Hallam)

Hallam, Nicholas (brother of John Hallam)

Palmes, Edward
 Winthrop, John Fitz (Fitzjohn)

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Confirmed

Notes

Related to other Privy Council appeals:

Palmes and Hallam v [Winthrop] – Report No. 01_1699_01 (*APC*, v.2 [733] p.328)

Palmes v Winthrop – Report No. 01_1703_00 (*APC*, v.2 [913] p.453)

The appeals of Palmes and Hallam are related, arising predominately from a dispute about the will of John Liveen, stepfather of John and Nicholas Hallam. Palmes and Hallam v [Winthrop] amounts to requests by Palmes and Hallam to require Connecticut to allow an appeal in its courts in a matter regarding the seizure of the ship *Liveen*, with further right to appeal to the King in Council if desired.

This case concerns the Hallam brothers' attempt to obtain the estate of John Liveen. Palmes v Winthrop continues Palmes's controversy regarding the *Liveen* and adds an appeal from a dispute related to his rights to a part of the estate of the late John Winthrop through Palmes's late wife Lucy, daughter of John Winthrop.

These appeals are noted particularly for the comment of the crown law officers that appeals lay to the King in Council as a right inherent in the crown.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Hallam v Winthrop and Palmes)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 01_1703_00

Palmes v Winthrop

Connecticut

Case Name Short Palmes v Winthrop

Case Name Long Edward Palmes v Fitzjohn Winthrop, Richard Christopher and Samuel Fosdick

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.2 [913] p.453 – 17 December 1703 – entry 1	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.476: PC 2/79/476	view
APC Citation	v.2 [913] p.453 – 3 January 1704 – entry 2	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.489: PC 2/79/489	view
APC Citation	v.2 [913] p.453 – 7 January 1704 – entry 3	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.496–497: PC 2/79/496–497	view
APC Citation	v.2 [913] p.453 – 10 January 1706 – entry 4	
PC Register Citation	Anne v.3 (11 October 1705 – 29 February 1708) p.68–69: PC 2/81/68–69	view
APC Citation	v.2 [913] p.453 – 16 January 1706 – entry 5	
PC Register Citation	Anne v.3 (11 October 1705 – 29 February 1708) p.71–72: PC 2/81/71–72	view
APC Citation	v.2 [913] p.453 – 14 February 1706 – entry 6	
PC Register Citation	Anne v.3 (11 October 1705 – 29 February 1708) p.109: PC 2/81/109	view
APC Citation	v.2 [913] p.453–454 – 20 February 1706 – entry 7	
PC Register Citation	Anne v.3 (11 October 1705 – 29 February 1708) p.111, 114–115: PC 2/81/111, 114–115	view
APC Citation	v.2 [913] p.454 – 8 April 1706 – entry 8	
PC Register Citation	Anne v.3 (11 October 1705 – 29 February 1708) p.170: PC 2/81/170	view
APC Citation	v.2 [913] p.454 – 11 April 1706 – entry 9	
PC Register Citation	Anne v.3 (11 October 1705 – 29 February 1708) p.174–175: PC 2/81/174–175	view
APC Citation	v.2 [913] p.454 – 13 March 1707 – entry 10	
PC Register Citation	Anne v.3 (11 October 1705 – 29 February 1708) p.315: PC 2/81/315	view
APC Citation	v.2 [913] p.454 – 25 April 1707 – entry 11	
PC Register Citation	Anne v.3 (11 October 1705 – 29 February 1708) p.350: PC 2/81/350	view

APC Citation v.2 [913] p.454 – 29 April 1707 – entry 12
 PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
 p.354–355: PC 2/81/354–355

view

Colonial Courts

Court of Assistants – October 1699

Court of Assistants – May 1700

Participants

Christopher, Richard

Fosdick, Samuel

Palmes, Edward (widower of Lucy Winthrop Palmes)

Palmes, Lucy Winthrop (deceased wife of Edward Palmes and daughter
 of John Winthrop)

Winthrop, Fitzjohn, Governor of Connecticut

Winthrop, John (deceased father of Lucy Winthrop Palmes)

Vessels

Liveen (ship)

Description

Issue relating to the *Liveen* and dispute regarding the estate of John Winthrop

Disposition

Appeals regarding both judgments are dismissed.

Notes

Related to other Privy Council appeals:

Palmes and Hallam v [Winthrop] – Report No. 01_1699_01 (*APC*, v.2 [733] p.328)

Hallam v Winthrop – Report No. 01_1699_02 (*APC*, v.2 [734] p.328)

The appeals of Palmes and Hallam are related, arising predominately from a dispute about the will of John Liveen, stepfather of John and Nicholas Hallam. Palmes and Hallam v [Winthrop] amounts to requests by Palmes and Hallam to require Connecticut to allow an appeal in its courts in a matter regarding the seizure of the ship *Liveen*, with further right to appeal to the King in Council if desired.

Hallam v Winthrop concerns the Hallam brothers' attempt to obtain the estate of John Liveen. This case continues Palmes's controversy regarding the *Liveen* and adds an appeal from a dispute related to his rights to a part of the estate of the late John Winthrop through Palmes's late wife Lucy, daughter of John Winthrop.

These appeals are noted particularly for the comment of the crown law

officers that appeals lay to the King in Council as a right inherent in the crown.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Petition of Edward Palmes that his appeals be admitted – 16 Dec. 1703 – PC 1/46/5	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [110] p.24	view_APC
TNA Document	Depositions re the Palmes appeal – 14 June 1705 – PC 1/46/7	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [133] p.37–38	view_APC
TNA Document	Petition for hearing – 10 Jan. 1706 – PC 1/46/8	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [140] p.40	view_APC
TNA Document	Committee report – 9 April 1706 (8 April in vol. 2 of <i>APC</i>) – PC 1/46/8	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [140] p.40	view_APC

Report

Report No. 01_1727_00

Winthrop v Lechmere

Connecticut

Case Name Short Winthrop v Lechmere

Case Name Long John Winthrop v Thomas and Ann Lechmere

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [112] p.139 – 16 January 1727 – entry 1

PC Register Citation George I v.5 (September 1724 – May 1727) p.297–298: PC 2/89/297–298

[view](#)

APC Citation v.3 [112] p.139 – 8 February 1727 – entry 2

PC Register Citation George I v.5 (September 1724 – May 1727) p.319: PC 2/89/319

[view](#)

APC Citation v.3 [112] p.139 – 18 February 1727 – entry 3

PC Register Citation George I v.5 (September 1724 – May 1727) p.330: PC 2/89/330

[view](#)

APC Citation v.3 [112] p.139–140 – 18 February 1727 – entry 4

PC Register Citation George I v.5 (September 1724 – May 1727) p.330–331: PC 2/89/330–331

[view](#)

APC Citation v.3 [112] p.140 – 28 March 1727 – entry 5

PC Register Citation George I v.5 (September 1724 – May 1727) p.338–339: PC 2/89/338–339

[view](#)

APC Citation v.3 [112] p.140 – 13 May 1727 – entry 6

PC Register Citation George I v.5 (September 1724 – May 1727) p.357–358: PC 2/89/357–358

[view](#)

APC Citation v.3 [112] p.140 – 21 November 1727 – entry 7

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.186–187: PC 2/90/186–187

[view](#)

APC Citation v.3 [112] p.140 – 16 December 1727 – entry 8

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.193: PC 2/90/193

[view](#)

APC Citation v.3 [112] p.140–150 – 20 December 1727 – entry 9

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.195–202: PC 2/90/195–202

[view](#)

APC Citation v.3 [112] p.150 – 13 February 1728 – entry 10

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.230–231: PC 2/90/230–231

[view](#)

APC Citation v.3 [112] p.150 – 19 November 1728 – entry 11

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.390–391: PC 2/90/390–391

[view](#)

APC Citation v.3 [112] p.150 – 27 November 1728 – entry 12

PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.398: PC 2/90/398	view
APC Citation	v.3 [112] p.150 – 4 December 1728 – entry 13	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.404: PC 2/90/404	view
APC Citation	v.3 [112] p.151 – 4 December 1728 – entry 14	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.407: PC 2/90/407	view
APC Citation	v.3 [112] p.151 – 11 December 1728 – entry 15	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.411: PC 2/90/411	view

Colonial Courts

Court of Probates – county of New London – 21 February 1717/1718 – letters of administration of estate granted to Winthrop

Superior Court – judgments for Winthrop on multiple actions of Lechmere brought in July 1724

General Assembly – 1725 – Lechmere’s petition for relief and a new trial
Assembly – 1725 – order for a complete inventory of Wait Winthrop’s estate in Court of Probates

Court of Probates – 29 June 1725 – refusal to accept Winthrop’s inventory without real estate, from which judgment Winthrop appeals

Court of Probates – Lechmere brings suit to have administration of estate granted to him which, being stayed, leads Lechmere to appeal to Superior Court

Superior Court – 28 September 1725 – affirmance of action of Court of Probates and order for both real and personal property to be inventoried, from which Winthrop appeals for review to Superior Court

Superior Court – 22 March 1725/6 – affirmance of their judgment of 28 September 1725 and on Lechmere’s review grant of power of administration to Lechmere

Special Superior County Court – 29 April 1726 – approves Lechmere’s inventory of the estate

Assembly – 12 May 1726 – receipt of Lechmere’s petitions for right to sell land to pay debt of deceased

Governor – receipt of protest from Winthrop

Assembly – May 1726 – passage of an act empowering Lechmere to sell the land to pay the remaining debt and finding Winthrop in contempt

Superior Court – September 1726 – issuance of an order pursuant to the passing of the May Act of Assembly allowing the sale of land

Participants

Dummer, Jeremiah (agent for Connecticut)

Latimore, Robert

Lechmere, Ann (Anne) (wife of Thomas Lechmere, sister of John Winthrop, daughter of the late Wait Winthrop, niece of the late Hon. Fitzjohn Winthrop, and granddaughter of the late Hon. John Winthrop)
 Lechmere, Charles (agent for Thomas and Ann Lechmere)
 Lechmere, Thomas of Boston, merchant (husband of Ann Lechmere)
 Talcott, John, Governor
 Wally, Abell
 Winthrop, Hon. Fitzjohn, late Governor (deceased uncle of John Winthrop and Ann Winthrop Lechmere)
 Winthrop, Hon. John, late Governor (deceased grandfather of John Winthrop and Ann Winthrop Lechmere)
 Winthrop, John of New London (brother of Ann Lechmere, son of the late Wait Winthrop, nephew of the late Hon. Fitzjohn Winthrop, and grandson of the late Hon. John Winthrop)
 Winthrop, Major-General Wait of Boston (deceased father of John Winthrop and Ann Winthrop Lechmere)

Description

Land dispute between a brother and sister following the death of their father intestate. As Smith describes, at issue was the validity of the 1699 Connecticut Act for the Settlement of Intestate Estates, which, contrary to English practice, divided real and personal property in equal shares among the intestate's children with the eldest son receiving a double share.

Disposition

Colonial "Act for the Settlement of Intestate Estates declared null and void as contrary to the laws of England in regard it makes Lands of Inheritance distributable as personal Estates"

Sentences of 29 June 1725, 28 September 1725, and 22 March 1725/6 reversed. Court of Probates directed not to reject an inventory without real property. Letters of administration for Lechmere vacated and order of 29 April 1726 approving his inventory to be discharged and the original letters of administration granted to Winthrop to be ordered to stand. Lechmere suit dismissed and all acts under these proceedings to be declared null and void, including court order of 27 September 1726. Winthrop to be put in possession of any lands lost, with rents and profits foregone and costs paid by petitioner repaid.

Notes

According to Smith (p.537), "the only instance we have seen of a colonial act specifically declared null and void *ab initio* upon judicial review by the King in Council." Washburne, *Imperial Control*, p.184, notes that three appeals are usually cited as involving the validity of

colonial legislative enactments: *Winthrop v Lechmere*, *Philips v Savage*, and *Clark v Towsey*. The importance of this case warrants its more detailed exposition here.

References in Smith, *Appeals to the Privy Council*

Table of Cases (*Winthrop v Lechmere*) (extensive discussion)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Complaint of J. Winthrop – his petition – 8 Feb. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.173–178	view_APC
TNA Document	Complaint of J. Winthrop – his petition (typed copy) – 8 Feb. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.173–178; this typewritten copy of the petition has been added to the bundle.	view_APC
TNA Document	Order of reference – 8 Feb. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.173–178	view_APC
TNA Document	Committee report for a copy of the petition to be sent to the Governor for his answer – 18 Feb. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.178	view_APC
TNA Document	Governor Talcott's answer (copy 1) – 19 Sept. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.178–181	view_APC
TNA Document	Governor Talcott's answer (copy 2) – 19 Sept. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.178–181	view_APC
TNA Document	Enclosure with Governor Talcott's answer (copy 1) – 19 Sept. 1727 (certification date) – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.178–181	view_APC
TNA Document	Enclosure with Governor Talcott's answer (copy 2) – 19 Sept. 1727 (certification date) – PC 1/48/23	view_Doc

Notes	Referenced in <i>APC</i> v.6 [367] p.178–181	view_APC
TNA Document	Letters of 23 Feb. 1698 and 24 Apr. 1699 (copy 1) – 19 Sept. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.181	view_APC
TNA Document	Letters of 23 Feb. 1698 and 24 Apr. 1699 (copy 2) – 19 Sept. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.181	view_APC
TNA Document	Paragraph in a Connecticut law re houses and land to heirs (copy 1) – 19 Sept. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.181	view_APC
TNA Document	Paragraph in a Connecticut law re houses and land to heirs (copy 2) – 19 Sept. 1727 – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.181	view_APC
TNA Document	Order referring Governor’s answer to the Committee – 4 Dec. 1727 (Dorse says Dec. 4, 1728) – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.181	view_APC
TNA Document	List of papers re Winthrop’s complaint – no date – PC 1/48/23	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [367] p.181	view_APC
TNA Document	Complaint of J. Winthrop – extracts from the record of the colony authenticated by the Governor – 16 July 1728 – PC 1/48/24	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [410] p.200	view_APC
TNA Document	Law for dividing the estates of intestates – Board of Trade report on the petition of J. Belcher and J. Dummer – 31 Dec. 1730 – PC 1/48/26	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [431] p.215–216	view_APC
TNA Document	Law of inheritance in case of intestacy – 6 Feb. 1731 – PC 1/48/27	view_Doc
Notes	Referenced in <i>APC</i> , v.6, [431] p.216	view_APC

Other Documents

Document	Winthrop’s printed case was written on 13 folios of 2 foolscap pages each. It was transcribed and printed at the end of the 19th century but the original cannot be located at present.
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- Document** Printed in the *Collections of the Massachusetts Historical Society* (1892) under the general heading ‘Winthrop, “Brief”’ are:
- (1) the brief of the appellant (p.440–496), view
 - (2) the decree of the King in Council (p.496–509), and view
 - (3) correspondence from Winthrop (p.509–511). view
- Editors’ notes indicate that they were unable to find a copy of the respondent’s case, for whom they say the counsel were Willes (probably Sir John) and Booth, whom they could not further identify.
- Document** See also the Appendix (p.571–579) to Hoadley, *Connecticut Public Records 1726–1735*, for the text of the Order in Council.

Report

Report No. 01_1737_01 Wheeler v Levenworth

Connecticut

Case Name Short Wheeler v Levenworth

Case Name Long Robert Wheeler v Thomas Levenworth

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [421] p.580 – 29 November 1737 – entry 1

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.310: PC 2/94/310

[view](#)

APC Citation v.3 [421] p.580 – 15 December 1737 – entry 2

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.338–339: PC 2/94/338–339

[view](#)

APC Citation v.3 [421] p.580 – 12 January 1738 – entry 3

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.366: PC 2/94/366

[view](#)

Colonial Courts

General Assembly – 27 August 1734

Participants

Levenworth, Thomas

Wheeler, Robert

Description

Land

Disposition

Not stated in *Acts of the Privy Council, Colonial Series* though not prosecuted according to Smith (p.643)

References in Smith, *Appeals to the Privy Council*

Table of Cases (Wheeler v Levenworth)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 01_1737_02

Clark v Towsey

Connecticut

Case Name Short Clark v Towsey

Case Name Long Samuel Clark v Thomas and Hannah Towsey (and against Thomas Towsey as guardian to John Clark), Thomas Clark (and as guardian to Gamaliel Clerk) and Richard Bryon (as guardian to children of late wife Mehitabell)

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.3 [422] p.580 – 29 November 1737 – entry 1	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.310–311: PC 2/94/310–311	view
APC Citation	v.3 [422] p.580 – 25 May 1738 – entry 2	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.343, 521–522, 544: PC 2/94/343 521–522, 544	view
APC Citation	v.3 [422] p.581 – 1 April 1742 – entry 3	
PC Register Citation	George II v.8 (22 October 1741 – 29 September 1743) p.120: PC 2/97/120	view
APC Citation	v.3 [422] p.581 – 17 May 1742 – entry 4	
PC Register Citation	George II v.8 (22 October 1741 – 29 September 1743) p.125–126, 137: PC 2/97/125–126, 137	view
APC Citation	v.3 [422] p.581 – 24 June 1742 – entry 5	
PC Register Citation	George II v.8 (22 October 1741 – 29 September 1743) p.166, 175–176: PC 2/97/166, 175–176	view
APC Citation	v.3 [422] p.581 – 2 June 1743 – entry 6	
PC Register Citation	George II v.8 (22 October 1741 – 29 September 1743) p.429: PC 2/97/429	view
APC Citation	v.3 [422] p.581 – 18 July 1745 – entry 7	
PC Register Citation	George II v.10 (1 March 1745 – 31 July 1746) p.133[<i>bis</i>], 144–145, 166: PC 2/99/133[<i>bis</i>], 144–145, 166	view
PC Register Note	There are 2 pages numbered ‘133’ in PC 2/99; the 2nd is the relevant one.	

Colonial Courts

[Court of Probates – February 28, 1728]

Superior Court – first Tuesday of March 1733

Superior Court – 17 February 1741

Participants

Bryon, Mehitabell (deceased wife of Richard Bryon)
 Bryon, Richard (widower of Mehitabell Bryon and guardian of her children)
 Clark (Clerk), Gamaliel, infant
 Clark (Clerk), John, infant
 Clark (Clerk), Samuel, esquire ([son of deceased Samuel Clark])
 Clark (Clerk), Samuel, esquire (deceased [father of Samuel Clark])
 Clark (Clerk), Thomas (guardian of Gamaliel Clerk)
 Towsey, Hannah (wife of Thomas Towsey)
 Towsey, Thomas, esquire (husband of Hannah Towsey and guardian of John Clark, also spelled 'Clerk')

Description

Division of real estate of Samuel Clark, deceased

Disposition

Dismissed

Notes

A common alternate spelling for 'Towsey', not used in the *APC*, is 'Tousey'. This case is often discussed with *Winthrop v Lechmere* and *Philips v Savage* as to their treatment of the division of an intestate's property in the colonies and the degree to which colonial legislation was subject to review.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Clark v Tousey)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 01_1756_00

**Danielson v Throop
Danielson v Fish**

Connecticut

Case Name Short Danielson v Throop
Danielson v Fish

Case Name Long Samuel Danielson and Nathan West v Dan Throop and
Caleb and Irena Hide
Samuel Danielson and Nathan West v Aaron Fish

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [302] p.325 – 27 January 1756 – entry 1

PC Register Citation George II v.16 (1 January 1756 – 31 December 1757)
p.16–17; PC 2/105/16–17

[view](#)

APC Citation v.4 [302] p.325 – 3 August 1764 – entry 2

PC Register Citation George III v.3 (1 May 1763 – 30 September 1764)
p.587–589, 602–603; PC 2/110/587–589, 602–603

[view](#)

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.263–264, 281–282; PC 2/111/263–264, 281–282

[view](#)

Colonial Courts

Unnamed – August 1753

Unnamed – December 1753

Unnamed – 19 March 1754

Participants

Danielson, James (deceased brother of Samuel Danielson)

Danielson, Samuel, esquire (brother of James Danielson)

Eyre, Francis of Surrey Street in the Strand

Fish, Aaron

Hide, Caleb (‘pretended’ executor of James Danielson)

Hide, Irena (‘pretended’ executor of James Danielson)

Throop, Dan (‘pretended’ executor of James Danielson)

West, Nathan (lessee of Samuel Danielson)

Description

One action of account (Throop) and one of disseisin for 90 acres of land
in Lebanon (Fish)

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Order referring the petition of Samuel Danielson (Fish) – 27 Jan.1756 – PC 1/59/5/2	view_Doc
Catalogued as	Catalogued by TNA: (Fish) Order of 27 Jan. 1756 referring to a committee the petition of Samuel Danielson and Nathan West asking to be admitted to an appeal against Aaron Fish from Connecticut: 27 July 1764 read at committee and reported.	
TNA Document	Order referring the petition of Samuel Danielson (Throop) – 27 Jan.1756 – PC 1/59/5/2	view_Doc
Catalogued as	Catalogued by TNA: (Throop) Order of 27 Jan. 1756 referring to a committee the petition of Samuel Danielson asking to be admitted to an appeal against Daniel Throop and others from Connecticut: 27 July 1764 read at committee and reported.	
TNA Document	Committee report (Fish) – 27 July 1764 – PC 1/50/52	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [618] p.371	view_APC
TNA Document	Committee report (Throop) – 27 July 1764 – PC 1/50/52	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [618] p.371	view_APC

Report

Report No. 01_1765_00

Appeal of Whittlesey

Connecticut

Case Name Short Whittlesey, appeal of

Not a 'true' appeal.

Case Name Long Elisha Whittlesey, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [614] p.727 – 10 July 1765 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.262: PC 2/111/262

[view](#)

Colonial Courts

General Assembly – May 1763 (resolution)

Participants

Pierpoint, Jacob
Whittlesey, Elisha

Description

Land

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

According to Smith (p.643), this attempt to appeal from a *legislative* resolution was refused.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 02_1774_00

**Finney v Bickerton
Finney v Byrne**

Delaware

Case Name Short Finney v Bickerton
Finney v Byrne

Case Name Long David, Robert, Elizabeth and Ann Dorothy Finney v
Henry Bickerton et al
David, Robert, Elizabeth and Ann Dorothy Finney v
James Byrne et al

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [306] p.402–403 – 28 October 1774 – entry 1

PC Register Citation George III v.11 (May 1774 – May 1775) p.237: PC
2/118/237

[view](#)

Colonial Courts

Supreme Court for the Delaware counties – April term 1773

Participants

Bickerton, Henry

Byrne, James

Finney, Ann Dorothy

Finney, David

Finney, Elizabeth

Finney, Robert

Martin, Mary (deceased widow of Patrick Martin)

Martin, Patrick (deceased husband of Mary Martin)

Description

Land dispute among possible heirs with respondents Byrne, et al., according to Smith, claiming “as brothers and sisters of the half-blood of the intestate by virtue of a colonial act which was contrary to the common law and had not received royal approbation,” attempting to advance Winthrop v Lechmere as applicable.

Disposition

Finney v Byrne was never argued due to the Revolutionary War, according to Smith (p.653).

Notes

During this period the lower Delaware counties were in fact a part of the colony of Pennsylvania, but they retained a fair amount of autonomy,

including their own Supreme Court.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Finney v Byrne)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 03_1751_00

Davis v Powell

Georgia

Case Name Short Davis v Powell

Case Name Long Caleb Davis v James Edward Powell

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [150] p.128 – 4 June 1751 – entry 1

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.245–246: PC 2/102/245–246

[view](#)

APC Citation v.4 [150] p.128 – 12 July 1751 – entry 2

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.259–260, 276: PC 2/102/259–260, 276

[view](#)

APC Citation v.4 [150] p.128–130 – 20 December 1752 – entry 3

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.278, 281: PC 2/102/278, 281

[view](#)

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753) p.161, 165, 207–209, 259: PC 2/103/161, 165, 207–209, 259

[view](#)

Colonial Courts

Court of Savannah – 21 February 1749

Participants

Bradley, William, esquire, of Michelham in Surrey

Davis, Caleb, gentleman, of Lambeth in Surrey (late commander of the guard schooner *Walker*)

Heron, Lieut. Col. Alexander (Lieutenant Colonel of a regiment in Georgia after the discharge of Major Horton)

Horton, Maj. William (commanding officer at Georgia in 1745)

Oglethorpe, Lieutenant General

Powell, James Edward of Christchurch parish in South Carolina (owner of the *Murray*)

Wall, James, gentleman, of Lambeth

Vessels

Murray

Walker (guard schooner)

Description

Prize dispute

Disposition

Reversed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Davis v Powell)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 03_1755_00**Demere v Davis****Georgia**

Case Name Short Demere v Davis

Case Name Long Raymond Demere v Caleb Davis

Acts of the Privy Council, Colonial Series[view_APC](#)

APC Citation v.4 [265] p.286–287 – 27 March 1755 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.363: PC 2/104/363[view](#)

Colonial Courts

Court in Savannah – 7 July 1749

Participants

Davis, Caleb

Demere, Raymond, esquire, of Frederica

Vessels

*Duke of Cumberland**Heron*

Description

Dispute over Demere's refusal to allow two ships to proceed on their voyages

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1694_00

Appeal of Rawstone

Maryland

Case Name Short Rawstone, appeal of Not a 'true' appeal.

Case Name Long Richard Rawstone, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [533] p.263 – 22 January 1694 – entry 1

CSP Citation IX no. 832

PC Register Citation William III v.3 (1 October 1692 – 29 November 1694) [view](#)
p.321: PC 2/75/321

Colonial Courts

No colonial court decision was appealed for the Privy Council to review.

See Notes.

Participants

Rawstone, Richard

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

See Labaree, *Royal Instructions 1670–1776*, p.354, and the entry in the *CSP* for details of Rawstone's request to have his complaint reheard in Maryland, rather than by the Privy Council, with liberty to sue Henry Darnall and Nicholas Seawell for losses and damages sustained.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1707_00

Taylor v Jones

Maryland

Case Name Short Taylor v Jones

Case Name Long John Taylor v Ann Jones and Thomas Gassaway

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1019] p.516–517 – 20 March 1707 – entry 1

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.324: PC 2/81/324

[view](#)

APC Citation v.2 [1019] p.517 – 25 April 1707 – entry 2

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.350: PC 2/81/350

[view](#)

APC Citation v.2 [1019] p.517 – 29 April 1707 – entry 3

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.356: PC 2/81/356

[view](#)

Colonial Courts

Provincial Court of Maryland

Participants

Gassaway, Nicholas, deceased

Gassaway, Thomas (executor of Nicholas Gassaway)

Jones, Ann (executor of Nicholas Gassaway)

Taylor, John, merchant, of London

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in the *APC*, though Smith (p.280) says that the appeal never came before the Council.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Taylor v Jones)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1711_00

Macnamara v Rex

Maryland

Case Name Short *Macnamara v Rex*

Case Name Long *Thomas Macnamara v Rex*

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1146] p.653 – 23 June 1711 – entry 1

PC Register Citation *Anne v.5* (2 June 1710 – 28 July 1712) p.256: PC
2/83/256

[view](#)

APC Citation v.2.[1146] p.653 – 5 July 1711 – entry 2

PC Register Citation *Anne v.5* (2 June 1710 – 28 July 1712) p.265–266: PC
2/83/265–266

[view](#)

APC Citation v.2 [1146] p.653–654 – 16 August 1711 – entry 3

PC Register Citation *Anne v.5* (2 June 1710 – 28 July 1712) p.288: PC
2/83/288

[view](#)

APC Citation v.2 [1146] p.654 – 3 September 1711 – entry 4

PC Register Citation *Anne v.5* (2 June 1710 – 28 July 1712) p.295–296: PC
2/83/295–296

[view](#)

Colonial Courts

Provincial Court of Maryland

Participants

Rex

Macnamara, Thomas, attorney, of Annapolis

Description

Request to be restored to status of attorney following a conviction of homicide by chance medley.

Disposition

Reversed on writ of error to the Court of Appeals, removing further need for conciliar intervention, according to Smith (p.242)

References in Smith, *Appeals to the Privy Council*

Table of Cases (*Rex v Macnemara*)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Attorney General's report – July 1711 – PC 1/58/1 view_Doc
Catalogued as	Catalogued by TNA: Attorney General's report concerning the case of Thomas Macnamara, burnt in the hand for homicide
Notes	Viewed at TNA in Conservation due to its poor condition (2009)

Report

Report No. 04_1720_00 Forward v Poulson (later Hunt)

Maryland

Case Name Short Forward v Poulson (later Hunt)

Case Name Long Jonathan Forward v Gilbert Poulson (later William Hunt)

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1339] p.781 – 26 July 1720 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.454:
PC 2/86/454 [view](#)

APC Citation v.2 [1339] p.781 – 2 August 1720 – entry 2

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.459:
PC 2/86/459 [view](#)

APC Citation v.2 [1339] p.781 – 4 August 1720 – entry 3

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.463–
464: PC 2/86/463–464 [view](#)

APC Citation v.2 [1339] p.781 – 21 February 1724 – entry 4

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.481:
PC 2/88/481 [view](#)

APC Citation v.2 [1339] p.781–782 – 21 February 1724 – entry 5

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.481:
PC 2/88/481 [view](#)

APC Citation v.2 [1339] p.782 – 17 April 1724 – entry 6

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.499:
PC 2/88/499 [view](#)

APC Citation v.2 [1339] p.782 – 30 April 1724 – entry 7

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.509–
510: PC 2/88/509–510 [view](#)

APC Citation v.2 [1339] p.782 – 21 May 1724 – entry 8

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.530:
PC 2/88/530 [view](#)

APC Citation v.2 [1339] p.782 – 12 June 1724 – entry 9

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.535:
PC 2/88/535 [view](#)

APC Citation v.2 [1339] p.782–783 – 24 June 1724 – entry 10

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.540–
541: PC 2/88/540–541 [view](#)

APC Citation v.2 [1339] p.783 – 4 July 1724 – entry 11

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.563:
PC 2/88/563 [view](#)

APC Citation v.2 [1339] p.783 – 12 April 1725 – entry 12

PC Register Citation	George I v.5 (September 1724 – May 1727) p.49: PC 2/89/49	view
APC Citation	v.2 [1339] p.783 – 1 June 1725 – entry 13	
PC Register Citation	George I v.5 (September 1724 – May 1727) p.73–74: PC 2/89/73–74	view
APC Citation	v.2 [1339] p.783–784 – 4 November 1725 – entry 14	
PC Register Citation	George I v.5 (September 1724 – May 1727) p.121–122: PC 2/89/121–122	view
APC Citation	v.2 [1339] p.784 – 24 June 1726 – entry 15	
PC Register Citation	George I v.5 (September 1724 – May 1727) p.240–241: PC 2/89/240–241	view
APC Citation	v.2 [1339] p.784 – 24 June 1726 – entry 16	
PC Register Citation	George I v.5 (September 1724 – May 1727) p.241: PC 2/89/241–243	view
APC Citation	v.2 [1339] p.784 – 5 July 1726 – entry 17	
PC Register Citation	George I v.5 (September 1724 – May 1727) p.251, 252: PC 2/89/251, 252	view
APC Citation	v.2 [1339] p.784–785 – 10 January 1728 – entry 18	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.207: PC 2/90/207	view
APC Citation	v.2 [1339] p.785 – 6 June 1728 – entry 19	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.308: PC 2/90/308	view
APC Citation	v.2 [1339] p.785 – 29 March 1729 – entry 20	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.472–474: PC 2/90/472–474	view
APC Citation	v.2 [1339] p.785 – 10 April 1729 – entry 21	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.475–476: PC 2/90/475–476	view

Colonial Courts

Vice Admiralty Court – date of proceedings not stated

Provincial Court – 20 September 1720

Maryland Court of Appeals and Errors – 7 May 1723

Court of Errors – 2 June 1726 (4 judgments in favor of Thomas Boardley)

Participants

Baltimore, Lord

Boardley (Bordley), Thomas (attorney, later deceased, for Gilbert Poulson)

Calvert, Charles, Deputy Governor of Maryland

Cockey, Thomas

Forward, Jonathan, merchant, of London
 Gordon, Robert
 Hunt, William, merchant, of London (executor for Thomas Boardley,
 who dies during proceedings)
 Poulson, Gilbert, master of the *Dolphin*
 Rogers, Mary (wife of William Rogers)
 Rogers, William (husband of Mary Rogers)
 Young, Samuel, Judge of the Admiralty Court of Maryland

Vessels

Dolphin (ship)

Description

Charter party dispute

Disposition

Reversed

Notes

Thomas Boardley (Bordley), the attorney for Poulson, dies during the proceedings. The appeal is revived against Boardley's executor, William Hunt.

This is an extraordinarily complex litigation. It is understood only in part with the information from the *APC*. A detailed explanation, along with transcription of colonial court documents, can be found in Bond, *Maryland Court of Appeals 1696–1729*.

The printed case of the respondent in Forward is the only printed case located to date that is not signed. Subsequent to Forward, by order of March 10, 1731 (*APC*, v.3 [228] p.310), printed cases delivered to the Privy Council had to be signed by counsel.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Forward v Poulson)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Forward)

Note Not found

Respondent's case Case of the respondent (Hunt)

Counsel Not signed.

Library Maryland Historical Society: Special Collections Reading Room – [view](#)
 Rare Broadside 14

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Case of J. Forward, contractor for transporting felons. Two copies of Forward's petition, one fuller than the other (the fuller copy) – Received 29 Oct. 1725 – PC 1/48/21	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [337] p.154	view_APC
TNA Document	Case of J. Forward, contractor for transporting felons. Two copies of Forward's petition, one fuller than the other (the shorter copy) – Received 29 Oct. 1725 – PC 1/48/21	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [337] p.154	view_APC
TNA Document	Order of reference – 4 Nov. 1725 – PC 1/48/21	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [337] p.154	view_APC
TNA Document	Petition of Forward, etc. – Read 10 Jan. 1728 – PC 1/48/24	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [397] p.193	view_APC
TNA Document	Committee report – 29 Mar. 1729 – PC 1/48/25	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [417] p.208	view_APC

Report

Report No. 04_1723_00

Brown v Boardley

Maryland

Case Name Short **Brown v Boardley**

Case Name Long **Joseph Brown v Thomas Boardley**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [54] p.60 – 14 November 1723 – entry 1

PC Register Citation **George I v.4 (1 June 1722 – 25 August 1724) p.356:
PC 2/88/356**

[view](#)

APC Citation v.3 [54] p.60] – 22 January 1724 – entry 2

PC Register Citation **George I v.4 (1 June 1722 – 25 August 1724) p.470:
PC 2/88/470**

[view](#)

APC Citation v.3 [54] p.60 – 28 February 1724 – entry 3

PC Register Citation **George I v.4 (1 June 1722 – 25 August 1724) p.483–
484: PC 2/88/483–484**

[view](#)

APC Citation v.3 [54] p.60] – 9 March 1724 – entry 4

PC Register Citation **George I v.4 (1 June 1722 – 25 August 1724) p.490:
PC 2/88/490**

[view](#)

Colonial Courts

Provincial Court of Maryland

Participants

Baltimore, Lord

Boardley, Thomas

Brown, Joseph

Description

Subject matter not stated in the *APC*. A judgment for £500 sterling had been entered.

Disposition

Brown admitted to bring his writ of error to Maryland Court of Appeals. Washburne, *Imperial Control*, p.79, notes that Brown had attempted to appeal over the heads of the higher courts of Maryland, a procedural irregularity that the Privy Council generally disallowed.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Brown v Bordley)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Petition of Brown. Lord Baltimore's letter for a copy of the petition of Brown – 28 Dec. 1723 – PC 1/47/19	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [324] p.139	view_APC

Report

Report No. 04_1730_01

Macnamara v Brooke

Maryland

Case Name Short Macnamara v Brooke

Case Name Long Michael Macnamara v Thomas Brooke

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [215] p.285–286 – 11 June 1730 – entry 1

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.248: PC 2/91/248 [view](#)

APC Citation v.3 [215] p.286 – 23 November 1730 – entry 2

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.296: PC 2/91/296 [view](#)

APC Citation v.3 [215] p.286 – 14 December 1730 – entry 3

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.301, 351: PC 2/91/301, 351 [view](#)

APC Citation v.3 [215] p.286 – 11 May 1731 – entry 4

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.375 recte 374–375, 386–387: PC 2/91/375 recte 374–375, 386–387 [view](#)

Colonial Courts

Provincial Court – 21 May 1728

Court of Appeals and Errors – 15 May 1729

High Court of Appeals held by the Governor and Council – 24 May 1729

Participants

Brooke, Thomas

Macnamara, Michael of Ann Arundel County (son of Thomas Macnamara)

Macnamara, Thomas (deceased father of Michael Macnamara)

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Reversed

References in Smith, *Appeals to the Privy Council*

Table of Cases (MacNamara v Brooke)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1730_02

Nelson v Beale

Maryland

Case Name Short Nelson v Beale

Case Name Long Thomas Nelson v John Beale

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [216] p.286 – 11 June 1730 – entry 1

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.248: PC 2/91/248 [view](#)

APC Citation v.3 [216] p.286 – 20 June 1737 – entry 2

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738) p.240–241: PC 2/94/240–241 [view](#)

APC Citation v.3 [216] p.286 – 25 June 1737 – entry 3

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738) p.242: PC 2/94/242 [view](#)

APC Citation v.3 [216] p.287 – 1 July 1737 – entry 4

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738) p.244: PC 2/94/244 [view](#)

APC Citation v.3 [216] p.287 – 21 July 1737 – entry 5

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738) p.261: PC 2/94/261 [view](#)

Colonial Courts

Provincial Court – 18 October 1726

Court of Appeals and Errors – 6 February 1729

Participants

Beale, John

Digges, John

Nelson, Thomas (lessee of John Digges)

Description

Land

Disposition

Dismissed for non-prosecution

References in Smith, *Appeals to the Privy Council*

Table of Cases (Nelson v Beale)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1735_00

Appeal of Collins

Maryland

Case Name Short Collins, appeal of

Case Name Long John Collins, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [361] p.485 – 6 November 1735 – entry 1

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.251: PC 2/93/251

[view](#)

Colonial Courts

Vice Admiralty Court in Maryland – 31 July 1734

Participants

Collins, John, of Newbury in New England, master of the *Patuxent*, of
Newbury

Ogle, Governor

Rousby, John, Collector of the Customs

Vessels

Patuxent of Newbury (sloop)

Description

Forfeiture of vessel and goods

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Samuel Ogle is Governor of Maryland.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1738_01

Jennings v Cuming

Maryland

Case Name Short Jennings v Cuming

Case Name Long Edmund Jennings and John Gallaway v William Cuming
 Executor of Thomas Facer and Achsah Woodward
 Administrator *de bonis non* of Amos Garret

Acts of the Privy Council, Colonial Series

[view__APC](#)

APC Citation v.3 [455] p.619–620 – 30 November 1738 – entry 1

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740) p.46:
 PC 2/95/46 [view](#)

APC Citation v.3 [455] p.620 – 6 September 1739 – entry 2

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740)
 p.301–302, 340–341: PC 2/95/301–302, 340–341 [view](#)

Colonial Courts

Commissary General and Judge for the Probate of Wills – 30 August
 1737

Court of Delegates – 25 October 1737

Participants

Cuming, William, esquire (executor of Thomas Facer)

Facer, Thomas, presumed deceased

Gallaway, John (attorney for William Woodward and Mary Holmes)

Garret, Amos, merchant, of Annapolis (deceased brother of Mary
 Woodward and Elizabeth Gwin)

Gwin, Elizabeth (deceased sister of Mary Woodward and Amos Garret)

Holmes, Mary (executor of Mary Woodward)

Jennings, Edmund, esquire (attorney for William Woodward and Mary
 Holmes)

Rudd, Sayer (executor of Elizabeth Gwin)

Seely, Edmund, gentleman (executor of Elizabeth Gwin)

Woodward, Achsah (administrator *de bonis non* of Amos Garret)

Woodward, Mary (deceased sister of Amos Garret and Elizabeth Gwin)

Woodward, William (executor of Mary Woodward)

Description

Validity of will of Amos Garret

Disposition

Dismissed for non-prosecution

Notes

Elizabeth Gwin was the sister of Amos Garret and Mary Woodward. (Skinner, *Maryland Testamentary Abstracts 1736–1739*, p.67) That relationship is noted in Participants. Her surname is spelled ‘Gwin’ in the *APC* and ‘Ginn’ in the *Abstracts*.

The *APC* is ambiguous as to whom Jennings and Gallaway were attorneys for. The *Abstracts* suggest that they were attorneys-in-fact for Woodward and Holmes as executors, Woodward and Holmes in their own names, and Rudd and Seely as executors, i.e., that they collectively represented all three pairs of parties against Cuming. The *APC* refers to ‘attorney’; however, the *Abstracts* refer to ‘attorney-in-fact’.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Jennings v Cumming)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1738_02

Carroll v Parran

Maryland

Case Name Short Carroll v Parran

Case Name Long Charles Carroll v Mary Parran and John Parran

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [456] p.620 – 30 November 1738 – entry 1

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740) p.47:
PC 2/95/47 [view](#)

APC Citation v.3 [456] p.620 – 27 December 1739 – entry 2

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740)
p.264, 335, 432, 445–450, 492: PC 2/95/264, 335,
432, 445–450, 492 [view](#)

Colonial Courts

Maryland Court of Chancery – 20 October 1731 and subsequent
explanatory orders

Issuing body unnamed – Order of Dismission – 17 February 1735

High Court of Appeals – 17 May 1737

Participants

Carroll, Charles (deceased father of Charles Carroll)

Carroll, Charles, esquire, of Annapolis (son and surviving executor of
Charles Carroll)

Carroll, Daniel (deceased executor of Charles Carroll)

Parran, Alexander (deceased husband of Mary Parran and father of John
Parran)

Parran, John (son of Alexander Parran)

Parran, Mary (widow and administratrix of Alexander Parran)

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Affirmed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1739_00

Tasker v Simpson

Maryland

Case Name Short Tasker v Simpson

Case Name Long Benjamin Tasker v John Simpson on the demise of
William Brent

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [476] p.645 – 27 September 1739 – entry 1

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740)
p.351: PC 2/95/351

[view](#)

APC Citation v.3 [476] p.645–646 – 31 January 1740 – entry 2

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740)
p.356, 527–530, 542: PC 2/95/356, 527–530, 542

[view](#)

Colonial Courts

Provincial Court – 18 October 1737

High Court of Appeals – 24 November 1738

Participants

Bennet, James

Brent, Giles (deceased father of Mary Fitzherbert and brother of
Margaret Brent)

Brent, Margaret (deceased sister of Giles Brent and aunt of Mary
Fitzherbert)

Brent, William (descendent of Giles Brent)

Fitzherbert, John (husband of Mary Fitzherbert)

Fitzherbert, Mary Brent (niece of Margaret Brent, daughter of Giles
Brent and wife of John Fitzherbert)

Lynes (Lines), Philip

Moy, Ann (wife of Daniel Moy)

Moy, Daniel (husband of Ann Moy)

Moy, Richard

Simpson, John

Tasker, Benjamin, esquire

Description

Land dispute (trespass and ejectment) over 1000 acres in Queens County
from a grant by the Lord Proprietary of Maryland in 1640

Disposition

Dismissed

Notes

The lease of William Brent to John Simpson is probably real. The Committee report describes William's side of the Brent family as being resident in England and Virginia. The report also leaves little doubt that the underlying issue in the case is William's claim to ownership of the premises. On the action of 'trespass and ejectment' involved here, see Additional Research.

Washburne, *Imperial Control*, p.98–99, notes this appeal as an example of the difficulties arising from conflicting claims from very early land grants.

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant (Tasker) ESTC: N15037

Counsel [Signed] D. Ryder; W. Noel

Library New York Public Library. Schwarzman Building: Rare Book Collection *KVB++ (1739, Jan. 25) (Ryder, D. Maryland) (Includes manuscript notes. The ESTC also shows another entry [N474463] for the New York Public Library for the appellant's case, but an additional copy cannot be located.) (Noted in ESTC? Yes.)

Respondent's case Case of the respondent (Simpson) ESTC: N15036

Counsel [Signed] J. Strange

Library New York Public Library. Schwarzman Building: Rare Book Collection *KVB++ (1739, Jan. 25) (Strange, J. Benjamin Tasker, esq. appellant) (Noted in ESTC? Yes.)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document See report on colonial court proceedings in Harris, *Maryland Reports*, under the name Brent's Lessee v Tasker.

Report

Report No. 04_1748_00

Frisby v Baldwin

Maryland

Case Name Short Frisby v Baldwin

Case Name Long Elizabeth Frisby v Mary Frisby Baldwin

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [91] p.69 – 13 October 1748 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.98:
PC 2/101/98 [view](#)

APC Citation v.4 [91] p.69 – 6 August 1752 – entry 2

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.104:
PC 2/101/104 [view](#)

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.162–164, 178–179: PC 2/103/162–164, 178–179 [view](#)

Colonial Courts

Chancery – October 1741

High Court of Appeals – 20 October 1747

Participants

Baldwin, John, gentleman (husband of Mary Frisby Carrol Baldwin)

Baldwin, Mary Frisby Carrol (widow and administratrix of William

Frisby, widow of Dominick Carrol, and now wife of John Baldwin)

Carrol, Dominick (a deceased husband of Mary Frisby Carrol Baldwin)

Frisby, Elizabeth (widow and administratrix of Peregrine Frisby)

Frisby, Nicholas (deceased son of William Frisby)

Frisby, Peregrine, esquire, of Cecil county (deceased husband of

Elizabeth Frisby and brother of William Frisby)

Frisby, William (a deceased husband of Mary Frisby Carrol Baldwin and
brother of Peregrine Frisby)

Description

Dispute re the allocation of the estate of William Frisby

Disposition

Reversed

DOCUMENTATION

Printed Cases

Appellant's case

Case of the appellant (Frisby)

ESTC: T39018

Counsel [Signed] D. Ryder; A. Hume-Campbell

Library British Library: General Reference Collection – 1890.e.3.(79.)
(Includes manuscript notes and is bound with appeals to the House
of Lords. The ESTC record states that the appeal was to that body view
though the dorse indicates an appeal to the Privy Council.) (Noted in
ESTC? Yes.)

Respondent's case Case of the respondent (Baldwin)

Note Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1773_00

Bordley v Thomas

Maryland

Case Name Short Bordley v Thomas

Case Name Long John Beale Bordley and Margaret Bordley and William
and Mary Paca v Ann Thomas

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [273] p.384 – 29 October 1773 – entry 1

PC Register Citation George III v.10 (January 1773 – April 1774) p.330: PC
2/117/330 [view](#)

APC Citation v.5 [273] p.384 – 31 December 1773 – entry 2

PC Register Citation George III v.10 (January 1773 – April 1774) p.378,
397: PC 2/117/378, 397 [view](#)

Colonial Courts

Court of Appeals – 19 February 1771

Participants

Bordley, John Beale (husband of Margaret Bordley)

Bordley, Margaret (wife of John Beale Bordley)

Chew, Samuel, presumed deceased

Paca, Mary (wife of William Paca)

Paca, William (husband of Mary Paca)

Thomas, Ann of Ann Arundel county (widow of Philip Thomas)

Thomas, Philip (deceased husband of Ann Thomas)

Description

Dispute re estate of Samuel Chew

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 04_1776_00

**Chew v Weems
(Heeltap v Weems)**

Maryland

Case Name Short Heeltap v Weems
Chew v Weems

Case Name Long Crispin Heeltap on the demise of William Chew v James
Weems and David Weems

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [330] p.438 – 3 January 1776 – entry 1

PC Register Citation George III v.12 (June 1775 – May 1776) p.295, 394:
PC 2/119/295, 394

[view](#)

Colonial Courts

Provincial Court – 8 September 1772

Court of Appeals and Errors – 21 February 1775

Participants

Chew, William

Heeltap, Crispin of Ann Arundel county (lessee of William Chew)

Weems, David

Weems, James

Weems, John

Description

Action of ejectment

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

As the Privy Council register makes clear, the ejectment action was originally brought by Heeltap and Chew. A judgment in their favor was reversed in the Court of Appeals and Errors, from which they appealed to the Privy Council. Crispin Heeltap and the lease to him are probably fictitious. ‘Heeltap’ is much more often found as a common noun than as a surname. On the action of ejectment involved here, see *Additional Research*, which provides further support for the proposition that Heeltap is fictional.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1681_00

Appeals of Randolph

Massachusetts

Case Name Short Randolph, appeals of
 Randolph v Armitage
 Randolph v Bollard
 Randolph v Brock
 Randolph v Clay
 Randolph v Grecian
 Randolph v Harding
 Randolph v Huling
 Randolph v Hunkins
 Randolph v Hutchinson
 Randolph v Janon
 Randolph v Lucy (?)
 Randolph v Nichols
 Randolph v Severet and Nicholls
 Randolph v Whetstone

Case Name Long Edward Randolph, appeals of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [44] p.22–23 – 11 August 1681 – entry 1

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.343–
 344: PC 2/69/343–344

[view](#)

Colonial Courts

Unnamed – locations given as “Boston and other Places”

Participants

Armitage, Timothy, master of the ship *Two Sisters* of Boston
 Bollard, Nathaniel, master of a sloop of Linn
 Brock, John, master of the *Guift of God* of Kittery
 Clay, Steven, master of the *Batchelor Delight* of Providence
 Grecian, Thomas, master of the pink *Expectation* of Boston
 Harding, John of Salem
 Huling, John, master of the ship *Maidenhead* of Nuberry
 Hunkins, John, master of the ketch *Industry* of Plymouth
 Hutchinson, John, merchant of Boston
 Janon, Jeremia, master of a sloop of Scituate
 Lucy (?), Samuel, master of the ship *Expedition* of Bristoll
 Nichols, Eli, master of the barque *Guift of God* of Guernzey
 Randolph, Edward, esquire

Severet, Philip and Nicholls, Eli., masters of two new ships of Piscataqua
Whetstone, ____, master of the *Mary* of Bristol

Vessels

Batchelor Delight of Providence (ship)

Expectation of Boston (pink)

Expedition of Bristoll (ship)

Guift of God of Guernzey (barque)

Guift of God of Kittery

Industry of Plymouth (ketch)

Maidenhead of Nuberry (ship)

Mary of Bristol

Two Sisters of Boston (ship)

Description

Seizures under the Navigation Acts

Disposition

Not stated in *APC*, but Smith (p.61) indicates that there is no evidence that any of the respondents appeared.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Randolph, Edward, Appeals of)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1682_00

Thayre v [Savage]

Massachusetts

Case Name Short Thayre v [Savage]

Case Name Long Richard Thayre v [Capt. Savage] and [Capt. Clapp]

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [98] p.41 – 8 December 1682 – entry 1

CSP Citation VI no. 834

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.591:
PC 2/69/591

[view](#)

APC Citation v.2 [98] p.41 – 2 March 1683 – entry 2

CSP Citation VI no. 989

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.643–
644: PC 2/69/643–644

[view](#)

APC Citation v.2 [98] p.41 – 2 April 1684 – entry 3

CSP Citation VI no. 1621

PC Register Citation Charles II v.17 (13 June 1683 – 4 February 1685)
p.137: PC 2/70/137

[view](#)

Colonial Courts

Unnamed – [Boston]

Participants

Thayre, Richard

[Clapp, Capt.]

[Savage, Capt.]

Description

Land [claim based on Indian deed]

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

References in Smith, *Appeals to the Privy Council*

Table of Cases (Thayre v Savage)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1691_00

[In re The Salisbury]

Massachusetts

Case Name Short *[In re The Salisbury]*

Not a 'true' appeal.

Case Name Long *[In re The Salisbury]*

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [409] p.192 – 30 July 1691 – entry 1

CSP Citation VIII no.1678

PC Register Citation William III v.2 (3 September 1690 – 29 September 1692) p.219: PC 2/74/219

[view](#)

APC Citation v.2 [409] p.193 – 2 January 1692 – entry 2

PC Register Citation William III v.2 (3 September 1690 – 29 September 1692) p.319: PC 2/74/319

[view](#)

Colonial Courts

[Court of Assistants in Boston – February 1689/90]

Participants

Laurence, Capt. Nicholas, [master of the *Salisbury*]

Page, Col. Nicholas

[Brenton, Jahleel]

Vessels

[*Salisbury*]

Description

Condemnation of vessel

Disposition

Settlement with the Commissioners of the Treasury

Notes

The appeal regarding the *Salisbury* was directed to Admiralty, considered by the Massachusetts court for the King in Council, but finally found resolution with the Treasury with a passing reference to the Commissioner of Customs. It stands as an example of the early confusion over appellate jurisdiction, according to Smith (p.93).

References in Smith, *Appeals to the Privy Council*

Table of Cases (*In re The Salisbury*)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1692_00

Brenton v Lawson
(In re The Two Brothers)
Brenton v Wilkinson
(In re The Three Brothers)
Appeal of Brenton
(In re The Mary)

Massachusetts

Case Name Short Brenton v Lawson
 Brenton v Wilkinson
In re The Three Brothers
 Brenton, appeal of
In re The Two Brothers
In re The Mary

Case Name Long Jahleel Brenton v George Lawson (*In re The Two*
 Brothers)
 Jahleel Brenton v Thomas Wilkinson (*In re The Three*
 Brothers)
 Jahleel Brenton, appeal of (*In re The Mary*)

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.2 [480] p.237–239 – 22 December 1692 – entry 1	
PC Register Citation	William III v.3 (1 October 1692 – 29 November 1694) p.59: PC 2/75/59	view
APC Citation	v.2 [480] p.239 – 23 April 1696 – entry 2	
PC Register Citation	William III v.4 (2 December 1694 – 23 April 1697) p.402: PC 2/76/402	view
APC Citation	v.2 [480] p.239 – 23 February 1697 – entry 3	
PC Register Citation	William III v.4 (2 December 1694 – 23 April 1697) p.585: PC 2/76/585	view
APC Citation	v.2 [480] p.239 – 27 May 1697 – entry 4	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.19: PC 2/77/19	view
APC Citation	v.2 [480] p.239–240 – 27 May 1697 – entry 5	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.1, 22–23: PC 2/77/1, 22–23	view
APC Citation	v.2 [480] p.240 – 3 June 1697 – entry 6	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.26: PC 2/77/26	view
APC Citation	v.2 [480] p.240 – 17 June 1697 – entry 7	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.30:	view

	PC 2/77/30	
APC Citation	v.2 [480] p.240 – 1 July 1697 – entry 8	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.34: PC 2/77/34	view
APC Citation	v.2 [480] p.240 – 8 July 1697 – entry 9	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.38: PC 2/77/38	view
APC Citation	v.2 [480] p.240 – 15 July 1697 – entry 10	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.40: PC 2/77/40	view
APC Citation	v.2 [480] p.240–241 – 22 July 1697 – entry 11	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.55: PC 2/77/55	view
APC Citation	v.2 [480] p.241 – 29 July 1697 – entry 12	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.55: PC 2/77/55	view
APC Citation	v.2 [480] p.241 – 3 May 1700 – entry 13	
PC Register Citation	William III v.6 (4 April 1700 – 19 February 1702) p.21: PC 2/78/21	view
APC Citation	v.2 [480] p.241 – 9 May 1700 – entry 14	
PC Register Citation	William III v.6 (4 April 1700 – 19 February 1702) p.21: PC 2/78/21	view

Colonial Courts

A county court in Boston – 25 August 1691 – *In re* The Two Brothers
 Court of Assistants – Boston – 1 September 1691 – *In re* The Two
 Brothers
 Court of Assistants – Boston – *In re* The Three Brothers
 County Court – 17 February 1692 – *In re* The Mary
 Court of Assistants – Boston – 1 March 1692 – *In re* The Mary

Participants

Brenton, Jahleel, gentleman, Collector, Surveyor and Searcher of the
 Customes in New England
 Dew, George, privateer commander (*In re* The Three Brothers)
 Griffin, Thomas, privateer commander (*In re* The Three Brothers)
 Lawson, George, commander of the *Two Brothers*
 Mason, Stephen, merchant, of London
 Merry, Anthony ('concerned in' the *Two Brothers*)
 Phips, Sir William, Governor of Massachusetts
 Upton, Ambrose (owner of the *Three Brothers*)
 Wilkinson, Thomas, commander of the *Three Brothers*

Vessels

Two Brothers (pink)
Three Brothers (pink)
Mary (brigantine)

Description

Seizures under the Navigation Acts

Disposition

The vessel the *Two Brothers* was forfeited; no defendants answered the summons.

The vessel the *Three Brothers* was forfeited for breach of the Acts of Trade.

The appeal of Brenton regarding the *Mary* was dismissed.

Notes

Related to another Privy Council appeal:

Brenton v Shrimpton – Report No. 05_1698_00 (*APC*, v.2 [716] p.324)

Brenton v Shrimpton arises out of a seizure of a parcel of iron and is reported separately in *APC*.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Brenton v Lawson; Brenton v Wilkinson; *In re The Three Brothers*)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1698_00

Brenton v Shrimpton

Massachusetts

Case Name Short Brenton v Shrimpton

Case Name Long Jahleel Brenton v Elizabeth Shrimpton

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [716] p.324–325 – 1 September 1698 – entry 1

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.222:
PC 2/77/222 [view](#)

APC Citation v.2 [716] p.325 – 30 May 1700 – entry 2

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.34: PC 2/78/34 [view](#)

APC Citation v.2 [716] p.325 – 28 June 1700 – entry 3

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.72: PC 2/78/72 [view](#)

APC Citation v.2 [716] p.325 – 18 July 1700 – entry 4

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.72: PC 2/78/72 [view](#)

Colonial Courts

County Court at Boston – 26 July 1692

Participants

Brenton, Jahleel, esquire, Collector of His Majesties Customes in New England

Shrimpton, Col. Samuell of Boston (deceased husband of Elizabeth Shrimpton)

Shrimpton, Elizabeth (widow and executrix of Colonell Samuell Shrimpton)

Description

Seizure of a parcel of iron for illegal importation

Disposition

Dismissed

Notes

Related to other Privy Council appeals:

Brenton v Lawson; Brenton v Wilkinson; *In re* The Mary – Report No. 05_1692_00 (*APC*, v.2 [480] p.237–239)

These cases are closely related to this one, but are reported separately in

the *APC*.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1700_00**Ting v Wythrop****Massachusetts**

Case Name Short Ting v Wythrop

Case Name Long Jonathan Ting v Wait Wythrop

Acts of the Privy Council, Colonial Series[view_APC](#)

APC Citation v.2 [803] p.358 – 22 October 1700 – entry 1

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.86: PC 2/78/86[view](#)

Colonial Courts

Inferior Court of Common Pleas

Superior Court of Judicature – Boston

Participants

Ting, Jonathan of Boston (executor of Hezekiah Usher)

Usher, Hezekiah of Boston, presumed deceased

Wythrop, Wait (tenant of Jonathan Ting)

Description

Land

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1705_01

Allen v Spencer

Massachusetts

Case Name Short Allen v Spencer

Case Name Long Samuel Allen (later Thomas Allen) v Humphrey Spencer

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [972] p.489 – 9 July 1705 – entry 1

PC Register Citation Anne v.2 (20 January 1704 – 29 September 1705)
p.388–389: PC 2/80/388–389

[view](#)

APC Citation v.2 [1006] p.510 – 15 July 1706 – entry 2

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.238–239: PC 2/81/238–239

[view](#)

Colonial Courts

Court of Common Pleas in Maine, otherwise referred to as Inferior Court
at Wells

Superior Court – Boston – 7 November 1704

Participants

Allen, Samuel (deceased father of Thomas Allen)

Allen, Thomas (son of Samuel Allen)

Gorges, Sir Ferdinando

Spencer, Humphrey

Description

Land (“Writ of Ejectment,” according to the *APC*; “an Ejectment at Law,” according to the Committee report as given in the Privy Council register) near Newichawanock by grant from Ferdinando Gorges

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Related to another Privy Council appeal:

Allen v Waldron – Report No. 06_1701_00 (*APC*, v.2 [818] p.365)

This action, begun before the death of Samuel Allen in 1705, was continued by his son as heir, but apparently not further prosecuted. Smith (p.158) describes Allen’s attempt to enforce his Masonian claims in Massachusetts courts for lands in Maine. The *APC* indexes the appeal against Waldron by Samuel Allen, and then Thomas Allen, under New Hampshire where the Allens’ main efforts to enforce their claims were

directed.

On the action of ejection involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Allen v Spencer)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1705_02

Gookin v Smith

Massachusetts

Case Name Short Gookin v Smith

Case Name Long Samuel Gookin v Sarah Smith

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [985] p.497 – 20 December 1705 – entry 1

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.58:
PC 2/81/58

[view](#)

APC Citation v.2 [985] p.497 – 9 April 1706 – entry 2

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.171: PC 2/81/171

[view](#)

APC Citation v.2 [985] p.497 – 11 April 1706 – entry 3

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.174: PC 2/81/174

[view](#)

Colonial Courts

Superior Court – Boston

Participants

Gookin, Samuel of Cambridge in New England
Smith, Sarah, widow

Description

Disposition of a ship or money in lieu thereof

Disposition

Dismissed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Gookin v Smith)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1706_00

Lason v Serjeant

Massachusetts

Case Name Short Lason v Serjeant

Case Name Long George Lason v Peter Serjeant

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [990] p.499–500 – 3 January 1706 – entry 1

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.69–70: PC 2/81/69–70 [view](#)

APC Citation v.2 [990] p.500 – 16 January 1706 – entry 2

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.71: PC 2/81/71 [view](#)

APC Citation v.2 [990] p.500 – 20 February 1706 – entry 3

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.111–112: PC 2/81/111–112 [view](#)

APC Citation v.2 [990] p.500 – 21 February 1706 – entry 4

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.115: PC 2/81/115 [view](#)

APC Citation v.2 [990] p.500 – 13 March 1707 – entry 5

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.314–315: PC 2/81/314–315 [view](#)

APC Citation v.2 [990] p.500 – 3 May 1707 – entry 6

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.358: PC 2/81/358 [view](#)

APC Citation v.2 [990] p.500 – 20 May 1707 – entry 7

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.365: PC 2/81/365 [view](#)

Colonial Courts

Inferior Court of Common Pleas – Boston – October 1704

Superior Court – 7 November 1704

Participants

Lason, George

Serjeant, Peter

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Dismissed, “but Lason may petition again upon the equity of his case, if

he thinks fit,” according to the *APC*, v.6 [169] p.55.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Lason v Sergeant)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 3 May 1707 – PC 1/46/9	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [169] p.55	view_APC

Report

Report No. 05_1711_00

**Lillie v Bromfield
Lillie v Adams**

Massachusetts

Case Name Short Lillie v Bromfield
Lillie v Adams

Case Name Long Samuel Lillie v Edward Bromfield and Francis
Burroughs
Samuel Lillie v Elias Adams

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1150] p.655 – 30 July 1711 – entry 1

PC Register Citation Anne v.5 (2 June 1710 – 28 July 1712) p.278: PC
2/83/278

[view](#)

APC Citation v.2 [1150] p.655 – 29 March 1715 – entry 2

PC Register Citation George I v.1(1 August 1714 – 2 March 1717) p.201–
202: PC 2/85/201–202

[view](#)

Colonial Courts

Inferior Court of Massachusetts Bay – 7 October 1707 – re Bromfield
and Burroughs

Inferior Court of Massachusetts Bay – 4 November 1707 – re Adams

Participants

Adams, Elias

Bromfield, Edward

Burroughs, Francis

Lillie, Samuel, merchant, of Boston

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

According to the *APC*, Lillie is allowed to appeal from the Inferior Court judgments and may also prosecute his appeals from the Admiralty Court of Massachusetts in the High Court of Admiralty in England.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Report of the Attorney General – 6 Jan. 1714/5 – [view_Doc](#)
PC 1/58/1

Catalogued as Catalogued by TNA with the petition of S. Lillie as follows: Petition of Samuel Lillie, merchant of Boston, concerning alleged unjust procedures in the Massachusetts courts of jurisdiction, with report of Attorney General

Notes Stitched together are the petition, true copies of Lillie's original request, order of reference to the Attorney General, and the Attorney General's answer. Adams and Bromfield are treated together in these documents.

TNA Document Petition of S. Lillie – Mar. 1715 – PC 1/58/1 [view_Doc](#)

Catalogued as Catalogued by TNA with the report of the Attorney General as follows: Petition of Samuel Lillie, merchant of Boston, concerning alleged unjust procedure in the Massachusetts courts of judicature, with report of Attorney General

Notes A complicated document: Our images are paginated consecutively. Page 1 is Lillie's second petition. It is unpaginated and undated, though it must postdate 1 August 1714, because it is addressed to George I. The verso is not photographed and not paginated. Our page 2 is unpaginated but the verso is paginated 2. It contains "The Case of Samuel Lillie Merchant in Boston in New England relating to the Ship Samuel tried & determined the Court of Admiralty in New England, Nathaniel Byfield Judge." This runs to page 9 (paginated 8), where there begins in mid-page "The Case of Samuel Lilley [sic] and Creditors tried and determined in the Courts of Common Law in Boston N. England." This runs to page 12 (paginated 11), where there begins in mid-page "Case of Samuel Lillie relating to several oppressions and Wrongs sustained by him which have not been tried in any Court of Judicature." This runs to page 14 (paginated 13). Page 15 (unpaginated but the next page is paginated 2) contains a certified copy of an order in Council dated 30 July 1711 referring the petition of Samuel Lillie to the Attorney General or the Solicitor General. Pages 16 and 17 (paginated 2 and 3) contain

a certified copy of the petition of Lillie so referred. In the middle of page 17 begins a certified copy of the Attorney General's report, the same report contained in the previous document, dated 6 January 1714/15. This continues onto page 18 (unpaginated). The dorse tells us that the document contains the "Petition and Report thereon of Mr Attorney General relating to the admitting of Samuel Lillie to appeal from several Decrees and Judgments given against him in New England."

Report

Report No. 05_1715_00

Bannister v Bowe

Massachusetts

Case Name Short Bannister v Bowe

Case Name Long Thomas Bannister v Margaret Bowe

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1230] p.697 – 17 June 1715 – entry 1

PC Register Citation George I v.1 (1 August 1714 – 2 March 1717) p.235:
PC 2/85/235

[view](#)

APC Citation v.2 [1230] p.698 – 8 December 1715 – entry 2

PC Register Citation George I v.1 (1 August 1714 – 2 March 1717) p.323:
PC 2/85/323

[view](#)

APC Citation v.2 [1230] p.698 – 13 December 1715 – entry 3

PC Register Citation George I v.1 (1 August 1714 – 2 March 1717) p.325:
PC 2/85/325

[view](#)

Colonial Courts

Superior Court of Judicature – 4 May 1714

Participants

Bannister, Thomas of Boston

Bowe, Margaret

Garvan, Jeremiah

Description

Payment of judgment sum of £400 1s 2d

Disposition

Reversed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1717_00

Oulton v Savage

Massachusetts

Case Name Short Oulton v Savage

Case Name Long John Oulton and Cornelius Waldo v Arthur Savage

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1270] p.721 – 15 July 1717 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.19:
PC 2/86/19

[view](#)

APC Citation v.2 [1270] p.721 – 5 February 1718 – entry 2

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.93–
94: PC 2/86/93–94

[view](#)

APC Citation v.2 [1270] p.721 – 16 March 1718 – entry 3

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.116:
PC 2/86/116

[view](#)

Colonial Courts

Superior Court of Suffolk County, Massachusetts Bay – 6 November
1716

Participants

Oulton, John of Boston

Savage, Arthur, master of the *Province*

Waldo, Cornelius of Boston

Vessels

Province (galley)

Description

Action on the case, according to Smith (p.166).

Disposition

Dismissed – petitioners may still apply for a review in New England

References in Smith, *Appeals to the Privy Council*

Table of Cases (Oulton v Waldo and Savage)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

ADDITIONAL RESEARCH

Smith names the case *Oulton v Waldo and Savage*, but the original record he cites (Massachusetts Superior Court of Judicature Judgment [*recte* Record] Book, 1715–1717, f.158[r–v]) clearly names the case as “John Oulton & Cornelius Waldo both of Boston in the County of Suffolk Merchants three quarter part Owners of the Ship Province Galley, Appellants [v] Captain Arthur Savage now or late Comander of the said Ship Province Galley of Boston aforesaid Mariner, Appellee.” The action, originally brought in an Inferior Court in July of 1716, charged Savage with having violated Oulton and Waldo’s orders with regard to a shipment of fish from Massachusetts to Portugal or Spain, with the result that they were damaged to the sum of £1,052 9s. The original jury found for Oulton and Waldo in the amount of £360. Oulton and Savage appealed to the Superior Court, and a second jury found entirely for Savage, who was awarded costs of £4 8s. 2d. A note in the margin states that on 3 December 1716, Savage acknowledged that this judgment (presumably for costs) was satisfied. Oulton and Waldo prayed leave to appeal to the Privy Council, and the record states: “The Court are of Opinion that an Appeal doth not ly in this Action.” Why they were of this opinion is perhaps indicated by the Privy Council’s dismissal of the appeal: Further review in the colony was available by way of writ of review. Compare the procedure followed half a century later in *Apthorpe v Pateshall* (05_1768_00, *APC*, v.5 [56] p.122).

Charles Donahue, Jr.

Report

Report No. 05_1718_01

Tunley v Maccarty

Massachusetts

Case Name Short Tunley v Maccarty

Case Name Long William and Christian Tunley v William Maccarty

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1297] p.744 – 1 July 1718 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.154:
PC 2/86/154

[view](#)

Colonial Courts

Courts of Massachusetts Bay

Participants

Maccarty, Florence (deceased husband of Christian Maccarty Tunley)

Maccarty, William

Tunley, Christian (widow of Florence Maccarty and wife of William Tunley)

Tunley, William (husband of Christian Maccarty Tunley)

Description

Estate dispute

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

The unusual identification of Christian Maccarty as the widow and Florence Maccarty as the deceased husband raises a possibility that the editors of the *APC* or the Privy Council clerk confused the names.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1718_02

Flint v Willett

Massachusetts

Case Name Short Flint v Willett

Case Name Long Henry Flint v Ann Willett

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1298] p.744 – 1 July 1718 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.154:
PC 2/86/154 [view](#)

APC Citation v.2 [1298] p.744 – 8 August 1718 – entry 2

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.164:
PC 2/86/164 [view](#)

APC Citation v.2 [1298] p.744 – 27 August 1718 – entry 3

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.170:
PC 2/86/170 [view](#)

Colonial Courts

General Court of Trials at Newport

Participants

Flint, Henry of Cambridge (grandson of Thomas Willett)

Willett, Ann

Willett, Thomas (deceased grandfather of Henry Flint)

Description

Estate dispute

Disposition

Appeal is dismissed; new suit must be commenced.

Notes

The *APC* labels this appeal ‘Massachusetts Bay’ where the appellant lived rather than ‘Rhode Island’, which is the site of the court in which the proceedings were held. From the entry in the Privy Council’s register, it appears that there may have been a misunderstanding about the colony in which Newport was located.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Flint v Willett)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1718_03

Taylor v Taylor

Massachusetts

Case Name Short Taylor v Taylor

Case Name Long Christopher Taylor v Rebecca Taylor and Sarah Taylor

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1302] p.748 – 29 August 1718 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.175: [view](#)
PC 2/86/175

Colonial Courts

Probate of Wills

Governor and Council – 20 February 1717

Participants

Taylor, Christopher, gentleman, of Boston (eldest son of James Taylor and stepson of Rebecca Taylor)

Taylor, James of Lynn (deceased father of Christopher Taylor and husband of Rebecca Taylor)

Taylor, Rebecca (stepmother of Christopher Taylor, widow and executor of James Taylor, and mother of Sarah Taylor)

Taylor, Sarah (executor of James Taylor and daughter of Rebecca Taylor)

Description

Estate dispute

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

References in Smith, *Appeals to the Privy Council*

Table of Cases (Taylor v Taylor)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1722_00

Gilbert v Branfield

Massachusetts

Case Name Short Gilbert v Branfield

Case Name Long John Gilbert v John Branfield and William Ward

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [27] p.32 – 20 January 1722 – entry 1

PC Register Citation George I v.3 (25 August 1720 – 31 May 1722) p.467:
PC 2/87/467

[view](#)

APC Citation v.3 [27] p.32 – 2 March 1722 – entry 2

PC Register Citation George I v.3 (25 August 1720 – 31 May 1722) p.498:
PC 2/87/498

[view](#)

APC Citation v.3 [27] p.32 – 4 March 1722 – entry 3

PC Register Citation George I v.3 (25 August 1720 – 31 May 1722) p.511:
PC 2/87/511

[view](#)

Colonial Courts

Superior Court in New England – 1 November 1720

Participants

Branfield, John, goldsmith, of London

Gilbert, John

Ward, William, goldsmith, of London

Description

Debt

Disposition

Dismissed for non-prosecution

Notes

That Massachusetts is the jurisdiction is supplied by Smith (p.330).

References in Smith, *Appeals to the Privy Council*

Table of Cases (Gilbert v Branfill)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1726_00

In re The Mary Ann

Massachusetts

Case Name Short *In re The Mary Ann*

Case Name Long *In re The Mary Ann*

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [101] p.127 – 5 July 1726 – entry 1

PC Register Citation George I v.5 (September 1724 – May 1727) p.257: PC [view](#)
2/89/257

Colonial Courts

Admiralty Court

Superior Court of Massachusetts Bay – 29 January 1726

Participants

Bury, Edmund, master of the *Mary Ann*

Robinson, Robert, Collector of his Majesty's Customs at Salem and
Marblehead

Vessels

Mary Ann (sloop)

Description

Concerns the sloop and her cargo

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

References in Smith, *Appeals to the Privy Council*

Table of Cases (*In re The Mary Ann*)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1731_00

Bennet v Gray

Massachusetts

Case Name Short **Bennet v Gray**

Case Name Long **Joseph Bennet and Samuel Freeth and William Walker v Benjamin Gray**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [233] p.315–316 – 8 April 1731 – entry 1

PC Register Citation **George II v.2 (1 June 1729 – 16 June 1732) p.367: PC 2/91/367** [view](#)

APC Citation v.3 [233] p.316 – 28 April 1734 – entry 2

PC Register Citation **George II v.2 (1 June 1729 – 16 June 1732) p.375–376: PC 2/91/375–376** [view](#)

APC Citation v.3 [233] p.316 – 11 May 1734 – entry 3

PC Register Citation **George II v.2 (1 June 1729 – 16 June 1732) p.387: PC 2/91/387** [view](#)

Colonial Courts

Inferior Court of Common Pleas – 4 April 1729 (see Notes below)

Supream Court of Judicature – Boston – second Tuesday of August 1728

Participants

Bennet, Joseph of Birmingham

Freeth, Samuel of Birmingham

Gold, William

Gray, Benjamin of Boston (terretenant of William Gold)

Walker, William, merchant, of Whitton Hall in Warwickshire

Description

Land in dispute (trespass and ejectment) “lying at the Southerly end of Boston known as William Golds farm,” according to the *APC*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

There is an error in the colonial court dates in the *APC*; the lower court decision is dated after its reversal. The Privy Council’s register at George II v.2 (1 June 1729 – 16 June 1732) p.375 corrects the date of the Inferior Court judgment to 4 April 1727 and calls the higher court the ‘Superior Court of Judicature’.

On the action of ‘trespass and ejectment’ involved here, see Additional

Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Bennett v Gray)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1733_01 **Waldo v Fairweather (1)** **Massachusetts**
Waldo v Fairweather (2)

Case Name Short Waldo v Fairweather (1)
 Waldo v Fairweather (2)

Case Name Long Samuel Waldo v Thomas Fairweather (later Hannah
 Fairweather and John Fairweather (1)
 Samuel Waldo v Thomas Fairweather (later Hannah
 Fairweather and John Fairweather) (2)

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.3 [272] p.376–377 – 21 February 1733 – entry 1	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.114–115: PC 2/92/114–115	view
APC Citation	v.3 [272] p.377 – 28 February 1733 – entry 2	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.119: PC 2/92/119	view
APC Citation	v.3 [272] p.377 – 29 March 1733 – entry 3	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.134–135: PC 2/92/134–135	view
APC Citation	v.3 [272] p.377 – 10 May 1733 – entry 4	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.163–164: PC 2/92/163–164	view
APC Citation	v.3 [272] p.377 – 21 June 1733 – entry 5	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.179–180: PC 2/92/179–180	view
APC Citation	v.3 [272] p.377 – 22 March 1734 – entry 6	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.389–390: PC 2/92/389–390	view
APC Citation	v.3 [272] p.377 – 5 November 1734 – entry 7	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.31: PC 2/93/31	view
APC Citation	v.3 [272] p.377–378 – 10 December 1734 – entry 8	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.37–38: PC 2/93/37–38	view
APC Citation	v.3 [272] p.378–379 – 12 December 1734 – entry 9	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.39 <i>recte</i> 38–40: PC 2/93/39 <i>recte</i> 38–40	view
APC Citation	v.3 [272] p.379 – 9 January 1735 – entry 10	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736)	view

p.58–59: PC 2/93/58–59

Colonial Courts

Court of Probates – 27 December 1731 (first action)

Governor and Council – 13 January 1732 (first action)

Inferior Court for the County of Suffolk – 4 July 1732 (second action,
brought about 20 June 1732)

Superior Court of Judicature – Boston – 8 August 1732 (second action)

Participants

Channing, Joshua

Fairweather (Fayrweather), Hannah (wife, later widow and executor, of
Thomas Fairweather, and daughter of Jonathan Waldo)

Fairweather (Fayrweather), John (uncle and executor of Thomas
Fairweather)

Fairweather (Fayrweather), Thomas (husband, later deceased, of Hannah
Fairweather, and executor of Jonathan Waldo)

Parkin, William

Waldo (Waldoe), Jonathan of Boston (deceased father of Samuel Waldo
and Hannah Waldo Fairweather)

Waldo (Waldoe), Samuel (son and executor of Jonathan Waldo)

Willard, Joshua, Judge of the Probate of Wills

Description

Samuel Waldo seeks in the first action the books of accounts, notes, etc.
of his deceased father and in the second action the deeds for real estate
he claims under his father's will.

Disposition

Judgments of 27 December 1731 and 13 December 1732 affirmed
according to the *APC* (likely that the latter is really 13 January).
Judgments of 4 July and 8 August 1732 reversed and appellant allowed
to bring a new action.

Notes

Related to other Privy Council appeals:

Waldo v Waldo – Report No. 05_1734_01 (*APC*, v.3 [295] p.405)

Waldo v Waldoe – Report No. 05_1734_04 (*APC*, v.3 [321] p.430–
431)

Waldo v Fairweather, Waldo v Waldo, and Waldo v Tyng – Report
No. 05_1734_06 (*APC*, v.3 [325] p.450)

For clarity in dealing with multiple Waldo (Waldoe) cases, listed here are
the immediate family members, without regard to whether they appear in
this report: Jonathan Waldo is the deceased father of the Waldo siblings:

Samuel (eldest son), Jonathan, Hannah, and Ann (Anne, Anna). Hannah is the wife of Thomas Fairweather (Fayrweather), who dies during the proceedings. Ann is the wife of Edward Tyng (Ting). Samuel and Jonathan Waldo, Ann Tyng, and Thomas Fairweather are the executors for Jonathan Waldo. Upon Thomas Fairweather's death, Hannah, his widow, and his uncle, John Fairweather, become his executors.

Upon the death of Thomas Fairweather, the two appeals are revived against the executors, Hannah and John Fairweather, according to the *APC*.

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Waldo)

Note Not found

Respondent's case Case of the respondent (Fayrweather)

Counsel [Signed] J. Willes

Library American Antiquarian Society: British Broad-sides (Manuscript scribblings [dates, ?sums, pen trials, a couple of words] on dorse) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1733_02

Stoddard v Barrell

Massachusetts

Case Name Short Stoddard v Barrell

Case Name Long William Stoddard v John Barrell, sen. (later revived against Barrell's executors)

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [278] p.384 – 10 May 1733 – entry 1

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.162–163: PC 2/92/162–163

[view](#)

APC Citation v.3 [278] p.384 – 8 January 1734 – entry 2

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.259 *male*, 286: PC 2/92/259 *male*, 286

[view](#)

PC Register Note The citation in the *APC* to p.259 seems to be in error. The entry on p.311–312 (below) repeats the contents of that on p.286.

APC Citation v.3 [278] p.384 – 12 February 1735 – entry 3

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.311–312: PC 2/92/311–312

[view](#)

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736) p.41, 84, 86–88, 99: PC 2/93/41, 84, 86–88, 99

[view](#)

Colonial Courts

Superior Court – February 1732

Superior Court at Boston – in the fall sittings which commenced 8 August 1732

Participants

Barrell, Abiah (executor of John Barrell, sen.)

Barrell, Anna (executor of John Barrell, sen.)

Barrell, John (executor of John Barrell, sen.)

Barrell, John, sen., later deceased

Stoddard, William of Boston

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Judgment of 8 August 1732 reversed

Judgment of February 1732 affirmed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Barrell v Stoddard)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1733_03

Byfield v Swasey

Massachusetts

Case Name Short Byfield v Swasey

Case Name Long Nathaniel Byfield v Samuel Swasey

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [279] p.384 – 4 June 1733 – entry 1

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.172–
173: PC 2/92/172–173

[view](#)

APC Citation v.3 [279] p.384 – 21 June 1733 – entry 2

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.178: PC
2/92/178

[view](#)

APC Citation v.3 [279] p.384 – 19 July 1733 – entry 3

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.195: PC
2/92/195

[view](#)

Colonial Courts

Inferior Court of Common Pleas

Superior Court at Boston – 1732

Participants

Byfield, Nathaniel, Judge of the Vice Admiralty Court

Swasey, Samuel, shipwright

Description

Action for alleged extortionate fee for the Vice Admiralty decree

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1734_01

Waldo v Waldo

Massachusetts

Case Name Short **Waldo v Waldo**

Case Name Long **Cornelius Waldo v Samuel Waldo, Jonathan Waldo,
Thomas Fairweather, Edward and Anna Tyng**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [295] p.405 – 10 January 1734 – entry 1

PC Register Citation **George II v.3 (21 July 1732 – 18 July 1734) p.290: PC
2/92/290** [view](#)

APC Citation v.3 [295] p.405 – 31 January 1734 – entry 2

PC Register Citation **George II v.3 (21 July 1732 – 18 July 1734) p.304–
305, 419, 426–427: PC 2/92/304–305, 419, 426–427** [view](#)

PC Register Citation **George II v.4 (1 August 1734 – 23 September 1736)
p.95, 106: PC 2/93/95, 106** [view](#)

APC Citation v.3 [295] p.405 – 407 – 4 March 1735– entry 3

PC Register Citation **George II v.4 (1 August 1734 – 23 September 1736)
p.107–109: PC 2/93/107–109** [view](#)

APC Citation v.3 [295] p.407 – 3 April 1734 *recte* 1735 – entry 4
(Misstated in *APC* as 1734.)

PC Register Citation **George II v.4 (1 August 1734 – 23 September 1736)
p.143: PC 2/93/143** [view](#)

Colonial Courts

Inferior Court of Common Pleas for the county of Worcester – 8 May
1733

Superior Court – 19 September 1733

Participants

Alexander, John (tenant of Cornelius Waldo)

Barber, Robert (tenant of Cornelius Waldo)

Channing, Joshua, haberdasher, of London

Fairweather (Fayrweather), Thomas (executor of Jonathan Waldo)

Gookin, Daniel (tenant of Cornelius Waldo)

Parkin, William, ironmonger, of London

Tyng, Anna (Anne, Ann) (daughter of Jonathan Waldo, wife of Edward
Tyng, and executrix of Jonathan Waldo)

Tyng, Edward (husband of Anna Tyng)

Waldo (Waldoe), Cornelius, merchant, of Boston

Waldo (Waldoe), Jonathan (son and executor of Jonathan Waldo)

Waldo (Waldoe), Jonathan, gentleman (deceased father of Samuel

Waldo, Jonathan Waldo, and Ann Waldo Tyng)
 Waldo (Waldoe), Samuel (son and executor of Jonathan Waldo)

Description

Land (action of ejectment) in dispute in Worcester county. Action was originally brought against the tenants of Cornelius Waldo.

Disposition

Judgment altered with direction for Cornelius Waldo to pay a sum certain to respondents within a specified time and with specific directions for future actions by the parties, depending upon that performance

Notes

Related to other Privy Council appeals:

Waldo v Fairweather (1) and (2) – Report No. 05_1733_01 (*APC*, v.3 [272] p.376–377)

Waldo v Waldoe – Report No. 05_1734_04 (*APC*, v.3 [321] p.430–431)

Waldo v Fairweather, Waldo v Waldo, and Waldo v Tyng – Report No. 05_1734_06 (*APC*, v.3 [325] p.450)

For clarity in dealing with multiple Waldo (Waldoe) cases, listed here are the immediate family members, without regard to whether they appear in this report: Jonathan Waldo is the deceased father of the Waldo siblings: Samuel (eldest son), Jonathan, Hannah, and Ann (Anne, Anna). Hannah is the wife of Thomas Fairweather (Fayrweather), who dies during the proceedings. Ann is the wife of Edward Tyng (Ting). Samuel and Jonathan Waldo, Ann Tyng, and Thomas Fairweather are the executors for Jonathan Waldo. Upon Thomas Fairweather's death, Hannah, his widow, and his uncle, John Fairweather, become his executors.

For the action of ejectment involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Waldoe v Waldoe)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1734_02

Gooch v Dummer

Massachusetts

Case Name Short Gooch v Dummer

Case Name Long James Gooch, Abraham Blish, James Allen, James Gooch, jun., and Francis Wilks v Samuel Dummer

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [296] p.407 – 31 January 1734 – entry 1

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.307: PC 2/92/307 [view](#)

APC Citation v.3 [296] p.407 – 6 February 1734 – entry 2

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.310: PC 2/92/310 [view](#)

APC Citation v.3 [296] p.407 – 7 February 1734 – entry 3

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.320: PC 2/92/320 [view](#)

APC Citation v.3 [296] p.407 – 22 May 1735 – entry 4

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736) p.166: PC 2/93/166 [view](#)

APC Citation v.3 [296] p.407 – 25 June 1735 – entry 5

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736) p.185–186: PC 2/93/185–186 [view](#)

Colonial Courts

Superior Court of Judicature – Boston – 8 February 1731

Participants

Allen, James, merchant, of Boston

Blish, Abraham, felt maker, of Boston

Dummer, Samuel, esquire, of Wilmington in the county of Middlesex, sheriff of the county

Gill, Michael

Gooch, James, jun., distiller, of Boston

Gooch, James, merchant, of Boston

Gookin, Daniel, under sheriff

Wilks, Francis, esquire, merchant, of London

Description

To recover damages caused by the lack of performance of the under sheriff

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1734_03

Tidmarsh v Brandon

Massachusetts

Case Name Short Tidmarsh v Brandon

Case Name Long Giles Dulake Tidmarsh v Joseph Brandon

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [319] p.428 – 24 October 1734 – entry 1

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.21: PC 2/93/21

[view](#)

APC Citation v.3 [319] p.428–429 – 3 June 1736 – entry 2

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.379, 465, 469: PC 2/93/379, 465, 469

[view](#)

APC Citation v.3 [319] p.429 – 7 June 1736 – entry 3

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.476 *recte* 475–476: PC 2/93/476 *recte* 475–476

[view](#)

APC Citation v.3 [319] p.429 – 23 July 1736 – entry 4

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.505: PC 2/93/505

[view](#)

APC Citation v.3 [319] p.429–430 – 19 January 1737 – entry 5

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.241–245 *recte* George II v.5 (1 October 1736 – 4
September 1738) p.42–45: PC 2/93/241–245 *recte*
2/94/42–45

[view](#)

PC Register Note The citation in the *APC* to v.4, p.241–245, seems to be
in error. The report is found in v.5, p.42–45.

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.55: PC 2/94/55

[view](#)

Colonial Courts

Superior Court – Boston – August 1733

Participants

Appleton, Samuel (deceased partner of Giles Dulake Tidmarsh)

Barnard, Sir John (referee for Giles Dulake Tidmarsh)

Brandon, Joseph

Holden, Samuel, esquire (proposed referee for Joseph Brandon)

Hooper, Silas (referee for Joseph Brandon replacing Samuel Holden)

Sandford, Thomas, merchant (referee for Giles Dulake Tidmarsh)

Tidmarsh, Giles Dulake (partner and executor of Samuel Appleton)

Willimot, Alderman (referee for Joseph Brandon)

Description

Settlement of an account due

Disposition

Reversed, confirming the decision of the referees to whom the matter was referred

References in Smith, *Appeals to the Privy Council*

Table of Cases (Tidmarsh v Brandon)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1734_04

Waldo v Waldoe

Massachusetts

Case Name Short **Waldo v Waldoe**

Case Name Long **John Waldo v Samuel Waldoe, Jonathan Waldoe,
Thomas Fairweather, and Edward and Anne Tyng**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [321] p.430–431 – 7 November 1734 – entry 1

PC Register Citation **George II v.4 (1 August 1734 – 23 September 1736)
p.35–36: PC 2/93/35–36**

[view](#)

APC Citation v.3 [321] p.431–432 – 18 March 1735– entry 2

PC Register Citation **George II v.4 (1 August 1734 – 23 September 1736)
p.120–122: PC 2/93/120–122**

[view](#)

APC Citation v.3 [321] p.432 – 3 April 1735 – entry 3

PC Register Citation **George II v.4 (1 August 1734 – 23 September 1736)
p.145: PC 2/93/145**

[view](#)

Colonial Courts

Inferior Court – Boston – 3 July 1733 (action brought 9 June 1733)

Superior Court – 4 or 14 August 1733

Participants

Fairweather (Fayreweather), Thomas (son-in-law and executor of
Jonathan Waldoe)

Tyng, Anne (Ann) (daughter and executrix of Jonathan Waldoe and wife
of Edward Tyng)

Tyng, Edward (husband of Anne Tyng)

Waldo (Waldoe), John, distiller, of Boston

Waldoe (Waldo), Jonathan (son and executor of Jonathan Waldoe)

Waldoe (Waldo), Jonathan, gentleman (deceased father of Samuel
Waldo, Jonathan Waldo, and Ann Waldo Tyng)

Waldoe (Waldo), Samuel (son and executor of Jonathan Waldoe)

Description

Land (action of ejectment to recover land and a ‘Still House’ in Boston)

Disposition

No appeal is granted.

Notes

Related to other Privy Council appeals:

Waldo v Fairweather (1) and (2) – Report No. 05_1733_01 (*APC*, v.3

[272] p.376–377)

Waldo v Waldo – Report No. 05_1734_01 (*APC*, v.3 [295] p.405)

Waldo v Fairweather, Waldo v Waldo, and Waldo v Tyng – Report No. 05_1734_06 (*APC*, v.3 [325] p.450)

For clarity in dealing with multiple Waldo (Waldoe) cases, listed here are the immediate family members, without regard to whether they appear in this report: Jonathan Waldo is the deceased father of the Waldo siblings: Samuel (eldest son), Jonathan, Hannah, and Ann (Anne, Anna). Hannah is the wife of Thomas Fairweather (Fayrweather), who dies during the proceedings. Ann is the wife of Edward Tyng (Ting). Samuel and Jonathan Waldo, Ann Tyng, and Thomas Fairweather are the executors for Jonathan Waldo. Upon Thomas Fairweather's death, Hannah, his widow, and his uncle, John Fairweather, become his executors.

For the action of ejectment involved here, see Additional Research.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1734_05

Philips v Savage

Massachusetts

Case Name Short Philips v Savage

Case Name Long Gillam Philips v Hannah Savage, Faith Savage, Hannah Philips, and representatives for Mary Butler

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [322] p.432 – 7 November 1734 – entry 1

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.36: PC 2/93/36

[view](#)

APC Citation v.3 [322] p.432 – 20 April 1737 – entry 2

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.95, 100–101, 166–167, 186: PC 2/93/95, 100–101,
166–167, 186

[view](#)

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.203: PC 2/94/203

[view](#)

APC Citation v.3 [322] p.432–433 – 21 July 1737 – entry 3

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.267: PC 2/94/267

[view](#)

APC Citation v.3 [322] p.433 – 23 December 1737 – entry 4

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.353–354, 374: PC 2/94/353–354, 374

[view](#)

APC Citation v.3 [322] p.433–436 – 16 January 1738 – entry 5

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.375–378: PC 2/94/375–378

[view](#)

APC Citation v.3 [322] p.436 – 15 February 1738 – entry 6

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.424: PC 2/94/424

[view](#)

Colonial Courts

Probate of Wills – 6 April and 15 May 1733 (distribution on 10 October 1733)

Governor and Council – 2 November 1733 (Order of Governor and Council – 6 November 1733)

Participants

Boydell, John, Register of the Court of Probate of Wills

Butler, Mary (deceased sister of Gillam Philips, Henry Philips, Faith Savage, and Hannah Savage, and daughter of Hannah Philips)

Philips (Phillips), Gillam of Boston (brother of Henry Philips, Hannah Savage, Faith Savage, and Mary Butler; son of Hannah Philips; and

administrator of Henry Philips)
 Philips (Phillips), Hannah (mother of Gillam Philips, Henry Philips, Hannah Savage, Faith Savage, and Mary Butler)
 Philips (Phillips), Henry, gentleman, of Boston (deceased brother of Gillam Philips, Hannah Savage, Faith Savage, and Mary Butler, and son of Hannah Philips)
 Savage, Arthur (husband of Faith Savage)
 Savage, Faith (sister of Gillam Philips, Henry Philips, Hannah Savage, and Mary Butler; daughter of Hannah Philips; and wife of Arthur Savage)
 Savage, Habijah, esquire (husband of Hannah Savage)
 Savage, Hannah (sister of Gillam Philips, Henry Philips, Faith Savage, and Mary Butler; daughter of Hannah Philips; and wife of Habijah Savage)
 Wilks, Samuel, agent for Massachusetts Bay
 Willard, Josiah, esquire, Judge of the Court of Probate of Wills

Description

Intestate distribution

Disposition

Affirmed

Notes

Agent Samuel Wilks in Participants may in fact be Francis Wilks.

This appeal is often discussed with *Winthrop v Lechmere* and *Clark v Towsey* as to their treatment of the division of an intestate's property in the colonies and the degree to which colonial legislation was subject to review. The printed cases of both the appellant and the respondent have been transcribed and published by the Massachusetts Historical Society as "Phillips vs. Savage" with a commentary under the same title by Ames and Willard. They are also available in Gale's *Making of Modern Law: Trials*, under the title *Philips v Philips*.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Philips v Savage) (extensive discussion)

DOCUMENTATION

Printed Cases

Appellant's case	Case of the appellant (Phillips)	ESTC: N16903
Counsel	[Signed] D. Ryder; John Brown	
Note	Printed case for the appellant names the case Philips v	

Philips

- Library American Antiquarian Society: British Broad­sides
- Library Harvard University. Harvard Law School Library: Special Collections. Rare Trials P Folio (Manuscript notes limited to date and ‘judgment affirmed’ on the dorse)
- Library Law Library of Congress: Rare Books – Law Library Reading Room – K379.P485 P485 1737 LL Trials (Respondent’s case is at the same call number.)
- Library Massachusetts Historical Society: Bdses 1737 (Includes manuscript notes) [view](#)
- Library New York Public Library: (?) (The ESTC lists copies of the appellant [N16903] and respondent [N17105] cases at the New York Public Library, but a vigorous search by a librarian failed to find evidence of NYPL ownership.) (Noted in ESTC? Yes.)
- Respondent’s case** Case of the respondents (Savage) ESTC: N17105
- Counsel [Signed] J. Strange; Jonath’ Belcher
- Note Printed case is the case of Faith Savage, one of the respondents.
- Library American Antiquarian Society: British Broad­sides (Noted in ESTC? No.)
- Library Harvard University. Harvard Law School Library: Special Collections. Rare Trials P Folio (Includes manuscript notes) (Noted [view](#) in ESTC? No.)
- Library Law Library of Congress: Rare Books – Law Library Reading Room – K379.P485 P485 1737 LL Trials (Appellant’s case is at the same call number.) (Noted in ESTC? No.)
- Library Massachusetts Historical Society: Bdses 1738 Jan. 13 (Includes manuscript notes) [view](#)
- Library New York Public Library: (?) (The ESTC lists copies of the appellant [N16903] and respondent [N17105] cases at the New York Public Library, but a vigorous search by a librarian failed to find evidence of NYPL ownership.) (Noted in ESTC? Yes.)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

- Document** Note papers relating to the dispute in the Henry Philips Papers, 1728–1738, (with Finding Aid) in the Harvard Law School Library.

Report

Report No. 05_1734_06

Waldo v Fairweather

Massachusetts

Waldo v Waldo

Waldo v Tyng

Case Name Short Waldo v Fairweather
Waldo v Waldo
Waldo v Tyng

Case Name Long Samuel Waldo v Thomas and Hannah Fairweather
Samuel Waldo v Jonathan Waldo
Samuel Waldo v Edward and Ann Tyng

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.3 [325] p.450 – 19 December 1734 – entry 1	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.51–52, 84, 106, 109, 122: PC 2/93/51–52, 84, 106, 109, 122	view
APC Citation	v.3 [325] p.450–452 – 20 March 1735 – entry 2	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.115–116, 122–123, 123–125: PC 2/93/115–116, 122–123, 123–125	view
APC Citation	v.3 [325] p.452 – 3 April 1735 – entry 3	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.144–145: PC 2/93/144–145	view

Colonial Courts

Inferior Court – second Tuesday in July 1733 (all three appeals)
Superior Court of Judicature – second Tuesday in August 1733 (all three appeals)

Participants

Fairweather (Fayrweather), Hannah (daughter of Jonathan Waldo, wife (later widow) and executor of Thomas Fairweather)

Fairweather (Fayrweather), John (uncle and executor of Thomas Fairweather)

Fairweather (Fayrweather), Thomas (deceased husband of Hannah Fairweather and executor of Jonathan Waldo)

Tyng, Ann (daughter and executor of Jonathan Waldo and wife of Edward Tyng)

Tyng, Edward (husband of Ann Tyng)

Waldo (Waldoe), Jonathan (deceased father of Samuel Waldo, Jonathan Waldo, Ann Waldo Tyng, and Hannah Waldo Fairweather)

Waldo (Waldoe), Jonathan (son and executor of Jonathan Waldo)
Waldo (Waldoe), Samuel (son and executor of Jonathan Waldo)

Description

Request for an accounting of the money in the hands of Samuel Waldo belonging to his deceased father, Jonathan Waldo.

Disposition

All appeals dismissed; judgments affirmed.

Notes

Related to other Privy Council appeals:

Waldo v Fairweather (1) and (2) – Report No. 05_1733_01 (*APC*, v.3 [272] p.376–377)

Waldo v Waldo – Report No. 05_1734_01 (*APC*, v.3 [295] p.405)

Waldo v Waldoe – Report No. 05_1734_04 (*APC*, v.3 [321] p.430–431)

For clarity in dealing with multiple Waldo (Waldoe) cases, listed here are the immediate family members, without regard to whether they appear in this report: Jonathan Waldo is the deceased father of the Waldo siblings: Samuel (eldest son), Jonathan, Hannah, and Ann (Anne, Anna). Hannah is the wife of Thomas Fairweather (Fayrweather), who dies during the proceedings. Ann is the wife of Edward Tyng (Ting). Samuel and Jonathan Waldo, Ann Tyng, and Thomas Fairweather are the executors for Jonathan Waldo. Upon Thomas Fairweather's death, Hannah, his widow, and his uncle, John Fairweather, become his executors.

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1735_01

Ellis v Sprague

Massachusetts

Case Name Short Ellis v Sprague

Case Name Long Matthew Ellis v Richard Sprague

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [344] p.461 – 16 May 1735 – entry 1

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.164: PC 2/93/164

[view](#)

APC Citation v.3 [344] p.461 – 9 July 1735 – entry 2

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.191, 200–201: PC 2/93/191, 200–201

[view](#)

APC Citation v.3 [344] p.461 – 30 July 1735 – entry 3

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.218: PC 2/93/218

[view](#)

APC Citation v.3 [344] p.461 – 14 August 1735 – entry 4

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.223: PC 2/93/223

[view](#)

Colonial Courts

Inferior Court – 11 December 1733

Superior Court – 29 January and 30 July 1734

Participants

Ellis, Matthew, husbandman, of Medford in Middlesex County
Sprague, Richard

Description

Assault, beating, wounding, and imprisonment and detaining in prison upon payment of a fine

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1735_02

Leighton v Frost

Massachusetts

Case Name Short Leighton v Frost

Case Name Long William Leighton v John Frost

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.3 [345] p.461–462 – 16 May 1735 – entry 1	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.164–165: PC 2/93/164–165	view
APC Citation	v.3 [345] p.462–466 – 2 April 1736 – entry 2	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.179–180, 200, 217–218, 223, 419, 421–425: PC 2/93/179–180, 200, 217–218, 223, 419, 421–425	view
APC Citation	v.3 [345] p.466 – 29 April 1736 – entry 3	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.438: PC 2/93/438	view
APC Citation	v.3 [345] p.466 – 21 December 1738 – entry 4	
PC Register Citation	George II v.6 (1 October 1738 – 27 March 1740) p.66, 11 <i>recte</i> 111–112: PC 2/95/66, 11 <i>recte</i> 111–112	view
APC Citation	v.3 [345] p.466–469 – 23 February 1739 – entry 5	
PC Register Citation	George II v.6 (1 October 1738 – 27 March 1740) p.113–118 <i>recte</i> 112–117 : PC 2/95/113–118 <i>recte</i> 112–117	view
PC Register Note	The citation in the <i>APC</i> to p.113–118 should be to p.112–117.	
APC Citation	v.3 [345] p.469 – 22 March 1739 – entry 6	
PC Register Citation	George II v.6 (1 October 1738 – 27 March 1740) p.137–142: PC 2/95/137–142	view
APC Citation	v.3 [345] p.469 – 23 March 1743 – entry 7	
PC Register Citation	George II v.8 (22 October 1741 – 29 September 1743) p.351–352: PC 2/97/351–352	view
APC Citation	v.3 [345] p.469 – 31 May 1743 – entry 8	
PC Register Citation	George II v.8 (22 October 1741 – 29 September 1743) p.420: PC 2/97/420	view
APC Citation	v.3 [345] p.469–470 – 21 June 1743 – entry 9	
PC Register Citation	George II v.8 (22 October 1741 – 29 September 1743) p.452–453: PC 2/97/452–453	view

Colonial Courts

Inferior Court of Common Pleas of York County – 2 April 1734

Superior Court of Judicature for the county of York – 19 June 1734

Participants

Belcher, Mr., Governor of Massachusetts Bay

Dunbar, Col. David, Surveyor-General of His Majesty's Woods in North America

Frost, Charles, esquire, deceased

Frost, John, yeoman, of Berwick in the county of York

Gulston, Ralph, merchant, of London

Joy, Ephraim

Leighton, William, gentleman, of Kittery in what was formerly called Maine – workman for Ralph Gulston at the direction and order of Samuel Waldo

Sharpe, W., Clerk of the Council

Waldo, Samuel, merchant, of Boston (agent for Ralph Gulston)

Description

Action of trespass relating to the cutting of trees in Maine reserved to the crown for the Royal Navy

Disposition

Reversed

Notes

Jonathan Belcher was, at this time, the Governor of both Massachusetts and New Hampshire.

For information about the relationship in this period between Maine and Massachusetts, see Wroth, "Maine Connection."

References in Smith, *Appeals to the Privy Council*

Table of Cases (Leighton v Frost) (extensive discussion relating to the failure in Massachusetts to carry out the Order in Council for many years)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1737_01

Stoddard v Jones

Massachusetts

Case Name Short Stoddard v Jones

Case Name Long Anthony Stoddard, William Stoddard and William Clarke v John and Hannah Jones, Elizabeth Willard, Hebzibah Mortimer, Mary Alden and Thomas Alden, Elizabeth Alden, Ann Alden, Mary Brightman, Nathaniel and Hepzibah Howard, Elizabeth Butterly, Peter and Lydia Briton, Zachariah Alden, Samuel and Mary Kneeland, Timothy and Elizabeth Green, and Nathaniel Alden

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [409] p.568 – 21 April 1737 – entry 1

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.215: PC 2/94/215

[view](#)

APC Citation v.3 [409] p.568 – 12 January 1738 – entry 2

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.295–297, 365–366: PC 2/94/295–297, 365–366

[view](#)

Colonial Courts

Courts of Massachusetts Bay (unspecified) – 18 September 1733, 23 April 1734, and third Tuesday of April 1736

Participants

Alden, Ann

Alden, Elizabeth

Alden, John

Alden, Mary (there may be multiple defendants named Mary Alden)

Alden, Nathaniel

Alden, Thomas

Alden, Zachariah

Brightman, Mary

Briton, Lydia (wife of Peter Briton)

Briton, Peter (husband of Lydia Briton)

Butterly, Elizabeth

Clap, Ezra (tenant on disputed land)

Clarke, William of Boston

Green, Elizabeth (wife of Timothy Green)

Green, Timothy (husband of Elizabeth Green)

Howard, Hepzibah (wife of Nathaniel Howard)

Howard, Nathaniel (husband of Hepzibah Howard)
Jones, Hannah (wife of John Jones)
Jones, John (husband of Hannah Jones)
Kneeland, Mary (wife of Samuel Kneeland)
Kneeland, Samuel (husband of Mary Kneeland)
Lyon, Samuel (tenant on disputed land)
Mortimer, Hebzibah
Stoddard, Anthony of Boston
Stoddard, William, merchant, of Boston
Willard, Elizabeth

Description

Land (trespass and ejectment)

Disposition

Dismissed

Notes

On the action of ‘trespass and ejectment’ involved here, see *Additional Research*.

According to Smith (p.162), this is the only real action in Massachusetts in which there was no preliminary petition for leave to appeal, a situation quite customary in that colony where the charter provision for appeals mentioned only personal actions.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Stoddard v Jones)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1737_02

Pelham v Stone

Massachusetts

Case Name Short Pelham v Stone

Case Name Long Herbert Pelham v Samuel Stone, Isaac Hunt and Thomas Bent

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [414] p.573 – 21 July 1737 – entry 1

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.271: PC 2/94/271

[view](#)

APC Citation v.3 [414] p.573 – 18 August 1737 – entry 2

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.274, 284: PC 2/94/274, 284

[view](#)

APC Citation v.3 [414] p.573–574 – 17 November 1738 – entry 3

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.309–310, 342–343: PC 2/94/309–310, 342–343

[view](#)

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740) p.20,
24–26, 5: PC 2/95/20, 24–26, 5

[view](#)

APC Citation v.3 [414] p.574 – 30 November 1738 – entry 4

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740) p.38:
PC 2/95/38

[view](#)

Colonial Courts

Inferior and Superior Courts of Judicature – 20 May 1735, 29 July 1735,
29 July 1736

Participants

Bent, Thomas

Fisk, Jonathan (one of the original defendants)

Hunt, Isaac

Pelham, Edward (son of deceased Herbert Pelham)

Pelham, Henry (son of deceased Herbert Pelham)

Pelham, Herbert (deceased father of Edward, Henry, Penelope, and
Waldegrave Pelham)

Pelham, Herbert, esquire, of Bures Hamblett in the County of Essex
(relation to deceased Herbert Pelham is uncertain)

Pelham, Penelope (daughter of deceased Herbert Pelham)

Pelham, Waldegrave (son of deceased Herbert Pelham)

Stone, Samuel

Description

Land (declaration in ejectment); at issue is the will of Herbert Pelham, deceased about 1673.

Disposition

Dismissed. The disposition turns on an issue regarding Doctors Commons, to wit, “that the exemplification of a will from Doctors Commons could not be read in Evidence to affect a Real Estate in the Colony of Massachusetts Bay . . .” according to the *APC*.

Notes

Related to another Privy Council appeal:

Pelham v Bannister – Report No. 05_1738_00 (*APC*, v.3 [428] p.590)

Both cases ultimately turn on the will of one Herbert Pelham, who died, probably, in 1673. The appellant, who is himself a resident of Essex in England, is almost certainly claiming that the senior Pelham is his ancestor. In both cases the Privy Council refuses to admit into evidence the senior Pelham’s will, which was registered in the Prerogative Court of Canterbury.

For the ‘declaration in ejectment’ involved here, see *Additional Research*.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Pelham v Stone)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1738_00

Pelham v Bannister

Massachusetts

Case Name Short Pelham v Bannister

Case Name Long Herbert Pelham v Samuel Bannister and Thomas Soden

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [428] p.590 – 12 January 1738 – entry 1

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.371: PC 2/94/371

[view](#)

APC Citation v.3 [428] p.590 – 23 January 1738 – entry 2

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.378–379, 392: PC 2/94/378–379, 392

[view](#)

APC Citation v.3 [428] p.590 – 22 March 1739 – entry 3

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.410–411, 415: PC 2/94/410–411, 415

[view](#)

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740) p.5,
99, 100–103, 143: PC 2/95/5, 99, 100–103, 143

[view](#)

Colonial Courts

Courts of Massachusetts Bay – 20 May 1735, 29 July 1735, 27 January
1736

Participants

Bannister, Samuel, merchant

Marsh, Robert of Basinghall Street

Pelham, Herbert, esquire, of Bures Hamblett in Essex County

Soden, Thomas, yeoman

Description

Land (“Declaration in Ejectment . . . to recover Possession of several Tracts of Land with a dwelling house and Barn,” according to the Privy Council register)

Disposition

Dismissed “in the same manner and for the same reasons as Pelham’s earlier appeal against Samuel Stone and others” according to the *APC*

Notes

Related to another Privy Council appeal:

Pelham v Stone – Report No. 05_1737_02 (*APC*, v.3 [414] p.573)

Both cases ultimately turn on the will of one Herbert Pelham, who died,

probably, in 1673. The appellant, who is himself a resident of Essex in England, is almost certainly claiming that the senior Pelham is his ancestor. In both cases the Privy Council refuses to admit into evidence the senior Pelham's will, which was registered in the Prerogative Court of Canterbury.

For the 'declaration in ejectment' involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Pelham v Bannister)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1742_00

Francis v Jeffries

Massachusetts

Case Name Short Francis v Jeffries

Case Name Long Abraham Francis and John and Hannah Jones v John
Jeffries, Jonathan Armitage, David Colson, Alexander
Forsythe, Caleb Lyman, Jonas Clarke and Thomas
Hutchinson

Acts of the Privy Council, Colonial Series

[view__APC](#)

- APC Citation v.3 [535] p.718 – 2 February 1742 – entry 1
PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.74: PC 2/97/74 [view](#)
- APC Citation v.3 [535] p.718 – 15 March 1742 – entry 2
PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.112: PC 2/97/112 [view](#)
- APC Citation v.3 [535] p.718 – 7 May 1742 – entry 3
PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.127, 130–131, 137–138: PC 2/97/127, 130–131,
137–138 [view](#)
- APC Citation v.3 [535] p.718 – 24 June 1742 – entry 4
PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.165–166: PC 2/97/165–166 [view](#)
- APC Citation v.3 [535] p.718–719 – 17 February 1743 – entry 5
PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.211, 315, 325–328, 346, 392, 400–401: PC
2/97/211, 315, 325–328, 346, 392, 400–401 [view](#)
- APC Citation v.3 [535] p.719 – 11 April 1745 – entry 6
PC Register Citation George II v.9 (1 October 1743 – 27 February 1745)
p.597, 673, 676, 681–684: PC 2/98/597, 673, 676,
681–684 [view](#)
- PC Register Citation George II v.10 (1 March 1745 – 31 July 1746) p.41–
44: PC 2/99/41–44 [view](#)

Colonial Courts

Superior Court of Judicature – Boston – 8 August 1738

Participants

Armitage, Jonathan, selectman of Boston
Baron, Timothy, cordwainer
Billings, John, gentleman
Billings, Richard, taylor

Bromfield, Edward, selectman of Boston
 Bunker, Benjamin, tin plate worker
 Camo, Isaac, sadler
 Clarke, Jonas, selectman of Boston
 Clarke, Thomas, taylor
 Colson, David, selectman of Boston
 Craveth, Samuel, barber
 Downes, William, selectman of Boston
 Edwards, Samuel, goldsmith
 Forsythe, Alexander, selectman of Boston
 Francis, Abraham, merchant, of Boston in Suffolk County
 Garrish, Samuel, bookseller
 Hubbard, Thomas, in possession of the Brickshop
 Hutchinson, Thomas, selectman of Boston
 Jeffries, John, selectman of Boston
 Jones, Hannah (wife of John Jones)
 Jones, John, merchant, of Boston in Suffolk County (husband of Hannah Jones)
 Lyman, Caleb, selectman of Boston
 Rainger, Joseph, currier
 Welch, John, carver
 Winslow, Joshua, selectman of Boston

Description

Land in dispute in Boston being part of Bendalls Dock, formerly so called

Disposition

Affirmed

Notes

As the appeal proceeded, the makeup of the selectmen changed, with Bromfield, Downes, and Winslow replacing Lyman, Clarke, and Hutchinson. The case may also be referred to as Francis v The Selectmen of Boston (Smith, p.436).

References in Smith, *Appeals to the Privy Council*

Table of Cases (Francis v Jeffries; Francis v The Selectmen of Boston)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1749_00

Liebenrood v Dennie

Massachusetts

Case Name Short Liebenrood v Dennie

Not a 'true' appeal.

Case Name Long ___ Liebenrood v ___ Dennie

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [101] p.76 – 16 February 1749 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.187:
PC 2/101/187

[view](#)

Colonial Courts

Proceedings in colonial court unclear

Participants

Dennie, ___

Liebenrood, ___

Sharpe, John, esquire (appears for Dennie)

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1750_01**Shirley v Waldo****Massachusetts**

Case Name Short Shirley v Waldo

Case Name Long Governor Shirley v Samuel Waldo

Acts of the Privy Council, Colonial Series[view_APC](#)

APC Citation v.4 [126] p.99 – 29 March 1750 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.539–
540: PC 2/101/539–540 [view](#)

Colonial Courts

Superior Court – 5 September 1749

Participants

Shirley, Governor

Waldo, Samuel

Description

According to the *APC* entry, “in relation to several Bills of Exchange and Bills of Credit issued to the said Samuel Waldo for the Pay of One of the American Regiments”

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Governor is William Shirley.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1750_02

Knowles v Douglas

Massachusetts

Case Name Short Knowles v Douglas

Case Name Long Charles Knowles v Dr. William Douglas

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [136] p.107 – 16 August 1750 – entry 1

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.78–79: PC 2/102/78–79

[view](#)

Colonial Courts

Inferior Court – 5 January 1749

Superior Court – Boston – 15 August 1749 and February 1749

Participants

Douglas, Dr. William of Boston

Knowles, Charles, Rear Admiral of the White Squadron

Description

Libel action

Disposition

Not stated in *APC*, but, according to Smith (p.375), not prosecuted

References in Smith, *Appeals to the Privy Council*

Table of Cases (Knowles v Douglass)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1753_00

Vassall v Fletcher

Massachusetts

Case Name Short Vassall v Fletcher

Case Name Long William Vassall v William Fletcher

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [220] p.226 – 14 November 1753 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.428, 506–507: PC 2/103/428, 506–507

[view](#)

APC Citation v.4 [220] p.226 – 31 January 1754 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.14, 25–28, 32: PC 2/104/14, 25–28, 32

[view](#)

Colonial Courts

Inferior Court – first Tuesday in January 1752

Superior Court – Boston – third Tuesday in February 1752 and 12
December 1752

Participants

Fletcher, William

Vassall, William

Description

Slander and defamation

Disposition

Reversed; Fletcher is free to bring a new action in the Inferior Court after repaying Vassall the damages and costs with interest.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Vassall v Fletcher)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Vassall)

Counsel [Signed] W. Murray; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36217
f.44–45 (Includes separate pages of manuscript notes, f.78–84) [view](#)

Library Law Library of Congress: Sir George Lee collection

Respondent's case Case of the respondent (Fletcher)

Counsel [Signed] A. Hume-Campbell; C. Yorke

Library British Library: (Hardwicke Papers) Additional Manuscripts 36217 f.46–47 (Includes separate pages of manuscript notes, f. 78–84) [view](#)

Library Law Library of Congress: Sir George Lee collection (Includes manuscript notes) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document Three additional items are in the British Library, Additional Manuscripts 36217:

(1) a manuscript copy with notes of Vassall's petition of appeal (f.70–73); [view](#)

(2) a manuscript copy of *Extracts from the laws of New England, relating to the authority and methods of proceedings in the courts there* (f. 74–77), and [view](#)

(3) a printed copy of *The State of the Action brought by William Fletcher against William Vassall for defaming him: tried in the Superiour Court at Boston, August Term, A.D. 1752 and now pending by appeal to his Majesty in Council* (Boston, 1753) (f.48–69). [view](#)

Document Fletcher, *State of the Action* can also be found in Early American Imprints, Series 1.

Report

Report No. 05_1755_00 Bannister v Cunningham

Massachusetts

Case Name Short Bannister v Cunningham

Case Name Long John Bannister and Frances Bowen v Nathaniel
Cunningham

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [261] p.285 – 6 February 1755 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.323: PC 2/104/323

[view](#)

APC Citation v.4 [261] p.285 – 24 June 1755 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.439–440, 455: PC 2/104/439–440, 455

[view](#)

Colonial Courts

Superior Court – Boston – 19 February 1754

Participants

Bannister, John, merchant, of Newport in Rhode Island (brother of
Frances Bowen and administrator of his deceased brother Samuel
Bannister)

Bannister, Samuel, merchant, of Stonington, New London in Connecticut
(deceased brother of John Bannister and Frances Bowen)

Bowen, Frances (sister of John and Samuel Bannister and widow of
William Bowen of Boston)

Bowen, William, gentleman, of Boston (deceased husband of Frances
Bowen)

Cunningham, Nathaniel

Description

Land (action of ejectment) in Boston

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

On the action of ejectment involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Bannister v Cunningham)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document See the extensive report on the colonial court proceedings in the parallel case of *Banister v Henderson* in Quincy, *Massachusetts Reports 1761–1772*, p. 119–159, with references ^{view} to this case.

Report

Report No. 05_1764_00

Dudley v Richards

Massachusetts

Case Name Short **Dudley v Richards**

Case Name Long **Thomas Dudley v Joseph and Elizabeth Richards,
Benjamin and Rebecca Guerrish, Joseph Dudley, John
and Mary Cotton, and Ann Dudley**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [573] p.688 – 20 July 1764 – entry 1

PC Register Citation **George III v.3 (1 May 1763 – 30 September 1764)
p.560: PC 2/110/560**

[view](#)

APC Citation v.4 [573] p.688 – 3 August 1764 – entry 2

PC Register Citation **George III v.3 (1 May 1763 – 30 September 1764)
p.586, 601: PC 2/110/586, 601**

[view](#)

PC Register Citation **George III v.4 (1 October 1764 – 27 August 1766)
p.186, 197–198, 444: PC 2/111/186, 197–198, 444**

[view](#)

Colonial Courts

Superior Court – 18 September 1758

Superior Court – February 1763 (but entered on record as of October
1762)

Participants

Brown, Mr. (appears for respondents in Austin Friars)

Cotton, John (husband of Mary Cotton)

Cotton, Mary (wife of John Cotton)

Dudley, Ann, a minor

Dudley, Joseph (deceased grandfather of Thomas Dudley and father of
William Dudley)

Dudley, Joseph

Dudley, Thomas, gentleman (son of William Dudley)

Dudley, William (deceased father of Thomas Dudley)

Guerrish, Benjamin (husband of Rebecca Guerrish)

Guerrish, Rebecca (wife of Benjamin Guerrish)

Richards, Elizabeth (wife of Joseph Richards)

Richards, Joseph (husband of Elizabeth Richards)

Sharpe, Joshua of Lincoln's Inn

Smith, Mr. (appears for respondents in Austin Friars)

Description

Land in dispute is a farm of 1000 acres at Manchaug or Mancheag.

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 27 July 1764 – PC 1/50/52	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [618] p.371	view_APC

Other Documents

- Document** See the report on the colonial court proceedings in Quincy, *Massachusetts Reports 1761–1772*, p. 110–127, under the view name *Dudley v Dudley*.
- Document** Note also the Joshua Sharpe papers in the collection of Thomas Phillipps at the Library of Congress, Division of Manuscripts, which contain legal papers related to this appeal.

Report

Report No. 05_1767_00

Jeffries v Donnell

Massachusetts

Case Name Short Jeffries v Donnell

Case Name Long David Jeffries v Nathaniel Donnell

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [51] p.119 – 18 November 1767 – entry 1

PC Register Citation George III v.5 (August 1766 – January 1768) p.520:
PC 2/112/520

[view](#)

APC Citation v.5 [51] p.119 – 26 February 1768 – entry 2

PC Register Citation George III v.6 (January 1768 – April 1769) p.76, 88,
98–99: PC 2/113/76, 88, 98–99

[view](#)

APC Citation v.5 [51] p.119 – 14 June 1771 – entry 3

PC Register Citation George III v.6 (January 1768 – April 1769) p.163, 168,
484: PC 2/113/163, 168, 484

[view](#)

PC Register Citation George III v.8 (January – December 1771) p.264–265,
274: PC 2/115/264–265, 274

[view](#)

Colonial Courts

Inferior Court – 25 September 1764

Superior Court – 25 June 1765

Superior Court – 24 June 1766

Participants

Donnell, Nathaniel

Hayley, George, esquire, of Aliff Street in Goodman's Fields

Jeffries, David of Boston

Wilsonn, Richard, laceman, of Lombard Street

Description

Land (action of ejectment); “near” 2000 acres between Merrymeeting Bay and Winnegance.

Disposition

Reversed; parties are free to proceed to a new trial in the Superior Court.

Notes

On the action of ejectment involved here, see Additional Research.

As Smith (p.164) notes, this appeal was a part of the Kennebec Proprietors litigation with local settlers.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Jeffries v Donnell)

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant (Jeffries)

Counsel [Signed] Wm. DeGrey; Al. Forrester

Note Appendix to the case of the appellant

Library Columbia University. Diamond Law Library: Treasure – Johnson 1770m and 2nd Fl Microfilm Cabinet – AA70 (Includes manuscript view notes and appendix)

Respondent's case Case of the respondent (Donnell)

Note Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Order of reference – 18 Nov. 1767 – PC 1/53/60 [view_Doc](#)

Notes Referenced in *APC*, v.6 [761] p.453–454 [view_APC](#)

TNA Document Committee report – 23 Feb. 1768 – PC 1/54/63 [view_Doc](#)

Notes Referenced in *APC*, v.6 [783] p.461 [view_APC](#)

TNA Document Committee report – 12 June 1771 – PC 1/60/9 [view_Doc](#)

Catalogued as Catalogued by TNA with draft order as follows:
Committee report on appeal Jeffries v Donnell and
draft order approving

TNA Document Draft order – 14 June 1771 – PC 1/60/9 [view_Doc](#)

Catalogued as Catalogued by TNA with committee report as follows:
Committee report on appeal Jeffries v Donnell and
draft order approving

Report

Report No. 05_1768_00

Apthorpe v Pateshall

Massachusetts

Case Name Short Apthorpe v Pateshall

Case Name Long Charles Ward Apthorpe v Richard Pateshall

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [56] p.122–123 – 15 January 1768 – entry 1

PC Register Citation George III v.6 (January 1768 – April 1769) p.7: PC
2/113/7

[view](#)

APC Citation v.5 [56] p.123 – 17 February 1768 – entry 2

PC Register Citation George III v.6 (January 1768 – April 1769) p.55–56,
60: PC 2/113/55–56, 60

[view](#)

Colonial Courts

Superior Court – June 1766

Participants

Apthorpe, Charles Ward

Pateshall, Richard of Boston (administrator of Robert Pateshall)

Pateshall, Robert, deceased

Description

Proceedings to dismiss for non-prosecution an appeal brought by Apthorpe against a judgment of the Superior Court of Massachusetts.

Disposition

Dismissed for non-prosecution

References in Smith, *Appeals to the Privy Council*

Table of Cases (Apthorpe v Pateshall)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 9 Feb. 1768 – PC 1/54/63

[view_Doc](#)

Notes Referenced in *APC*, v.6 [783] p.461

[view_APC](#)

Other Documents

Document See the report of the colonial court proceedings in Quincy,

ADDITIONAL RESEARCH

It is virtually certain that the case that Smith found (p.166) in the Massachusetts Superior Court of Judicature Judgment [*recte* Record] Book, 1766–1767, f.9[v–10v], the case reported in *Quincy's Reports* (see Other Documents), and the case that is the subject of the Privy Council proceedings (see the Committee Report in TNA Documents) are the same case. The parties have the same names, the dates match, the folio reference that Smith gives matches the reference that Quincy gives on p.186, and Quincy tells us that Apthorpe's counsel moved to take an appeal to the Privy Council, which motion was granted.

A telling correction in the Record Book suggests that Robert Pateshall died during the pendency of the case in the Inferior Court. All of the records that we have are brought in the name of Richard Pateshall, his administrator. Quincy is a bit vague on this point, but nothing that he says contradicts it.

That the entry in the Record Book is for an action of trespass on the case, whereas the case that Quincy reports is described as one of account, can be easily explained: The writ is transcribed in full in the Record Book, and it is for the common count of *insimul computasset*, a subform of trespass on the case. That that is the writ to which Quincy is referring is apparent from his report of the case. We should not be thinking here of the older, and by this time obsolete, personal action of account.

The discrepancy in the numbers is more troubling. *Quincy's Reports* mention no amounts. According to the Committee Report, the Superior Court, hearing the case by writ of review, had reduced a judgment against Apthorpe for £767 5s. 6½d. to £542, from which judgment Apthorpe had appealed (presumably to have the amount further reduced or the judgment vacated entirely), and his appeal was allowed. Smith reports that the action was for £800, but that an appeal was allowed from a judgment of approximately £226 5s. 2d., which is not even close to amount mentioned in the Privy Council documentation.

Eight hundred pounds is the amount that Apthorpe claimed in his petition for review. As the record shows, it includes the £767 5s. 6½d., probably also the costs awarded in the first hearing, and, we must imagine, a 'rounding up' for what today we would call 'incidental and consequential damages'.

We can explain the discrepancy in the amount of the judgment appealed from if we assume that after the appeal had been taken and the

documents sent to England but before the judgment was finally entered, the parties agreed to a compromise. (That Pateshall would have been willing to compromise is suggested by the fact, as pointed out by the recent editors of *Quincy's Reports*, that the judgment of the Superior Court was almost certainly wrong as a matter of law.) Because of the compromise, Apthorpe did not pursue his appeal after it had been allowed. It was left to Pateshall to get the appeal dismissed for lack of prosecution. Another possibility is that Pateshall's solicitor, who appeared *ex parte* before the Committee, or the clerk of the Committee, just got it wrong. After all, if the issue is whether an appeal should be dismissed for lack of prosecution, the amount of the judgment appealed from is quite irrelevant.

Charles Donahue, Jr.

Report

Report No. 05_1774_00

Wentworth v Bowdoin

Massachusetts

Case Name Short Wentworth v Bowdoin

Case Name Long John Wentworth v James Bowdoin and William
Bowdoin, James Pitt, Silvester Gardiner and Benjamin
Hallowell

Acts of the Privy Council, Colonial Series

[view__APC](#)

APC Citation v.5 [304] p.400–401 – 14 September 1774 – entry 1

PC Register Citation George III v.11 (May 1774 – May 1775) p.213–214:
PC 2/118/213–214 [view](#)

PC Register Citation George III v.12 (June 1775 – May 1776) p.34–35: PC
2/119/34–35 [view](#)

Colonial Courts

Vice Admiralty – 3 May 1773

Participants

Bowdoin, James

Bowdoin, William

Gardiner, Silvester

Hallowell, Benjamin

Pitts, James

Wentworth, John, Surveyor General of H. M. woods in North America

Description

Forfeiture of logs seized in Kennebec River

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Smith lists no appeals from the Vice Admiralty Court in Massachusetts to the Privy Council. We have chosen to include this entry pending further investigation.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1775_00

Pease v Pullibank

Massachusetts

Case Name Short Pease v Pullibank

Case Name Long Simon Pease v Abraham Pullibank

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [315] p.409 – 12 May 1775 – entry 1

PC Register Citation George III v.11 (May 1774 – May 1775) p.510: PC
2/118/510

[view](#)

Colonial Courts

Vice Admiralty Court – Boston – 7 February 1775

Participants

Pease, Simon, merchant, of Newport in Rhode Island
Pullibank, Abraham, customs officer

Vessels

Abigail (schooner)

Description

Seizure by customs officer

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Smith lists no appeals from the Vice Admiralty Court in Massachusetts to the Privy Council. We have chosen to include this entry pending further investigation.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 05_1776_00

Appeal of Beale

Massachusetts

Case Name Short Beale, appeal of

Case Name Long Lieutenant Richard Beale, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [331] p.438 – 26 January 1776 – entry 1

PC Register Citation George III v.12 (June 1775 – May 1776) p.308, 344:
PC 2/119/308, 344

[view](#)

Colonial Courts

Vice Admiralty Court – Boston – 7 February 1775

Participants

Beale, Lieutenant Richard, HMS *Mercury*

Rose, Joseph, master of the *Industry*

Vessels

Industry (schooner)

HMS *Mercury*

Description

Condemnation

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Smith lists no appeals from the Vice Admiralty Court in Massachusetts to the Privy Council. We have chosen to include this entry pending further investigation.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 06_1683_00

**Walton v Walford
Barefoot v Wadleigh**

New Hampshire

Case Name Short Walton v Walford
Barefoot v Wadleigh

Case Name Long Georg Walton v Jeremy Walford and John Amazeen
Walter Barefoot v Robert Wadleigh

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [123] p.52–53 – 25 August 1683 – entry 1

PC Register Citation Charles II v.17 (13 June 1683 – 4 February 1685)
p.34: PC 2/70/34

[view](#)

APC Citation v.2 [123] p.53 – 24 October 1683 – entry 2

CSP Citation VI no. 1324

PC Register Citation Charles II v.17 (13 June 1683 – 4 February 1685)
p.48: PC 2/70/48

[view](#)

APC Citation v.2 [123] p.53 – 23 January 1684 – entry 3

CSP Citation VI no. 1513 and 1518

PC Register Citation Charles II v.17 (13 June 1683 – 4 February 1685)
p.107, 108: PC 2/70/107, 108

[view](#)

Colonial Courts

Unnamed

Participants

Amazeen, John, planter, of New England

Barefoot, Walter

Wadleigh, Robert (also appears as attorney for Walford and Amazeen)

Walford, Jeremy, planter, of New England

Walton, Georg

Description

Both cases relate to the Masonian land claims in New Hampshire, according to Smith (p.118).

Disposition

Both dismissed for non-prosecution

Notes

Smith notes Edward Randolph as counsel for appellants (p.107).

References in Smith, *Appeals to the Privy Council*

Table of Cases (Walton v Walford; Barefoot v Wadleigh)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 06_1684_00

**Vaughan v [Martin]
Vaughan v [Mason]
Vaughan v [Rex]
[In re The Diligence]**

New Hampshire

Case Name Short Vaughan v [Martin]
Vaughan v [Mason]
Vaughan v [Rex]
[In re The Diligence]

Case Name Long William Vaughan v [Richard Martin]
William Vaughan v [Robert Mason]
William Vaughan v [Rex]
[In re The Diligence]

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [156] p.69 – 11 July 1684 – entry 1

CSP Citation VI no. 1800

PC Register Citation Charles II v.17 (13 June 1683 – 4 February 1685)
p.201: PC 2/70/201

[view](#)

APC Citation v.2 [156] p.69 – 8 April 1685 – entry 2

CSP Citation VII no. 118

PC Register Citation James II v.1 (6 February 1685 – 18 March 1687) p.65:
PC 2/71/65

[view](#)

APC Citation v.2 [156] p.69–70 – 29 April 1685 – entry 3

PC Register Citation James II v.1 (6 February 1685 – 18 March 1687) p.70,
73, 74: PC 2/71/70, 73, 74

[view](#)

APC Citation v.2 [156] p.70 – 28 June 1686 – entry 4

PC Register Citation James II v.1 (6 February 1685 – 18 March 1687)
p.292: PC 2/71/292

[view](#)

APC Citation v.2 [156] p.70 – 3 July 1686 – entry 5

CSP Citation VII no. 748

PC Register Citation James II v.1 (6 February 1685 – 18 March 1687)
p.292–293: PC 2/71/292–293

[view](#)

APC Citation v.2 [156] p.70 – 19 November 1686 – entry 6

CSP Citation VII no. 999

PC Register Citation James II v.1 (6 February 1685 – 18 March 1687)
p.340–341: PC 2/71/340–341

[view](#)

APC Citation v.2 [156] p.70 – 10 December 1686 – entry 7

CSP Citation VII no. 1053–1056

PC Register Citation James II v.1 (6 February 1685 – 18 March 1687)

p.355, 356–357: PC 2/71/355, 356–357

view

Colonial Courts

[Chancery decree – 22 May 1684 – re Martin]
 Unnamed – [6 November 1683 – re Mason]
 [Quarter Sessions – 6 May 1684 – re *Rex*]
 [Court of Pleas – 1 July 1684 – re *In re Diligence*]

Participants

Rex
 Cranfield, Edward, Governor
 Vaughan, William
 Weare, Nathaniel (appears on behalf of Vaughan)
 [Martin, Richard]
 [Mason, Robert]

Vessels

[*Diligence* (ketch)]

Description

Vaughan v [Martin] – Dispute over Vaughan’s sharing in the payment of a judgment
 Vaughan v [Mason] – Dispute over lands
 Vaughan v [*Rex*] – Fine imposed for assault on customs officer
 [*In re The Diligence*] – Dispute over seizure of tobacco on vessel of which Vaughan was part owner

Disposition

Vaughan v [Martin] – Chancery decree reversed
 Vaughan v [Mason] – Appeal dismissed
 Vaughan v [*Rex*] – Appeal dismissed
 [*In re The Diligence*] – Appeal dismissed

Notes

The description and disposition provided by Smith are supplemented by the detailed description of Vaughan v Martin and *In re The Diligence* in Page, *Judicial Beginnings in New Hampshire 1640–1700, passim*, and in the *CSP*.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Vaughan v Martin; Vaughan v Mason; Vaughan v *Rex*; *In re The Diligence*)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 06_1700_00

Appeal of Allen

New Hampshire

Case Name Short Allen, appeal of Not a 'true' appeal.

Case Name Long Samuel Allen, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [775] p.347 – 18 January 1700 – entry 1

CSP Citation XIII no. 42

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.410:
PC 2/77/410 [view](#)

APC Citation v.2 [775] p.347 – 18 April 1700 – entry 2

CSP Citation XIII no. 336

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702) p.7:
PC 2/78/7 [view](#)

APC Citation v.2 [775] p.347 – 9 May 1700 – entry 3

CSP Citation XIII no. 412

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.24: PC 2/78/24 [view](#)

APC Citation v.2 [775] p.347–348 – 22 October 1700 – entry 4

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.85: PC 2/78/85 [view](#)

Colonial Courts

Proceedings in colonial court unclear

Participants

Allen, Samuel, proprietor of New Hampshire

Partridge, Mr. (correspondent of London merchants, owners of the *Mary*)

Vessels

Mary

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

The *Mary* is allowed to sail to Lisbon and an outstanding bond cancelled.

Notes

The petitions of Allen and the London merchants (named in the *CSP* as William Crouch, Joseph Tatem, Henry Phillips, and others) relate to the possible improper shipping of wood from the colonies. The petitions are

referred to the Board of Trade.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 06_1701_00

Allen v Waldron

New Hampshire

Case Name Short Allen v Waldron

Case Name Long Samuel Allen (later Thomas Allen) v Richard Waldron

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [818] p.365 – 20 March 1701 – entry 1

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.174: PC 2/78/174

[view](#)

APC Citation v.2 [818] p.365 – 24 April 1701 – entry 2

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.191–192: PC 2/78/191–192

[view](#)

APC Citation v.2 [818] p.366 – 20 November 1701 – entry 3

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.275: PC 2/78/275

[view](#)

APC Citation v.2 [818] p.366 – 18 December 1701 – entry 4

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.285–286: PC 2/78/285–286

[view](#)

APC Citation v.2 [818] p.366 – 9 July 1702 – entry 5

PC Register Citation Anne v.1 (8 March 1702 – 18 January 1704) p.177: PC
2/79/177

[view](#)

APC Citation v.2 [818] p.366 – 23 July 1702 – entry 6

PC Register Citation Anne v.1 (8 March 1702 – 18 January 1704) p.185: PC
2/79/185

[view](#)

APC Citation v.2 [818] p.366–367 – 17 December 1702 – entry 7

PC Register Citation Anne v.1 (8 March 1702 – 18 January 1704) p.269–
270: PC 2/79/269–270

[view](#)

APC Citation v.2 [818] p.367 – 11 October 1705 – entry 8

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.5:
PC 2/81/5

[view](#)

APC Citation v.2 [818] p.367 – 16 May 1706 – entry 9

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.199–200: PC 2/81/199–200

[view](#)

APC Citation v.2 [818] p.367 – 26 June 1708 – entry 10

PC Register Citation Anne v.4 (5 March 1708 – 31 May 1710) p.119–120:
PC 2/82/119–120

[view](#)

APC Citation v.2 [818] p.367 – 20 December 1708 – entry 11

PC Register Citation Anne v.4 (5 March 1708 – 31 May 1710) p.221: PC
2/82/221

[view](#)

APC Citation v.2 [818] p.367 – 30 December 1708 – entry 12

PC Register Citation Anne v.4 (5 March 1708 – 31 May 1710) p.227: PC
2/82/227

[view](#)

Colonial Courts

Superior Court of Judicature – 13 August 1700
[Inferior Court of Common Pleas] – 15 April 1707
[Superior Court of Judicature] – 12 August 1707

Participants

Allen, Samuel, proprietor of New Hampshire (father, later deceased, of
Thomas Allen)
Allen, Thomas (son of Samuel Allen)
Hayter, Whitfield
Usher, John
Waldron, Richard

Description

Land (“appeal which relates to certain quit rents of land,” according to the *APC*; “Appeal . . . from a Verdict and Judgment . . . touching the Petitioner’s right, as the Proprietor, to certain Quit Rents of Land,” according to the Privy Council register)

Disposition

Allen (Samuel) v Waldron – Affirmed with liberty to bring a new action in courts of New Hampshire – December 1702
Allen (Thomas) v Waldron – Dismissal of Allen’s petition and affirmation of judgments of 15 April and 12 August 1707 – December 1708

Notes

Related to another Privy Council appeal:

Allen v Spencer – Report No. 05_1705_01 (*APC*, v.2 [972] p.489)

From a close reading of original documents, Smith (p.156) observes that the *APC* misstates one element of the Allens’ litigation against Waldron. Thomas Allen was not in fact allowed a ‘revival’ of his father’s suit but did receive a renewal of an Order in Council issued on his father’s behalf that led to a new trial against Waldron. The verdict against Allen in this new trial is the one that the Privy Council affirms. The related action against Spencer also seems ultimately to have been unsuccessful.

For discussion of the underlying action involved here, see the note specific to this case in *Additional Research*.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Allen [Samuel] v Waldron; Allen [Thomas] v Waldron)
(extensive discussion)

DOCUMENTATION
Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 10 Dec. 1701 – PC 1/46/3	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [43] p.9	view_APC
TNA Document	Committee report – 8 Dec. 1702 – PC 1/46/5	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [81] p.18	view_APC
TNA Document	Allen’s petition – read 17 Dec.1702 – PC 1/46/5	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [81] p.18	view_APC
TNA Document	Petitions (petition of June) – 26 June 1708 – PC 1/47/10	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [195] p.70	view_APC
TNA Document	Petitions (petition of August) – Aug. 1708 – PC 1/47/10	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [195] p.70	view_APC

Other Documents

Document	See the pamphlet entitled: <i>A short narrative of the claim, title and right of the heirs of the Honourable Samuel Allen, Esq., deceased, to the province of New-Hampshire in New-England: transmitted from a gentlewoman in London, to her friend in New England [Short Narrative].</i>
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Report

Report No. 06_1750_00

French v Folensby

New Hampshire

Case Name Short French v Folensby

Case Name Long Nathaniel French v Thomas Folensby, Peter Moss and
Moses Calton

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [131] p.100–101 – 31 May 1750 – entry 1

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.28–
29: PC 2/102/28–29

[view](#)

APC Citation v.4 [131] p.101 – 28 June 1750 – entry 2

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.42–
43: PC 2/102/42–43

[view](#)

Colonial Courts

Inferior Court – 6 September 1744

Superior Court – 4 February 1746

Court of Appeals – 10 May 1748

Participants

Calton, Moses of Kingstown

Folensby, Thomas of Haverhill

French, Nathaniel

Moss, Peter of Kingstown

Description

Land (upon an ejectment)

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

On the ejectment action involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (French v Follansby)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 06_1753_00

Appeal of Walker

New Hampshire

Case Name Short Walker, appeal of Not a 'true' appeal.

Case Name Long Rev. Timothy Walker et al, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [202] p.197 – 7 February 1753 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.313: PC 2/103/313

[view](#)

APC Citation v.4 [202] p.197 – 26 March 1754 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.97: PC 2/104/97

[view](#)

APC Citation v.4 [202] p.197 – 18 July 1754 – entry 3 (This entry repeats the second.)

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.204: PC 2/104/204

[view](#)

APC Citation v.4 [202] p.197–198 – 22 July 1755– entry 4

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.465–466: PC 2/104/465–466

[view](#)

APC Citation v.4 [202] p.198 – 12 August 1755 – entry 5

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.470–471, 484–485, 498–499: PC 2/104/470–471,
484–485, 498–499

[view](#)

Colonial Courts

This is a petition, not an appeal from a colonial court action.

Participants

Walker, Rev. Timothy

Description

Petition asks that those aggrieved re land claims in New Hampshire be allowed to appeal though the value of individual parcels of land be below the minimum required.

Disposition

Privy Council grants Walker's request upon recommendation of the Attorney and Solicitor General and the representation of the Board

of Trade.

Notes

This action grew out of the boundary settlement between New Hampshire and Massachusetts. The request preceded the appeal in *Merrill v Proprietors of the Township of Bow*, Report No. 06_1754_00 (*APC*, v.4 [231] p.239).

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 06_1754_00 Merrill v Proprietors of Bow

New Hampshire

Case Name Short Merrill v Proprietors of the township of
Bow

Case Name Long John Merrill v Proprietors of the township of Bow

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [231] p.239 – 28 March 1754 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.86–87, 101–102: PC 2/104/86–87, 101–102

[view](#)

APC Citation v.4 [231] p.239–243 – 24 June 1755 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.102, 111, 315, 415, 419–423, 454–455: PC
2/104/102, 111, 315, 415, 419–423, 454–455

[view](#)

Colonial Courts

Inferior Court of Common Pleas – Portsmouth – 7 March 1750/51

Superior Court of Judicature – second Tuesday in December 1752

Superior Court of Judicature – first Tuesday in August 1753

Participants

Kilby, Christopher, esquire, of St. Martins in the Fields

Merrill, John

Proprietors of the township of Bow

Stephens, Benjamin

Walker, Rev. Timothy

Wentworth, John, Lieutenant Governor of New Hampshire (1727)

Description

Land (“upon an Ejectment,” according to the Privy Council register). The conflict arises from the settling of the boundary of Massachusetts and New Hampshire.

Disposition

Reversed

Notes

Related to another Privy Council appeal:

Rolfe v Proprietors of Bow – Report No. 06_1762_00 (*APC*, v.4 [427] p.527)

See also the petition of the Rev. Timothy Walker, Report No.

06_1753_00 (*APC*, v.4 [202] p.197), requesting that an appeal to the Privy Council be allowed though the value of the land in question is less than the required minimum since the lands of many others, collectively meeting the minimum, depend upon the outcome.

On the ejectment action involved here, see *Additional Research*.

References in Smith, *Appeals to the Privy Council*

Table of Cases (*Merrill v Proprietors of Bow*)

DOCUMENTATION

Printed Cases

- | | | |
|--------------------------|--|----------------------|
| Appellant's case | Case of the appellant (<i>Merrill</i>) | |
| Counsel | [Signed] W. Murray; R. Henley | |
| Library | Law Library of Congress: Sir George Lee collection | view |
| Library | Massachusetts Historical Society: 1796 Lib – XLg 7.29f (Manuscript notes limited to “N.B. Judgment for the Appellant”) | |
| Library | New Hampshire Historical Society: 977.8b B784me (Photocopy only) | |
| Respondent's case | Case of the respondent (<i>Proprietors of the township of Bow</i>) | ESTC: N473543 |
| Counsel | [Signed] A. Hume-Campbell; Al. Forrester | |
| Library | Law Library of Congress: Sir George Lee collection (Noted in ESTC? No.) | view |
| Library | New York Public Library. Schwarzman Building: Rare Book Collection *KF+++ 1755 (Great Britain. Trade and Plantations Commissioners. John Merrill, appellant) (Includes manuscript notes) (Noted in ESTC? Yes.) | |

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

- | | |
|-----------------|---|
| Document | The appellant's printed case at the Massachusetts Historical Society is found in a folder entitled 'Briefs respecting the Controversy between Massachusetts and New Hampshire'. The folder also includes the respondents' case in <i>Rolfe v Proprietors of Bow</i> , documents from the earlier royal commission to settle the boundary, and related maps. The maps at the British Library and in the Massachusetts Historical Society have not been compared. |
|-----------------|---|

- Document** Andrews, *Guide to Manuscript Materials*, references:
- (1) British Library Additional Manuscripts 15487 f.96–103, Plans and Explanations of plans of Massachusetts and New Hampshire touching the boundary question and the bounds of certain towns as Rumford, Suncook, and Bow; and ^{view}
 - (2) Additional Manuscripts 15489 f.5, which is the deposition in manuscript of B. Rolfe of Rumford regarding extracts from ^{view} the “Proprietors Book of Rumford”.

Report

Report No. 06_1758_00 Trecothick v Wentworth New Hampshire

Case Name Short Trecothick v Wentworth

Case Name Long Barlow Trecothick v Samuel Wentworth

Acts of the Privy Council, Colonial Series [view_APC](#)

APC Citation v.4 [362] p.393 – 4 September 1758 – entry 1

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759) p.243:
PC 2/106/243 [view](#)

APC Citation v.4 [362] p.393–394 – 5 April 1762 – entry 2

PC Register Citation George III v.1 (25 October 1760 – 31 December 1761)
p.359–360; PC 2/108/359–360 [view](#)

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763)
p.123–125, 169; PC 2/109/123–125, 169 [view](#)

Colonial Courts

[Inferior Court of Common Pleas] – 5 June 1755

[Superior Court of Judicature] – February 1756

Superior Court – Portsmouth – 20 September 1757

Participants

Pierson, John

Trecothick, Barlow, merchant, of London

Wentworth, Ebenezer

Wentworth, Samuel

Description

Action for £5770 16s in Massachusetts bills of credit of the old tenor, according to the *APC*

Disposition

Reversed with direction as to the proper amount and currency for payment

References in Smith, *Appeals to the Privy Council*

Table of Cases (Trecothick v Wentworth)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Trecothick)

Counsel [Signed] C. Pratt; C. Yorke

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218
f.151–153 (Includes manuscript notes) [view](#)

Respondent's case Case of the respondent (Wentworth)

Note Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 06_1759_01

Sherburne v Sherburne

New Hampshire

Case Name Short Sherburne v Sherburne

Case Name Long John Sherburne v Samuel Sherburne, Peter and Dorothy
Gillman, Joseph and Anne Langdon

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [382] p.411 – 15 March 1759 – entry 1

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759) p.442:
PC 2/106/442 [view](#)

APC Citation v.4 [382] p.411 – 2 January 1762 – entry 2

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763) p.16:
PC 2/109/16 [view](#)

APC Citation v.4 [382] p.411–412 – 5 April 1762 – entry 3

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763)
p.127–130, 168: PC 2/109/127–130, 168 [view](#)

Colonial Courts

Court of Probates – 29 April 1758

Supreme Court of Probate of Wills – 29 June 1758

Participants

Brown, Arthur

Gillman, Dorothy Sherburne (sister of John Sherburne, Samuel
Sherburne, Anne Langdon, and Henry Sherburne; daughter of the elder
Henry Sherburne; and wife of Peter Gillman)

Gillman, Peter (husband of Dorothy Sherburne Gillman)

Haven, Rev. Samuel

Langdon, Anne Sherburne (sister of John Sherburne, Samuel Sherburne,
Dorothy Gillman and Henry Sherburne; daughter of the elder Henry
Sherburne; and wife of Joseph Langdon)

Langdon, Joseph (husband of Anne Sherburne Langdon)

Langdon, Rev. Samuel

Paris, F.J.

Parker, William

Sherburne, Henry (deceased father of John Sherburne, Samuel Sherburne,
Dorothy Gillman, and Anne Langdon, and of Henry Sherburne,
deceased)

Sherburne, Henry (deceased brother of John Sherburne, Samuel
Sherburne, Dorothy Gillman, and Anne Langdon, and deceased son of
the elder Henry Sherburne)

Sherburne, Henry (son of the younger Henry Sherburne and grandson of the elder Henry Sherburne)

Sherburne, John (son of the elder Henry Sherburne)

Sherburne, John (son of John Sherburne and grandson of the elder Henry Sherburne)

Sherburne, Samuel (brother of John Sherburne, Dorothy Gillman, Anne Langdon, and Henry Sherburne, and son of the elder Henry Sherburne)

Wibird, Richard

Description

Dispute over the will of the elder Henry Sherburne

Disposition

Reversed in part; affirmed in part, as the Court of Probates “has no jurisdiction so far as the will relates to real estates,” according to the *APC*

DOCUMENTATION

Printed Cases

- | | | |
|--------------------------|---|--------------|
| Appellant's case | Case of the appellant (Sherburne) | ESTC: T91656 |
| Counsel | [Signed] G. Hay; Wm. DeGrey; Paule Feilde | |
| Library | British Library: Additional Manuscripts 15489 f.22–23 (Preceded by Additional Manuscripts 15489 f.19–21 which is a manuscript copy of An Act for the Settlement and Distribution of the Estate of Intestates, enacted 13 May 1718. See Andrews, <i>Guide to Manuscript Materials</i> , p.96.) (Noted in ESTC? Yes.) | |
| Library | British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.147–148 (Includes manuscript notes) (Noted in ESTC? No.) | view |
| Respondent's case | Case of the respondent (Sherburne) | ESTC: N66141 |
| Counsel | [Signed] C. Yorke; Al. Forrester | |
| Library | British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.149–150 (Includes manuscript notes) (Noted in ESTC? No.) | view |
| Library | New York Public Library: (?) (The ESTC [N66141] lists a copy of the respondent's case at the New York Public Library, but a vigorous search by a librarian failed to find evidence of NYPL ownership.) (Noted in ESTC? Yes.) | |

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

- Document** The New Hampshire Historical Society holds a bound volume of Sherburne family papers that includes the will of Henry Sherburne, Sr., with affidavits, and certified copies documenting the controversy over the estate. [view](#)
- Document** The New Hampshire “Act for the Settlement and Distribution of the Estate of Intestates” of 13 May 1718 that was at issue in this case is printed in *New Hampshire, Laws 1718*, p. 102–104. It is reproduced here (pdf) from the Early American Imprints, series 1, Evans no. 1985. (The reproduction is not great, and the original, which we have not seen, may not be either. But with a struggle, it can be read.)

Report

Report No. 06_1759_02

Dering v Packer

New Hampshire

Case Name Short Dering v Packer

Case Name Long Thomas Dering v Thomas Packer

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [407] p.433 – 9 November 1759 – entry 1

PC Register Citation George II v.18 (2 May 1759 – 10 July 1760) p.189:
PC 2/107/189

[view](#)

APC Citation v.4 [407] p.433–436 – 11 July 1760 – entry 2

PC Register Citation George II v.18 (2 May 1759 – 10 July 1760) p.431,
435, 436, 437, 438, 439, 443: PC 2/107/431, 435, 436,
437, 438, 439, 443

[view](#)

Colonial Courts

Inferior Court of Common Pleas – 8 December 1757

Chancery

Superior Court – 12 December 1758 – affirming judgments of 8
December 1757 and 10 June 1758

Participants

Dering, Henry, deceased

Dering, Thomas of Boston (executor of Henry Dering)

Nelson, William

Packer, Thomas of Portsmouth

Smith, Jeremiah

Description

Payment of a debt. The case arises from the impact of depreciation of various colonial currencies.

Disposition

Reversed “except the verdict and judgment of the Superior Court of Judicature for the penalty of the bonds and costs,” according to the *APC*.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Dering v Packer)

DOCUMENTATION

Printed Cases

Appellant's case

Case of the appellant (Dering)

Counsel [Signed] C. Pratt; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.44–45 (Includes manuscript notes) [view](#)

Respondent's case Case of the respondent (Packer)

Counsel [Signed] C. Yorke; W. DeGrey

Note Appellant's name is spelled Deering on respondent's printed case.

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.46–48 (Includes manuscript notes) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document Dallas, *Reports 4* (4 U.S. [4 Dall.]), p.xxiii–xxv [at the back of the volume] (1807), contains a report on the hearing of Dering v Packer before the Council. The note in Dallas indicates that “this report is taken from a collection of manuscript cases, upon authority, that appeared respectable when it was copied: but the name of the reporter is forgotten.” Smith (p.502) suggests that the notes were probably those of Jared Ingersoll.

Report

Report No. 06_1762_00 Rolfe v Proprietors of Bow

New Hampshire

Case Name Short Rolfe v Proprietors of Bow

Case Name Long Benjamin Rolfe, Daniel Carter, Timothy Simons, John Evans, John Chandler, Abraham Colby and Abraham Kimball v Proprietors of Bow

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [472] p.527 – 15 February 1762 – entry 1

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763) p.74–75: PC 2/109/74–75 [view](#)

APC Citation v.4 [472] p.527–530 – 29 December 1762 – entry 2

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763) p.433, 441, 442, 443, 444, 445, 453: PC 2/109/433, 441, 442, 443, 444, 445, 453 [view](#)

Colonial Courts

Inferior Court – September 1760

Superior Court – November 1760

Participants

Ayer, William

Carter, Daniel

Chandler, John

Colby, Abraham

Endicott, [John], former Governor of Massachusetts

Evans, John

Kimball, Abraham

Lovewell, Capt. John

Melvin, David

Proprietors of Bow

Rolfe, Benjamin

Simons, Timothy

Wentworth, John, former Governor of New Hampshire

Description

Land (“upon an Ejectment,” according to the Privy Council register). The conflict arises from the settling of the boundary of Massachusetts and New Hampshire.

Disposition

Reversed

Notes

Related to another Privy Council appeal:

Merrill v Proprietors of the township of Bow – Report No. 06_1754_00 (*APC*, v.4 [231] p.239)

On the ejectment action involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Rolfe v Proprietors of Bow)

DOCUMENTATION**Printed Cases**

- Appellant's case** Case of the appellant (Rolfe)
- Counsel [Signed] Wm. DeGrey (spelled here DeGray); Al. Wedderburn
- Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.181–184 (Includes manuscript notes) view
- Library New Hampshire Historical Society: 977.8bB784r
- Respondent's case** Case of the respondent (Proprietors of Bow) ESTC: N62941
- Counsel [Signed] C. Yorke; Al. Forrester
- Note Appendix to the case of the respondent and also a map
- Library American Antiquarian Society: LNhL Bow Grea N762 PF (Lacks appendix and map) (Noted in ESTC? Yes.)
- Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.185–188 (Includes manuscript notes and appendix, f.189–190, and map, f.191–192) (Noted in ESTC? No.) view
- Library Massachusetts Historical Society: 1796 Lib.-XLg.7.29 (Lacks appendix; manuscript notes limited to minor underlining and the name of Thomas Hutchinson added in a margin) (Noted in ESTC? No.)
- Library New Hampshire Historical Society: 977.8bB784r (Includes appendix) (Noted in ESTC? No.)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

- Document** The respondent's printed case at the Massachusetts Historical Society is found in a folder entitled 'Briefs respecting the Controversy between Massachusetts and New Hampshire'. The

folder also includes the appellant's case in *Merrill v Proprietors of Bow*, documents from the earlier royal commission to settle the boundary, and related maps. The maps at the British Library and in the Massachusetts Historical Society have not been compared.

- Document** Andrews, *Guide to Manuscript Materials*, p.94, 95, references:
- (1) British Library Additional Manuscripts 15487 f.96–103, Plans and Explanations of plans of Massachusetts and New Hampshire touching the boundary question and the bounds of certain towns as Rumford, Suncook, and Bow; and view
 - (2) Additional Manuscripts 15489 f.5, which is the deposition in manuscript of B. Rolfe of Rumford regarding extracts from the “Proprietors Book of Rumford”. view

Report

Report No. 06_1765_00

**Hilton v Fowler
Fowler v Hilton**

New Hampshire

Case Name Short Hilton v Fowler
Fowler v Hilton

Case Name Long Josiah Hilton v Philip Fowler
Philip Fowler v Josiah Hilton

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [601] p.717 – 23 March 1765 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.164: PC 2/111/164

[view](#)

APC Citation v.4 [601] p.717 – 10 July 1765 – entry 2

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.261–262: PC 2/111/261–262

[view](#)

Colonial Courts

Court of Errors – 11 October 1763

Participants

Fowler, Philip

Hilton, Josiah

Holker, Mr. of St. Thomas the Apostle's (appears for Philip Fowler)

Description

Land

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

References in Smith, *Appeals to the Privy Council*

Table of Cases (Hilton v Fowler)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 06_1773_00

James v Moffatt

New Hampshire

Case Name Short James v Moffatt

Case Name Long William James v Samuel Moffatt and George Meserve

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [256] p.375 – 30 June 1773 – entry 1

PC Register Citation George III v.10 (January 1773 – April 1774) p.236,
379: PC 2/117/236, 379

[view](#)

PC Register Citation George III v.11 (May 1774 – May 1775) p.55–56: PC
2/118/55–56

[view](#)

Colonial Courts

Superior Court – September 1771

Governor and Council as a Court of Appeals – 8 October 1771

Participants

James, William of Bristol (partner of the firm of Lloyd and James)

Meserve, George, merchant, of Portsmouth

Moffatt, Samuel, merchant, of Portsmouth

Description

Action to recover £1551 13s 2d

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

References in Smith, *Appeals to the Privy Council*

Table of Cases (James v Meserve)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 07_1696_00

Jones v Fullerton

New Jersey (East)

Case Name Short Jones v Fullerton

Case Name Long Jeffrie Jones v James Fullerton on the demise of the Proprietors of East Jersey

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [641] p.306 – 24 September 1696 – entry 1

PC Register Citation William III v.4 (2 December 1694 – 23 April 1697) p.520–521: PC 2/76/520–521

[view](#)

APC Citation v.2 [641] p.306–307 – 4 February 1697 – entry 2

PC Register Citation William III v.4 (2 December 1694 – 23 April 1697) p.578: PC 2/76/578

[view](#)

APC Citation v.2 [641] p.307 – 23 February 1697 – entry 3

PC Register Citation William III v.4 (2 December 1694 – 23 April 1697) p.585, 586: PC 2/76/585, 586

[view](#)

Colonial Courts

Court of Common Right – Amboy Perth – East New Jersey

Participants

Fullerton, James

Jones, Jeffrie (Geoffrey) of Elizabeth Towne in Essex County

Description

[Land claims] (in ejectment). This “cause arose in endeavors of the East New Jersey proprietors to enforce claims to land in the so-called ‘Elizabeth purchase’,” according to Smith (p.366 n.66).

Disposition

Reversed

Notes

There is good reason to doubt the reality of the lease to Fullerton, and there can be little doubt that the Proprietors of East Jersey were the real parties at interest in this case. See the note specific to this case in Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Jones v Fullerton) (extensive discussion)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 07_1712_00

Appeal of Crowley

New Jersey (East)

Case Name Short Crowley, appeal of

Not a 'true' appeal.

Case Name Long Mary Crowley and John Borrow, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1175] p.668 – 20 October 1712 – entry 1

PC Register Citation Anne v.6 (18 August 1712 – 31 July 1714) p.35: PC
2/84/35

[view](#)

Colonial Courts

Proceedings in colonial court unclear

Participants

Borrow, John (executor of John Roys)

Crowley, Mary (executor of John Roys)

Roys, John, esquire, of East New Jersey, deceased

Willcox, ____

Windar, Charles of East New Jersey (deceased brother of James Windar)

Windar, James (brother of Charles Windar)

Description

Settlement of an estate

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 07_1716_00

Sonmans v Ormstone

New Jersey (East)

Case Name Short Sonmans v Ormstone Not a 'true' appeal.

Case Name Long Peter Sonmans v Joseph and Rachel Ormstone and
Joseph and Johanna Wright

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.2 [1256] p.709–710 – 6 July 1716 – entry 1	
PC Register Citation	George I v.1 (1 August 1714 – 2 March 1717) p.425: PC 2/85/425	view
APC Citation	v.2 [1256] p.710 – 25 October 1717 – entry 2	
PC Register Citation	George I v.2 (2 March 1717 – 25 August 1720) p.53: PC 2/86/53	view
APC Citation	v.2 [1256] p.710 – 16 November 1717 – entry 3	
PC Register Citation	George I v.2 (2 March 1717 – 25 August 1720) p.69: PC 2/86/69	view
APC Citation	v.2 [1256] p.710 – 14 January 1718 – entry 4	
PC Register Citation	George I v.2 (2 March 1717 – 25 August 1720) p.81– 82: PC 2/86/81–82	view
APC Citation	v.2 [1256] p.711 – 2 February 1718 – entry 5	
PC Register Citation	George I v.2 (2 March 1717 – 25 August 1720) p.90: PC 2/86/90	view
APC Citation	v.2 [1256] p.711 – 12 July 1720 – entry 6	
PC Register Citation	George I v.2 (2 March 1717 – 25 August 1720) p.442: PC 2/86/442	view

Colonial Courts

Proceedings in the colony are mentioned but unclear if they resulted in a judgment in a court of law

Participants

Forster, Miles (husband of Rebecca Lawry Forster)

Forster, Rebecca Lawry (wife of Miles Forster and daughter of Gawen Lawry)

Haig, Mary Lawry (daughter of Gawen Lawry)

Lawry, Gawen (deceased father of Mary Haig and Rebecca Forster)

Ormstone, Joseph, merchant, of London (husband of Rachel Ormstone)

Ormstone, Rachel Sonmans (wife of Joseph Ormstone, sister of Peter Sonmans, and daughter of Arent Sonmans)

Sonmans, Arent (deceased father of Peter Sonmans, Rachel Ormstone, and Johanna Wright)

Sonmans, Peter, esquire (brother of Rachel Ormstone and Johanna Wright, and son of Arent Sonmans)

Wright, Johanna Sonmans (wife of Joseph Wright, sister of Peter Sonmans, and daughter of Arent Sonmans)

Wright, Joseph (husband of Johanna Wright)

Description

Land

Disposition

Final allocation of land amongst the parties is specified.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 07_1773_00**Wickoff v Ouke****New Jersey**

Case Name Short Wickoff v Ouke

Case Name Long Peter Wickoff and Joseph Reed v William Ouke

Acts of the Privy Council, Colonial Series[view_APC](#)

APC Citation v.5 [263] p.378 – 28 July 1773 – entry 1

PC Register Citation George III v.10 (January 1773 – April 1774) p.258–
259: PC 2/117/258–259[view](#)

Colonial Courts

Supreme Court – April 1770

Governor and Council as a Court of Errors

Participants

Forman, Ezekiel

Ouke, William, manager of Bill Island lottery

Reed, Joseph (assignee of Ezekiel Forman)

Wickoff, Peter (assignee of Ezekiel Forman)

Description

Action to recover on a lottery ticket, brought by Forman against Ouke

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 07_1775_00**Reid v Reed****New Jersey**

Case Name Short Reid v Reed

Case Name Long John Reid v Joseph Reed

Acts of the Privy Council, Colonial Series[view_APC](#)

APC Citation v.5 [325] p.421 – 10 November 1775 – entry 1

PC Register Citation George III v.12 (June 1775 – May 1776) p.197: PC
2/119/197[view](#)

Colonial Courts

Provincial Court – 21 May 1772

Governor and Council as a Court of Errors – 14 May 177___ (full date
not given in the *APC*)

Participants

Reed, Joseph

Reid, John

Description

Dispute about land called Tunicam

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1680_00

Ward v Palmer

New York

Case Name Short Ward v Palmer

Case Name Long John Ward v Mrs. John Palmer

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.1 [1334] p.879 – January 28, 1680 – entry 1

CSP Citation V no. 1283

PC Register Citation Charles II v.15 (21 April 1679 – 29 May 1680) p.371:
PC 2/68/371

[view](#)

APC Citation v.1 [1334] p.884–885 – March 9, 1680 – entry 2

PC Register Citation Charles II v.15 (21 April 1679 – 29 May 1680) p.425:
PC 2/68/425

[view](#)

Colonial Courts

Mayor's Court – New York City – 22 July 1679

General Court of Assizes – 1–3 October 1679

Participants

Palmer, John (husband of widow of John Winder)

Palmer, Mrs. John (widow and administratrix for John Winder and wife
of John Palmer)

Ward, John

Winder, John of City of New Yorke, deceased

Description

Indebtedness

Disposition

Sentence is repealed and made void. Judgment in Mayor's Court is affirmed.

Notes

There is an interesting discussion in the *CSP* (March 2, 1680) as to methods of payment, including wampum and beaver.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Ward v Palmer)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1681_01

Darvall v Hall

New York

Case Name Short Darvall v Hall

Case Name Long Thomas Darvall v Richard Hall

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [32] p.19 – 15 April 1681 – entry 1

CSP Citation VI no. 79

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.268:
PC 2/69/268

[view](#)

APC Citation v.2 [32] p.19 – 7 December 1681 – entry 2

CSP Citation VI no. 314

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.421:
PC 2/69/421

[view](#)

Colonial Courts

General Court of Assizes – City of New York – 6 and 7 October 1680

Participants

Darvall, Thomas, merchant

Hall, Richard

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Dismissed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Darvall v Hall)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1681_02

Dyer v Winder

New York

Case Name Short Dyer v Winder Not a 'true' appeal.

Case Name Long Capt. William Dyer v Samuel Winder

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [47] p.24 – 14 September 1681 – entry 1

CSP Citation VI no. 229

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.356:
PC 2/69/356

[view](#)

APC Citation v.2 [47] p.24 – 29 June 1682 – entry 2

CSP Citation VI no. 591

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.528:
PC 2/69/528

[view](#)

APC Citation v.2 [47] p.24–25 – 3 August 1682 – entry 3

CSP Citation VI no. 642

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.542:
PC 2/69/542

[view](#)

APC Citation v.2 [47] p.25 – 25 October 1682 – entry 4

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.552:
PC 2/69/552

[view](#)

Colonial Courts

Court of Assises (see Notes)

Participants

Dyer, Capt. William

Winder, Samuel

Description

Accusation of high treason in levying customs within the province of New York

Disposition

According to the *APC*, Dyer's bond is ordered delivered to him; "he may take his remedy at Law against the said Winder in New York or else where he shall think fit." Winder fails to appear.

Notes

Goebel and Naughton, *Law Enforcement in Colonial New York*, p.224, notes that since there was no final judgment in the Court of Assises in New York, Dyer v Winder is not, strictly speaking, an appeal. He

explains that “at a special Court of Assizes Dyer objected to the jurisdiction of the court, and after some debate it was decided to send the defendant to England, take the security of Winder to prosecute and refer the matter to the Privy Council. Dyer petitioned the Council and the matter was referred to the Lords Committee. In due course the case was dismissed as Winder did not appear to prosecute.”

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1683_00

Wright v Cornwall

New York

Case Name Short Wright v Cornwall

Case Name Long Robert Wright and Francis Pew v Robert Cornwall

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [110] p.46 – 14 February 1683 – entry 1

CSP Citation VI no. 941

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.634:

PC 2/69/634

[view](#)

Colonial Courts

Court of Sessions – Gravesend for the West Riding of Yorks on Long Island – 21 December 1681

General Court of Assize – City of New Yorke – 4, 5, and 6 October 1682

Participants

Cornwall, Robert

Pew, Francis, gentleman

Wright, Robert, gentleman

Description

Land title, according to Smith (p.130)

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

References in Smith, *Appeals to the Privy Council*

Table of Cases (Wright v Cornwall)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1685_00

Billop v [West]

New York

Case Name Short Billop v [West]

Case Name Long Capt. [Christopher] Billop v ____ [West]

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [200] p.89 – 4 December 1685 – entry 1

CSP Citation VII no. 489

PC Register Citation James II Part I (6 February 1685 – 18 March 1687)
p.167: PC 2/71/167

[view](#)

APC Citation v.2 [200] p.89 – 23 December 1685 – entry 2

CSP Citation VII no. 515

PC Register Citation James II Part I (6 February 1685 – 18 March 1687)
p.181: PC 2/71/181

[view](#)

Colonial Courts

[New York City Mayor's Court – 6 June 1683]

Participants

Billop, Capt. [Christopher]
[West], ____

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

This action involves alleged illegal seizure of slaves and merchandise from a seized vessel. The attorney for John Bawdon and John and Thomas Temple of London, owners of the vessel, is referred to as John Wott in the heading of the case in Morris, *New York City Mayor's Court 1674–1784*, p.648, and the case is indexed in that volume as Wott v Billop on p.758. However, the text of Billop's petition and the Order in Council, transcribed in *id.*, p.650–652, refer to the attorney as John West. *APC*, v.2 [89] p.38–39 (appended to the linked view of *APC* above) concerns a related action against Capt. Billop from the West Indies.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Billop v West)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1692_00

Mauritz v Philips

New York

Case Name Short **Mauritz v Philips**

Not a 'true' appeal.

Case Name Long **Jacob Mauritz v Frederick Philips**

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [444] p.208 – 17 March 1692 – entry 1

CSP Citation VIII no. 2128

PC Register Citation **William III v.2 (3 September 1690 – 29 September 1692) p.350: PC 2/74/350**

[view](#)

APC Citation v.2 [444] p.208 – 12 May 1692 – entry 2

CSP Citation VIII no. 2226

PC Register Citation **William III v.2 (3 September 1690 – 29 September 1692) p.398: PC 2/74/398**

[view](#)

APC Citation v.2 [444] p.208 – 18 May 1693 – entry 3

PC Register Citation **William III v.3 (1 October 1692 – 29 November 1694) p.156: PC 2/75/156**

[view](#)

Colonial Courts

Proceedings in colonial court unclear

Participants

Mauritz, Jacob

Philips (Flypse), Frederick, esquire

Vessels

Francis and Thomas, aka *St. Peter* (ship)

Description

Disposition of the *Francis and Thomas*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Not strictly an appeal but a petition of Jacob Mauritz, referred to the Lords of Trade and Plantations, claiming ownership of the vessel. See the various entries in the *CSP* for details. Mauritz claims to have been commissioned as a privateer by the rebel Jacob Leisler, for whom see *Bayard v Rex* (08_1702_02), Notes.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1699_00

Cruger v Depeyster

New York

Case Name Short Cruger v Depeyster

Case Name Long Valentine Cruger v Abraham Depeyster

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [767] p.345 – 23 October 1699 – entry 1

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.384:
PC 2/77/384

[view](#)

APC Citation v.2 [767] p.345–346 – 19 December 1699 – entry 2

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.401:
PC 2/77/401

[view](#)

APC Citation v.2 [767] p.346 – 21 December 1699 – entry 3

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.404:
PC 2/77/404

[view](#)

APC Citation v.2 [767] p.346 – 5 December 1700 – entry 4

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.108: PC 2/78/108

[view](#)

APC Citation v.2 [767] p.346 – 12 June 1701 – entry 5

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.219: PC 2/78/219

[view](#)

Colonial Courts

Supream (Supreme) Court

Governor and Council of New York – 4 April 1698 (first appeal taken to
the Privy Council from this proceeding)

Governor and Council of New York – 22 June 1700 (second appeal
taken)

Participants

Cruger, Valentine

Depeyster, Abraham

Description

Case “touching matters of account” between the parties, according to the
APC

Disposition

Judgment of Governor and Council of 4 April 1698 declared null and
void. Appellant to proceed in “due form before the Governor and
Council of New Yorke,” according to the *APC*. Decree of Governor and

Council of 22 June 1700 reversed.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Tierens and Cruger v Depeyster)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1700_00

Alsop v Vaudall

New York

Case Name Short Alsop v Vaudall

Case Name Long Richard Alsop v Audry Vaudall

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [800] p.357 – 5 September 1700 – entry 1

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.81: PC 2/78/81

[view](#)

APC Citation v.2 [800] p.357 – 2 November 1700 – entry 2

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.95: PC 2/78/95

[view](#)

APC Citation v.2 [800] p.357 – 5 November 1700 – entry 3

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.102: PC 2/78/102

[view](#)

APC Citation v.2 [800] p.357 – 16 September 1701 – entry 4

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.258–259: PC 2/78/258–259

[view](#)

Colonial Courts

Lower court unnamed

Governor and Council of New Yorke (two actions: an initial confirmation of the lower court decision in favor of Alsop, followed by reversal by a new Governor and Council)

Participants

Alsop, Richard

Vaudall, Audry, widow

Description

Re “estate of houses and lands” in New York, according to the *APC*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Various spellings of respondent’s name – Vandall, Wandal, Wandall – can be found in Washburne, *Imperial Control*, p.60, and in item [872] of v.18 (1700) of the *CSP*.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1702_01 *In re The Elizabeth and Catherine*

New York

Case Name Short *In re The Elizabeth and Catherine*

Case Name Long *In re The Elizabeth and Catherine*

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [872] p.410 – 11 June 1702 – entry 1

PC Register Citation Anne v.1 (8 March 1702 – 18 January 1704) p.148: PC [view](#)
2/79/148

APC Citation v.2 [872] p.410 – 10 April 1703 – entry 2

PC Register Citation Anne v.1 (8 March 1702 – 18 January 1704) p.352: PC [view](#)
2/79/352

Colonial Courts

Courts of Admiralty – New York – [June 1701 – discharging seizure]

[Supreme Court – August 1701 – issuance of a prohibition]

[Governor and Council – October 16, 1701 – confirming action of
Supreme Court]

[Vice Admiralty Court – November 24, 1701 – condemnation upon a
new information]

Participants

Wake, Elizabeth (widow of John Wake)

Wake, John, commander of the *Elizabeth and Catherine*, later deceased
(husband of Elizabeth Wake)

Vessels

Elizabeth and Catherine

Description

Condemnation

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*. Smith (p.198)
states that the appeal was not prosecuted.

Notes

Action at the lower level referred to as *Weaver q.t. v Wake*.

References in Smith, *Appeals to the Privy Council*

Table of Cases (*Elizabeth and Catherine, In re The*) (extensive
discussion)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1702_02

**Bayard v Rex
Hutchins v Rex**

New York

Case Name Short Bayard v Rex
Hutchins v Rex

Case Name Long Col. Nicholas Bayard v Rex
John Hutchins v Rex

Acts of the Privy Council, Colonial Series

[view__APC](#)

APC Citation	v.2 [875] p.412–413 – 18 June 1702 – entry 1	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.156: PC 2/79/156	view
APC Citation	v.2 [875] p.413 – 2 July 1702 – entry 2	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.169, 170: PC 2/79/169, 170	view
APC Citation	v.2 [875] p.413 – 9 July 1702 – entry 3	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.175: PC 2/79/175	view
APC Citation	v.2 [875] p.413 – 9 July 1702 – entry 4	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.177–178: PC 2/79/177–178	view
APC Citation	v.2 [875] p.414 – 17 December 1702 – entry 5	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.268: PC 2/79/268	view
APC Citation	v.2 [875] p.414 – 21 January 1703 – entry 6	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.295: PC 2/79/295	view
APC Citation	v.2 [875] p.414 – 18 December 1704 – entry 7	
PC Register Citation	Anne v.2 (20 January 1704 – 29 September 1705) p.229: PC 2/80/229	view
APC Citation	v.2 [875] p.414 – 8 January 1708 – entry 8	
PC Register Citation	Anne v.3 (11 October 1705 – 29 February 1708) p.493–494: PC 2/81/493–494	view

Colonial Courts

[Special commission of oyer and terminer – March 16, 1701/2 (Bayard)]

[Special commission of oyer and terminer – April 6, 1702 (Hutchins)]

Participants

Rex

Adderley, Henry, merchant

Atwood, William, chief judge in New York
 Bayard, Col. Nicholas
 Broughton, Sampson Shelton, Attorney General of New York
 Combury, Lord, [Governor]
 Hutchins, John, alderman
 Lodwick, Charles, merchant
 Weaver, Thomas, Solicitor General in New York

Description

High treason

Disposition

Judgment against Bayard and Hutchins nullified. Bayard and Hutchins ordered to be reinstated as if the prosecution never occurred. Two New York acts annulling the proceedings against Bayard and Hutchins confirmed and an Act of 1705 about Bayard repealed.

Notes

APC, v.2, Appendix III, p.850 – Colonial Acts confirmed or disallowed by the Privy Council, 1680–1720 – 8 January 1708. “2 Acts, both entitled, An Act Declaring the Illegality of the proceedings against Col. Nicholas Bayard and Alderman John Hutchins for pretended High Treason and for Revising and making Null and Voyd the said Judgement and all proceedings thereon, confirmed. An Act of 1705 relating to them but not quoted by its title is repealed.”

Smith (p.241) says these two cases are not strictly appeals but are more in the nature of the pardoning power of the Privy Council. They arose in the aftermath of the revolt led by Jacob Leisler in the previous decade.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Bayard *v Rex*; Hutchins *v Rex*) (extensive discussion)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Petition of Bayard – 17 Dec. 1702 – PC 1/46/5	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [84] p.18–19	view_APC
TNA Document	Petition of Bayard (copy) – 17 Dec. 1702 – PC 1/46/5	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [84] p.18–19	view_APC

TNA Document	Order of reference to the Committee (Bayard) – 17 Dec. 1702 – PC 1/46/5	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [84] p.18–19	view_APC
TNA Document	Act reversing attainders. Board of Trade representation. – 15 Dec. 1704 – PC 1/46/6	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [128] p.31	view_APC

Other Documents

- Document** The following printed items are related to this case: *A Proclamation* [by] *John Nanfan, Esq; His Majesties lieut. governour and commander in [chief] in and over the province of New-York* [Nanfan, *Proclamation*]; *A narative [sic] of the treatment Coll. Bayard received from the time that sentence was passed against him to the time of his giving that petition which the lieut. governour & Council caused to be printed and published in justification of their proceedings against him* [Narrative of Col. Bayard]; *An Account of the illegal prosecution and tryal of Coll. Nicholas Bayard, in the province of New-York, for supposed high-treason, in the year 1702/3. Collected from several memorials taken by divers persons privately, the commissioners having strictly prohibited the taking the tryal in open court* [Account of Col. Bayard]; *An Act declaring the Illegality of the Proceedings against Coll. Nicholas Bayard and Alder-man John Hutchins for pretended High-Treason, and for Reversing and making Null and Void the said Judgments, and all Proceedings thereon* [New York, *Laws 1703*].
- Document** Note also that the New-York Historical Society holds a collection of the papers of Nicholas Bayard that includes material pertaining to his trial for high treason.

Report

Report No. 08_1708_00

Appeal of Budge

New York

Case Name Short Budge, appeal of

Not a 'true' appeal.

Case Name Long Mr. Budge, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1041] p.528 – 8 January 1708 – entry 1

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.486: PC 2/81/486

[view](#)

Colonial Courts

Unnamed

Participants

Budge, Mr.

Cornbury, Lord

Description

Condemnation

Disposition

Order on the report of the Board of Trade that the judgment of the High Court of Admiralty be given effect

Notes

This appeal was from a judgment of the High Court of Admiralty.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1717_01

Appeal of Summers

New York

Case Name Short Summers, appeal of

Not a 'true' appeal.

Case Name Long Thomas Summers et al, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1269] p.720–721 – 15 July 1717 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.19:

PC 2/86/19

[view](#)

Colonial Courts

Unnamed

Participants

Summers, Thomas, merchant, of Liverpoole (owner of the *Good Intent*)

Vessels

Good Intent (ship)

Description

Seizure and condemnation for alleged illegal trade

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Summers is indexed in the *APC* as an appeal. No particular court is specified. Smith lists no appeals to the Privy Council from the Vice Admiralty Court in New York. Hough, *New York Vice-Admiralty 1715–1788*, p.4–5, does reference an action involving the *Good Intent* in this time period. Whatever the court, Vice Admiralty or otherwise, whether Summers's petition was in fact an 'appeal' in the technical sense of the term is unclear.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1717_02

Appeal of Smith

New York

Case Name Short Smith, appeal of

Not a 'true' appeal.

Case Name Long John Smith, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1277] p.727 – 5 September 1717 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.40–41: PC 2/86/40–41

[view](#)

APC Citation v.2 [1277] p.727 – 21 July 1718 – entry 2

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.160–161: PC 2/86/160–161

[view](#)

Colonial Courts

No indication of proceedings in a court in New York

Participants

Prior, Mr., British minister to France under Queen Anne

Renault, Chateau, French squadron leader

Smith, John of New York (owner of the *Three Brothers*)

Vessels

Three Brothers (ship)

Description

Seizure

Disposition

The matter is placed in the hands of the King “to renew to His Minister in France the like orders with those the petitioner has obtained . . . from the late Queen,” according to the *APC*.

Notes

This matter was determined in Admiralty.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1735_00

Mossesson v Norris

New York

Case Name Short Mossesson v Norris

Not a 'true' appeal.

Case Name Long Solomon Medina Mossesson, Moses Medina and
Abraham Medina, and Roderigo Pacheto v Mathew
Norris

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [341] p.459 – 3 April 1735 – entry 1

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.150: PC 2/93/150

[view](#)

Colonial Courts

Vice Admiralty Court – 4 September 1727

Participants

Medina, Abraham

Medina, Moses

Mossesson, Solomon Medina

Norris, Mathew, esquire

Pacheto, Roderigo

Description

Condemnation of snuff and tobacco as lawful prize

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

The petition of Mathew Norris requests that the appeal of Solomon Medina Mossesson, Moses Medina and Abraham Medina, and Roderigo Pacheto be dismissed for non-prosecution. Smith (p.188, referencing Norris v Four Casks, etc. of Snuff) states that this appeal was in fact to the Lords Commissioners for Hearing Prize Appeals though the wording in the *APC* and the entry in Hough, *New York Vice-Admiralty 1715–1788*, p.8–10, might imply otherwise.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Norris v Four Casks, etc., of Snuff)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1738_00

Brown v Philips

New York

Case Name Short **Brown v Philips**

Case Name Long **Thomas Brown v Frederick Philips**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [454] p.619 – 30 November 1738 – entry 1

PC Register Citation **George II v.6 (1 October 1738 – 27 March 1740) p.46:** [view](#)
PC 2/95/46

APC Citation v.3 [454] p.619 – 27 December 1739 – entry 2

PC Register Citation **George II v.6 (1 October 1738 – 27 March 1740)**
p.335, 441, 454–455, 492–493: PC 2/95/335, 441, [view](#)
454–455, 492–493

Colonial Courts

Court of Probates – 5 August 1738 (sentence of Lieutenant Governor)

Participants

Brown, Thomas, merchant, of London

Caswell, John, merchant, of London, deceased

Lane, Henry (attorney for Thomas Brown)

Philips (Flypse), Frederick, esquire (administrator of estate of John Caswell)

Description

Contested granting of the administration of an estate

Disposition

Decree affirmed and appeal dismissed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1741_01

Pearse v Cummysns

New York

Case Name Short Pearse v Cummysns

Case Name Long Capt. Vincent Pearse v George Cummysns

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [527] p.703 – 19 November 1741 – entry 1

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.13–14: PC 2/97/13–14 [view](#)

APC Citation v.3 [527] p.703–704 – 23 March 1743 – entry 2

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.210, 259, 308–310, 345: PC 2/97/210, 259, 308–
310, 345 [view](#)

Colonial Courts

Court of Admiralty

Court of Kings Bench

Court of Errors – 17 April 1741

Participants

Cummysns, George (owner of the *Restoration*)

Forbes, Alexander, master of the *Restoration*

Pearse, Vincent, late Captain of HMS *Flamborough*

Vessels

HMS *Flamborough*

Restoration (snow)

Description

Seizure and condemnation of the *Restoration* (prize)

Disposition

Judgment reversed, writs of consultation issued, and Admiralty Court ordered to proceed in original cause

Notes

Related to another Privy Council appeal:

Pearse v Key – Report No. 08_1741_02 (*APC*, v.3 [528] p.704)

Both cases concern the same issue, to wit, whether the vessel seized was at the time “on the high seas or within the body of the city of New York.”

References in Smith, *Appeals to the Privy Council*

Table of Cases (Pearse v Cummins)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1741_02

Pearse v Key

New York

Case Name Short Pearse v Key

Case Name Long Capt. Vincent Pearse v John Key and Michael Hubbard

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [528] p.704 – 19 November 1741 – entry 1

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.14: PC 2/97/14 [view](#)

APC Citation v.3 [528] p.704 – 23 March 1743 – entry 2

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.210, 259, 261, 305–308, 344–345: PC 2/97/210,
259, 261, 305–308, 344–345 [view](#)

Colonial Courts

Court of King's Bench

Participants

Hubbard, Michael

Key, John

Pearse, Capt. Vincent

Vessels

Canary Merchant (ship)

Description

Seizure and condemnation of the *Canary Merchant* (prize)

Disposition

Judgment reversed, writs of consultation issued, and Admiralty Court ordered to proceed in original cause

Notes

Related to another Privy Council appeal:

Pearse v Cummyns – Report No. 08_1741_01 (*APC*, v.3 [527] p.703)

Both cases concern the same issue, to wit, whether the vessel seized was at the time “on the high seas or within the body of the city of New York.”

References in Smith, *Appeals to the Privy Council*

Table of Cases (Pearse v Key and Hubbard)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1742_00

Kennedy v Fowles

New York

Case Name Short Kennedy v Fowles

Case Name Long Archibald Kennedy v Thomas Fowles

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [538] p.720–721 – 10 March 1742– entry 1

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.107: PC 2/97/107

[view](#)

APC Citation v.3 [538] p.721 – 23 March 1743 – entry 2

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.134, 210, 314–315, 345–346: PC 2/97/134, 210,
314–315, 345–346

[view](#)

Colonial Courts

Court of Admiralty

Court of Kings Bench

Court of Errors – 17 April 1741

Participants

Fowles, Thomas

Kennedy, Archibald, esquire, Collector and Principal Officer of His
Majestys Customs for the Port of New York

Vessels

Mary and Margaret (sloop)

Description

Seizure for illegal importation of goods

Disposition

Dismissed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Kennedy v Fowles)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1765_01

Appeal of Etherington

New York

Case Name Short Etherington, appeal of Not a 'true' appeal.

Case Name Long Robert Etherington, Waddle Cunningham, Elias
Debrosses and Richard Thomas, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [591] p.701 – 14 February 1765 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.93–94: PC 2/111/93–94

[view](#)

APC Citation v.4 [591] p.701 – 19 March 1765 – entry 2

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.145: PC 2/111/145

[view](#)

Colonial Courts

Unnamed

Participants

Cunningham, Waddle (administrator of James Wardrop)

Debrosses, Elias (owner of the *St. Stephen*)

Etherington, Robert (owner of the *Maxwell*)

Guillarie, Mr., master of the French snow *Bon Rencontre*

Thomas, Richard, master of the *St. Stephen*

Wardrop, James (deceased owner of the *Maxwell*)

Vessels

Bon Rencontre (snow)

Maxwell (ship)

St. Stephen (schooner)

Description

Condemnation

Disposition

Referred by the Committee to the Treasury

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 08_1765_02

Cunningham v Forsey

New York

Case Name Short **Cunningham v Forsey**

Case Name Long **Waddell Cunningham v Thomas Forsey**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [615] p.727–728 – 10 July 1765 – entry 1

PC Register Citation **George III v.4 (1 October 1764 – 27 August 1766)**
p.262–263: PC 2/111/262–263

[view](#)

APC Citation v.4 [615] p.728 – 28 July 1765 – entry 2

PC Register Citation **George III v.4 (1 October 1764 – 27 August 1766)**
p.289–291, 311: PC 2/111/289–291, 311

[view](#)

APC Citation v.4 [615] p.728 – 2 October 1765 – entry 3

PC Register Citation **George III v.4 (1 October 1764 – 27 August 1766)**
p.366: PC 2/111/366

[view](#)

APC Citation v.4 [629] p.740 – 3 October 1765 – entry 1 (The APC lists these entries separately.)

PC Register Citation **George III v.4 (1 October 1764 – 27 August 1766)**
p.370: PC 2/111/370

[view](#)

APC Citation v.4 [629] p.740 – 15 November 1765 – entry 2

PC Register Citation **George III v.4 (1 October 1764 – 27 August 1766)**
p.406–407: PC 2/111/406–407

[view](#)

Colonial Courts

Supreme Court – October term 1764

Lieutenant-Governor and Council (an order denying an appeal to the Governor and Council)

Participants

Charles, Robert (agent for New York)

Cunningham, Waddell

Forsey, Thomas

Description

Action of trespass, assault and battery

Disposition

Final resolution not stated in *Acts of the Privy Council, Colonial Series*

Notes

APC, v.4 [629] p.740, discusses the timing of an alteration in the article of instructions to the Governor pertaining to the admission of appeals

pending the resolution of *Cunningham v Forsey*. Conflicting interpretations of the article and actions thereon by the acting Governor had roused fears of an abrogation of jury trial. The article was clarified, confirming that only appeals ‘in error’ could be heard by the Governor and Council. See Smith’s treatment for detail.

References in Smith, *Appeals to the Privy Council*

Table of Cases (*Cunningham v Forsey*) (extensive discussion)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 17 July 1765 – PC 1/51/56	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [667] p.403	view_APC
TNA Document	Petition of R. Charles – 14 Sept. 1765 – PC 1/51/56	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [676] p.419	view_APC
TNA Document	Representation of the Board of Trade – 24 Sept. 1765 – PC 1/51/56	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [676] p.419	view_APC
TNA Document	Report of the Attorney General and Solicitor General – 2 Nov. 1765 – PC 1/51/56	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [676] p.419–420	view_APC
TNA Document	Committee report on the instructions – 19 Nov. 1765 – PC 1/51/56	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [676] p.420	view_APC
TNA Document	Report of the Board of Trade – 22 Nov. 1765 – PC 1/51/56	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [676] p.420	view_APC

Other Documents

Document See the printed pamphlet: *Forsey v Cunningham*.

Report

Report No. 08_1773_00 Van Rensselaer v Jackson

New York

Case Name Short Van Rensselaer v Jackson

Case Name Long John Van Rensselaer v James Jackson, Thomas Williams, Harme van Hoesen, William W., Cornelius, and Volckert G. Vandenberg, Anthony van Tevere, and Dirk Bradt van Schoenhoven

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [240] p.358 – 15 January 1773 – entry 1

PC Register Citation George III v.10 (January 1773 – April 1774) p.18–19:
PC 2/117/18–19

[view](#)

APC Citation v.5 [240] p.358 – 31 March 1773 – entry 2

PC Register Citation George III v.10 (January 1773 – April 1774) p.118,
127: PC 2/117/118, 127

[view](#)

Colonial Courts

Superior Court – 23 June 1763

Governor and Council – 19 June 1770

Participants

Jackson, James

van Hoesen, Harme (lessor of James Jackson)

van Rensselaer, John

van Schoenhoven, Dirk Bradt (lessor of James Jackson)

van Tevere, Anthony (lessor of James Jackson)

Vandenberg, Cornelius (lessor of James Jackson)

Vandenberg, Volckert G. (lessor of James Jackson)

Vandenberg, William W. (lessor of James Jackson)

Williams, Thomas (lessor of James Jackson)

Description

Land dispute in the county of Albany

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Order of reference of the petition of James Jackson for dismissal – 15 Jan. 1773 – PC 1/60/10	view_Doc
Catalogued as	Catalogued by TNA: Order referring to committee the petition of James Jackson and others for dismissing the appeal of John Van Rensselaer; 27 Mar. read at committee and dismissed for non-prosecution	
TNA Document	Committee report – 27 Mar. 1773 – PC 1/55/72	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [907] p.539	view_APC

Report

Report No. 09_1729_00

Gale v Everard

North Carolina

Case Name Short Gale v Everard Not a 'true' appeal.

Case Name Long Christopher Gale v Sir Richard Everard, Baronet

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [182] p.247 – 26 June 1729 – entry 1

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.15: PC
2/91/15

[view](#)

APC Citation v.3 [182] p.247 – 17 July 1729 – entry 2

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.27: PC
2/91/27

[view](#)

APC Citation v.3 [182] p.247 – 17 July 1729 – entry 3

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.27: PC
2/91/27

[view](#)

APC Citation v.3 [182] p.248 – 31 July 1729 – entry 4

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.39: PC
2/91/39

[view](#)

APC Citation v.3 [182] p.248 – 23 October 1729 – entry 5

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.66–67:
PC 2/91/66–67

[view](#)

APC Citation v.3 [182] p.248 – 19 November 1729 – entry 6

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.85: PC
2/91/85

[view](#)

Colonial Courts

Admiralty Court

Court of Chancery – 31 March 1729 (not clear if this is related to the
Gale matter in Admiralty)

Participants

Duke of Newcastle

Everard, Sir Richard, Baronet, Governor

Gale, Christopher, Chief Justice of North Carolina

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

According to the footnote on p.lvii of Parker, *North Carolina Higher-Court 1724–1730*, despite his petition for leave to appeal, “Gale does not proceed further with the matter.”

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 09_1773_00

Nash v Dobbs

North Carolina

Case Name Short Nash v Dobbs

Case Name Long Abner Nash v Conway Richard Dobbs and Edward Brice
Dobbs

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [243] p.359 – 26 March 1773 – entry 1

PC Register Citation George III v.10 (January 1773 – April 1774) p.103: PC [view](#)
2/117/103

APC Citation v.5 [243] p.359 – 28 July 1773 – entry 2

PC Register Citation George III v.10 (January 1773 – April 1774) p.258: PC [view](#)
2/117/258

APC Citation v.5 [243] p.359 – 20 May 1774 – entry 3

PC Register Citation George III v.11 (May 1774 – May 1775) p.48–55, 77: [view](#)
PC 2/118/48–55, 77

Colonial Courts

Chancery – 16 January 1771

Participants

Dobbs, Arthur, deceased former Governor and father of the Dobbs brothers

Dobbs, Conway Richard, esquire, of Ireland (son of Arthur Dobbs)

Dobbs, Edward Brice, esquire, of Ireland (son of Arthur Dobbs)

Gregg, Frederick (attorney for Dobbs brothers in Carolina)

Nash, Abner, attorney (husband of Justina Dobbs Nash)

Nash, Justina Dobbs (widow of Arthur Dobbs and wife of Abner Nash)

Smith, Samuel (agent of testator in London)

Tryon, William, Governor

Description

Not stated in the *APC*. Inheritance dispute according to Committee report.

Disposition

Reversed

Notes

Arthur Dobbs served as Governor of the colony, 1754 – 1765 (commissioned 1753).

Abner Nash served as Governor of the state, 1780–1781.

Justina Dobbs is the stepmother of Conway and Edward Dobbs.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 12 May 1774 – PC 1/56/74A	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [928] p.555	view_APC

Report

Report No. 09_1774_00

Appeal of Casey

North Carolina

Case Name Short Casey, appeal of

Case Name Long George Casey, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [301] p.400 – 6 July 1774 – entry 1

PC Register Citation George III v.11 (May 1774 – May 1775) p.184–185:
PC 2/118/184–185

[view](#)

Colonial Courts

Vice Admiralty Court of North Carolina – 16 July 1773

Participants

Casey, George, master of the *Hope*

Dry, William, collector of customs for the port of Brunswick

Vessels

Hope (ship)

Description

Condemnation of vessel and cargo at instance of customs officer

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 10_1712_00

Appeal of Macarell

Pennsylvania

Case Name Short Macarell, appeal of

Case Name Long John Macarell, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1165] p.664 – 17 July 1712 – entry 1

PC Register Citation Anne v.5 (2 June 1710 – 28 July 1712) p.447: PC
2/83/447

[view](#)

APC Citation v.2 [1165] p.664 – 9 November 1713 – entry 2

PC Register Citation Anne v.6 (18 August 1712 – 31 July 1714) p.268–269:
PC 2/84/268–269

[view](#)

APC Citation v.2 [1165] p.664 – 9 November 1713 – entry 3

PC Register Citation Anne v.6 (18 August 1712 – 31 July 1714) p.269: PC
2/84/269

[view](#)

APC Citation v.2 [1165] p.664 – 17 December 1713 – entry 4

PC Register Citation Anne v.6 (18 August 1712 – 31 July 1714) p.293: PC
2/84/293

[view](#)

APC Citation v.2 [1165] p.664–665 – 14 January 1714 – entry 5

PC Register Citation Anne v.6 (18 August 1712 – 31 July 1714) p.303–304:
PC 2/84/303–304

[view](#)

APC Citation v.2 [1165] p.665 – 17 January 1714 – entry 6

PC Register Citation Anne v.6 (18 August 1712 – 31 July 1714) p.319: PC
2/84/319

[view](#)

Colonial Courts

Court of Common Pleas or County Court

Participants

Finlay, Robert, merchant, of London

Fitzgerald, Andrew, master of the *St. John Baptist*

Macarell, John (owner of the *St. John Baptist*)

Parks, Thomas, later master of the *St. John Baptist* (according to *APC*,
v.6 [244] p.101)

Penn, Mr.

Shaw, Robert, merchant, of London

Vessels

St. John Baptist (ship) aka the *Society* of Dublin

St. Joseph (ship)

Description

Seizure and condemnation

Disposition

Restitution of the two vessels

References in Smith, *Appeals to the Privy Council*

Table of Cases (Macarell, John, Appeal of, also Macarell v Penn and Macarell v Parkes)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Petition – no date – PC 1/47/14	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [244] p.101	view_APC
TNA Document	Order of reference – 17 July 1712 – PC 1/47/14	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [244] p.101	view_APC
TNA Document	Summons – Nov. 1713 – PC 1/58/1	view_Doc
Catalogued as	Catalogued by TNA: Affidavit for serving orders and summons on William Penn in appeal in Macarell v Parkes and others, for illegal condemnation of the <i>St. John the Baptist</i> and the sloop <i>St. Joseph</i> in Pennsylvania. 3 papers. (This is one of the three papers.)	
TNA Document	Notice – 17 Dec. 1713 – PC 1/58/1	view_Doc
Catalogued as	Catalogued by TNA: Affidavit for serving orders and summons on William Penn in appeal of Macarell v Parkes and others, for illegal condemnation of the <i>St. John the Baptist</i> and the sloop <i>St. Joseph</i> in Pennsylvania. 3 papers. (This is one of the three papers.)	
TNA Document	Affidavit – Jan.1713/14 – PC 1/58/1	view_Doc
Catalogued as	Catalogued by TNA: Affidavit for serving orders and sumons on William Penn in appeal of Macarell v Parkes and others, for illegal condemnation of the <i>St. John the Baptist</i> and the sloop <i>St. Joseph</i> in Pennsylvania. 3 papers. (This is one of the three papers.)	

TNA Document	Petition – read 14 Jan. 1713/14 – PC 1/58/1	view_Doc
Notes	Found in bundle but not expressly catalogued by TNA.	
TNA Document	Correspondence – 14 Jan. 1713/14 – PC 1/58/1	view_Doc
Notes	Found in bundle but not expressly catalogued by TNA.	

Report

Report No. 10_1720_00

Appeal of Clement

Pennsylvania

Case Name Short Clement, appeal of Not a 'true' appeal.

Case Name Long Simon Clement's appeal on behalf of William Penn's widow

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1330] p.771 – 8 January 1720 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.372: [view](#)
PC 2/86/372

Colonial Courts

None

Participants

Clement, Simon

Penn, Mrs. William (widow of William Penn)

Penn, William (deceased husband of Mrs. Penn)

Description

Objection to a proposed act in Pennsylvania

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Not an appeal from a decision of a colonial court but a request for disallowance of an act sent to England for approval

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 10_1736_00

Appeal of Evans

Pennsylvania

Case Name Short Evans, appeal of

Case Name Long Peter Evans, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [381] p.507 – 16 June 1736 – entry 1

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.482–483: PC 2/93/482–483

[view](#)

APC Citation v.3 [381] p.507 – 19 May 1737 – entry 2

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)

p.47, 91, 223–224, 227–228: PC 2/94/47, 91, 223–224, 227–228

[view](#)

Colonial Courts

Court of Common Pleas – Philadelphia – decision date not stated –
information filed in December term 1735

Participants

Bedford, Grosvenor, gentleman, Collector of His Majesty's Customs at
the Port of Philadelphia

Evans, Peter, gentleman, Deputy Collector of the Customs

Reed, Daniel, master of the *Hope*

Vessels

Hope (ship)

Description

Customs dispute

Disposition

Dismissed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 10_1765_01

Fothergill v Stover

Pennsylvania

Case Name Short Fothergill v Stover

Case Name Long John Fothergill, Daniel Zachary, Thomas How, Devereux
Bowley, Luke Hind, Jacob Hagen, Silvanus Grove and
William Heron v Christian Stover

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [587] p.698–699 – 1 February 1765 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.83, 199–200: PC 2/111/83, 199–200

[view](#)

APC Citation v.4 [587] p.699 – 13 February 1767 – entry 2

PC Register Citation George III v.5 (August 1766 – January 1768) p.126,
167: PC 2/112/126, 167

[view](#)

Colonial Courts

Supreme Court – 15 April 1763

Participants

Bowley, Devereux (trustee of the Pennsylvania Land Company)

Fothergill, John (trustee of the Pennsylvania Land Company)

Grove, Silvanus (trustee of the Pennsylvania Land Company)

Hagen, Jacob (trustee of the Pennsylvania Land Company)

Heron, William (trustee of the Pennsylvania Land Company)

Hind, Luke (trustee of the Pennsylvania Land Company)

How, Thomas (trustee of the Pennsylvania Land Company)

Stover, Christian

Zachary, Daniel (trustee of the Pennsylvania Land Company)

Description

Land (action of ejectment) in dispute in township of Lampiter in
Lancaster County

Disposition

Dismissed

Notes

On the ejectment action involved here, see Additional Research.

Andrews, *Guide to Manuscript Materials*, p.167, refers to the case as Pennsylvania Land Co. v Stover. The New York Public Library catalogue notes: “The claim of the respondent is to 500 acres of land situate in Lancaster County, Pennsylvania on Connestogoe Creek: being part of the

original grant of land by the Proprietors. There are 3 engraved survey maps in the body of this document and a large detached map of such portions of Pennsylvania, Maryland and Virginia and the bays of Delaware and Chesapeake as are next adjacent.” Several of the holding libraries here note a separate map. These maps have not been compared with each other. For a fascinating history of the separate map (variously described by the holding libraries), see Wainwright, “Tale of a Runaway Cape.”

References in Smith, *Appeals to the Privy Council*

Table of Cases (Fothergill v Stover)

DOCUMENTATION

Printed Cases

- | | | |
|--------------------------|---|--------------|
| Appellant's case | Case of the appellant (Fothergill) | |
| Counsel | [Signed] C. Yorke; Wm. Wynne | |
| Note | Appendix to case of the appellant | |
| Library | British Library: (Hardwicke Papers) Additional Manuscripts 36220 f.73–74 (Includes manuscript notes and appendix, f.75–76) | view |
| Library | Law Library of Congress: Rare Books – Law Library Reading Room – KD379.F68 J64 1766 (Includes appendix) | |
| Library | Wisconsin Historical Society: Historical Society Library Pamphlets in Rare Book – 77–293b Super Oversize (Includes appendix) | |
| Respondent's case | Case of the respondent (Stover) | ESTC: N63621 |
| Counsel | [Signed] W. DeGrey; Fl. Norton | |
| Note | The respondent's case is titled as follows: Pennsylvania. Timothy Peaceable (upon the demise of John Fothergill . . .) appellant and Christian Stover, respondent. | |
| Library | British Library: (Hardwicke Papers) Additional Manuscripts 36220 f.77–79 (Includes manuscript notes) (Noted in ESTC? No.) | view |
| Library | Historical Society of Pennsylvania: *Am 1766 Sto Ap766 P41 (Local note indicates that the Historical Society of Pennsylvania copy is in the Library Company of Philadelphia.) (Noted in ESTC? Yes.) | |
| Library | Huntington Library: Rare Books – 181096 (Noted in ESTC? Yes.) | |
| Library | John Carter Brown Library: MD 86 (Noted in ESTC? Yes.) | |
| Library | Law Library of Congress: Rare Books – Law Library Reading Room – KD379.F68 S76 1766 LL Trials (2 copies) (Noted in ESTC? | |

- No.)
- Library Library Company of Philadelphia: Rare *Am 1766 Sto 6477.F
(Noted in ESTC? Yes.)
- Library Maryland State Archives: Special Collections – Accessions No.
MSA SC 1399–1–486 Location: B5/05/05/19 (Includes separate
map) (Noted in ESTC? No.)
- Library New York Public Library. Schwarzman Building: Rare Book
Collection *KF+++ 1766 (Stover, C. Pennsylvania) (Includes [view](#)
separate map) (Noted in ESTC? No.)
- Library New York State Library: 342.7480231 fD321 203–8024 – 1 BOOK
– F N (Noted in ESTC? No.)
- Library Private Collection (Noted in ESTC? No.)
- Library State Library of Pennsylvania: Forum – Rare Books – Flat – 346
St76p 1766 (2 copies, one includes notes) (Noted in ESTC? No.) [view](#)
- Library University of Delaware. Morris Library: Special Collections F
157.B7 W357 (Includes separate map) (Noted in ESTC? Yes.)
- Library University of Michigan. William L. Clements Library: FF 1766 Wa
(2.3) (Includes separate map. One word written in the margin of the
map is crossed out and illegible.) (Noted in ESTC? No.)
- Library Wisconsin Historical Society: Historical Society Library Pamphlets
in Rare Book – 77–292 Super Oversize (Noted in ESTC? No.)
- Library Yale University. Sterling Memorial Library: Franklin Collection,
Room 230, 766+St7 (Noted in ESTC? No.)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

- Document** See Dallas, *Reports 1* (1 U.S. [1 Dall.]), p.6 (Pa. 1763): Lessee
of Fothergill and others versus Christian Stover.

Report

Report No. 10_1765_02

McMurterie v Browne

Pennsylvania

Case Name Short **McMurterie v Browne**

Case Name Long **David McMurterie and William McMurterie v John Browne and Obadiah Browne**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [609] p.724 – 29 May 1765 – entry 1

PC Register Citation **George III v.4 (1 October 1764 – 27 August 1766)**
p.95, 212; PC 2/111/95, 212

[view](#)

APC Citation v.4 [609] p.724 – 26 July 1765 – entry 2

PC Register Citation **George III v.4 (1 October 1764 – 27 August 1766)**
p.277, 307; PC 2/111/277, 307

[view](#)

Colonial Courts

Supreme Court – 21 April 1763

Participants

Browne, John

Browne, Obadiah

McMurterie, David, merchant, of Philadelphia county

McMurterie, William, merchant, of Philadelphia county

Vessels

Providence (brigantine)

Description

Insurance dispute

Disposition

Dismissed

Notes

Andrews, *Guide to Manuscript Materials*, p.166, states that the case contains much information about the commerce of Philadelphia at this time.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Browne v McMurterie)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (McMurterie)

Counsel [Signed] Wm. DeGrey; Rd. Jackson

Note Appendix to the case of the appellant

Library British Library: (Hardwicke Papers) Additional Manuscripts 36219 [view](#)
f.227–228 (Includes appendix, f.229–233)**Respondent's case** Case of the respondent (Browne)

Counsel [Signed] C. Yorke; R. Perryn

Library British Library: (Hardwicke Papers) Additional Manuscripts 36219 [view](#)
f.234–235 (Includes manuscript notes)**Privy Council Documents in PC 1 at The National Archives at Kew****TNA Document** Committee report – 16 July 1765 – PC 1/51/56 [view_Doc](#)Notes Referenced in *APC*, v.6 [667] p.403 [view_APC](#)

Report

Report No. 10_1766_01

Long v Harper

Pennsylvania

Case Name Short Long v Harper

Case Name Long John Long and William Plumstead v Thomas Harper and
John Nixon and Co.

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [639] p.745 – 10 February 1766 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.476–477, 546: PC 2/111/476–477, 546

[view](#)

APC Citation v.4 [639] p.745 – 26 June 1767 – entry 2

PC Register Citation George III v.5 (August 1766 – January 1768) p.314–
315, 355–356: PC 2/112/314–315, 355–356

[view](#)

Colonial Courts

Supreme Court – 25 April 1765

Participants

Harper, Thomas (owner of the *Molly*)

Long, John, merchant, of Philadelphia

Nixon, John (owner of the *Molly*)

Plumstead, William, merchant, of Philadelphia

Sparkes, James, master of the *Molly*

Vessels

Molly (ship)

Description

Charter party dispute

Disposition

Affirmed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Nixon and Harper v Long and Plumstead)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Long)

Counsel [Signed] C. Yorke; R. Perryn

Note Appendix to the case of the appellant
Library British Library: (Hardwicke Papers) Additional Manuscripts 36220 f.105–106 (Includes manuscript notes and appendix, f.107–108) [view](#)

Respondent's case Case of the respondent (Harper)

Counsel [Signed] Wm. DeGrey; Rd. Jackson

Note Appendix to the case of the respondent

Library British Library: (Hardwicke Papers) Additional Manuscripts 36220 f.109–110 (Includes appendix, f.111–114) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 10 June 1767 – PC 1/53/60 [view_Doc](#)

Notes Referenced in *APC*, v.6 [761] p.453–454 [view_APC](#)

Other Documents

Document See Dallas, *Reports 1* (1 U.S. [1 Dall.]), p.6 (Pa. 1762): Nixon and Harper versus Long and Plumstead.

Report

Report No. 10_1766_02

Crawford v Hawker

Pennsylvania

Case Name Short Crawford v Hawker

Case Name Long Patrick Crawford (representing James Crawford) and
Charles Smith v James Hawker

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [8] p.18 – 15 October 1766 – entry 1

PC Register Citation George III v.5 (August 1766 – January 1768) p.64–65:
PC 2/112/64–65 [view](#)

APC Citation v.5 [8] p.18 – 3 February 1772 – entry 2

PC Register Citation George III v.9 (January – December 1772) p.62: PC
2/116/62 [view](#)

APC Citation v.5 [8] p.18 – 22 April 1772 – entry 3

PC Register Citation George III v.9 (January – December 1772) p.148, 173:
PC 2/116/148, 173 [view](#)

Colonial Courts

Vice Admiralty Court – Philadelphia – 8 October 1765

Participants

Crawford, James (brother, presumed deceased, of Patrick Crawford and
owner of the *Chance* and part of its cargo)

Crawford, Patrick (brother and executor of James Crawford)

Hawker, James, commander of HMS *Sardoine*

Ruecastle, Robert (replacement for Patrick Crawford as representative for
James Crawford)

Smith, Charles (owner of part of cargo of the *Chance*)

Vessels

Chance (ship)

HMS *Sardoine*

Description

Condemnation for illegal trade

Disposition

Dismissed for non-prosecution

Notes

Cited in the *APC*, v.6 [874] p.507, as Ruecastle and Smith v Hawker.

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 8 Apr. 1772 – PC 1/55/68	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [874] p.507	view_APC

Report

Report No. 10_1770_01

**Swift v Jones
Swift v Hawkins
Swift v Mitchell**

Pennsylvania

Case Name Short Swift v Jones
Swift v Hawkins
Swift v Mitchell

Case Name Long John Swift v Henry Jones and Robert Smith
John Swift v George Hawkins and John Moore
John Swift v Abraham Mitchell and Thomas Lightfoot

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [158] p.276 – 6 July 1770 – entry 1

PC Register Citation George III v.7 (May 1769 – December 1770) p.450–
451, 692–693; PC 2/114/450–451, 692–693 [view](#)

APC Citation v.5 [158] p.276 – 31 December 1773 – entry 2

PC Register Citation George III v.10 (January 1773 – April 1774) p.323–
324 *recte* 383–384, 383–385 *recte* 384–385, 393–394;
PC 2/117/323–324 *recte* 383–384, 383–385 *recte* 384–
385, 393–394 [view](#)

PC Register Note The reference in the *APC* to p.323–324 is incorrect;
p.383–385 contain 3 committee reports, one on p.383–
384, one on p.384, and one on p.385.

Colonial Courts

Supreme Court – April 1768

Participants

Hawkins, George

Jones, Henry

Lightfoot, Thomas

Mitchell, Abraham

Moore, John

Smith, Robert

Swift, John, deputy collector of customs at Philadelphia

Vessels

Abbey (snow)

Description

Foreign duties on imports

Disposition

All reversed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Smith v Jones; Smith v Hawkins; Smith v Mitchell)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 10_1770_02

Pike v Hoare

Pennsylvania

Case Name Short Pike v Hoare

Case Name Long Samuel Pike v Samuel Hoare and Nathaniel Newberry

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [161] p.280 – 19 September 1770 – entry 1

PC Register Citation George III v.7 (May 1769 – December 1770) p.488–489: PC 2/114/488–489

[view](#)

APC Citation v.5 [161] p.280 – 30 November 1770 – entry 2

PC Register Citation George III v.7 (May 1769 – December 1770) p.605–606: PC 2/114/605–606

[view](#)

APC Citation v.5 [161] p.281 – 20 December 1770 – entry 3

PC Register Citation George III v.7 (May 1769 – December 1770) p.694–695: PC 2/114/694–695

[view](#)

APC Citation v.5 [161] p.281 – 14 June 1771 – entry 4

PC Register Citation George III v.8 (January – December 1771) p.261–262, 274–275: PC 2/115/261–262, 274–275

[view](#)

Colonial Courts

Chancery – London – 1757 (dismissed 1763)

Supreme Court – 30 March 1769

Participants

Hoare, Samuel, merchant, of London (executor of Richard Pike)

Newberry, Nathaniel, merchant, of London (executor of Richard Pike)

Pike (Pyke), Richard of Stoke Newington (deceased brother of Samuel Pike)

Pike (Pyke), Samuel, merchant, of London and late of Cork (brother and executor of Richard Pike)

Description

Land dispute/inheritance

Disposition

Dismissed for non-prosecution

References in Smith, *Appeals to the Privy Council*

Table of Cases (Pike v Hoare)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 14 June 1771 – PC 1/60/9 [view_Doc](#)

Catalogued as Catalogued by TNA: Committee report for dismissing
 appeal Pyke v Hoare for non-prosecution: read and
 approved

Report

Report No. 10_1773_00

Styles v Kirkbride

Pennsylvania

Case Name Short Styles v Kirkbride

Case Name Long James Styles v Joseph Kirkbride and Thomas Riche

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [278] p.389 – 10 December 1773 – entry 1

PC Register Citation George III v.10 (January 1773 – April 1774) p.343,
351–352: PC 2/117/343, 351–352

[view](#)

APC Citation v.5 [278] p.389 – 21 June 1775 – entry 2

PC Register Citation George III v.12 (June 1775 – May 1776) p.32–33: PC
2/119/32–33

[view](#)

APC Citation v.5 [278] p.389 – 30 April 1777 – entry 3

PC Register Citation George III v.13 (June 1776 – May 1777) p.422, 476:
PC 2/120/422, 476

[view](#)

Colonial Courts

Superior Court – 10 April 1773

Participants

Hurst, Timothy, presumed deceased

Kirkbride, Joseph

Riche, Thomas

Styles, James

Description

Land dispute in Buckingham county, Pennsylvania

Disposition

Leave given to withdraw the appeal on paying costs to the respondents

References in Smith, *Appeals to the Privy Council*

Table of Cases (Styles v Kirkbride)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee order for hearing the appeal – 21 June 1775 – PC 1/60/10/1 [view_Doc](#)

Catalogued as Catalogued by TNA: Committee order for hearing the
appeal Styles v Kirkbride in Jan. 1776

Report

Report No. 10_1774_00

**Sheipers v Logan
(Thrustout v Logan)**

Pennsylvania

Case Name Short Thrustout v Logan
Sheipers v Logan

Case Name Long Timothy Thrustout on the demise of Peter Henry
Sheipers v James Logan

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [309] p.404 – 19 December 1774 – entry 1

PC Register Citation George III v.11 (May 1774 – May 1775) p.318: PC
2/118/318

[view](#)

APC Citation v.5 [309] p.404 – 23 January 1775 – entry 2

PC Register Citation George III v.11 (May 1774 – May 1775) p.352–353,
375–376: PC 2/118/352–353, 375–376

[view](#)

Colonial Courts

Supreme Court – 20 April 1773

Participants

Logan, James, gentleman, of Philadelphia county
Sheipers, Peter Henry
Thrustout, Timothy

Description

Land (action of ejectment, according to the Privy Council register)
concerning 50 acres of woodland

Disposition

Dismissed for non-prosecution

Notes

There can be little doubt that Timothy Thrustout and the lease to him are fictional. For more on the ejectment action involved here, see [Additional Research](#).

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 12 Jan. 1775 – PC 1/60/10/1 [view_Doc](#)
Catalogued as Catalogued by TNA: Committee report for dismissing
the appeal Thrustout v Logan for non-prosecution; 23
Jan. read and approved

Report

Report No. 11_1698_00

Peirce v Willie

Rhode Island

Case Name Short Peirce v Willie

Case Name Long Daniel Peirce et al v Edmund and Margaret Willie and
Richard and Judith Hancock

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [712] p.324 – 16 July 1698 – entry 1

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.205:
PC 2/77/205

[view](#)

APC Citation v.2 [712] p.324 – 2 September 1698 – entry 2

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.223:
PC 2/77/223

[view](#)

Colonial Courts

Unnamed – Newport

Participants

Brown, Benjamin, esquire, in New England

Brown, William, esquire, in New England

Hancock, Judith (wife of Richard Hancock)

Hancock, Richard (husband of Judith Hancock)

Peirce, Daniel (tenant of William Brown and Benjamin Brown)

Willie, Edmund (husband of Margaret Willie)

Willie, Margaret (wife of Edmund Willie)

Description

Land dispute related to Prudence Island in New England

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

References in Smith, *Appeals to the Privy Council*

Table of Cases (Peirce v Willie)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1699_00

Brinley v [Dyer]

Rhode Island

Case Name Short Brinley v [Dyer]

Case Name Long Francis Brinley v ____ [Dyer]

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [732] p.328 – 23 February 1699 – entry 1

CSP Citation XII no. 122

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.302:
PC 2/77/302

[view](#)

APC Citation v.2 [732] p.328 – 27 April 1699 – entry 2

CSP Citation XII no. 315

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.331:
PC 2/77/331

[view](#)

Colonial Courts

Unnamed

Participants

Brinley, Francis, merchant
[Dyer], ____

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Referred to the Board of Trade; no decision on the merits, but the Order in Council adds “that in all such cases the Governor and Company of the Colony of Rhode Island do take notice that it is the Inherent Right of His Majesty to Receive and Determine Appeals from all His Majestys Colonies in America; and that they do Govern themselves accordingly.”

References in Smith, *Appeals to the Privy Council*

Table of Cases (Brinley v Dyer)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1705_01

Appeal of Harris

Rhode Island

Case Name Short Harris, appeal of

Case Name Long Andrew Harris, Thomas Field and Nathaniel Waterman,
appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [980] p.495 – 29 November 1705 – entry 1

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.21:
PC 2/81/21 [view](#)

APC Citation v.2 [980] p.495 – 15 December 1705 – entry 2

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.44:
PC 2/81/44 [view](#)

APC Citation v.2 [980] p.495 – 18 December 1705 – entry 3

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.47:
PC 2/81/47 [view](#)

APC Citation v.2 [980] p.495 – 13 March 1707 – entry 4

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.315–316: PC 2/81/315–316 [view](#)

APC Citation v.2 [980] p.495 – 11 June 1707 – entry 5

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.380: PC 2/81/380 [view](#)

APC Citation v.2 [980] p.495 – 12 June 1707 – entry 6

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708)
p.383: PC 2/81/383 [view](#)

Colonial Courts

Unnamed

Participants

Chamberlain, John

Field, Thomas of Patuxent

Harris, Andrew of Patuxent

Waterman, Nathaniel of Patuxent

Description

Land

Disposition

Dismissed because of improper parties

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 11 June 1707 – PC 1/46/9	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [175] p.57	view_APC

Report

Report No. 11_1705_02

Appeal of Newton

Rhode Island

Case Name Short Newton, appeal of

Not a 'true' appeal.

Case Name Long Thomas Newton, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [987] p.497 – 20 December 1705 – entry 1

PC Register Citation Anne v.3 (11 October 1705 – 29 February 1708) p.59:
PC 2/81/59

[view](#)

Colonial Courts

Proceedings in colonial court unclear

Participants

Newton, Thomas, mariner

Description

Land

Disposition

Referred to the Board of Trade; no further disposition stated in the *APC*

Notes

This is a title dispute with reference to Hog Island. The petition of Thomas Newton requests a trial in an adjacent province with impartial judges rather than strictly appealing from a judgment. It is not clear from the entry if there had been any trial below. Bilder, *Transatlantic Constitution*, p.77, notes this request.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1709_00

Remington v Brenton

Rhode Island

Case Name Short Remington v Brenton

Case Name Long Stephen Remington v Jahleel Brenton

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1095] p.605 – 9 June 1709 – entry 1

PC Register Citation Anne v.4 (5 March 1708 – 31 May 1710) p.334–335:
PC 2/82/334–335

[view](#)

APC Citation v.2 [1095] p.605 – 14 July 1710 – entry 2

PC Register Citation Anne v.5 (2 June 1710 – 28 July 1712) p.23: PC
2/83/23

[view](#)

APC Citation v.2 [1095] p.605 – 31 July 1710 – entry 3

PC Register Citation Anne v.5 (2 June 1710 – 28 July 1712) p.46: PC
2/83/46

[view](#)

Colonial Courts

General Assembly – Providence – October 1708

Participants

Brenton, Jahleel

Remington, Stephen of James Town in Rhode Island (lessee of William Sandford)

Sandford, William (lessor of Stephen Remington)

Description

Not stated in the *APC*, but see Bilder, *Salamanders and Sons of God*, p.253, for a description of this land case. The underlying dispute was continued a generation later in Brenton v Remington (11_1747_03, *APC*, v.4 [57] p.42).

Disposition

Reversed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Remington v Brenton)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew
Not found

Report

Report No. 11_1718_01

Ford v Hodgson

Rhode Island

Case Name Short Ford v Hodgson

Case Name Long Peter Ford v Daniel Hodgson

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1296] p.743 – 1 July 1718 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.153–154: PC 2/86/153–154 [view](#)

APC Citation v.2 [1296] p.743 – 10 November 1718 – entry 2

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.187: PC 2/86/187 [view](#)

APC Citation v.2 [1296] p.744 – 14 November 1718 – entry 3

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.189: PC 2/86/189 [view](#)

APC Citation v.2 [1296] p.744 – 10 July 1719 – entry 4

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.287–288: PC 2/86/287–288 [view](#)

APC Citation v.2 [1296] p.744 – 25 August 1719 – entry 5

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.306–307: PC 2/86/306–307 [view](#)

Colonial Courts

General Court – March 1717 and September 1717

General Assembly – October 1717

Participants

Ford, Peter of Rotherhithe in Surrey

Hodgson, Daniel, master of the *John*

Vernon, Mr.

Vessels

John (galley)

Description

Dispute over shares of goods in the *John*

Disposition

Order for a new trial

References in Smith, *Appeals to the Privy Council*

Table of Cases (Ford v Hodgson)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1718_02

Carr v Holmes

Rhode Island

Case Name Short Carr v Holmes

Case Name Long Nicholas Carr v John Holmes and Thomas Martin

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1301] p.747 – 27 August 1718 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.174–175: PC 2/86/174–175 [view](#)

APC Citation v.2 [1301] p.747–748 – 15 December 1718 – entry 2

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.194–195: PC 2/86/194–195 [view](#)

APC Citation v.2 [1301] p.748 – 18 November 1719 – entry 3

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.351: PC 2/86/351 [view](#)

APC Citation v.2 [1301] p.748 – 8 January 1720 – entry 4

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.362: PC 2/86/362 [view](#)

Colonial Courts

Unnamed – March 1718 (two special verdicts without judgments entered; perfection of judgments requested by Privy Council)

Participants

Carr, Nicholas (brother-in-law of and administrator for William Holmes)
 Holmes, John (tenant of Nicholas Carr)
 Holmes, William (deceased brother-in-law of Nicholas Carr)
 Martin, Thomas (tenant of Nicholas Carr)

Description

Land dispute in Newport

Disposition

Dismissed

Notes

Bilder, *Salamanders and Sons of God*, p.281 n.64, names party as ‘John’ Martin.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Carr v Holmes)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 18 Nov. 1719 – PC 1/47/16	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [283] p.119	view_APC

Report

Report No. 11_1721_01

Appeal of Owen

Rhode Island

Case Name Short Owen, appeal of

Case Name Long Capt. John Owen, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [20] p.30 – 11 November 1721 – entry 1

PC Register Citation George I v.3 (25 August 1720 – 31 May 1722) p.360:
PC 2/87/360

[view](#)

APC Citation v.3 [20] p.30 – 12 July 1723 – entry 2

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.279:
PC 2/88/279

[view](#)

APC Citation v.3 [20] p.30 – 6 August 1723 – entry 3

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.303–
304: PC 2/88/303–304

[view](#)

Colonial Courts

Admiralty Court of Rhode Island – 18 July 1720 and 1 December 1720

Participants

Owen, Capt. John

Smart, Capt.

Description

Alleged payment due

Disposition

Dismissed without prejudice to prosecuting the appeal in the Court of Admiralty in England

Notes

At issue, payment for freight of 134 slaves

References in Smith, *Appeals to the Privy Council*

Table of Cases (Owen, John, Appeal of)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1721_02

In re The Pearl

Rhode Island

Case Name Short *In re The Pearl*

Case Name Long *In re The Pearl*

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [21] p.30 – 11 November 1721 – entry 1

PC Register Citation George I v.3 (25 August 1720 – 31 May 1722) p.360:
PC 2/87/360

[view](#)

APC Citation v.3 [21] p.30 – 12 July 1723 – entry 2

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.280:
PC 2/88/280

[view](#)

Colonial Courts

Rhode Island Admiralty Court – 6 May 1720

Participants

Allen, Daniel (owner of the *Pearl*)
Clarke, Samuel (owner of the *Pearl*)
Fox, Daniel (owner of the *Pearl*)
Littleton, James (owner of the *Pearl*)
Lowe, Joseph (owner of the *Pearl*)
Smart, Capt.
Tizard, Edward, sen. (owner of the *Pearl*)

Vessels

Pearl (ship)

Description

Condemnation, according to Smith (p.187), as ‘lawful capture’

Disposition

Dismissed without prejudice to the prosecution of an appeal at common law or otherwise

References in Smith, *Appeals to the Privy Council*

Table of Cases (*In re The Pearl*)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1724_00

**Cranston v Jekyll
Jekyll v Cranston**

Rhode Island

Case Name Short Cranston v Jekyll
Jekyll v Cranston

Case Name Long Samuel Cranston v John Jekyll
John Jekyll v Samuel Cranston

Acts of the Privy Council, Colonial Series

[view__APC](#)

APC Citation v.3 [73] p.88 – 22 August 1724 – entry 1

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.617:
PC 2/88/617 [view](#)

APC Citation v.3 [73] p.88 – 2 December 1724 – entry 2

PC Register Citation George I v.5 (September 1724 – May 1727) p.19: PC
2/89/19 [view](#)

APC Citation v.3 [73] p.88 – 20 July 1725 – entry 3

PC Register Citation George I v.5 (September 1724 – May 1727) p.92, 103–
104: PC 2/89/92, 103–104 [view](#)

APC Citation v.3 [73] p.88 – 4 November 1725 – entry 4

PC Register Citation George I v.5 (September 1724 – May 1727) p.122: PC
2/89/122 [view](#)

APC Citation v.3 [73] p.88 – 16 January 1727 – entry 5

PC Register Citation George I v.5 (September 1724 – May 1727) p.297: PC
2/89/297 [view](#)

Colonial Courts

Vice Admiralty Court at Boston

Participants

Cranston, Samuel, Governor

Hyam, Thomas, merchant, of London (attorney or agent for the owners,
freighters, and insurers of the ship *Porto Prince*)

Jekyll, John, Collector of the Customs

Vessels

Porto Prince aka *Elpierto del Principe* (ship)

Description

Condemnation

Disposition

The appeal and cross-appeal are admitted, but the outcome of the hearing

is not stated.

Notes

Smith (p.186) notes that the register indicates in error that an appeal had already been granted to the Lords Commissioners of the Admiralty; in fact it was to the High Court of Admiralty. However, given uncertainties about the jurisdiction of the Vice Admiralty Court, the appellant felt it “more proper to appeal to the King in Council.”

References in Smith, *Appeals to the Privy Council*

Table of Cases (Cranston v Jekyll)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1725_00 MacSparran v Mumford

Rhode Island

Case Name Short MacSparran v Mumford

Case Name Long James MacSparran v George Mumford

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [85] p.118 – 15 May 1725 – entry 1

PC Register Citation George I v.5 (September 1724 – May 1727) p.58: PC
2/89/58

[view](#)

APC Citation v.3 [85] p.118 – 6 July 1725 – entry 2

PC Register Citation George I v.5 (September 1724 – May 1727) p.81, 86:
PC 2/89/81, 86

[view](#)

Colonial Courts

General Court of Trials – Newport – last Tuesday in March 1724

Participants

MacSparran, James

Mumford, George of South Kingstown

Description

Not stated in *Acts of the Privy Council, Colonial Series*, but see Notes below.

Disposition

Dismissed for non-prosecution

Notes

Related to other Privy Council appeals:

Torrey v Mumford – Report No. 11_1733_00 (*APC*, v.3 [293] p.402)

MacSparran v Hassard – Report No. 11_1736_00 (*APC*, v.3 [390] p.518)

All of these Privy Council appeals concern a dispute about glebe land and have overlapping parties. There is an extensive discussion of this dispute in Bilder, *Salamanders and Sons of God*, ch. 6.

MacSparran v Hassard mentions that the March 1724 action in the General Court of Trials for MacSparran v Mumford is a rehearing from the General Court of Trials in Newport on the first Tuesday of September 1723.

References in Smith, *Appeals to the Privy Council*

Table of Cases (McSparran v Mumford)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Petition of G. Mumford to dismiss appeal – May 1725 – PC 1/58/3	view_Doc
Catalogued as	Catalogued by TNA: Petition of George Mumford to dismiss the appeal of James MacSparran	

Report

Report No. 11_1729_01

Wharton v Northrup

Rhode Island

Case Name Short Wharton v Northrup

Case Name Long Eunice Wharton v Stephen, Thomas, Benjamin, Henry jr., and Nicholas Northrup and Lawrence Whaley

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [166] p.214 – 1 February 1729 – entry 1

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.436:
PC 2/90/436

[view](#)

APC Citation v.3 [166] p.214 [166] – 4 March 1730 – entry 2

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.192,
257: PC 2/91/192, 257

[view](#)

APC Citation v.3 [166] p.214–215 – 14 December 1730 – entry 3

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.302–
303: PC 2/91/302–303

[view](#)

APC Citation v.3 [166] p.215 – 23 December 1730 – entry 4

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.305: PC
2/91/305

[view](#)

Colonial Courts

General Court of Trials – Newport – [first Tuesday of September 1727]

General Court of Trials – Newport – first Tuesday of March 1728

Participants

Northrup, Benjamin

Northrup, Henry, Jr.

Northrup, Nicholas

Northrup, Stephen

Northrup, Thomas

Whaley, Lawrence

Wharton, Eunice (widow of William Wharton)

Wharton, William of the parish of St. Bartholomew, Exchange, in
London (deceased husband of Eunice Wharton)

Description

Land (“concerning the right to a Tract of Land,” according to the Privy Council register; “an ejectment action” according to Smith [p.355 n.17])

Disposition

Reversed with a new trial in the General Court, evidence and objections to be taken in writing, with further option to appeal. Bilder, *Salamanders*

and Sons of God, p.288, notes that Wharton lost when the case was retried and, though granted an appeal, Wharton later withdrew it.

Notes

On the original action involved here, see *Additional Research*.

For the background of the case, which seems to have had its origins in a disputed acquisition of land from the Narragansetts in the late 17th century, but also involved a deed given to Wharton's late husband during the Andros administration and the wills of two members of the Wharton family, see Bilder, *Salamanders and Sons of God*, p.283–288.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Wharton v Northrup)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1729_02

Wood v Sanford

Rhode Island

Case Name Short Wood v Sanford

Case Name Long William Wood and John Allen v Samuel Sanford

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [172] p.227 – 26 March 1729 – entry 1

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.467:
PC 2/90/467

[view](#)

APC Citation v.3 [172] p.227 – 31 October 1729 – entry 2

PC Register Citation George II v.2 (1 June 1729 – 16 July 1732) p.69: PC
2/91/69

[view](#)

APC Citation v.3 [172] p.227 – 19 November 1729 – entry 3

PC Register Citation George II v.2 (1 June 1729 – 16 July 1732) p.81, 160,
191: PC 2/91/81, 160, 191

[view](#)

APC Citation v.3 [172] p.227–228 – 3 May 1731 – entry 4

PC Register Citation George II v.2 (1 June 1729 – 16 July 1732) p.379–
380: PC 2/91/379–380

[view](#)

APC Citation v.3 [172] p.228 – 11 May 1731 – entry 5

PC Register Citation George II v.2 (1 June 1729 – 16 July 1732) p.387–
388: PC 2/91/387–388

[view](#)

Colonial Courts

General Court of Trials – Portsmouth – first Tuesday in September 1726

General Court of Trials – Portsmouth – last Tuesday of March 1727 –
rehearing

General Court of Trials – first Tuesday in September 1727 – rehearing

Participants

Allen, John, husbandman, of Newport

Sanford, Samuel of Newport

Wood, William, husbandman, of Newport

Description

Land (declaration in ejectment) in Portsmouth, with detailed explanation
of this inheritance dispute in chapter 5 of Bilder, *Salamanders and Sons
of God*

Disposition

Wood and Allen to be restored to their possession

Notes

For the 'declaration in ejectment' involved here, see Additional Research.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1730_00

Sabere v Sabere

Rhode Island

Case Name Short Sabere v Sabere

Case Name Long Daniel Sabere v Ann Sabere and Deborah Sabere and Mary Sabere

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [210] p.283 – 20 April 1730 – entry 1

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.229, 351, 373: PC 2/91/229, 351, 373

[view](#)

APC Citation v.3 [210] p.283 – 11 May 1731 – entry 2

PC Register Citation George II v.2 (1 June 1729 – 16 June 1732) p.380–381, 388: PC 2/91/380–381, 388

[view](#)

Colonial Courts

General Court of Trials – first Tuesday in September 1729

Participants

Sabere, Ann (widow of John Sabere and mother of Deborah and Mary Sabere)

Sabere, Daniel of Newport

Sabere, Deborah (daughter of John and Ann Sabere)

Sabere, John (deceased husband of Ann Sabere and father of Deborah and Mary Sabere)

Sabere, Mary (daughter of John and Ann Sabere)

Description

Land (action for partition) in Newport. Bilder, *Salamanders and Sons of God*, ch. 5, indicates that the matter arose out of an inheritance dispute.

Disposition

Reversed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Sabeere et al v Sabeere)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1732_00 Brenton v Boreland (1) Rhode Island
Boreland v Brenton
Brenton v Boreland (2)

Case Name Short Brenton v Boreland (1)
 Boreland v Brenton
 Brenton v Boreland (2)

Case Name Long Jahleel Brenton (later Jahleel Brenton, his son and
 executor) v Francis and Jane Boreland
 Francis and Jane Boreland v Jahleel Brenton, son and
 executor of Jahleel Brenton
 Jahleel Brenton, son and executor of Jahleel Brenton, v
 Francis and Jane Boreland

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.3 [266] p.365 – 7 September 1732 – entry 1	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.49: PC 2/92/49	view
APC Citation	v.3 [266] p.365 – 19 July 1733 – entry 2	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.184, 196: PC 2/92/184, 196	view
APC Citation	v.3 [266] p.365 – 31 January 1734 – entry 3	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.308, 309–310, 319, 418–419, 428: PC 2/92/308, 309–310, 319, 418–419, 428	view
APC Citation	v.3 [266] p.365–366 – 11 July 1734 – entry 4	
PC Register Citation	George II v.3 (21 July 1732 – 18 July 1734) p.456–457, 496–497, 519: PC 2/92/456–457, 496–497, 519	view
APC Citation	v.3 [266] p.366 – 3 April 1735 – entry 5	
PC Register Citation	George II v.4 (1 August 1734 – 23 September 1736) p.84, 119, 125–126, 145: PC 2/93/84, 119, 125–126, 145	view
APC Citation	v.3 [266] p.366 – 13 October 1736 – entry 6	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.2–3: PC 2/94/2–3	view
APC Citation	v.3 [266] p.366 – 12 January 1738 – entry 7	
PC Register Citation	George II v.4 <i>recte</i> 5 (1 October 1736 – 4 September 1738) p.343–345, 367: PC 2/93 <i>recte</i> 94/343–345, 367	view

Colonial Courts

Inferior Court – Newport – 6 April 1731

Superior Court – Newport – first Tuesday in September 1731
 Inferior Court – June 1732
 Superior Court – Newport – first Tuesday of September 1732
 Governor and General Assembly – 15 June 1733
 Superior Court – 2 September 1735

Participants

Boreland, Francis of Boston in Massachusetts (husband of Jane Boreland)
 Boreland, Jane of Boston in Massachusetts (wife of Francis Boreland)
 Brenton, Jahleel (deceased father of Jahleel Brenton)
 Brenton, Jahleel (son and executor of Jahleel Brenton)

Description

Appeals from two actions of account, arising, according to Bilder, *Salamanders and Sons of God*, p.369–370, out of an inheritance of land by tenants-in-common.

Disposition

The appeal by Brenton in 1732 was dismissed for non-prosecution. In 1734, his executor was permitted to appeal again, but no further proceedings on this appeal have been found. In the spring of 1735, the judgments of September of 1732 and June of 1733 in the second case were reversed in favor of the Borelands, with Brenton left to proceed on the merits in Superior Court. A subsequent appeal by Brenton from the Superior Court's judgment in September of 1735 reinstating the judgment of June 1732 in favor of the Borelands was dismissed in January of 1738.

Notes

The account in the *APC* of these appeals is cryptic to the point of obscurity. On the basis of the Privy Council registers, Bilder's treatment in *Salamanders and Sons of God*, p.369–370, and the respondent's brief in Brenton's appeal from the Superior Court judgment of September 1735, we have constructed the account that appears above. We think we have accounted for all the colonial court proceedings and all the appeals. What remains unaccounted for is the relationship between the two original actions of account in Rhode Island. The second was a claim for one-seventh of the revenues from 2465 acres of land in South Kingston from November of 1711 to September of 1725, during the period when Jane Boreland was unmarried. No specifics are given about first claim, except that it, too, deals with the period when Jane was unmarried. It probably dealt with another piece of land, but of this we cannot be sure. The end result would seem to have been that Brenton's estate owed the Borelands £800 plus a substantial amount of costs.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Brenton v Boreland; Boreland v Brenton)

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant (Brenton)

Note Not found

Respondent's case Case of the respondent (Boreland) ESTC: N67012

Counsel [Signed] D. Ryder; W. Murray

Library John Carter Brown Library: bD737.B731r (Includes manuscript notes. John Carter Brown gives the date of the printed case as view 1737.) (Noted in ESTC? Yes.)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1733_00

Torrey v Mumford

Rhode Island

Case Name Short Torrey v Mumford

Case Name Long Joseph Torrey v George Mumford

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [293] p.402 – 20 December 1733 – entry 1

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.281, 489, 504: PC 2/92/281, 489, 504

[view](#)

APC Citation v.3 [293] p.402–404 – 16 July 1734 – entry 2

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.527–529: PC 2/92/527–529

[view](#)

APC Citation v.3 [293] p.404 – 18 July 1733 *recte* 1734 – entry 3

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.537–538: PC 2/92/537–538

[view](#)

Colonial Courts

Inferior Court of Common Pleas – last Tuesday in June 1732

Superior Court – first Tuesday of September 1732

Superior Court – Newport – last Tuesday in March 1733

Participants

Bundy, James

Hull, John

Miles, Rev. Mr. Samuel, Presbyterian minister

Mumford, George

Smith, John, surveyor

Torrey, Joseph, Presbyterian minister, of South Kingstown in King's County

Description

Land (trespass and ejectment) called the Petaquamsent (Petaquamset) purchase

Disposition

Reversed

Notes

Related to other Privy Council appeals:

MacSparran v Mumford – Report No. 11_1725_00 (*APC*, v.3 [85] p.118)

MacSparran v Hassard – Report No. 11_1736_00 (*APC*, v.3 [390] p.518)

All of these Privy Council appeals concern a dispute about glebe land and have overlapping parties. There is an extensive discussion of this dispute in Bilder, *Salamanders and Sons of God*, ch. 6.

Multiple spellings are given for the surname of the Presbyterian minister – Miles in *Torrey v Mumford*; Nyles in *MacSparran v Hassard*; Myles in Chalmers, *Opinions of Eminent Lawyers*, 1:9.

On the action of ‘trespass and ejectment’ involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (*Torrey v Mumford*)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1735_01

Coggeshall v Pelham

Rhode Island

Case Name Short Coggeshall v Pelham

Case Name Long Peter Coggeshall v Edward Pelham

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [340] p.459 – 3 April 1735 – entry 1

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.149: PC 2/93/149

[view](#)

APC Citation v.3 [340] p.459 – 16 May 1735 – entry 2

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.154, 161: PC 2/93/154, 161

[view](#)

Colonial Courts

Superior Court – Newport – March 1733

Participants

Coggeshall, Peter

Pelham, Edward of Newport

Description

Land. The matter arose as an inheritance dispute involving Peter Coggeshall's wife, according to Bilder, *Salamanders and Sons of God*, p.343.

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1735_02

Hassard v Potter

Rhode Island

Case Name Short Hassard v Potter

Case Name Long Stephen Hassard and Robert Hassard v John Potter

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [362] p.485 – 6 November 1735 – entry 1

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.251: PC 2/93/251

[view](#)

APC Citation v.3 [362] p.485 – 12 June 1739 – entry 2

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.253–254, 263: PC 2/93/253–254, 263

[view](#)

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.24, 34–35: PC 2/94/24, 34–35

[view](#)

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740)
p.128–130, 209: PC 2/95/128–130, 209

[view](#)

Colonial Courts

Court of Common Pleas – Kingstown – January 1735

Superior Court – March 1735

Participants

Hassard, Robert of South Kingstown in King's County

Hassard, Stephen of South Kingstown, in King's County

Potter, John

Description

Land (trespass and ejectment) for recovery of a sedge bed

Disposition

Dismissed

Notes

On the action of 'trespass and ejectment' involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Hassard v Potter)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1735_03

Johnson v Arnold

Rhode Island

Case Name Short Johnson v Arnold

Case Name Long Ezekiel Johnson v Josiah Arnold

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [365] p.486–487 – 26 November 1735 – entry 1

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.264–265: PC 2/93/264–265

[view](#)

APC Citation v.3 [365] p.487 – 18 December 1735 – entry 2

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.269, 283–284: PC 2/93/269, 283–284

[view](#)

Colonial Courts

Superior Court – 26 March 1734

Participants

Arnold, Josiah of James Town in Newport County

Johnson, Ezekiel

Description

Not stated in the *APC* but an inheritance dispute over land, according to Bilder, *Salamanders and Sons of God*, p.390

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1736_00

MacSparran v Hassard

Rhode Island

Case Name Short MacSparran v Hassard

Case Name Long James MacSparran v Robert Hassard

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.3 [390] p.518 – 24 November 1736 – entry 1	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.24–25: PC 2/94/24–25	view
APC Citation	v.3 [390] p.518 – 26 January 1737 – entry 2	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.91, 95–96: PC 2/94/91, 95–96	view
APC Citation	v.3 [390] p.518 – 21 February 1737 – entry 3	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.128: PC 2/94/128	view
APC Citation	v.3 [390] p.519–529 – 28 February 1738 – entry 4	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.433–445: PC 2/94/433–445	view
APC Citation	v.3 [390] p.529 – 8 March 1736 <i>recte</i> 1738 – entry 5	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.476: PC 2/94/476	view
APC Citation	v.3 [390] p.529 – 10 July 1740 – entry 6	
PC Register Citation	George II v.7 (1 April 1740 – 7 August 1741) p.160: PC 2/96/160	view
APC Citation	v.3 [390] p.530 – 28 April 1741 – entry 7	
PC Register Citation	George II v.7 (1 April 1740 – 7 August 1741) p.463: PC 2/96/463	view
APC Citation	v.3 [390] p.530 – 7 May 1752 – entry 8	
PC Register Citation	George II v.13 (1 May 1750 – 30 March 1752) p.525, 536: PC 2/102/525, 536	view
PC Register Citation	George II v.14 (1 April 1752 – 31 December 1753) p.46, 51–54, 70: PC 2/103/46, 51–54, 70	view

Colonial Courts

Inferior Court of Common Pleas – 6 January 1735

Superior Court of Judicature – 30 March 1736

Superior Court – 2 April 1739

Participants

Bishop of London

Brenton, Jahleel, esquire

Bull, Ivich
 Bundy, James
 Cheesbrough, David, gentleman, of Newport
 Church, Benjamin, gentleman, of Newport
 Coggeshall, Peter, gentleman, of Newport
 Congdon, William
 Gardner, Ephriam, esquire
 Gardner, Henry the Elder
 Hassard (Hazard), Robert, gentleman (tenant of Joseph Torrey)
 Holme, James of South Kingstown
 MacSparran, James, incumbent minister of St. Paul's in the
 Pettiquamscot (Pettiquamscut, Petequamscut) Purchase and in King's
 County
 Mumford, George
 Mumford, William, gentleman, of South Kingstown
 Nyles, Rev. Samuel, minister
 Potter, Thomas (tenant of James MacSparran)
 Sandford, Thomas, merchant, of London
 Smith, John, surveyor
 Society for the Propagation of the Gospel in Foreign Parts
 Torrey, Joseph, minister
 Townshend, Nathaniel, jun., gentleman, of Newport
 Wilber (Wilbor), Samuel (partner in the Pettiquamscot Purchase, also
 spelled Pettiquamscut, Petequamscut)

Description

Land (“writ of ejectment,” according to the *APC*; “Action of Trespass and Ejectment,” according to the Privy Council register)

Disposition

Affirmed

Notes

Related to other Privy Council appeals:

MacSparran v Mumford – Report No. 11_1725_00 (*APC*, v.3 [85] p.118)

Torrey v Mumford – Report No. 11_1733_00 (*APC*, v.3 [293] p.402)

All of these Privy Council appeals concern a dispute about glebe land and have overlapping parties. There is an extensive discussion of this dispute in Bilder, *Salamanders and Sons of God*, ch. 6.

Multiple spellings are given for the surname of the Presbyterian minister – Miles in Torrey v Mumford; Nyles in MacSparran v Hassard; Myles in Chalmers, *Opinions of Eminent Lawyers*, 1:9.

A related colonial case, *Torrey v Gardner*, was heard in the Inferior Court on 24 June 1735 and in the Superior Court on 2 September 1735, but does not seem to have been appealed.

On the original action involved here, see [Additional Research](#).

References in Smith, *Appeals to the Privy Council*

Table of Cases (McSparran v Hazzard)

DOCUMENTATION

Printed Cases

- Appellant's case** Case of the appellant (MacSparran)
- Counsel [Signed] W. Murray
- Library British Library: (Hardwicke Papers) Additional Manuscripts 36217 f. 1-2 [view](#)
- Library Law Library of Congress: Sir George Lee collection (Minor underlining on first page) [view](#)
- Respondent's case** Case of the respondent (Hassard)
- Counsel [Signed] D. Ryder; A. Hume-Campbell
- Library British Library: (Hardwicke Papers) Additional Manuscripts 36217 f.3-6 (Includes manuscript notes) [view](#)
- Library Law Library of Congress: Sir George Lee collection (Includes manuscript notes) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1737_00

Brenton v Brenton

Rhode Island

Case Name Short Brenton v Brenton

Case Name Long Benjamin Brenton v Jahleel Brenton

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [403] p.563 – 17 March 1737 – entry 1

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.140: PC 2/94/140

[view](#)

APC Citation v.3 [403] p.563 – 22 March 1739 – entry 2

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740)
p.95–98, 143–144: PC 2/95/95–98, 143–144

[view](#)

Colonial Courts

Court of Common Pleas – 6 January 1736

Superior Court – 30 March 1736

Participants

Brenton, Abigail (daughter of William Brenton)

Brenton, Benjamin of Newport (great-grandson of William Brenton)

Brenton, Ebenezer (son of William Brenton)

Brenton, Jahleel (executor of William Brenton)

Brenton, Jahleel (deceased son and formerly executor of William Brenton)

Brenton, Mehetabel (daughter of William Brenton)

Brenton, Sarah (daughter of William Brenton)

Brenton, William (deceased great-grandfather of Benjamin Brenton and father of Jahleel, William, Ebenezer, Sarah, Mehetabel and Abigail)

Brenton, William (son of William Brenton)

Poole, John (son-in-law of William Brenton)

Sandford, Peleg (son-in-law of William Brenton)

Description

Land (action of account arising from the will of William Brenton) in South Kings Town

Disposition

Dismissed without prejudice to Benjamin Brenton to bring an action in the colonial courts

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1738_01

Brown v Allen

Rhode Island

Case Name Short **Brown v Allen**

Case Name Long **Peleg Brown v James Allen and Ezekiel Chever**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [435] p.603 – 8 March 1738 – entry 1

PC Register Citation **George II v.5 (1 October 1736 – 4 September 1738)**
p.481–482: PC 2/94/481–482

[view](#)

APC Citation v.3 [435] p.603–605 – 12 June 1738 – entry 2

PC Register Citation **George II v.5 (1 October 1736 – 4 September 1738)**
p.536, 556–558: PC 2/94/536, 556–558

[view](#)

APC Citation v.3 [435] p.605 – 20 July 1738 – entry 3

PC Register Citation **George II v.5 (1 October 1736 – 4 September 1738)**
p.591: PC 2/94/591

[view](#)

Colonial Courts

Court of Vice Admiralty – 30 March 1736

Inferior Court of Common Pleas – 4 January 1736/7

Superior Court of Judicature – Newport – 29 March 1737

General Assembly – 4 May 1737

Participants

Allen, James

Brown (Browne), Peleg, Collector of his Majesty's Customs in Rhode
Island, of Newport in the County of Bristol

Chever, Ezekiel

Green, _____

Silk, Samuel, master of the *Providence*

Vessels

Providence (sloop)

Description

Duty due on molasses

Disposition

Appeal sustained with details about repayment

References in Smith, *Appeals to the Privy Council*

Table of Cases (Brown v Allen and Chever)

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant (Brown) ESTC: N48495

Counsel [Signed] D. Ryder; J. Strange

Note Printed case for the appellant names the case Brown v Allen

Library John Carter Brown Library: bDB G7882 1738 1 (Manuscript notes limited to 'judgment for the appellant' on the dorset) (Noted in ESTC? [view](#) Yes.)

Respondent's case Case of the respondent (Allen) ESTC: N48493

Counsel [Signed] W. Murray

Note Printed case for the respondent names the case Brown v Cheevers and Allen

Library John Carter Brown Library: bD738 C515r (Noted in ESTC? Yes.) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1738_02 Coggeshall v Coggeshall

Rhode Island

Case Name Short Coggeshall v Coggeshall

Case Name Long Daniel Coggeshall v Mary Coggeshall

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [436] p.605 – 17 March 1738 – entry 1

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.499: PC 2/94/499

[view](#)

APC Citation v.3 [436] p.605 – 12 June 1739 – entry 2

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740) p.5,
164, 166, 167–177, 209–210: PC 2/95/5, 164, 166,
167–177, 209–210

[view](#)

Colonial Courts

Inferior Court – 18 November 1735

Superior Court – 30 March 1736 and 6 September 1737

Participants

Coggeshall, Daniel of North King's Town in King's County (grandson of Joshua Coggeshall)

Coggeshall, Joshua (deceased grandfather of Daniel Coggeshall)

Coggeshall, Mary

Description

Land in Portsmouth (trespass and ejectment) related to inheritance dispute

Disposition

Appeal sustained without prejudice to claim for dower

Notes

On the action of 'trespass and ejectment' involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Coggeshall v Coggeshall)

DOCUMENTATION

Printed Cases

Appellant's case

Case of the appellant (Coggeshall)

ESTC: T140450

- Counsel [Signed] J. Browne; W. Murray
- Library British Library: General Reference Collection – L.3.a.1 [vol. 9] (1)
(Bound with appeals to the House of Lords. The ESTC record states in error that the appeal was to that body.) (Noted in ESTC? Yes.) [view](#)
- Library John Carter Brown Library: bD 739 C676r1 (Includes manuscript notes, slightly clipped) (Noted in ESTC? No.) [view](#)
- Respondent's case** Case of the respondent (Coggeshall) ESTC: T140451
- Counsel [Signed] D. Ryder; J. Strange
- Library British Library: General Reference Collection – L.3.a.1 [vol. 9] (2)
(Bound with appeals to the House of Lords. The ESTC record states in error that the appeal was to that body.) (Noted in ESTC? Yes.) [view](#)
- Library John Carter Brown Library: bD 739 C676r (Noted in ESTC? No.)
- Privy Council Documents in PC 1 at The National Archives at Kew**
Not found

Report

Report No. 11_1738_03

Martin v Gardiner

Rhode Island

Case Name Short Martin v Gardiner

Case Name Long James Martin v William Gardiner by Abigail Gardiner

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [442] p.612 – 25 May 1738 – entry 1

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.551: PC 2/94/551

[view](#)

APC Citation v.3 [442] p.612 – 20 July 1738 – entry 2

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.571, 593: PC 2/94/571, 593

[view](#)

Colonial Courts

Superior Court – Newport – 29 March 1737

Participants

Gardiner, Abigail (grandmother and guardian of William Gardiner)

Gardiner, William, infant, of South Kingstown in King's County
(grandson of Abigail Gardiner)

Martin, James

Description

Not stated in the *APC*, but according to Bilder, *Salamanders and Sons of God*, p.344–345, a land dispute related to inheritance. Like *Martin v Gibbs* (11_1738_04, *APC*, v.3 [451] p.618), it arises upon the death of Elizabeth Gibbs Gardiner Martin, the wife of James Martin.

Disposition

Dismissed for non-prosecution

References in Smith, *Appeals to the Privy Council*

Table of Cases (Martin v Gardiner)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1738_04

Martin v Gibbs

Rhode Island

Case Name Short Martin v Gibbs

Case Name Long James Martin v Elizabeth Gibbs

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [451] p.618 – 30 November 1738 – entry 1

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740) p.5,
48: PC 2/95/5, 48 [view](#)

APC Citation v.3 [451] p.618 – 21 December 1738 – entry 2

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740) p.62,
64: PC 2/95/62, 64 [view](#)

Colonial Courts

General Court – 26 October 1737

Participants

Gibbs, Elizabeth of Newport

Gibbs, William, deceased painter

Martin, James

Description

Estate dispute. According to Bilder, *Salamanders and Sons of God*, p.344–345, like Martin v Gardiner (11_1738_03, APC, v.3 [436] p.605), this case arises upon the death of Elizabeth Gibbs Gardiner Martin, the wife of James Martin.

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1745_01

Fogg v Harvey

Rhode Island

Case Name Short Fogg v Harvey

Case Name Long Edward Fogg v William Harvey

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [12] p.10 – 7 November 1745 – entry 1

PC Register Citation George II v.10 (1 March 1745 – 31 July 1746) p.225,
242–243: PC 2/99/225, 242–243 [view](#)

APC Citation v.4 [12] p.10 – 28 November 1745 – entry 2

PC Register Citation George II v.10 (1 March 1745 – 31 July 1746) p.260–
261, 268: PC 2/99/260–261, 268 [view](#)

Colonial Courts

Inferior Court

Superior Court of Judicature – 27 March 1744

Court of Equity – Court of Equity abolished and appeals directed to
Privy Council

Participants

Fogg, Edward

Harvey, William, merchant, of Charleston in South Carolina

Description

Indebtedness

Disposition

Dismissed for non-prosecution

References in Smith, *Appeals to the Privy Council*

Table of Cases (Fogg v Harvey)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1745_02

Potter v Freeborn

Rhode Island

Case Name Short Potter v Freeborn

Case Name Long John Potter v Joseph and Dorcas Freeborn

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [16] p.12 – 7 November 1745 – entry 1

PC Register Citation George II v.10 (1 March 1745 – 31 July 1746) p.242:
PC 2/99/242 [view](#)

APC Citation v.4 [16] p.12–13 – 30 June 1752 – entry 2

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748) p.190:
PC 2/100/190 [view](#)

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.155: PC 2/103/155 [view](#)

APC Citation v.4 [16] p.13 – 6 August 1752 – entry 3

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.158–160, 177–178: PC 2/103/158–160, 177–178 [view](#)

Colonial Courts

Inferior Court – 21 February 1744

Superior Court – 27 March 1744

Participants

Baker, Fotherley (solicitor for Dorcas Freeborn)

Freeborn, Dorcas (wife, later widow, of Joseph Freeborn)

Freeborn, Joseph (husband, later deceased, of Dorcas Freeborn)

Paris, Mr. (solicitor for John Potter)

Potter, John, yeoman, of South Kingstown in King's County (executor of
Samuel Potter)

Potter, Samuel

Description

Action of debt arising, according to Bilder, *Salamanders and Sons of God*, p.304, from an inheritance dispute

Disposition

Affirmed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Potter v Freeborn)

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant (Potter)

Note Not found

Respondent's case Case of the respondent (Freeborn)

Counsel [Signed] Al. Forrester

Library Law Library of Congress: Sir George Lee collection (2 copies of the respondent's case) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1746_01

**Rous v Hassard
Hassard v Rous**

Rhode Island

Case Name Short Rous v Hassard
Hassard v Rous

Case Name Long John Rous v Benjamin Hassard, Robert Carr, John
Easton and Jonathan Hassard
Benjamin Hassard, Robert Carr, John Easton and
Jonathan Hassard v John Rous

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [20] p.14 – 27 February 1745/6 – entry 1

PC Register Citation George II v.10 (1 March 1745 – 31 July 1746) p.369:
PC 2/99/369

[view](#)

APC Citation v.4 [20] p.14 – 11 April 1750 – entry 2

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.511,
542, 543–544, 547: PC 2/101/511, 542, 543–544, 547

[view](#)

Colonial Courts

Inferior Court – 31 May 1743

Superior Court – 6 September 1743

Court of Equity – Providence – 11 October 1743

Participants

Carr, Robert

Easton, John

Hassard, Benjamin

Hassard, Jonathan

Rous, John, commander of the bilander privateer, the *Young Eagle*, of
Boston

Vessels

Young Eagle (bilander)

Kingston aka the *South Kingstown* (sloop)

Description

Seizure of the *Kingston* by the privateer *Young Eagle*. Smith (p.520)
explains the argument as to whether this was in fact a prize cause.

Disposition

Judgments of the colonial courts are all reversed.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Rous v Hazzard)

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant/respondent (Hassard)

Counsel [Signed] Wm. Noel; A. Hume-Campbell

Library New York Public Library. Schwarzman Building: Rare Book Collection *KC+++ p.v.20–21 (Great Britain. High Court of Appeal for Prizes) (This case is in v.21.)

Respondent's case Case of the appellant/respondent (Rous)

Counsel [Signed] D. Ryder; W. Murray

Library Law Library of Congress: Sir George Lee collection (Includes manuscript notes) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1746_02

**Vanbrugh v Powers
Powers v Vanbrugh**

Rhode Island

Case Name Short Vanbrugh v Powers
Powers v Vanbrugh

Case Name Long David Vanbrugh and Samuel Carpenter v Joseph Powers
Joseph Powers v David Vanbrugh and Samuel Carpenter

Acts of the Privy Council, Colonial Series

[view__APC](#)

APC Citation	v.4 [31] p.23 – 23 July 1746 – entry 1	
PC Register Citation	George II v.10 (1 March 1745 – 31 July 1746) p.534: PC 2/99/534	view
APC Citation	v.4 [31] p.24 – 23 July 1746 – entry 2 (A second entry on the same day.)	
PC Register Citation	George II v.10 (1 March 1745 – 31 July 1746) p.534: PC 2/99/534	view
APC Citation	v.4 [31] p.24 – 12 March 1747 – entry 3	
PC Register Citation	George II v.11 (1 August 1746 – 30 April 1748) p.143, 183–184: PC 2/100/143, 183–184	view
APC Citation	v.4 [31] p.24 – 23 May 1751 – entry 4	
PC Register Citation	George II v.13 (1 May 1750 – 30 March 1752) p.240– 241: PC 2/102/240–241	view
APC Citation	v.4 [31] p.24 – 9 July 1751 – entry 5	
PC Register Citation	George II v.13 (1 May 1750 – 30 March 1752) p.262: PC 2/102/262	view
APC Citation	v.4 [31] p.24 – 31 October 1751 – entry 6	
PC Register Citation	George II v.13 (1 May 1750 – 30 March 1752) p.330– 332, 352: PC 2/102/330–332, 352	view

Colonial Courts

Court of Equity – 11 October 1743 – re Powers
 Unnamed – 15 November 1743 – re Vanbrugh
 Superior Court – 27 March 1744 – re Vanbrugh
 Superior Court of Rhode Island – 26 March 1745 – re Vanburgh

Participants

Ayrault, Daniel, jun. (appointed auditor who declined to serve)
 Carpenter, Samuel, merchant, of Kingston in Jamaica
 Clark, Jeremiah (auditor)
 Coddington, William (auditor)
 Gibbs, Robert (auditor)

Powers, Joseph, mariner, of Newport
Rodman, Capt. Samuel (appointed auditor who declined to serve)
Thurston, Capt. Jonathan (appointed auditor who declined to serve)
Vanbrugh, Daniel, merchant, of Kingston in Jamaica

Description

Bill of exchange (Powers v Vanbrugh)
Action of account that, according to Bilder, *Salamanders and Sons of God*, p.297, involves Indian slaves (Vanbrugh v Powers)

Disposition

Dismissed for non-prosecution (Powers v Vanbrugh)
Reversed (Vanbrugh v Powers)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1746_03

Pollock v Verplank

Rhode Island

Case Name Short Pollock v Verplank

Case Name Long Isaac Pollock v Gulian Verplank

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [40] p.34–35 – 17 November 1746 – entry 1

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748) p.41:
PC 2/100/41

[view](#)

APC Citation v.4 [40] p.35 – 12 March 1747 – entry 2

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748)
p.143–144, 184: PC 2/100/143–144, 184

[view](#)

Colonial Courts

Superior Court – Newport – 3 September 1745

Participants

Pollock, Isaac

Verplank, Gulian, merchant, of New York City

Description

Action of debt

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1746_04

Tripp v Tripp

Rhode Island

Case Name Short Tripp v Tripp

Case Name Long Wait Tripp v Benjamin Tripp

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [43] p.36–37 – 17 November 1746 – entry 1

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748) p.42:
PC 2/100/42 [view](#)

APC Citation v.4 [43] p.37 – 14 January 1752 – entry 2

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748) p.170:
PC 2/100/170 [view](#)

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.403–
405, 427–428: PC 2/102/405–404, 427–428 [view](#)

Colonial Courts

Superior Court – 2 October 1744

Superior Court – Newport – 26 March 1745

Participants

Tripp, Benjamin

Tripp, Mary

Tripp, Othniel, deceased yeoman, of Newport

Tripp, Wait (widow)

Description

Land in dispute, part of the estate of Othniel Tripp

Disposition

Dismissed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1747_01

Staniford v Newell

Rhode Island

Case Name Short Staniford v Newell

Case Name Long John Staniford v Timothy and Margaret Newell

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [51] p.40–41 – 12 February 1747 – entry 1

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748) p.141:
PC 2/100/141 [view](#)

APC Citation v.4 [51] p.41 – 12 March 1747 – entry 2

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748) p.144,
184: PC 2/100/144, 184 [view](#)

Colonial Courts

Superior Court

Superior Court – 27 March 1744

Participants

Newell, Margaret of Newport (wife of Timothy Newell)

Newell, Timothy of Newport (husband of Margaret Newell)

Partridge, Richard (attorney for Timothy and Margaret Newell)

Staniford, John

Description

Land in Newport (action of ejectment). Bilder, *Salamanders and Sons of God*, p.307, indicates the dispute arose over the validity of a will.

Disposition

Dismissed for non-prosecution

Notes

On the action of ejectment involved here, see Additional Research.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1747_02

Freebody v Wanton

Rhode Island

Case Name Short Freebody v Wanton

Case Name Long John Freebody v Joseph Wanton

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [56] p.42 – 3 June 1747 – entry 1

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748)
p.274–275: PC 2/100/274–275

[view](#)

APC Citation v.4 [56] p.42 – 30 April 1751 – entry 2

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.177,
178–179, 186–187, 210: PC 2/102/177, 178–179, 186–
187, 210 [view](#)

Colonial Courts

Inferior Court – 27 May 1746

Superior Court – 2 September 1746

Participants

Freebody, John, merchant, of Newport

Wanton, Joseph

Description

Trespass relating to seizure of goods from warehouse

Disposition

Reversed with limit on damages

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1747_03

Brenton v Remington

Rhode Island

Case Name Short Brenton v Remington

Case Name Long Benjamin Brenton v Gersham Remington

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [57] p.42 – 3 June 1747 – entry 1

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748) p.219, 275: PC 2/100/219, 275 [view](#)

APC Citation v.4 [57] p.42 – 30 April 1751 – entry 2

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.142–143, 209–210: PC 2/102/142–143, 209–210 [view](#)

Colonial Courts

Inferior Court

Superior Court – 25 March 1746

Participants

Brenton, Benjamin, mariner, of Newport

Remington, Gersham

Description

Land (“writ of ejectment,” according to the *APC*; “Writ of Trespass and Ejectment,” according to the Committee report) in Jamestown, Newport County

Disposition

Dismissed

Notes

On the original action involved here, see Additional Research.

The dispute, according to Bilder, *Salamanders and Sons of God*, p.305, continues attempts by the Brenton family to reclaim land long held by the Remingtons (Remington v Brenton, 11_1709_00, *APC*, v.2 [1095] p.605).

References in Smith, *Appeals to the Privy Council*

Table of Cases (Brenton v Remington)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1748_00

Gibbs v Sheldon

Rhode Island

Case Name Short Gibbs v Sheldon

Case Name Long Robert Gibbs v Jonathan Sheldon

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [94] p.72 – 15 November 1748 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.113:
PC 2/101/113 [view](#)

APC Citation v.4 [94] p.72 – 28 November 1748 – entry 2

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.116–
117, 119–120: PC 2/101/116–117, 119–120 [view](#)

Colonial Courts

Inferior Court – 20 December 1743

Superior Court – 27 March 1744

Superior Court – 2 October 1744

Participants

Gibbs, Robert

Partridge, Richard (agent of Jonathan Sheldon)

Sheldon, Jonathan, master of the sloop *Hopewell*, of Providence

Vessels

Hopewell (sloop)

Description

Not stated in the *APC*, but Bilder, *Salamanders and Sons of God*, p.302, indicates allegations of fraud over the loss of a ship.

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1749_01

Wheelwright v Tyler

Rhode Island

Case Name Short Wheelwright v Tyler

Case Name Long Nathaniel Wheelwright v Ebenezer Tyler

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [112] p.84 – 85 – 12 June 1749 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.248,
263: PC 2/101/248, 263 [view](#)

APC Citation v.4 [112] p.85 – 14 January 1752 – entry 2

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.391–
395, 427: PC 2/102/391–395, 427 [view](#)

Colonial Courts

Inferior Court – 17 September 1747

Superior Court – 1 March 1748

Participants

Dumoulin, Lewis of Boston in Massachusetts

Pearce, William

Tyler, Ebenezer

Wheelwright, Nathaniel, merchant, of Boston in Massachusetts

Description

Action of trover. Bilder, *Salamanders and Sons of God*, p.300, describes as commercial transaction.

Disposition

Reversed, except for the award of costs to the appellant given below, and with directions for further proceedings in the Superior Court

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1749_02

Taylor v Clark

Rhode Island

Case Name Short Taylor v Clark

Case Name Long George and Mary Taylor v James and Mary Clark

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [117] p.92–93 – 23 November 1749 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.364:
PC 2/101/364 [view](#)

APC Citation v.4 [117] p.93 – 17 January 1750 – entry 2

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.396,
429–430: PC 2/101/396, 429–430 [view](#)

Colonial Courts

Inferior Court of Common Pleas for Providence – 21 June 1748

Superior Court of Judicature, Court of Assize and general gaol delivery –
Providence – 21 March 1749

Participants

Clark, James (husband of Mary Clark)

Clark, Mary (wife of James Clark)

Harris, Job (deceased former husband of Mary Taylor)

Taylor, George, schoolmaster, of Providence (husband of Mary Taylor)

Taylor, Mary (wife of George Taylor and former wife of Job Harris)

Description

Action for dower in a suit, according to Bilder, *Salamanders and Sons of God*, p.308, between mother and daughter

Disposition

Appeal admitted; further disposition not stated in *Acts of the Privy Council, Colonial Series*

References in Smith, *Appeals to the Privy Council*

Table of Cases (Taylor v Clarke)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1749_03

Channing v Fenner

Rhode Island

Case Name Short Channing v Fenner

Case Name Long John Channing v Arthur Fenner

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [118] p.93 – 23 November 1749 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.364–
365: PC 2/101/364–365 [view](#)

APC Citation v.4 [118] p.93 – 23 January 1752 – entry 2

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.456–
459, 464: PC 2/102/456–459, 464 [view](#)

Colonial Courts

Inferior Court

Superior Court – Newport – 7 March 1749

Participants

Bowler, Charles

Channing, John, merchant, of Newport

Cooke, Robert of Newport

Fenner, Arthur (father of James Fenner)

Fenner, James (son of Arthur Fenner)

Sheldon, Jonathan, master of the *Providence*

Vessels

Providence (brigantine)

Description

Insurance dispute

Disposition

Affirmed with directions for proceeding in the Superior Court

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1750_00

Clemence v Angel

Rhode Island

Case Name Short Clemence v Angel

Case Name Long Thomas Clemence v John Angel

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [128] p.100 – 11 April 1750 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.549:
PC 2/101/549

[view](#)

APC Citation v.4 [128] p.100 – 2 August 1750 – entry 2

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.60–
61, 68: PC 2/102/60–61, 68

[view](#)

Colonial Courts

Superior Court – third Tuesday in March 1749

Participants

Angel, John of Providence

Clemence, Thomas

Partridge, Richard (agent for John Angel)

Description

Land (trespass and ejectment) involving fraud, according to Bilder, *Salamanders and Sons of God*, p.307

Disposition

Dismissed for non-prosecution

Notes

On the action of ‘trespass and ejectment’ involved here, see Additional Research.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1751_00

Rodman v Bannister

Rhode Island

Case Name Short Rodman v Bannister

Case Name Long Robert Rodman v John Bannister

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [158] p.142 – 31 October 1751 – entry 1

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.357:
PC 2/102/357

[view](#)

APC Citation v.4 [158] p.142–143 – 7 February 1753 – entry 2

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.122–123, 161, 162, 255, 289–290, 309: PC
2/103/122–123, 161, 162, 255, 289–290, 309

[view](#)

Colonial Courts

Inferior Court – 29 May 1750

Superior Court – April 1751

Participants

Bannister, John, merchant

Isaacks, Jacob

Park, Noble, ship master of the *Noble Jane* (part owner of the *Noble Jane*)

Rodman, Robert, master of the *Noble Jane*

Wynkoop, Cornelius

Vessels

Jacob aka the *Noble Jane* (ship)

Description

Action in trover for the boat

Disposition

Reversed

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Rodman)

Counsel [Signed] W. Murray; Al. Forrester

Note Respondent's name is spelled Banister on appellant's printed case.

Library Law Library of Congress: Sir George Lee collection

[view](#)

Respondent's case Case of the respondent (Bannister)

Note Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1752_01

Peirce v Rice

Rhode Island

Case Name Short Peirce v Rice

Case Name Long John Peirce and Thomas Peirce v John Rice

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [166] p.153 – 14 January 1752 – entry 1

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.438:
PC 2/102/438

[view](#)

APC Citation v.4 [166] p.153 – 13 February 1752 – entry 2

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.491–
492, 497: PC 2/102/491–492, 497

[view](#)

Colonial Courts

Superior Court – Providence County (several judgments, not all necessarily from this court)

Participants

Peirce, John, yeoman

Peirce, Thomas, yeoman

Rice, John

Description

Inheritance dispute. Bilder, *Salamanders and Sons of God*, p.403, adds that the dispute involves land.

Disposition

Appeal granted; further disposition not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1752_02

Walker v Paget

Rhode Island

Case Name Short Walker v Paget

Case Name Long William Walker v Henry Paget

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [176] p.164 – 7 May 1752 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.74: PC 2/103/74

[view](#)

APC Citation v.4 [176] p.164 – 28 May 1752 – entry 2

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.78–79, 110: PC 2/103/78–79, 110

[view](#)

APC Citation v.4 [176] p.164 – 28 March 1754 – entry 3

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.169, 188: PC 2/103/169, 188

[view](#)

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.28–29, 85–86, 101 : PC 2/104/28–29, 85–86, 101

[view](#)

Colonial Courts

Inferior Court – 15 December 1747

Superior Court – September 1749

Participants

Farmer, Robert, master hackney man, of the parish of St. Dunstan's in the West in Middlesex

Paget, Henry, merchant, of Providence

Richards, John, innholder, of the parish of St. Dunstan's in the West in Middlesex

Walker, William of the county of Providence (father of William Walker)

Walker, William, gentleman, of Aldridge in Staffordshire (son of William Walker)

Description

Land that, according to Bilder, *Salamanders and Sons of God*, p.394, related to inheritance

Disposition

Reversed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Walker v Paget)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1752_03

Whitman v Whitman

Rhode Island

Case Name Short Whitman v Whitman

Case Name Long Noah Whitman v John Whitman

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [191] p.181 – 20 December 1752 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.272–273: PC 2/103/272–273

[view](#)

APC Citation v.4 [191] p.181 – 28 November 1753 – entry 2

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.513–514, 520: PC 2/103/513–514, 520

[view](#)

Colonial Courts

Inferior Court – June 1751

Superior Court – September 1751

Participants

Jenkes, Daniel

Mowry, Jeremiah

Partridge, Richard (agent for John Whitman)

Whitman, John, yeoman, of Smithfield in Providence county

Whitman, Noah

Description

Land (trespass and ejectment) in Smithfield

Disposition

Dismissed for non-prosecution

Notes

On the action of ‘trespass and ejectment’ involved here, see Additional Research.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1753_00

Borden v Cook

Rhode Island

Case Name Short Borden v Cook

Case Name Long Samuel Borden and Stephen Cook v William Cook

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [192] p.181 – 23 January 1753 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.292: PC 2/103/292

[view](#)

APC Citation v.4 [192] p.181–182 – 29 May 1754 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.136: PC 2/104/136

[view](#)

APC Citation v.4 [192] p.182 – 21 June 1754 – entry 3

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.154–155, 162: PC 2/104/154–155, 162

[view](#)

Colonial Courts

Inferior Court – November 1749

Superior Court – Newport – March 1750

Participants

Borden, Samuel

Cook, Stephen, yeoman, of Tiverton

Cook, William of Tiverton in Newport county

Sharpe, John (appears for William Cook)

Description

Land (“declaration of ejectment,” according to the *APC* and the Privy Council register) in Tiverton

Disposition

Dismissed for non-prosecution

Notes

For the ‘declaration of ejectment’ involved here, see [Additional Research](#).

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1754_00

Freebody v Cook

Rhode Island

Case Name Short Freebody v Cook

Case Name Long John Freebody v John Cook

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [228] p.235 – 31 January 1754 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.36: PC 2/104/36

[view](#)

APC Citation v.4 [228] p.235 – 28 February 1754 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.55–56, 62: PC 2/104/55–56, 62

[view](#)

APC Citation v.4 [228] p.235 – 9 January 1755 – entry 3

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.100, 111–112, 244, 271–272, 283: PC 2/104/100,
111–112, 244, 271–272, 283

[view](#)

Colonial Courts

Inferior Court – November 1751

Superior Court – March 1752

Participants

Barratt, John, merchant, of the parish of St. Botolph, Bishopsgate in
London

Cook, John

Freebody, John, merchant, of Newport

Spooner, Hungerford, merchant, of Abchurch Lane in London

Description

Land, specifically regarding a right of way

Disposition

Dismissed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Freebody v Cook)

DOCUMENTATION

Printed Cases

Appellant's case

Case of the appellant (Freebody)

Counsel [Signed] Al. Forrester

Library Law Library of Congress: Sir George Lee collection

[view](#)

Respondent's case Case of the respondent (Cook)

Counsel [Signed] W. Murray

Library Law Library of Congress: Sir George Lee collection

[view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document See the manuscript legal papers relating to Freebody v Cook, 1754, in the Papers and Collection of Peter Force in the Library of Congress, Manuscript Division.

Report

Report No. 11_1755_01

Grant v Dyre

Rhode Island

Case Name Short Grant v Dyre

Case Name Long Patrick Grant and Andrew Heatley v Samuel Dyre

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [255] p.275 – 9 January 1755 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.245, 286: PC 2/104/245, 286

[view](#)

APC Citation v.4 [255] p.276 – 12 August 1755 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.490–491, 499: PC 2/104/490–491, 499

[view](#)

Colonial Courts

Inferior Court – 29 May 1753

Superior Court – September 1753

Participants

Dyre, Samuel, jun., mariner, of Newport

Grant, Patrick, merchant, of Newport

Heatley, Andrew, merchant, of Newport

Partridge, Richard (agent for Samuel Dyre, jun.)

Description

Action of trover re molasses

Disposition

Dismissed for non-prosecution

References in Smith, *Appeals to the Privy Council*

Table of Cases (Grant v Dyre)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1755_02

Stanton v Thompson

Rhode Island

Case Name Short Stanton v Thompson

Case Name Long Daniel Stanton v Elias Thompson

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [266] p.287 – 27 March 1755 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.363–364: PC 2/104/363–364

[view](#)

APC Citation v.4 [266] p.287 – 17 February 1756 – entry 2

PC Register Citation George II v.16 (1 January 1756 – 31 December 1757)
p.34, 42: PC 2/105/34, 42

[view](#)

APC Citation v.4 [266] p.287 – 3 March 1759 – entry 3

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759) p.118,
379, 381–382, 396–397: PC 2/106/118, 379, 381–382,
396–397

[view](#)

Colonial Courts

Superior Court – March 1748

Superior Court – October 1749

Participants

Partridge, Richard

Stanton, Daniel of Philadelphia in Pennsylvania (son of Daniel Stanton)

Stanton, Daniel, mariner, of Philadelphia in Pennsylvania (deceased
father of Daniel Stanton)

Thompson, Elias

Description

Land in dispute in King's county, known as Cedar Swamp

Disposition

Dismissed

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Stanton)

Counsel [Signed] Al. Forrester; Fredk. Campbell

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218

[view](#)

f.1–2 (Includes manuscript notes)

Respondent's case Case of the respondent (Thompson)

Counsel [Signed] C. Pratt; C. Yorke

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 [view](#)
f.3–10 (Includes manuscript notes)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1755_03

Chaloner v Bland

Rhode Island

Case Name Short Chaloner v Bland

Case Name Long John Chaloner v Elias Bland

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [290] p.319 – 11 November 1755 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.360, 529; PC 2/104/360, 529

[view](#)

APC Citation v.4 [290] p.319 – 13 August 1756 – entry 2

PC Register Citation George II v.16 (1 January 1756 – 31 December 1757)
p.256–257, 267; PC 2/105/256–257, 267

[view](#)

Colonial Courts

Inferior Court – February 1754

Superior Court – South Kingstown, King's county – April 1754

Participants

Bland, Elias, merchant, of London

Chaloner, John, merchant, of Newport

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1755_04

Whipple v Bowen

Rhode Island

Case Name Short Whipple v Bowen

Case Name Long John Whipple v Ephraim Bowen, John Carlisle, and Joseph Sweeting

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [293] p.321 – 28 November 1755 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.543: PC 2/104/543

[view](#)

APC Citation v.4 [293] p.321 – 8 July 1757 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.576: PC 2/104/576

[view](#)

PC Register Citation George II v.16 (1 January 1756 – 31 December 1757)
p.543–546, 551: PC 2/105/543–546, 551

[view](#)

Colonial Courts

Inferior Court – 17 December 1754

Supreme Court – 18 March 1755

Participants

Bowen, Ephraim (terretenant under John Mawney)

Carlisle, John (terretenant under John Mawney)

Mawney, John, deceased

Sweeting, Joseph (terretenant under John Mawney)

Whipple, John, gentleman, of Providence (son of Joseph Whipple)

Whipple, Joseph (deceased father of John Whipple)

Description

Land (trespass and ejectment) in Providence. Bilder, *Salamanders and Sons of God*, p.531, adds that it raised issue of inheritance, mortgage, and paper currency.

Disposition

Reversed in part with a further trial ordered on specific issues

Notes

On the action of ‘trespass and ejectment’ involved here, see Additional Research.

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Whipple)

Note Not found

Respondent's case Case of the respondent (Bowen)

Counsel [Signed] Alex. Forrester

Library Law Library of Congress: Sir George Lee collection

[view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1755_05**Hazard v Hazard****Rhode Island**

Case Name Short Hazard v Hazard

Case Name Long Benjamin Hazard v Mary Hazard

Acts of the Privy Council, Colonial Series[view_APC](#)

APC Citation v.4 [294] p.321 – 28 November 1755 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.543–544: PC 2/104/543–544[view](#)

Colonial Courts

Inferior Court – 20 February 1753

Superior Court – October 1753

Participants

Brinley, Francis

Hazard, Benjamin

Hazard, George, deceased

Hazard, Mary (now wife of John Potter and administratrix of George Hazard)

Potter, John (husband of Mary Hazard)

Description

Dispute over currency allegedly owed by administratrix

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1755_06

Whipple v Ninigret

Rhode Island

Case Name Short Whipple v Ninigret

Case Name Long Joseph Whipple, Daniel Coggeshall, John Spencer,
Samuel Perry, and David Anthony v Thomas Ninigret
by Jonathan Nichols, guardian

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [295] p.321 – 28 November 1755 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.238, 544: PC 2/104/238, 544 [view](#)

APC Citation v.4 [295] p.322 – 18 December 1755 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.550, 561: PC 2/104/550, 561 [view](#)

Colonial Courts

Inferior Court – 5 August 1746

Superior Court – Newport – 2 September 1746

Participants

Anthony, David, esquire

Coggeshall, Daniel, esquire

Nichols, Jonathan of Newport (guardian of Thomas Ninigret)

Ninigret, Thomas, gentleman, infant and sachem of Narragansett Indian
tribe

Perry, Samuel, esquire

Spencer, John, esquire

Whipple, Joseph, esquire

Description

Land (trespass and ejectment) in Charles Town, King's county; extensive
explanation in Bilder, *Salamanders and Sons of God*, p.310–316

Disposition

Dismissed for non-prosecution

Notes

On the action of ‘trespass and ejectment’ involved here, see Additional
Research.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1756_00

Brenton v Sylvester

Rhode Island

Case Name Short Brenton v Sylvester

Not a 'true' appeal.

Case Name Long Jahleel Brenton, Benjamin Wickham and George
Gardner v Joseph Sylvester

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [297] p.323 – 7 January 1756 – entry 1

PC Register Citation George II v.16 (1 January 1756 – 31 December 1757)
p.2: PC 2/105/2

[view](#)

Colonial Courts

Proceedings in colonial court unclear

Participants

Brenton, Jahleel, esquire
Browne, Mr. (appears for Joseph Sylvester)
Gardner, George
Smith, Mr. (appears for Joseph Sylvester)
Sylvester, Joseph
Wickham, Benjamin, merchant

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Related to other Privy Council Appeals:

Freebody v Brenton – Report No. 11_1758_00 (*APC*, v.4 [366] p.395–396)

Freebody v Brenton – Report No. 11_1766_04 (*APC*, v.5 [14] p.24)

The only record in the *APC* in Brenton v Sylvester notes an appearance of counsel for Sylvester, respondent in an appeal brought by Brenton, Wickham, and Gardiner (the more common spelling in the related appeals). Brenton, Wickham, and Gardiner, as we learn in Freebody v Brenton, were commissioners for the distribution of the estate of the insolvent Joseph Whipple. The two Freebody v Brenton cases are closely related. They involve mortgages, in which the elder Freebody seems to have been the mortgagee, and a dispute about whether the conditions of

the mortgages had been fulfilled. The first of the two cases is an appeal by the elder Freebody. The second of the two cases is a revival of the first appeal brought by the elder Freebody's sons as executors of his estate. The relationship of these cases to Brenton v Sylvester may simply be that the commissioners for the distribution of the estate of the insolvent Joseph Whipple were involved in both, or it may be closer. The records that we have examined do not allow us to tell which it is.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1757_00

Isaacs v Merrett

Rhode Island

Case Name Short Isaacs v Merrett

Case Name Long Jacob Isaacs v John Merrett

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [331] p.348–349 – 26 March 1757 – entry 1

PC Register Citation George II v.16 (1 January 1756 – 31 December 1757)
p.471: PC 2/105/471 [view](#)

APC Citation v.4 [331] p.349 – 24 February 1758 – entry 2

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759) p.33–
35, 40: PC 2/106/33–35, 40 [view](#)

Colonial Courts

Inferior Court – 17 December 1755

Superior Court – 23 March 1756

Participants

Isaacs, Abraham (deceased husband of Hannah Isaacs)

Isaacs, Hannah (widow and former administratrix of Abraham Isaacs but
now also deceased)

Isaacs, Jacob of Newport (administrator of estate of Abraham Isaacs)

Merrett, John

Description

Dispute involving promissory note

Disposition

Reversed without prejudice to respondent's right to recover against
appellant as administrator of estate

Notes

Original judgment obtained in New York.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Isaacs v Merritt)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Isaacs)

Counsel [Signed] Al. Forrester

Note Appellant's name is spelled Isaacks on the appellant's printed case.

Library Law Library of Congress: Sir George Lee collection

[view](#)

Respondent's case Case of the respondent (Merrett)

Counsel [Signed] C. Pratt

Note Appellant's name is spelled Isaacks on the respondent's printed case.

Library Law Library of Congress: Sir George Lee collection

[view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1758_00

Freebody v Brenton

Rhode island

Case Name Short Freebody v Brenton

Case Name Long John Freebody (later Samuel, John and Thomas Freebody) v Jahleel Brenton, Benjamin Wickham and George Gardiner

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [366] p.395–396 – 21 November 1758 – entry 1

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759)
p.284–285: PC 2/106/284–285

[view](#)

APC Citation v.4 [366] p.396 – 1 May 1764 – entry 2

PC Register Citation George III v.3 (1 May 1763 – 30 September 1764)
p.419–420: PC 2/110/419–420

[view](#)

APC Citation v.4 [366] p.396 – 3 August 1764 – entry 3

PC Register Citation George III v.3 (1 May 1763 – 30 September 1764)
p.562–568, 593–594: PC 2/110/562–568, 593–594

[view](#)

Colonial Courts

Lower court unnamed

Superior Court – March 1757 (multiple judgments)

Participants

Brenton, Jahleel (commissioner for the distribution of the estate of Joseph Whipple)

Freebody, John (son of John Freebody)

Freebody, John, merchant, of Newport (now deceased father of John, Thomas, and Samuel Freebody)

Freebody, Samuel (son of John Freebody)

Freebody, Thomas (son of John Freebody)

Gardiner, George (commissioner for the distribution of the estate of Joseph Whipple)

Whipple, Joseph, an insolvent

Wickham, Benjamin (commissioner for the distribution of the estate of Joseph Whipple)

Description

Land (trespass and ejectment) re two properties, one of 520 acres and another of 287 acres in Middletown. The dispute is about the “depreciation of the old tenor bills of credit which were named in the condition of the mortgage,” according to the *APC*.

Disposition

Reversed but “on payment of certain sums defendants may have the mortgaged premises reconveyed to them”

Notes

Related to other Privy Council appeals:

Brenton v Sylvester – Report No. 11_1756_00 (*APC*, v.4 [297] p.323)

Freebody v Brenton – Report No. 11_1766_04 (*APC*, v.5 [14] p.24)

The only record in the *APC* in Brenton v Sylvester notes an appearance of counsel for Sylvester, respondent in an appeal brought by Brenton, Wickham, and Gardiner. Brenton, Wickham, and Gardiner, as we learn in Freebody v Brenton, were commissioners for the distribution of the estate of the insolvent Joseph Whipple. The two Freebody v Brenton cases are closely related. They involve mortgages, in which the elder Freebody seems to have been the mortgagee, and a dispute about whether the conditions of the mortgages had been fulfilled. The first of the two cases is an appeal by the elder Freebody. The second of the two cases is a revival of the first appeal brought by the elder Freebody’s sons as executors of his estate. The relationship of these cases to Brenton v Sylvester may simply be that the commissioners for the distribution of the estate of the insolvent Joseph Whipple were involved in both, or it may be closer. The records that we have examined do not allow us to tell which it is.

On the action of ‘trespass and ejectment’ involved here, see [Additional Research](#).

References in Smith, *Appeals to the Privy Council*

Table of Cases (Freebody v Brenton) (extensive discussion)

DOCUMENTATION**Printed Cases**

Appellant’s case Case of the appellant in the first and second appeals (Freebody)

Counsel [Signed] Tho. Sewell; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36219 f.75–76 (first appeal) and f.77–78 (second appeal) [view](#)

Respondent’s case Case of the respondent in the first and second appeals (Brenton)

Counsel [Signed] C. Ambler; C. Yorke

Library British Library: (Hardwicke Papers) Additional Manuscripts 36219

f.79–81 (first appeal) and f.82–84 (second appeal) (First appeal includes manuscript notes. In second appeal, manuscript notes are limited to counsel names on the dorse.) ^{view}

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document

Notes

All PC 1 documents for this action are entered under Report No. 11_1766_04 (Freebody v Brenton).

Report

Report No. 11_1759_00

Moss v Hopkins

Rhode Island

Case Name Short Moss v Hopkins

Case Name Long Boyle Moss v Esek Hopkins

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [393] p.420 – 27 April 1759 – entry 1

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759) p.497:
PC 2/106/497 [view](#)

APC Citation v.4 [393] p.420 – 28 September 1759 – entry 2

PC Register Citation George II v.18 (2 May 1759 – 10 July 1760) p.159:
PC 2/107/159 [view](#)

Colonial Courts

Superior Court – Providence – October 1757

Participants

Durore, Francis of Throgmorton Street (appears for Esek Hopkins)

Hopkins, Esek, commander of the *Providence*

Moss, Boyle, mariner and master of the *Sally*, of Dublin

Vessels

Sally (brigantine)

Providence

Description

Court-ordered forfeiture of the brigantine *Sally* to the commander of the privateer *Providence*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1760_01

Creagh v Whitfield

Rhode Island

Case Name Short Creagh v Whitfield

Case Name Long Paul Creagh v Charles Whitfield

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [426] p.460 – 1 July 1760 – entry 1

PC Register Citation George II v.18 (24 May 1759 – 10 July 1760) p.417:
PC 2/107/417

[view](#)

APC Citation v.4 [426] p.460 – 11 July 1760 – entry 2

PC Register Citation George II v.18 (2 May 1759 – 10 July 1760) p.425,
444–445: PC 2/107/425, 444–445

[view](#)

Colonial Courts

Inferior Court – 15 November 1757

Superior Court – August 1758

Participants

Creagh, Paul

Whitfield, Charles, mariner, of Newport

Description

Action of sur trover

Disposition

Dismissed for non-prosecution

References in Smith, *Appeals to the Privy Council*

Table of Cases (Creagh v Whitefield)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1760_02

Larkin v York

Rhode Island

Case Name Short Larkin v York

Case Name Long John Larkin v Edward York

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [431] p.463 – 27 October 1760 – entry 1

PC Register Citation George III v.1 (25 October 1760 – 31 December 1761)
p.18: PC 2/108/18 [view](#)

APC Citation v.4 [431] p.463 – 2 July 1761 – entry 2

PC Register Citation George III v.1 (25 October 1760 – 31 December 1761)
p.170, 362, 410, 426–427: PC 2/108/170, 362, 410,
426–427 [view](#)

Colonial Courts

Inferior Court of Common Pleas – February 1759

Superior Court – October 1759

Participants

Larkin, John, yeoman, of Westerly in King's county
York, Edward

Description

Land (upon an ejectment) in Quannicotague Neck which, according to Bilder, *Salamanders and Sons of God*, p.505 n.2, involves future interests.

Disposition

Both judgments reversed.

Notes

On the action of ejectment involved here, see Additional Research.

DOCUMENTATION

Printed Cases

Appellant's case Case of appellant (Larkin)

Counsel [Signed] C. Pratt; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218
f.101–102 (Includes manuscript notes) [view](#)

Respondent's case Case of respondent (York)

Counsel [Signed] C. Yorke; Tho. Sewell

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 [view](#)
f.103–104

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1761_00

Simons v Wanton

Rhode Island

Case Name Short Simons v Wanton

Case Name Long Peter Simons v Joseph Wanton

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [463] p.502 – 23 November 1761 – entry 1

PC Register Citation George III v.1 (25 October 1760 – 31 December 1761)
p.590: PC 2/108/590 [view](#)

APC Citation v.4 [463] p.502 – 12 April 1762 – entry 2

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763) p.175,
201–202: PC 2/109/175, 201–202 [view](#)

Colonial Courts

Inferior Court – November 1757

Superior Court – March 1758

Participants

Simons, Peter

Wanton, Joseph of Newport

Description

Action to recover £65,421 13s 4d (old tenor of Rhode Island)

Disposition

Dismissed for non-prosecution

References in Smith, *Appeals to the Privy Council*

Table of Cases (Simon v Wanton)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1762_01

Read v Nicholls

Rhode Island

Case Name Short Read v Nicholls

Case Name Long William Read v Benjamin Nicholls

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [484] p.544 – 25 June 1762 – entry 1

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763)
p.268–269: PC 2/109/268–269

[view](#)

APC Citation v.4 [484] p.544 – 3 August 1762 – entry 2

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763)
p.299–300, 325: PC 2/109/299–300, 325

[view](#)

Colonial Courts

Inferior Court – May 1758

Superior Court – March 1759 (affirming lower court judgment)

Superior Court – August 1760 (another judgment barring a writ of *scire facias*)

Participants

Nicholls, Benjamin of Newport (executor of Jonathan Nicholls)

Nicholls, Jonathan, deceased

Read, William, merchant, of Newport

Description

Debt due

Disposition

Appeals dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 15 July 1762 – PC 1/50/47

[view_Doc](#)

Notes Referenced in *APC*, v.6 [539] p.339

[view_APC](#)

Report

Report No. 11_1762_02

Potter v Hazard

Rhode Island

Case Name Short Potter v Hazard

Case Name Long John Potter v George Hazard

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [489] p.548–549 – 1 September 1762 – entry 1

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763) p.353:
PC 2/109/353 [view](#)

APC Citation v.4 [489] p.549 – 21 December 1763 – entry 2

PC Register Citation George III v.3 (1 May 1763 – 30 September 1764)
p.182–183, 192: PC 2/110/182–183, 192 [view](#)

Colonial Courts

Inferior Court – 11 August 1761

Superior Court – 5 October 1761

Participants

Hazard, George

Peckham, Benjamin, jun. (tenant of George Hazard and original defendant)

Potter, John, yeoman, of South Kingston

Description

Land (trespass and ejectment) in dispute is Little Comfort Island in Point Judith Pond, South Kingston near Mumford's Island. Bilder, *Transatlantic Constitution*, p.170, adds that the matter is part of an inheritance dispute.

Disposition

Dismissed

Notes

On the action of 'trespass and ejectment' involved here, see Additional Research.

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Potter)

Counsel [Signed] Fl. Norton; J. Gardiner

Note Appendix to the case of the appellant
Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.240–241 (Includes appendix, f.242–243, and manuscript notes) [view](#)

Respondent's case Case of the respondent (Hazard)

Counsel [Signed] C. Yorke; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.244–247 (Includes manuscript notes) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 15 Dec. 1763 – PC 1/50/49 [view_Doc](#)

Notes Referenced in *APC*, v.6 [579] p.359–360 [view_APC](#)

Report

Report No. 11_1765_01

**Stead v Hart
Stead v Elizer**

Rhode Island

Case Name Short Stead v Hart
Stead v Elizer

Case Name Long William Stead v Naphthali Hart and Isaac Hart
William Stead v Isaac Elizer

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [600] p.716–717 – 19 March 1765 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.163, 328–329: PC 2/111/163, 328–329 [view](#)

APC Citation v.4 [600] p.717 – 3 December 1766 – entry 2

PC Register Citation George III v.5 (August 1766 – January 1768) p.104–
105, 114: PC 2/112/104–105, 114 [view](#)

Colonial Courts

Inferior Court – May 1764

Superior Court – Newport – September 1764

Participants

Elizer, Isaac

Hart, Isaac

Hart, Naphthali

Isaacks, Jacob

Isaacks, Moses

Stead, William, merchant, of London

Description

Sums due on note

Disposition

Both reversed

Notes

Related to other Privy Council appeals:

Stead v Isaacs – Report No. 11_1766_01 (*APC*, v.4 [649] p.759)

Isaacks v Stead – Report No. 11_1768_00 (*APC*, v.5 [95] p.175)

Stead v Isaacs and Isaacks v Stead are almost certainly two aspects of the same dispute. The lower court judgments referred to in both cases have the same date, and the Privy Council's register confirms that the

names of the courts are the same. In *Stead v Isaacs*, the Council apparently agrees that Stead did not properly insure the ship in question, and Isaacs is allowed a new trial on the amount of his damages. In *Isaacs v Stead*, a judgment for Stead in the amount of £1,200 on a bill of exchange is affirmed. Stead's actions against Hart and Elizer are against them as endorsers of a note from Isaacs resulting in a judgment for £1,200. This is probably the same piece of commercial paper as is at stake in the subsequent case. Be that as it may be, Isaacs and Stead are clearly the underlying parties in all four actions.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report (Hart) – 2 Dec. 1766 – PC 1/52/58	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [731] p.440	view_APC
TNA Document	Committee report (Elizer) – 2 Dec. 1766 – PC 1/52/58	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [731] p.440	view_APC

Report

Report No. 11_1765_02

Shearman v Cornell

Rhode Island

Case Name Short Shearman v Cornell

Case Name Long Thomas Shearman v Gideon Cornell

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [603] p.718 – 22 April 1765 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.179: PC 2/111/179

[view](#)

APC Citation v.4 [603] p.718 – 26 June 1767 – entry 2

PC Register Citation George III v.5 (August 1766 – January 1768) p.315–
317, 356: PC 2/112/315–317, 356

[view](#)

Colonial Courts

Unnamed – 21 May 1763

Superior Court – March 1764

Participants

Cornell, Gideon

Nicholls, Benjamin

Shearman, Ann (wife of Thomas Shearman)

Shearman, Thomas of Portsmouth (husband of Ann Shearman)

Wanton, Joseph

Description

Land in Newport, to which Bilder, *Salamanders and Sons of God*, p.506
n.3, adds the issue of paper currency and mortgage

Disposition

Reversed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Shearman v Cornell)

DOCUMENTATION

Printed Cases

Appellant's case Case of appellant (Shearman)

Counsel [Signed] C. Yorke; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36220
f.115–116 (Includes manuscript notes) [view](#)

Respondent's case Case of respondent (Cornell)

Note Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 10 June 1767 – PC 1/53/60 [view_Doc](#)

Notes Referenced in *APC*, v.6 [761] p.453–454 [view_APC](#)

Report

Report No. 11_1766_01

Stead v Isaacs

Rhode Island

Case Name Short Stead v Isaacs

Case Name Long William Stead v Jacob Isaacs

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [649] p.759 – 28 May 1766 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.632, 638: PC 2/111/632, 638

[view](#)

APC Citation v.4 [649] p.759 – 14 April 1769 – entry 2

PC Register Citation George III v.6 (January 1768 – April 1769) p.477–481,
537: PC 2/113/477–481, 537

[view](#)

Colonial Courts

Inferior Court – Newport – May 1764

Superior Court – Newport – March 1765

Participants

Isaacs, Jacob

Pennegar, William, master of the *Rising Sun*

Stead, William, merchant, of London

Vessels

Rising Sun (ship)

Description

Damages arising from failure to insure properly

Disposition

Reversed and a new trial ordered

Notes

Related to other Privy Council appeals:

Stead v Hart and Stead v Elizer – Report No. 11_1765_01 (*APC*, v.4 [600] p.716–717)

Isaacks v Stead – Report No. 11_1768_00 (*APC*, v.5 [95] p.175)

Stead v Isaacs and Isaacks v Stead are almost certainly two aspects of the same dispute. The lower court judgments referred to in both cases have the same date, and the Privy Council's register confirms that the names of the courts are the same. In Stead v Isaacs, the Council apparently agrees that Stead did not properly insure the ship in question, and Isaacs is allowed a new trial on the amount of his damages. In

Isaacks v Stead, a judgment for Stead in the amount of £1,200 on a bill of exchange is affirmed. Stead's actions against Hart and Elizer are against them as endorsers of a note from Isaacks resulting in a judgment for £1,200. This is probably the same piece of commercial paper as is at stake in the subsequent case. Be that as it may be, Isaacks and Stead are clearly the underlying parties in all four actions.

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Stead)

Counsel [Signed] J Dunning; Fl. Norton

Note Appellant's name is spelled Isaacks on appellant's printed case.

Library Columbia University. Diamond Law Library: Treasure – Johnson 1770m and 2nd Fl Microfilm Cabinet – AA70 (Includes manuscript view notes)

Respondent's case Case of the respondent (Isaacs)

Counsel [Signed] Wm. DeGrey; G. Nares

Note Appellant's name is spelled Isaacks on respondent's printed case.

Library Columbia University. Diamond Law Library: Treasure – Johnson 1770m and 2nd Fl Microfilm Cabinet – AA 70 (Manuscript notes view limited.to date corrections)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1766_02

Lewis v Wilkinson

Rhode Island

Case Name Short Lewis v Wilkinson

Case Name Long Robert Lewis and Ellis Lewis v Benjamin Wilkinson

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [650] p.759 – 28 May 1766 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.638–639: PC 2/111/638–639

[view](#)

APC Citation v.4 [650] p.759 – 26 June 1767 – entry 2

PC Register Citation George III v.5 (August 1766 – January 1768) p.322–
323, 357–358: PC 2/112/322–323, 357–358

[view](#)

Colonial Courts

Inferior Court – 18 June 1764

Unnamed – September 1764

Superior Court – Providence – March 1765

Participants

Lewis, Ellis, merchant, of Philadelphia in Pennsylvania

Lewis, Robert, merchant, of Philadelphia in Pennsylvania

Wilkinson, Benjamin

Description

Land (trespass and ejectment)

Disposition

Affirmed

Notes

On the action of ‘trespass and ejectment’ involved here, see [Additional Research](#).

References in Smith, *Appeals to the Privy Council*

Table of Cases (Lewis v Wilkinson)

DOCUMENTATION

Printed Cases

Appellant's case

Case of the appellant (Lewis)

Counsel [Signed] Al. Forrester; Rd. Jackson

Library British Library: (Hardwicke Papers) Additional Manuscripts 36220 f.127–130 (Includes manuscript notes and in manuscript, f.134: “Robert and Ellis Lewis, Appellants. Benjamin Wilkinson, Respondent. Brief state of the Dispute and Observations of the Cases of both sides.”) [view](#)

Library Columbia University. Diamond Law Library: Treasure – Johnson 1770m and 2nd Fl Microfilm Cabinet – AA70 (Manuscript notes limited to ‘judgment affirmed’)

Respondent’s case Case of the respondent (Wilkinson)

Counsel [Signed] C. Yorke; J. Dunning

Library British Library: (Hardwicke Papers) Additional Manuscripts 36220 f.131–133 (Includes manuscript notes and in manuscript, f.134: “Robert and Ellis Lewis, Appellants. Benjamin Wilkinson, Respondent. Brief state of the Dispute and Observations of the Cases of both sides.”) [view](#)

Library Columbia University. Diamond Law Library: Treasure – Johnson 1770m and 2nd Fl Microfilm Cabinet – AA70

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 10 June 1767 – PC 1/53/60 [view_Doc](#)

Notes Referenced in *APC*, v.6 [761] p.453–454 [view_APC](#)

Report

Report No. 11_1766_03

Arnold v Green

Rhode Island

Case Name Short Arnold v Green

Case Name Long Benjamin Arnold et al v Nathaniel Green

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [7] p.17–18 – October 15 1766 – entry 1

PC Register Citation George III v.5 (August 1766 – January 1768) p.64: PC 2/112/64 [view](#)

APC Citation v.5 [7] p.18 – 26 June 1767 – entry 2

PC Register Citation George III v.5 (August 1766 – January 1768) p.330–331, 360: PC 2/112/330–331, 360 [view](#)

Colonial Courts

Inferior Court

Superior Court – 3 September 1765

Participants

Arnold, Benjamin (grandson of Benjamin Green)

Green, Benjamin (grandfather of Arnold Green)

Green, Nathaniel, merchant, of Warwick in Kent county

Description

Land (trespass and ejectment in Cranston, Providence county, land with a dwelling house in a place called ‘Seconasset’)

Disposition

Dismissed for non-prosecution

Notes

On the action of ‘trespass and ejectment’ involved here, see Additional Research.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 10 June 1767 – PC 1/53/60 [view_Doc](#)

Notes Referenced in *APC*, v.6 [761] p.453–454 [view_APC](#)

Report

Report No. 11_1766_04

**Freebody v Brenton
Brenton v Freebody**

Rhode Island

Case Name Short Freebody v Brenton
Brenton v Freebody

Case Name Long John, Thomas, and Samuel Freebody v Jahleel Brenton,
Benjamin Wickham and George Gardiner
Jahleel Brenton, Benjamin Wickham and George
Gardiner v John, Thomas and Samuel Freebody

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.5 [14] p.24 – 7 November 1766 – entry 1	
PC Register Citation	George III v.5 (August 1766 – January 1768) p.79: PC 2/112/79	view
APC Citation	v.5 [14] p.24 – 15 January 1768 – entry 2	
PC Register Citation	George III v.6 (January 1768 – April 1769) p.8–9, 244: PC 2/113/8–9, 244	view
APC Citation	v.5 [14] p.24 – 11 January 1769 – entry 3	
PC Register Citation	George III v.6 (January 1768 – April 1769) p.423, 424: PC 2/113/423, 424	view
APC Citation	v.5 [14] p.24 – 14 April 1769 – entry 4	
PC Register Citation	George III v.6 (January 1768 – April 1769) p.502–513, 538–539: PC 2/113/502–513, 538–539	view
APC Citation	v.5 [14] p.24–25 – 3 February 1772 – entry 5	
PC Register Citation	George III v.9 (January – December 1772) p.62: PC 2/116/62	view
APC Citation	v.5 [14] p.25 – 28 June 1772 – entry 6	
PC Register Citation	George III v.9 (January – December 1772) p.336–337: PC 2/116/336–337	view
APC Citation	v.5 [14] p.25 – 18 December 1773 – entry 7	
PC Register Citation	George III v.10 (January 1773 – April 1774) p.387: PC 2/117/387	view
APC Citation	v.5 [14] p.25 – 6 July 1774 – entry 8	
PC Register Citation	George III v.11 (May 1774 – May 1775) p.141–148, 170: PC 2/118/141–148, 170	view

Colonial Courts

Supreme Court – September 1765 (order)
Superior Court – March 1771 (two decrees)

Participants

Brenton, Jahleel (executor of Joseph Whipple)
 Freebody, John (executor and son of John Freebody)
 Freebody, John of Newport (deceased father of John, Thomas, and Samuel Freebody)
 Freebody, Samuel (executor and son of John Freebody)
 Freebody, Thomas (executor and son of John Freebody)
 Gardiner, George (executor of Joseph Whipple)
 Whipple, Joseph, deceased
 Wickham, Benjamin (executor of Joseph Whipple)

Description

Dispute about the date from which interest is to be calculated and the manner in which depreciated currency will be computed in the controversy set out in *Freebody v Brenton* (11_1758_00, *APC*, v.4 [366] p.395)

Disposition

Order to Judges of Superior Court to comply with Orders in Council which, according to Bilder, *Transatlantic Constitution*, p.182, gave the Freebodies their interest with depreciation taken into account.

Notes

Related to other Privy Council appeals:

Brenton v Sylvester – Report No. 11_1756_00 (*APC*, v.4 [297] p.323)

Freebody v Brenton – Report No. 11_1758_00 (*APC*, v.4 [366] p.395–396)

The only record in the *APC* in *Brenton v Sylvester* notes an appearance of counsel for Sylvester, respondent in an appeal brought by Brenton, Wickham, and Gardiner. Brenton, Wickham, and Gardiner, as we learn in *Freebody v Brenton*, were commissioners for the distribution of the estate of the insolvent Joseph Whipple. The two *Freebody v Brenton* cases are closely related. They involve mortgages, in which the elder Freebody seems to have been the mortgagee, and a dispute about whether the conditions of the mortgages had been fulfilled. The first of the two cases is an appeal by the elder Freebody. The second of the two cases is a revival of the first appeal brought by the elder Freebody's sons as executors of his estate. The relationship of these cases to *Brenton v Sylvester* may simply be that the commissioners for the distribution of the estate of the insolvent Joseph Whipple were involved in both, or it may be closer. The records that we have examined do not allow us to tell which it is.

A note at the end of the respondent's printed case states: "There is another appeal and cross appeal depending between the same parties,

upon another mortgage . . . and as the proceedings . . . and the questions the same . . . it was thought unnecessary to repeat the same matter in two different printed cases, as the determination of one cause will of course decide the other.”

References in Smith, *Appeals to the Privy Council*

Table of Cases (Freebody v Brenton) (extensive discussion)

DOCUMENTATION

Printed Cases

- Appellant's case** Case of the appellant in two appeals and as respondent in two cross-appeals (Freebody)
- Counsel [Signed] Wm. DeGrey; Rd. Jackson
- Library British Library: (Hardwicke Papers) Additional Manuscripts 36220 f.218–220 (Includes manuscript notes) [view](#)
- Library Columbia University. Diamond Law Library: Treasure – Johnson 1770m and 2nd Fl Microfilm Cabinet – AA70
- Respondent's case** Case of the respondent in two appeals and as appellant in two cross-appeals (Brenton)
- Counsel [Signed] C. Yorke; C. Ambler
- Library British Library: (Hardwicke Papers) Additional Manuscripts 36220 f.221–223 (Includes manuscript notes) [view](#)
- Library Columbia University. Diamond Law Library: Treasure – Johnson 1770m and 2nd Fl Microfilm Cabinet – AA70 (Includes manuscript notes) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

- TNA Document** Committee report (on first appeal) – July 1764 – PC 1/59/5/1 [view_Doc](#)
- Catalogued as Catalogued by TNA as: Rhode Island: report of Board of Trade upon the revived appeal of Freebody v Brinton [sic], and others from Rhode Island
- TNA Document** Committee report (on second appeal) – 27 July 1764 – PC 1/50/52 [view_Doc](#)
- Notes Referenced in *APC*, v.6 [618] p.371 [view_APC](#)
- TNA Document** Committee reports of two appeals of Freebody v Brenton with cross-appeals (First appeal) – 15 Mar. 1769 – PC 1/54/64C [view_Doc](#)

Notes	Referenced in <i>APC</i> , v.6 [812] p.470	view_APC
TNA Document	Committee reports of two appeals of Freebody v Brenton with cross-appeals (Second appeal) – 15 Mar. 1769 – PC 1/54/64C	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [812] p.470	view_APC
TNA Document	Letter from Freebodys – 22 July 1771 – PC 1/55/67	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [871] p.505–507	view_APC
TNA Document	Sworn declaration of Freebodys – 29 July 1771 – PC 1/55/67	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [871] p.505–507	view_APC
TNA Document	Letter from J. Pownall to Clerk – 22 Nov. 1771 – PC 1/55/67	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [871] p.505–507	view_APC
TNA Document	Petition of the Freebody’s solicitors – rec’d 3 Feb. 1772 – PC 1/55/69A	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [876] p.507	view_APC
TNA Document	Substance of the proceedings – no date – PC 1/55/69A	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [876] p.507	view_APC
TNA Document	Order of reference – 3 Feb. 1772 – PC 1/55/69A	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [876] p.507	view_APC
TNA Document	Order to the three judges to answer – 26 June 1772 – PC 1/60/10	view_Doc
Notes	Many related documents are included in the bundle for PC 1/60/10, but only two are specifically catalogued, the two that have catalogue entries listed below:	
TNA Document	Copy of Freebody’s petition rec’d 3 February 1772 annexed to the 26 June order – no date – PC 1/60/10	view_Doc
TNA Document	Answer of James Helme – 2 Dec. 1772 – PC 1/60/10	view_Doc
TNA Document	Answer of James Helme (copy) – 2 Dec. 1772 – PC 1/60/10	view_Doc
TNA Document	Answer of Metcalf Bowler – 9 Dec. 1772 – PC 1/60/10	view_Doc

- TNA Document** Answer of Metcalf Bowler (copy) – 9 Dec. 1772 – [view_Doc](#)
PC 1/60/10
- TNA Document** Answer of three of the judges of the Superior Court [view_Doc](#)
of Judicature to the petition of the Freebodys –
rec'd 12 March 1773 – PC 1/60/10
- Catalogued as Rhode Island: answer of three of the judges of the
Superior Court of Judicature of Rhode Island to the
petition of complaint of John, Thomas and Samuel
Freebody. Date: 1772 June; 1773 Feb.
- Notes For an explanation of the answers of various judges [view_APC](#)
see *APC*, v.6 [871] p.505–507.
- TNA Document** Affidavits – 12 Dec. 1772 – PC 1/60/10 [view_Doc](#)
- TNA Document** Sketch of report on Freebody's petition re the [view_Doc](#)
enforcement of the Order in Council – 20 June
1774 – PC 1/56/74A
- Notes Referenced in *APC*, v.6 [928] p.555 [view_APC](#)
- TNA Document** Report on petition of the Freebodys for enforcing [view_Doc](#)
Order of 14 April 1769 – 20 June 1774 – PC
1/60/10
- Catalogued as Rhode Island: committee report on petition of John,
Thomas and Samuel Freebody for enforcing the
Orders in Council of 14 Apr 1769 made on their
appeals from Rhode Island; 6 July read and approved
and peremptory Order in Council issued. Date: 1774
June 20
- TNA Document** Peremptory Order in Council – 6 July 1774 – PC [view_Doc](#)
1/60/10

Other Documents

- Document** Instructions to the Committee of the Privy Council to hear the
appeals of Freebody and Brenton can be found at the British
Library in Additional Manuscripts 15489 f.33 (March 13,
1766). Orders in Council regarding the appeals follow at f.34–
43 (April and July 1769).

Report

Report No. 11_1766_05

**Freebody v Holmes
Holmes v Freebody**

Rhode Island

Case Name Short Freebody v Holmes
Holmes v Freebody

Case Name Long Thomas Freebody v John Holmes
John Holmes v Thomas Freebody

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [23] p.51 – 10 December 1766 – entry 1

PC Register Citation George III v.5 (August 1766 – January 1768) p.129:
PC 2/112/129

[view](#)

APC Citation v.5 [23] p.51 – 15 July 1768 – entry 2

PC Register Citation George III v.6 (January 1768 – April 1769) p.239,
249–250: PC 2/113/239, 249–250

[view](#)

APC Citation v.5 [23] p.51 – 14 April 1769 – entry 3

PC Register Citation George III v.6 (January 1768 – April 1769) p.549: PC
2/113/549

[view](#)

APC Citation v.5 [23] p.51 – 27 April 1770 – entry 4

PC Register Citation George III v.7 (May 1769 – December 1770) p.190,
332–340, 359: PC 2/114/190, 332–340, 359

[view](#)

Colonial Courts

Inferior Court – 21 November 1763 – re Freebody

Superior Court – March 1765 – re Freebody

Superior Court – March 1766 – re Holmes

Superior Court – March 1768 – re Holmes

Participants

Freebody, John (deceased father of Thomas, John, and Samuel Freebody)

Freebody, John (brother of Samuel and Thomas Freebody and son of
John Freebody)

Freebody, Samuel (brother of John and Thomas Freebody and son of
John Freebody)

Freebody, Thomas, merchant, of Newport (brother of John and Samuel
Freebody and son of John Freebody)

Green, James

Holmes, John, yeoman, of Middleton in Newport county

Holmes, Margaret

Description

Land (trespass and ejectment) in dispute in Middletown

Disposition

Freebody v Holmes – dismissed for non-prosecution

Holmes v Freebody – judgments of 1766 and 1768 reversed; judgment of 1765 affirmed in favor of Holmes

Notes

On the action of ‘trespass and ejectment’ involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Holmes v Freebody) (complex procedural history)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Holmes)

Counsel [Signed] William DeGrey; J. Dunning

Library Columbia University. Diamond Law Library: Treasure – Johnson 1770m and 2nd Fl Microfilm Cabinet – AA70 (Includes manuscript [view notes](#))

Respondent's case Case of the respondent (Freebody)

Counsel [Signed] C. Yorke; Rd. Jackson

Library Columbia University. Diamond Law Library: Treasure – Johnson [view](#) 1770m and 2nd Fl Microfilm Cabinet – AA70

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Order of reference (Freebody v Holmes) – 10 Dec. [view_Doc](#)
1766 – PC 1/52/58

Notes Referenced in *APC*, v.6 [731] p.440 [view_APC](#)

TNA Document Committee report (Freebody v Holmes) – 7 July [view_Doc](#)
1768 – PC 1/54/63

Notes Referenced in *APC*, v.6 [793] p.464 [view_APC](#)

TNA Document Committee report (Holmes v Freebody) – 7 Apr. [view_Doc](#)
1770 – PC 1/54/66C

Notes Referenced in *APC*, v.6 [840] p.484 [view_APC](#)

Report

Report No. 11_1766_06

Bannister v Brown

Rhode Island

Case Name Short Bannister v Brown

Case Name Long John Bannister v Jane Brown, Matthew Robinson, and Robert Brown

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [24] p.51–52 – 10 December 1766 – entry 1

PC Register Citation George III v.5 (August 1766 – January 1768) p.52, 130: PC 2/112/52, 130

[view](#)

APC Citation v.5 [24] p.52 – 26 June 1767 – entry 2

PC Register Citation George III v.5 (August 1766 – January 1768) p.369–370: PC 2/112/369–370

[view](#)

APC Citation v.5 [24] p.52 – 15 July 1768 – entry 3

PC Register Citation George III v.6 (January 1768 – April 1769) p.239–240, 249: PC 2/113/239–240, 249

[view](#)

Colonial Courts

Unnamed – 21 November 1763

Unnamed – March 1765

Participants

Bannister, John of Middletown

Brown, Isaac (replaces Jane Brown as appeal proceeds)

Brown, Jane of Newport (widow and executor of John Brown)

Brown, John, merchant, of Newport (deceased husband of Jane Brown)

Brown, Robert, yeoman, of South Kingstown (executor of John Brown)

Robinson, Matthew, gentleman (executor of John Brown)

Description

Sums due on book account

Disposition

Dismissed with costs at the desire and request of the parties

References in Smith, *Appeals to the Privy Council*

Table of Cases (Bannister v Brown)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Order of reference – 10 Dec. 1766 – PC 1/52/58	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [731] p.440	view_APC
TNA Document	Order of reference – 26 June 1767 – PC 1/53/60	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [761] p.453–454	view_APC
TNA Document	Committee report – 7 July 1768 – PC 1/54/63	view_Doc
Notes	Referenced in <i>Acts of the Privy Council, Colonial</i> , v.6 [793] p.464	view_APC

Report

Report No. 11_1767_00

Laycock v Clarke

Rhode Island

Case Name Short Laycock v Clarke

Case Name Long Godfrey Laycock (later Hannah Laycock) v James
Clarke and Solomon Southwick

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [46] p.115 – 26 August 1767 – entry 1

PC Register Citation George III v.5 (August 1766 – January 1768) p.460:
PC 2/112/460

[view](#)

APC Citation v.5 [46] p.115 – 7 July 1768 – entry 2

PC Register Citation George III v.6 (January 1768 – April 1769) p.240–241:
PC 2/113/240–241

[view](#)

APC Citation v.5 [46] p.115 – 14 April 1769 – entry 3

PC Register Citation George III v.6 (January 1768 – April 1769) p.493,
539–540: PC 2/113/493, 539–540

[view](#)

Colonial Courts

Inferior Court – about 10 February 1766 (date suit was brought)

Superior Court – Newport – March 1767

Participants

Clarke, James of Newport

Laycock, Godfrey, merchant (later deceased), of Halifax in Yorkshire

Laycock, Hannah (widow of Godfrey Laycock)

Southwick, Solomon of Dartmouth in Bristol county in Massachusetts

Description

Book debt

Disposition

Reversed

Notes

The case was revived in the name of Hannah Laycock as widow of Godfrey Laycock.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 13 Mar. 1769 – PC 1/54/64C	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [812] p.470	view_APC

Report

Report No. 11_1768_00

Isaacks v Stead

Rhode Island

Case Name Short Isaacks v Stead

Case Name Long Jacob Isaacks v William Stead

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [95] p.175 – 16 December 1768 – entry 1

PC Register Citation George III v.6 (January 1768 – April 1769) p.387: PC
2/113/387

[view](#)

APC Citation v.5 [95] p.175 – 27 April 1770 – entry 2

PC Register Citation George III v.7 (May 1769 – December 1770) p.297–
298, 356: PC 2/114/297–298, 356

[view](#)

Colonial Courts

Unnamed – March 1765 and 28 May 1764

Participants

Isaacks, Jacob, merchant, of Newport
Stead, William

Description

Not stated in *APC*, but see Notes, below

Disposition

Affirmed

Notes

Related to other Privy Council appeals:

Stead v Hart and Stead v Elizer – Report No. 11_1765_01 (*APC*, v.4 [600] p.716–717)

Stead v Isaacs – Report No. 11_1766_01 (*APC*, v.4 [649] p.759)

Stead v Isaacs and Isaacks v Stead are almost certainly two aspects of the same dispute. The lower court judgments referred to in both cases have the same date, and the Privy Council's register confirms that the names of the courts are the same. In Stead v Isaacs, the Council apparently agrees that Stead did not properly insure the ship in question, and Isaacs is allowed a new trial on the amount of his damages. In Isaacks v Stead, a judgment for Stead in the amount of £1,200 on a bill of exchange is affirmed. Stead's actions against Hart and Elizer are against them as endorsers of a note from Isaacks resulting in a judgment for £1,200. This is probably the same piece of commercial paper as is at

stake in the subsequent case. Be that as it may be, Isaacks and Stead are clearly the underlying parties in all four actions.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 2 Apr. 1770 – PC 1/54/66C	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [840] p.484	view_APC

Report

Report No. 11_1769_01**Hart v Solomons****Rhode Island**

Case Name Short Hart v Solomons

Case Name Long Naphthali Hart and Isaac Hart v Abraham Solomons

Acts of the Privy Council, Colonial Series[view_APC](#)

APC Citation v.5 [110] p.191–192 – 14 April 1769 – entry 1

PC Register Citation George III v.6 (January 1768 – April 1769) p.548: PC
2/113/548[view](#)

Colonial Courts

Unnamed – 16 November 1767

Superior Court – March 1768

Participants

Hart, Isaac, merchant, of Newport

Hart, Naphthali, merchant, of Newport

Solomons, Abraham

Vessels

Confirmation (ship)

Description

Action of account concerning a ship

Disposition

Not provided in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1769_02

Grant v Hardy

Rhode Island

Case Name Short Grant v Hardy

Case Name Long Alexander Grant v Charles Hardy

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [125] p.210–211 – 15 September 1769 – entry 1

PC Register Citation George III v.7 (May 1769 – December 1770) p.107,
268: PC 2/114/107, 268 [view](#)

APC Citation v.5 [125] p.211 – 19 July 1771 – entry 2

PC Register Citation George III v.8 (January – December 1771) p.325–326,
343–344: PC 2/115/325–326, 343–344 [view](#)

Colonial Courts

Inferior Court – 16 November 1767

Superior Court – September 1768

Participants

Grant, Alexander, merchant, of Newport

Hardy, Charles

Description

Bills of exchange

Disposition

Dismissed. Appellant's solicitor did not have instruction to go further.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 9 July 1771 – PC 1/55/67 [view_Doc](#)

Notes Referenced in *APC*, v.6 [868] p.504–505 [view_APC](#)

Report

Report No. 11_1773_01

Sandford v Smith

Rhode Island

Case Name Short Sandford v Smith

Case Name Long Giles and Elizabeth Sandford v Elizabeth and Isaac
Smith, William Taggart, Israel and Sarah Church

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [244] p.359–360 – 31 March 1773 – entry 1

PC Register Citation George III v.9 (January – December 1772) p.480: PC
2/116/480

[view](#)

PC Register Citation George III v.10 (January 1773 – April 1774) p.127–
128: PC 2/117/127–128

[view](#)

APC Citation v.5 [244] p.360 – 4 August 1773 – entry 2

PC Register Citation George III v.10 (January 1773 – April 1774) p.261,
266: PC 2/117/261, 266

[view](#)

Colonial Courts

Inferior Court – May 1771

Superior Court – September 1771

Participants

Church, Israel of Middletown in Newport county (husband of Sarah
Church)

Church, Sarah of Middletown in Newport county (wife of Israel Church)

Sandford, Elizabeth (wife of Giles Sandford)

Sandford, Giles (husband of Elizabeth Sandford)

Smith, Edward

Smith, Elizabeth of Middletown in Newport county

Smith, Isaac of Middletown in Newport county

Taggart, William of Middletown in Newport county

Description

Land in Middletown in dispute. Bilder, *Transatlantic Constitution*, p.276
n.33, adds that this is an inheritance dispute.

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report – 29 July 1773 – PC 1/55/72	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [907] p.539	view_APC

Report

Report No. 11_1773_02

Elam v Dockray

Rhode Island

Case Name Short Elam v Dockray

Case Name Long Gervase Elam v John Dockray

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [245] p.360 – 31 March 1773 – entry 1

PC Register Citation George III v.9 (January – December 1772) p.480: PC
2/116/480 [view](#)

PC Register Citation George III v.10 (January 1773 – April 1774) p.128: PC
2/117/128 [view](#)

APC Citation v.5 [245] p.360 – 22 April 1773 – entry 2

PC Register Citation George III v.10 (January 1773 – April 1774) p.183: PC
2/117/183 [view](#)

APC Citation v.5 [245] p.360 – 20 May 1774 – entry 3

PC Register Citation George III v.11 (May 1774 – May 1775) p.33–39, 74–
75: PC 2/118/33–39, 74–75 [view](#)

Colonial Courts

Inferior Court – May 1771

Superior Court – September 1771

Participants

Chaloner, W.

Dockray, John of South Kingstown in King's county

Elam, Gervase

Hosier, Giles

Robinson, James

Description

Action to recover on a promissory note

Disposition

Reversed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 12 May 1774 – PC 1/56/74A [view_Doc](#)

Report

Report No. 11_1773_03

Dudley v Clarke

Rhode Island

Case Name Short **Dudley v Clarke**

Case Name Long **Charles Dudley v John Innis Clarke and Joseph
Nightingale**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [270] p.383 – 29 October 1773 – entry 1

PC Register Citation **George III v.10 (January 1773 – April 1774) p.328–
329, 446: PC 2/117/328–329, 446**

[view](#)

APC Citation v.5 [270] p.383 – 30 June 1775 – entry 2

PC Register Citation **George III v.12 (June 1775 – May 1776) p.26–31, 54:
PC 2/119/26–31, 54**

[view](#)

Colonial Courts

Vice Admiralty Court – 1772 – condemnation

Superior Court – March 1773

Participants

Clarke, John Innis

Dudley, Charles, collector of customs in Rhode Island

Linzee, John, commander of HMS *Beaver*

Munro, James, master of the *Industry*

Nightingale, Joseph (owner of the *Industry*)

Vessels

HMS *Beaver*

Industry (schooner)

Description

Duties on cargo

Disposition

Reversed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1773_04

Dudley v Shaw

Rhode Island

Case Name Short Dudley v Shaw

Case Name Long Charles Dudley v Nathaniel Shaw

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [271] p.383 – 29 October 1773 – entry 1

PC Register Citation George III v.10 (January 1773 – April 1774) p.329: PC 2/117/329 [view](#)

APC Citation v.5 [271] p.383–384 – 31 December 1773 – entry 2

PC Register Citation George III v.10 (January 1773 – April 1774) p.376–377, 394–395: PC 2/117/376–377, 394–395 [view](#)

PC Register Citation George III v.11 (May 1774 – May 1775) p.213: PC 2/118/213 [view](#)

PC Register Citation George III v.12 (June 1775 – May 1776) p.33–34: PC 2/119/33–34 [view](#)

Colonial Courts

Superior Court – 1772/3 (orders)

Participants

Dudley, Charles, collector of customs in Rhode Island

Francis, Thomas, gentleman, of Chancery Lane

Leake, John Martin, esquire, of the Treasury at Whitehall

Shaw, Nathaniel

Vessels

Mermaid (brigantine)

Description

Consequences of seizure and condemnation of cargo of molasses and coffee

Disposition

Appeal admitted and proceedings stayed; further disposition not stated in the *APC*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1773_05

Keeler v Rhodes

Rhode Island

Case Name Short Keeler v Rhodes

Case Name Long Robert Keeler v William Rhodes

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [272] p.384 – 29 October 1773 – entry 1

PC Register Citation George III v.10 (January 1773 – April 1774) p.329–
330: PC 2/117/329–330

[view](#)

APC Citation v.5 [272] p.384 – 17 December 1773 – entry 2

PC Register Citation George III v.10 (January 1773 – April 1774) p.377: PC
2/117/377

[view](#)

Colonial Courts

Superior Court – March 1773

Participants

Keeler, Robert, late captain of HMS *Mercury*

Rhodes, William

Vessels

HMS *Mercury*

Description

Assault

Disposition

Appeal not admitted

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1774_00

Bean v Wanton

Rhode Island

Case Name Short Bean v Wanton

Case Name Long Samuel Bean and Isaac Walker, Francis Newton and
John Colville v Gideon Wanton and John Wanton

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [291] p.394 – 13 April 1774 – entry 1

PC Register Citation George III v.10 (January 1773 – April 1774) p.510–
511: PC 2/117/510–511

[view](#)

APC Citation v.5 [291] p.394 – 6 July 1774 – entry 2

PC Register Citation George III v.11 (May 1774 – May 1775) p.148–149,
170–171, 509–510: PC 2/118/148–149, 170–171, 509–
510

[view](#)

PC Register Citation George III v.12 (June 1775 – May 1776) p.35: PC
2/119/35

[view](#)

Colonial Courts

Inferior Court – 18 November 1771

Superior Court

Participants

Bean, David (party in action in lower court)

Bean, Samuel, bankrupt merchant, of London

Bell, Thomas, merchant, of London

Colville, John, merchant, of London (assignee of Samuel Bean)

Newton, Francis (assignee of Samuel Bean)

Rodman, William, deceased

Walker, Isaac (assignee of Samuel Bean)

Wanton, Gideon (executor of William Rodman)

Wanton, John (executor of William Rodman)

Description

Action to recover sum allegedly due bankrupt merchant

Disposition

Appeal admitted; no further disposition stated in the *APC*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 11_1775_00

Andrews v Farrint

Rhode Island

Case Name Short Andrews v Farrint

Case Name Long John Andrews v John Farrint

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [320] p.416 – 30 June 1775 – entry 1

PC Register Citation George III v.12 (June 1775 – May 1776) p.59: PC
2/119/59

[view](#)

Colonial Courts

Inferior Court – May 1772

Inferior Court – November 1772

Superior Court – March 1773

Participants

Andrews, John (owner of the *Hope Still*)

Farrint, John, mariner, of Newport

Vessels

Hope Still (ship)

Description

Desertion of ship

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 12_1699_00

**Peers v Amory
(*In re The Turtle*)**

South Carolina

Case Name Short Peers v Amory
In re The Turtle

Case Name Long George Peers v Jonathan Amory (*In re The Turtle*)

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.2 [747] p.333–334 – 31 May 1699 – entry 1	
PC Register Citation	William III v.5 (5 May 1697 – 30 March 1700) p.345: PC 2/77/345	view
APC Citation	v.2 [747] p.334 – 20 June 1700 – entry 2	
PC Register Citation	William III v.6 (4 April 1700 – 19 February 1702) p.57: PC 2/78/57	view
APC Citation	v.2 [747] p.334 – 31 December 1700 – entry 3	
PC Register Citation	William III v.6 (4 April 1700 – 19 February 1702) p.123, 124: PC 2/78/123, 124	view
APC Citation	v.2 [747] p.334 – 31 December 1700 – entry 4	
PC Register Citation	William III v.6 (4 April 1700 – 19 February 1702) p.125: PC 2/78/125	view
APC Citation	v.2 [747] p.334 – 17 July 1701 – entry 5	
PC Register Citation	William III v.6 (4 April 1700 – 19 February 1702) p.233: PC 2/78/233	view
APC Citation	v.2 [747] p.334 – 11 September 1701 – entry 6	
PC Register Citation	William III v.6 (4 April 1700 – 19 February 1702) p.256: PC 2/78/256	view

Colonial Courts

Court of Admiralty of Carolina – 27 August 1698

Participants

Amory, Jonathan, Naval Officer of Charles Town

Cunningham, Robert, master of the *Turtle*

Mountague, Mr. (agent for defendant)

Peers, George, merchant, of Barbados (an owner of the *Turtle*)

Vessels

Turtle of Barbados (sloop)

Description

Condemnation under the Navigation Acts

Disposition

Committee agrees to hear appeal. No further disposition noted.

Notes

Cargo includes slaves.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Peers v Amory; *In re The Turtle*)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 12_1700_00

**Niccoll v [Blake]
(In re The Cole and Bean)**

South Carolina

Case Name Short Niccoll v [Blake]
In re The Cole and Bean

Case Name Long Benjamin Niccoll, John Crosse, Patrick Walsh, and Giles
Been v [Blake] (*In re The Cole and Bean*)

Acts of the Privy Council, Colonial Series

[view__APC](#)

APC Citation v.2 [798] p.356 – 18 July 1700 – entry 1

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.72: PC 2/78/72 [view](#)

APC Citation v.2 [798] p.356 – 19 September 1700 – entry 2

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.82, 85: PC 2/78/82, 85 [view](#)

APC Citation v.2 [798] p.356 – 22 October 1700 – entry 3

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.85: PC 2/78/85 [view](#)

PC Register Note The *APC* lists this page twice, apparently in order to show that the promise in the entry on p.82 that the committee report will be entered was not, in fact, fulfilled except by the reference to it here.

APC Citation v.2 [798] p.356 – 22 May 1701 – entry 4

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.210: PC 2/78/210 [view](#)

APC Citation v.2 [798] p.356 – 31 July 1701 – entry 5

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.241–242: PC 2/78/241–242 [view](#)

Colonial Courts

Court of Admiralty in Carolina – 3 January 1700

Participants

Been, Giles, merchant, of London (owner of the *Cole and Bean*)

Crosse, John, merchant, of London (owner of the *Cole and Bean*)

Niccoll, Benjamin, merchant, of London (owner of the *Cole and Bean*)

Walsh, Patrick, merchant, of London (owner of the *Cole and Bean*)

[Blake], ____

Vessels

Cole and Bean (galley)

Description

Condemnation

Disposition

Reversed

Notes

Smith (p.308) notes John Comyns as counsel for appellants.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Nicoll v Blake see *sub In re The Cole and Bean*)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1682_00

Bland v Codd

Virginia

Case Name Short Bland v Codd

Case Name Long Sarah Bland v Col. St. Leger Codd and wife

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [88] p.38 – 3 August 1682 – entry 1

CSP Citation VI no. 641

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.541–542: PC 2/69/541–542

[view](#)

APC Citation v.2 [88] p.38 – 26 April 1683 – entry 2

CSP Citation VI no. 1054

PC Register Citation Charles II v.16 (1 June 1680 – 31 May 1683) p.684: PC 2/69/684

[view](#)

APC Citation v.2 [88] p.38 – 29 September 1684 – entry 3

PC Register Citation Charles II v.17 (13 June 1683 – 4 February 1685) p.235: PC 2/70/235

[view](#)

APC Citation v.2 [88] p.38 – 31 October 1684 – entry 4

PC Register Citation Charles II v.17 (13 June 1683 – 4 February 1685) p.242: PC 2/70/242

[view](#)

APC Citation v.2 [88] p.38 – 7 November 1684 – entry 5

CSP Citation VI no. 1922

PC Register Citation Charles II v.17 (13 June 1683 – 4 February 1685) p.247: PC 2/70/247

[view](#)

APC Citation v.2 [88] p.38 – 19 November 1684 – entry 6

CSP Citation VI no. 1951

PC Register Citation Charles II v.17 (13 June 1683 – 4 February 1685) p.255: PC 2/70/255

[view](#)

Colonial Courts

Unnamed

Participants

Bland, Sarah

Codd, Col. St. Leger

Codd, Mrs. St. Leger

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Submitted to arbitration that apparently failed, according to Smith (p.100)

References in Smith, *Appeals to the Privy Council*

Table of Cases (Bland v Codd)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1685_00

Plampin v Scarborough

Virginia

Case Name Short Plampin v Scarborough Not a 'true' appeal.

Case Name Long Edward Plampin v Edmund Scarborough

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [203] p.90 – 18 December 1685 – entry 1

CSP Citation VII no. 508 and 2126

PC Register Citation James II Part 1 (6 February 1685 – 18 March 1687)
p.175–176: PC 2/71/175–176

[view](#)

Colonial Courts

No colonial court decision

Participants

Bagnall, John, deceased

Howard, Lord, Governor General

Plampin, Edward (administrator to John Bagnall)

Scarborough (Scarborough), Edmund, deceased

Description

Administrator's action on a bond

Disposition

Governor is ordered to bring the cause to a speedy trial in the colony.

Notes

This is not an appeal from a colonial court judgment but a request that the colonial court be forced to hold a speedy trial.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1690_00

Ludwell v Toton

Virginia

Case Name Short Ludwell v Toton

Case Name Long Philip Ludwell v John Toton

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [393] p.184–185 – 19 December 1690 – entry 1 (The date of this entry in the *APC* would seem to be in error. The figure (p.84) is curiously formed, but it is much more likely to be an ‘8’ than a ‘9’. The *CSP* has 18 December.)

CSP Citation VIII no. 1259

PC Register Citation William III v.2 (3 September 1690 – 29 September 1692) p.88: PC 2/74/88

[view](#)

Colonial Courts

General Court of Virginia

Participants

Berkeley, Sir William, former Governor, now deceased

Ludwell, Philip (husband of executrix of Sir William Berkeley)

Toton, John

Description

Opposition to jurisdiction of the court in a suit brought for actions of the Governor while in office

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Sir William Berkeley – Governor, 1642–1652, 1660–1677

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1696_00

Appeal of Bowtell

Virginia

Case Name Short Bowtell, appeal of Not a 'true' appeal.

Case Name Long William Bowtell and Thomas Wenborne, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#) [view_CSP](#)

APC Citation v.2 [632] p.299 – 18 June 1696 – entry 1

CSP Citation X no. 46

PC Register Citation William III v.4 (2 December 1694 – 23 April 1697)
p.451: PC 2/76/451

[view](#)

Colonial Courts

No colonial court decision

Participants

Bowtell, William

Wenborne, Thomas

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

The petition regards a presumed debt of John Lear, a member of the Virginia Council, who by a rule of the General Court was immune from suit. The petition is of interest, though not an actual appeal from a court judgment. According to Kammen, “Virginia at the Close of the Seventeenth Century,” p.143–144, the “very first piece of business referred to the Board [of Trade] in 1696, before it had held its first meeting, concerned Virginia. . . . The lords commissioners were ordered to report on the case of William Bowtell and Thomas Wenborne, merchants, who raised the issue of privileges enjoyed by councilors in Virginia. . . . In consequence, at their seventh meeting, on July 13, 1696, the Board heard the petition of the two aggrieved parties.”

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1699_00

Starke v Parker

Virginia

Case Name Short Starke v Parker

Case Name Long Thomas Starke v Thomas and Francillia Parker

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [770] p.346–347 – 7 December 1699 – entry 1

PC Register Citation William III v.5 (5 May 1697 – 30 March 1700) p.398:
PC 2/77/398

[view](#)

APC Citation v.2 [770] p.347 – 22 May 1700 – entry 2

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.31: PC 2/78/31

[view](#)

APC Citation v.2 [770] p.347 – 30 May 1700 – entry 3

PC Register Citation William III v.6 (4 April 1700 – 19 February 1702)
p.34–35: PC 2/78/34–35

[view](#)

Colonial Courts

General Court – 17 April 1699

Participants

Goodricke, Joseph, deceased

Parker, Francillia (wife of Thomas Parker and executrix of Joseph Goodricke)

Parker, Thomas (husband of Francillia Parker)

Starke, Thomas, merchant, of London

Description

Not stated in the *APC*, but appears to be related to the administration of an estate

Disposition

Appeal dismissed and judgment affirmed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Starke v Parker)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1703_00

**Selden v Beverley
Ballard v Beverley**

Virginia

Case Name Short Selden v Beverley
Ballard v Beverley

Case Name Long Samuel Selden v Robert Beverley
Francis Ballard on the demise of Samuel and Rebecca
Selden v Robert Beverley

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.2 [909] p.446 – 18 November 1703 – entry 1	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.459–460: PC 2/79/459–460	view
APC Citation	v.2 [909] p.446 – 23 December 1703 – entry 2	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.481: PC 2/79/481	view
APC Citation	v.2 [909] p.446 – 18 January 1704 – entry 3	
PC Register Citation	Anne v.1 (8 March 1702 – 18 January 1704) p.512–513: PC 2/79/512–513	view
APC Citation	v.2 [909] p.446 – 20 January 1704 – entry 4	
PC Register Citation	Anne v.2 (20 January 1704 – 29 September 1705) p.3–4: PC 2/80/3–4	view
APC Citation	v.2 [909] p.446–447 – 3 February 1704 – entry 5	
PC Register Citation	Anne v.2 (20 January 1704 – 29 September 1705) p.48: PC 2/80/48	view
APC Citation	v.2 [909] p.447 – 10 February 1704 – entry 6	
PC Register Citation	Anne v.2 (20 January 1704 – 29 September 1705) p.55: PC 2/80/55	view

Colonial Courts

Court of Virginia

Participants

Ballard, Francis (lessee of Samuel Selden)

Beverley, Robert

Selden, Rebecca (wife of Samuel Selden)

Selden, Samuel (husband of Rebecca Selden and lessor of Francis Ballard)

Description

Land (“proceedings . . . touching two plantations of lands” [Selden],

“petition . . . of the lessee of Samuel Selden, and Rebecca his wife on behalf of himself and the said lessors, complaining of proceedings . . . touching two plantations of lands,” [Ballard])

Disposition

Council advises reversal but leaves parties at liberty to try cause again in Virginia and to appeal upon a special verdict.

Notes

On the original actions involved here, see *Additional Research*.

APC, v.2 [1240] p.702, notes an appeal of Robert Beverley (spelled Beverly) to which an appearance for Samuel Selden (spelled Seldon) was made. (Beverly v Seldon, Report No. 13_1715_00.) This may relate to the litigation here between these parties, but further investigation has not been made to verify that.

Beverley’s petition for writ of attaint (somewhat puzzling in this context, granted that Ballard is also complaining about the result below) is dismissed on the advice of the Attorney General. See TNA Documents.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Selden v Beverly)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Order of reference (Beverley v Ballard) – 3 Feb. 1704 – PC 1/46/6	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [115] p.28	view_APC
TNA Document	Petition (Beverley v Ballard) – no date – PC 1/46/6	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [115] p.28	view_APC
TNA Document	Attorney General opinion (Beverley v Ballard) – read 10 Feb. 1704 – PC 1/46/6	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [115] p.28. Date is from dorse which references the Attorney General opinion only.	view_APC

Report

Report No. 13_1709_00

D'Oyly v Harrison

Virginia

Case Name Short D'Oyly v Harrison

Not a 'true' appeal.

Case Name Long Robert D'Oyly v Benjamin Harrison

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1100] p.607 – 18 July 1709 – entry 1

PC Register Citation Anne v.4 (5 March 1708 – 31 May 1710) p.367–368:

PC 2/82/367–368

[view](#)

Colonial Courts

Court of York County

Participants

D'Oyly, Charles (son of Cope D'Oyly)

D'Oyly, Cope (deceased brother of Robert D'Oyly and father of Charles and Cope D'Oyly)

D'Oyly, Cope (son of Cope D'Oyly)

D'Oyly, Robert (brother and administrator to Cope D'Oyly and guardian of Charles and Cope D'Oyly in England)

Harrison, Benjamin (attorney and guardian of Charles and Cope D'Oyly in Virginia)

Description

Dispute over guardianship and support of nephews of Robert D'Oyly

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

The petition appears to allege a dispute relating to the guardianship of minors and an intestate estate. The initial guardianship decision involved the probate jurisdiction of the Governor and the county court. Whether or not the petition of D'Oyly is a 'true' appeal from a judgment cannot be determined from the *APC*.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1715_00

Beverly v Seldon

Virginia

Case Name Short Beverly v Seldon

Not a 'true' appeal.

Case Name Long Robert Beverly v Samuel Seldon

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1240] p.702 – 4 October 1715 – entry 1

PC Register Citation George I v.1 (1 August 1714 – 2 March 1717) p.292:
PC 2/85/292

[view](#)

Colonial Courts

Proceedings in colonial court unclear

Participants

Beverly, Robert

Inledon, Robert (appears for Samuel Seldon)

Seldon, Samuel

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Whether there is a relation to the previous appeal of Selden v Beverley, Report No. 13_1703_00 (*APC*, v.2 [909] p.446), other than the fact that parties seem to be the same, is not apparent from the skimpy entry in the register.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1716_00

Stannard v Wormeley

Virginia

Case Name Short Stannard v Wormeley

Case Name Long Anne Stannard by William Stannard v John Wormeley

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1263] p.718 – 13 September 1716 – entry 1

PC Register Citation George I v.1 (1 August 1714 – 2 March 1717) p.442:
PC 2/85/442

[view](#)

APC Citation v.2 [1263] p.718 – 6 March 1717 – entry 2

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.4B:
PC 2/86/4B

[view](#)

APC Citation v.2 [1263] p.718 – 30 March 1717 – entry 3

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.6:
PC 2/86/6

[view](#)

Colonial Courts

General Court – 26 April 1716

Participants

Stannard, Anne, infant (daughter of William Stannard)

Stannard, William (father of Anne Stannard)

Wormeley, John

Description

Land

Disposition

Dismissed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1719_00

**Jones v Toleson
Winder v Jones**

Virginia

Case Name Short Jones v Toleson
Winder v Jones

Case Name Long Robert and Elizabeth Jones v Thomas Toleson and
William Williams
Elizabeth Winder and Richard and Elizabeth Kenner v
Robert and Elizabeth Jones

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.2 [1311] p.755–756 – 6 February 1719 – entry 1	
PC Register Citation	George I v.2 (2 March 1717 – 25 August 1720) p.220–221: PC 2/86/220–221	view
APC Citation	v.2 [1311] p.756 – 8 January 1720 – entry 2	
PC Register Citation	George I v.2 (2 March 1717 – 25 August 1720) p.370: PC 2/86/370	view
APC Citation	v.2 [1311] p.756 – 24 February 1720 – entry 3	
PC Register Citation	George I v.2 (2 March 1717 – 25 August 1720) p.381: PC 2/86/381	view
APC Citation	v.2 [1311] p.756 – 22 March 1720 – entry 4	
PC Register Citation	George I v.2 (2 March 1717 – 25 August 1720) p.396–397: PC 2/86/396–397	view
APC Citation	v.2 [1311] p.756 – 13 September 1722 – entry 5	
PC Register Citation	George I v.4 (1 June 1722 – 25 August 1724) p.106: PC 2/88/106	view
APC Citation	v.2 [1311] p.756 – 6 October 1722 – entry 6	
PC Register Citation	George I v.4 (1 June 1722 – 25 August 1724) p.111: PC 2/88/111	view
APC Citation	v.2 [1311] p.756 – 20 June 1723 – entry 7	
PC Register Citation	George I v.4 (1 June 1722 – 25 August 1724) p.264–265: PC 2/88/264–265	view
APC Citation	v.2 [1311] p.757 – 24 July 1723 – entry 8	
PC Register Citation	George I v.4 (1 June 1722 – 25 August 1724) p.283–284: PC 2/88/283–284	view
APC Citation	v.2 [1311] p.757 – 6 August 1723 – entry 9	
PC Register Citation	George I v.4 (1 June 1722 – 25 August 1724) p.304: PC 2/88/304	view

Colonial Courts

Unnamed – 2 May 1718
 General Court – 27 October 1721 (the result of a new trial ordered by the
 Privy Council 22 March 1720)

Participants

Brereton, Capt. Thomas (deceased son of Col. Thomas Brereton and
 father of Elizabeth Jones)
 Brereton, Col. Thomas (deceased father of Capt. Thomas Brereton)
 Brereton, Mary (widow of Capt. Thomas Brereton)
 Brereton, Thomas (deceased grandson of Col. Thomas Brereton)
 Cooper, George
 Hobson, Thomas
 Howson, Leonard
 Jones, Elizabeth (wife of Robert Jones and daughter of Capt. Thomas
 Brereton)
 Jones, Robert (husband of Elizabeth Jones)
 Kenner, Elizabeth (wife of Richard Kenner and daughter of Elizabeth
 Winder)
 Kenner, John (unclear if this is an incorrect reference to ‘Richard’
 Kenner)
 Kenner, Richard (husband of Elizabeth Kenner and son-in-law of
 Elizabeth Winder)
 Toleson, Thomas (tenant of Elizabeth Winder and Richard and Elizabeth
 Kenner)
 Williams, William (tenant of Elizabeth Winder and Richard and
 Elizabeth Kenner)
 Winder, Elizabeth (widowed aunt of Thomas Brereton, the deceased
 grandson; and mother of Elizabeth Kenner)

Description

Land dispute regarding property in St. Stephen’s parish, Northumberland
 Co., Virginia

Disposition

New trial to produce written evidence for the Council ordered and held,
 after which the judgment was affirmed in favor of Jones for dower. On
 the cross-appeal by Winder and the Kenners, regarding the remaining
 two-thirds of the land, that part of the judgment is reversed.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Jones v Toleson)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Petition of Jones – no date – PC 1/47/18	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [317] p.136. Appeal of Jones is referenced as Jones v Winder.	
TNA Document	Order of reference (Jones v Winder) – 6 Feb. 1719 – PC 1/47/16	view_Doc
Notes	Referenced in <i>Acts of the Privy Council. Colonial Series</i> , v.6 [278] p.119. Appeal of Jones is referenced as Jones v Winder.	
TNA Document	Copy of petition of Robert and Elizabeth Jones – 6 Feb. 1719 – PC 1/47/16	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [278] p.119. Appeal of Jones is referenced as Jones v Winder.	
TNA Document	Order of reference (Winder v Jones) – 8 Jan. 1720 – PC 1/47/15	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [287] p.120	view_APC
TNA Document	Petition of Winder and Kenner – read 24 Feb. 1720 – PC 1/47/15	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [287] p.120	view_APC
TNA Document	Order of reference (Jones v Winder) – 6 Oct. 1722 – PC 1/47/18	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [317] p.136. Appeal of Jones is referenced as Jones v Wiinder.	

Report

Report No. 13_1720_00

Corbin v Roscow

Virginia

Case Name Short Corbin v Roscow

Case Name Long Gawen Corbin v James and Jane Roscow

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.2 [1327] p.766 – 8 January 1720 – entry 1

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.371:
PC 2/86/371 [view](#)

APC Citation v.2 [1327] p.766 – 24 February 1720 – entry 2

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.379–
380: PC 2/86/379–380 [view](#)

APC Citation v.2 [1327] p.766 – 28 February 1720 – entry 3

PC Register Citation George I v.2 (2 March 1717 – 25 August 1720) p.386:
PC 2/86/386 [view](#)

Colonial Courts

Virginia Chancery – 30 April 1719

Participants

Corbin, Gawen (husband of Jane Wilson Corbin)

Corbin, Jane Wilson (wife, presumed deceased, of Gawen Corbin and
mother of Jane Roscow)

Roscow, James (husband of Jane Roscow)

Roscow, Jane (wife of James Roscow and daughter of Jane Wilson
Corbin)

Description

Land

Disposition

Altered in part, reversed in part, confirmed in part

Notes

The appellant in this case would seem to be the same as the appellant in Corbin v Corbin (13_1732_00, APC, v.3 [265] p.365), but the cases do not seem to be otherwise related.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Copy of petition of G. Corbin – no date – PC 1/47/16	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [288] p.120	view_APC
TNA Document	Order of reference – 8 Jan. 1720 – PC 1/47/16	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [288] p.120	view_APC
TNA Document	Committee report – 24 Feb. 1720 – PC 1/47/16	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [288] p.120	view_APC

Report

Report No. 13_1724_00

Perry v Randolph

Virginia

Case Name Short Perry v Randolph

Case Name Long Sarah Perry, Micaiah Perry and Philip Perry v Mary,
William and Thomas Randolph

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [65] p.69 – 12 May 1724 – entry 1

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.525:
PC 2/88/525

[view](#)

APC Citation v.3 [65] p.69 – 30 June 1724 – entry 2

PC Register Citation George I v.4 (1 June 1722 – 25 August 1724) p.541:
PC 2/88/541

[view](#)

APC Citation v.3 [65] p.69 – 18 November 1724 – entry 3

PC Register Citation George I v.5 (September 1724 – May 1727) p.15: PC
2/89/15

[view](#)

APC Citation v.3 [65] p.69 – 25 November 1724 – entry 4

PC Register Citation George I v.5 (September 1724 – May 1727) p.16: PC
2/89/16

[view](#)

APC Citation v.3 [65] p.69–70 – 20 March 1725 – entry 5

PC Register Citation George I v.5 (September 1724 – May 1727) p.43: PC
2/89/43

[view](#)

APC Citation v.3 [65] p.70 – 8 July 1725 – entry 6

PC Register Citation George I v.5 (September 1724 – May 1727) p.90–91:
PC 2/89/90–91

[view](#)

APC Citation v.3 [65] p.70 – 20 July 1725 – entry 7

PC Register Citation George I v.5 (September 1724 – May 1727) p.101–
102: PC 2/89/101–102

[view](#)

Colonial Courts

General Court – 24 October 1723

Participants

Ellison, Mr. of Symond's Inn (appears for Randolphs)

Faulkner, John (commissioner for respondent)

Morrice, Humphrey (commissioner for appellant)

Newport, George (commissioner for appellant)

Perry, Micaiah of London

Perry, Philip of London

Perry, Sarah, widow, of London

Randolph, Col. William, deceased

Randolph, Mary (executor of Col. William Randolph)
 Randolph, Thomas (executor of Col. William Randolph)
 Randolph, William (executor of Col. William Randolph)
 Wilmot, Robert (commissioner for respondent)

Description

Contested accounts

Disposition

Reversed

Notes

Commissioners were appointed to study and advise on the dispute.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Perry v Randolph)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Representation of the commissioners – Mar. 1725 [view_Doc](#)
 (as dated in TNA cataloging) – PC 1/58/2A

Catalogued as Catalogued by TNA: Representation of the
 commissioners appointed to examine the accounts in
 question in the appeal Perry v Randolph

Other Documents

Document See opinions on the case stated in Barton, *Virginia Colonial
 Decisions*, 2:B7–B10, B22–25.

Report

Report No. 13_1727_00

**Heal v Ball
Ball v Heal**

Virginia

Case Name Short Heal v Ball
Ball v Heal

Case Name Long George Heal v William Ball
William Ball v George Heal

Acts of the Privy Council, Colonial Series

[view_AP](#)

APC Citation	v.3 [133] p.177 – 13 November 1727 – entry 1	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.182, 213; PC 2/90/182, 213	view
APC Citation	v.3 [133] p.177 – 15 August 1728 – entry 2	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.354–355, 361; PC 2/90/354–355, 361	view
APC Citation	v.3 [133] p.177 – 1 February 1729 – entry 3	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.436: PC 2/90/436	view
APC Citation	v.3 [133] p.177 – 26 March 1729 – entry 4	
PC Register Citation	George II v.1 (14 June 1727 – 22 May 1729) p.442–443, 460; PC 2/90/442–443, 460	view

Colonial Courts

General Court – 26 October 1725 – re Heal v Ball

General Court before Governor and Council – 15 April 1727 – re Ball v Heal

Participants

Ball, William, gentleman

Heal, George, gentleman

Description

Land dispute in the parish of Fareham, Richmond county

Disposition

Both appeals dismissed.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Ball v Heal)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report on <i>Heal v Ball</i> – 2 Aug. 1728 – PC 1/48/24	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [396] p.193	view_APC

Report

Report No. 13_1729_00

Bayler v Carter

Virginia

Case Name Short Bayler v Carter

Case Name Long John Bayler by Robert Bayler and Augustine Moor v
John and Elizabeth Carter

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [167] p.215 – 1 February 1729 – entry 1

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.437:
PC 2/90/437

[view](#)

APC Citation v.3 [167] p.215 – 3 March 1729 – entry 2

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.443:
PC 2/90/443

[view](#)

APC Citation v.3 [167] p.215 – 26 March 1729 – entry 3

PC Register Citation George II v.1 (14 June 1727 – 22 May 1729) p.460:
PC 2/90/460

[view](#)

Colonial Courts

General Court – 25 April 1728

Participants

Bayler, John,a minor

Bayler, Robert (guardian of John Bayler)

Carter, Elizabeth (wife of John Carter)

Carter, John, esquire (husband of Elizabeth Carter)

Moor, Augustine (guardian of John Bayler)

Description

Land in the dispute in the parish of St. Stephen's

Disposition

Dismissed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1732_00

**Corbin v Corbin
(Corbin v Faldo)**

Virginia

Case Name Short Corbin v Faldo
Corbin v Corbin

Case Name Long Gawen Corbin v Robert Faldo on the demise of Thomas
Corbin

Acts of the Privy Council, Colonial Series

[view__APC](#)

APC Citation v.3 [265] p.365 – 7 September 1732 – entry 1

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.48: PC
2/92/48 [view](#)

APC Citation v.3 [265] p.365 – 12 February 1735 – entry 2

PC Register Citation George II v.3 (21 July 1732 – 18 July 1734) p.119,
122, 142, 153–154, 539: PC 2/92/119, 122, 142, 153–
154, 539 [view](#)

PC Register Citation George II v.4 (1 August 1734 – 23 September 1736)
p.84, 89–90, 100: PC 2/93/84, 89–90, 100 [view](#)

Colonial Courts

General Court – 24 April 1730

Participants

Corbin, Gawen

Corbin, Thomas

Faldo, Robert (lessee of Thomas Corbin)

Description

Action of trespass and ejectment

Disposition

Restitution of estate to Gawen Corbin

Notes

Robert Faldo may be a real person, but we may doubt the reality of the lease to him. On this and on the action of ‘trespass and ejectment’ involved here, see [Additional Research](#).

The appellant in this case would seem to be the same as the appellant in [Corbin v Roscow \(13_1720_00, APC, v.2 \[1327\] p.766\)](#), but the cases do not seem to be otherwise related.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1736_00

**Burges v Hack
(Gulliver v Hack)**

Virginia

Case Name Short Burges v Hack
Gulliver v Hack

Case Name Long Lemuel Gulliver on the demise of Frances Burges v John Hack

Acts of the Privy Council, Colonial Series

[view__APC](#)

APC Citation	v.3 [391] p.530 – 27 December 1736 – entry 1	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.48: PC 2/94/48	view
APC Citation	v.3 [391] p.530 – 21 February 1737 – entry 2	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.130–131: PC 2/94/130–131	view
APC Citation	v.3 [391] p.530–531 – 2 November 1737 – entry 3	
PC Register Citation	George II v.5 (1 October 1736 – 4 September 1738) p.293–294: PC 2/94/293–294	view
APC Citation	v.3 [391] p.531 – 23 November 1739 – entry 4	
PC Register Citation	George II v.6 (1 October 1738 – 27 March 1740) p.427: PC 2/95/427	view
APC Citation	v.3 [391] p.531 – 27 November 1739 – entry 5	
PC Register Citation	George II v.6 (1 October 1738 – 27 March 1740) p.432: PC 2/95/432	view

Colonial Courts

General Court of Pleas – 15 April 1736 (known in lower court as Gulliver v Hack)

Participants

Burges (Burgess), Frances, widow
Gulliver, Lemuel (lessee of Frances Burges)
Hack, John
Paris, Ferdinando John, solicitor (appears for John Hack)
Tox, David

Description

Land (“upon an Ejectment,” according to the the Privy Council register)

Disposition

Sent back to General Court of Pleas for further factual determination and jury trial if necessary

Notes

Participant Tox is named in the printed case as David Fox.

The printed case reveals that slaves as well as land are part of the property in dispute.

The summary of the Committee report in the *APC* has Frances Burges as lessee, but the Privy Council register has her properly as the lessor. Lemuel Gulliver may be a real person, but we may doubt the reality of the lease to him. On this and on the action of ejectment involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Burgess v Hack)

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant (Lemuel Gulliver on the demise of Frances Burgess)

Counsel [Signed] D. Ryder; J. Browne

Note The docket title is Frances Burgess, widow vs. John Hack, Gent. Title on the printed case is Lemuel Gulliver, on the demise of Frances Burgess – plaintiff and appellant; John Hack – respondent.

Library British Library: (Hardwicke Papers) Additional Manuscripts 36216 f.103–104 (Includes manuscript notes and an additional record in the appeal, f.105, which is printed and is endorsed: “A copy of the additional record in the appeal which was lately between Frances view Burges, widow, plaintiff and appellant and John Hack, gent., defendant and respondent which cause is now between Jesse Ball, and Frances his wife – appellant and John Hack – respondent.”)

Respondent's case Case of the respondent (Hack)

Note Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document A photocopy of “a copy of the record, transmitted on the appeal of Frances Burges, widow, plaintiff below, and appellant John Hack, gent., defendant below and respondent [Williamsburgh: s.n., 1737]” is in the Virginia Historical Society. The copy supposedly in the New York Public Library

(formerly the Lenox Library), as noted in Clayton-Torrence, *Trial Bibliography of Colonial Virginia*, 1:121, sec. 139, could not be verified. At least one copy is known to be in private hands. See also the entry in Barton, *Virginia Colonial Decisions*, 2:B195–201.

Report

Report No. 13_1738_00

Hunt v Hill

Virginia

Case Name Short Hunt v Hill

Case Name Long William Hunt v James and Joyce Hill

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [427] p.588 – 12 January 1738 – entry 1

PC Register Citation George II v.5 (1 October 1736 – 4 September 1738)
p.370: PC 2/94/370

[view](#)

APC Citation v.3 [427] p.588–590 – 27 November 1740 – entry 2

PC Register Citation George II v.7 (1 April 1740 – 7 August 1741) p.175,
234, 235–240, 263: PC 2/96/175, 234, 235–240, 263

[view](#)

Colonial Courts

Royal Court – 15 April 1736 or 1737 following several trials

Participants

Clopton, William (deceased partner of William Hunt)

Franks, William

Hill, James (husband of Joyce Hill)

Hill, Joyce (wife of James Hill and executrix of William Clopton)

Hunt, William, merchant, of London (partner of William Clopton)

Lacy, Joseph

Mason, William

Merriwether, William

Description

Settlement of partnership account

Disposition

Affirmed “except the method of payment of the currency debt by an assignment of a moiety of the outstanding debts of the partnership, which is reversed,” according to the *APC*

References in Smith, *Appeals to the Privy Council*

Table of Cases (Hunt v Hill)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew
Not found

Report

Report No. 13_1740_01

Rogers v Spalding

Virginia

Case Name Short Rogers v Spalding

Case Name Long Sarah Rogers v Alexander Spalding

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [487] p.668 – 31 January 1740 – entry 1

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740)
p.546: PC 2/95/546

[view](#)

APC Citation v.3 [487] p.668–669 – 10 July 1740 – entry 2

PC Register Citation George II v.7 (1 April 1740 – 7 August 1741) p.110,
112–116, 155–156: PC 2/96/110, 112–116, 155–156

[view](#)

Colonial Courts

General Court – 16 April 1739

Participants

Hume, George, Captain of the Guard at Whydah

Rogers, Sarah, spinster, of London (administratrix of her brother,
William Whetstone Rogers)

Rogers, William Whetstone, esquire, a chief merchant of the Royal
African Company (deceased brother of Sarah Rogers)

Spalding, Alexander

Stephens, Edward, a chief merchant of the Royal African Company

Description

Recovery of the value of effects of deceased brother

Disposition

Verdict and judgment set aside and appellant at liberty to proceed to
another trial

References in Smith, *Appeals to the Privy Council*

Table of Cases (Rogers v Spalding)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Rogers)

Counsel [Signed] D. Ryder; C. Clarke

Library Harvard University. Harvard Law School Library: Special

Collections. Rare Trials (Includes manuscript notes)

[view](#)

Respondent's case Case of the respondent (Spalding) ESTC: N68544

Counsel [Signed] J. Strange; W. Murray

Library Harvard University. Harvard Law School Library: Special Collections. Rare Trials (Noted in ESTC? Yes.) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document The printed cases for appellant and respondent are also available in Gale's Making of Modern Law: Trials under the name *Rogers v Spalding*. See also the entry in Barton, *Virginia Colonial Decisions*, 2:B81.

Report

Report No. 13_1740_02

Perry v Churchill

Virginia

Case Name Short Perry v Churchill

Case Name Long Micaiah Perry, John Maynard and Edward Athawes v
Armistead Churchill

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [489] p.670 – 10 March 1740 – entry 1

PC Register Citation George II v.6 (1 October 1738 – 27 March 1740)
p.663–664: PC 2/95/663–664

[view](#)

APC Citation v.3 [489] p.670 – 21 April 1743 – entry 2

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.384: PC 2/97/384

[view](#)

APC Citation v.3 [489] p.670 – 28 November 1745 – entry 3

PC Register Citation George II v.10 (1 March 1745 – 31 July 1746) p.256–
257, 268: PC 2/99/256–257, 268

[view](#)

Colonial Courts

General Court – 16 April 1739

Participants

Athawes, Edward (executor of William Dawkins)

Churchill, Armistead

Dawkins, William, deceased merchant, of London

Maynard, John (executor of William Dawkins)

Perry, Micaiah, esquire (executor of William Dawkins)

Description

Action of account

Disposition

Dismissed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Perry v Churchill)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1740_03

Walker v Tucker

Virginia

Case Name Short Walker v Tucker

Case Name Long Courtney, George, Francis and Margaret Walker by
Jacob Walker and Samuel Boush v Robert Tucker and
John Tucker and John Cook and Robert Cook

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [508] p.687 – 27 November 1740 – entry 1

PC Register Citation George II v.7 (1 April 1740 – 7 August 1741) p.267,
312, 463, 467–468: PC 2/96/267, 312, 463, 467–468 [view](#)

APC Citation v.3 [508] p.687 – 29 July 1742 – entry 2

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.187–189, 197–198: PC 2/97/187–189, 197–198 [view](#)

Colonial Courts

Virginia Chancery – 2 November 1739

Participants

Boush, Samuel (executor of John Tucker)

Campbell, Alexander, merchant

Cook (Cooke), John

Cook (Cooke), Robert

Hutchins, John, merchant

Taylor, John, merchant

Tucker, John, deceased merchant, of Norfolk

Tucker, Robert

Walker, Courtney, infant (child of Jacob Walker)

Walker, Francis, infant (child of Jacob Walker)

Walker, George, infant (child of Jacob Walker)

Walker, Jacob (guardian of Walker children and executor of John
Tucker)

Walker, Jacob, esquire (father of Walker children)

Walker, Margaret, infant (child of Jacob Walker)

Description

An accounting for testator's (John Tucker) ready money and outstanding debts

Disposition

Reversed

Notes

The *APC* entry appears to distinguish two Jacob Walkers; however, that cannot be verified from the *APC* alone.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Walker v Tucker)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document See the entry (as Tucker &c vs. Tucker's Exors) in Barton, *Virginia Colonial Decisions*, 2:B100–B105.

Report

Report No. 13_1742_01**Randolph v Woodford****Virginia**

Case Name Short Randolph v Woodford

Case Name Long Edward Randolph v William Woodford

Acts of the Privy Council, Colonial Series[view_APC](#)

APC Citation v.3 [545] p.726 – 17 May 1742 – entry 1

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.143, 152, 163, 428, 451: PC 2/97/143, 152, 163,
428, 451 [view](#)

Colonial Courts

General Court – 23 April 1741

Participants

Randolph, Edward, merchant, formerly of London, now of Virginia
Woodford, William

Description

Dispute over an account between the parties

Disposition

Not stated in the *APC* specifically, but the related case cited below was dismissed.

Notes

Related to another Privy Council appeal:

Randolph v Beverley – Report No. 13_1742_02 (*APC*, v.3 [546]
p.726)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1742_02

Randolph v Beverley

Virginia

Case Name Short Randolph v Beverley

Case Name Long Edward Randolph v William Beverley

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [546] p.726–727 – 17 May 1742 – entry 1

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.144, 152–153, 163–164, 428, 451–452: PC 2/97/144, [view](#)
152–153, 163–164, 428, 451–452

APC Citation v.3 [546] p.727 – 29 March 1744 – entry 2

PC Register Citation George II v.9 (1 October 1743 – 27 February 1745)
p.278–279: PC 2/98/278–279 [view](#)

APC Citation v.3 [546] p.727 – 18 July 1745 – entry 3

PC Register Citation George II v.10 (1 March 1745 – 31 July 1746) p.148–
149, 165–166: PC 2/99/148–149, 165–166 [view](#)

Colonial Courts

Unnamed – 23 April 1741

Participants

Beverley, William
Randolph, Edward

Description

Dispute over an account between the parties

Disposition

Dismissed

Notes

Related to another Privy Council appeal:

Randolph v Woodford – Report No. 13_1742_01 (*APC*, v.3 [545]
p.726)

Court unnamed but likely the General Court as referenced in Randolph v Woodford

References in Smith, *Appeals to the Privy Council*

Table of Cases (Randolph v Beverley)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1742_03

**Starke v Hawkins
(Starke v Thrustout)**

Virginia

Case Name Short Starke v Thrustout
Starke v Hawkins

Case Name Long Thomas Starke and Augustine Baughan v William
Thrustout on the demise of John Hawkins

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [561] p.742 – 16 December 1742 – entry 1

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.280: PC 2/97/280 [view](#)

APC Citation v.3 [561] p.742–743 – 3 November 1743 – entry 2

PC Register Citation George II v.10 (1 March 1745 – 31 July 1746) p.123,
124 *recte* 123 only, 268 *recte* 267–268: PC 2/99/123, [view](#)
124 *recte* 123 only, 268 *recte* 267–268

PC Register Note The reference in the *APC* to p.124 is incorrect, and it
does not seem to be a mistake for another reference.

Colonial Courts

General Court – 15 April 1741

Participants

Baughan, Augustine
Hawkins, John
Starke, Thomas
Thrustout, William

Description

Land (ejectment) in the parish of St. Ann in Essex County

Disposition

Reversed

Notes

There can be little doubt that William Thrustout and the lease to him are fictional. On this and on the action of ejectment involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Starke v Thrustout)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1743_00

**Meade v Godwin
(Meade v Thrustout)**

Virginia

Case Name Short Meade v Thrustout
Meade v Godwin

Case Name Long David Meade v William Thrustout on the demise of
Martha Godwin, Samuel and Elizabeth Whitfield,
William and Leah Godwin, Julian Norsworthy, Martha
Norsworthy, Mary Norsworthy, and Ann Norsworthy

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.3 [568] p.748–749 – 23 March 1743 – entry 1

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.353: PC 2/97/353 [view](#)

APC Citation v.3 [568] p.749 – 3 November 1743 – entry 2

PC Register Citation George II v.8 (22 October 1741 – 29 September 1743)
p.386: PC 2/97/386 [view](#)

PC Register Citation George II v.9 (1 October 1743 – 27 February 1745)
p.27–30, 34: PC 2/98/27–30, 34 [view](#)

Colonial Courts

General Court – 15 April 1742

Participants

Godwin, Leah (wife of William Godwin)

Godwin, Martha

Godwin, William (husband of Leah Godwin)

Lear, Col. John (deceased father of Thomas Lear)

Lear, Elizabeth (daughter of Thomas Lear)

Lear, John (deceased son of Thomas Lear)

Lear, Martha (daughter of Thomas Lear)

Lear, Thomas (deceased son of Col. John Lear and father of John,
Elizabeth, and Martha Lear)

Meade, David, merchant

Norsworthy, Ann

Norsworthy, Julian

Norsworthy, Martha

Norsworthy, Mary

Thrustout, William (lessee under Martha Godwin; Samuel and Elizabeth
Whitfield; William and Leah Godwin; Julian Norsworthy, Martha
Norsworthy, Mary Norsworthy, and Ann Norsworthy)

Whitfield, Elizabeth (wife of Samuel Whitfield)
Whitfield, Samuel (husband of Elizabeth Whitfield)

Description

Land (ejectment) in the parish of Newport and county of Isle of Wight

Disposition

Judgment for appellant

Notes

There can be little doubt that William Thrustout and the lease to him are fictional. On this and on the action of ejectment involved here, see Additional Research.

The will of Col. John Lear is printed in Crow, *Johnston Stapp and Allied Families*, p.98–100.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Meade v Thrustout)

DOCUMENTATION**Printed Cases**

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1747_01

Lillie v Tab

Virginia

Case Name Short Lillie v Tab

Not a 'true' appeal.

Case Name Long John Lillie v William Tab

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [60] p.43 – 19 June 1747 – entry 1

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748) p.318:
PC 2/100/318 [view](#)

Colonial Courts

Proceedings in colonial court unclear

Participants

Lillie, John

Paris, Mr. (appears for Tab)

Tab, William

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

This is not indexed as an appeal in the *APC*; yet there is an entry in v.4 [60], as noted above, for an appeal of John Lillie with William Tab as respondent.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1747_02

Kenner v Ball

Virginia

Case Name Short Kenner v Ball

Case Name Long Richard Kenner v Jesse Ball

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [70] p.51 – 4 November 1747 – entry 1

PC Register Citation George II v.11 (1 August 1746 – 30 April 1748) p.443:
PC 2/100/443 [view](#)

APC Citation v.4 [70] p.51–52 – 8 December 1749 – entry 2

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.397:
PC 2/101/397 [view](#)

APC Citation v.4 [70] p.52 – 29 March 1750 – entry 3

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.457–
458, 528: PC 2/101/457–458, 528 [view](#)

Colonial Courts

General Court – 15 October 1745

Participants

Ball, Jesse

Kenner, Richard, later deceased

Description

Land (upon an ejectment) in Lancaster County

Disposition

Dismissed

Notes

On the action of ejectment involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Kenner v Ball)

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1749_01

Appeal of Ludwell

Virginia

Case Name Short Ludwell, appeal of Not a 'true' appeal.

Case Name Long Philip Ludwell, appeal of

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [119] p.93-94 – 23 November 1749 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.365: [view](#)
PC 2/101/365

Colonial Courts

General Court – 10 October 1746 (order of the court)

County Court for the County of Surrey – 16 January 1746 (order of the court)

Participants

Ludwell, Philip

Description

Road maintenance

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

Notes

Petition of Philip Ludwell is from an order, not a judgment, of the County Court concerning road maintenance, affirmed by an order of the General Court.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1749_02

Randolph v Wormley

Virginia

Case Name Short Randolph v Wormley

Case Name Long Thomas Man Randolph by Peter Randolph v Ralph
Wormley

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [120] p.94 – 23 November 1749 – entry 1

PC Register Citation George II v.12 (1 May 1748 – 29 March 1750) p.365:
PC 2/101/365 [view](#)

APC Citation v.4 [120] p.94 – 1 April 1758 – entry 2

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759) p.53,
55–56, 93: PC 2/106/53, 55–56, 93 [view](#)

Colonial Courts

General Court – 10 April 1749

Participants

Randolph, Peter (guardian of Thomas Man Randolph)

Randolph, Thomas Man, esquire, infant

Wormley, Ralph

Description

Land (trespass and ejectment) in the parish of Hanover in the county of
King George

Disposition

Reversed

Notes

On the action of trespass and ejectment involved here, see Additional
Research.

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Randolph)

Counsel [Signed] C. Pratt; Al. Forrester

Note Respondent's name is spelled Wormeley on appellant's
printed case.

Library Law Library of Congress: Sir George Lee collection [view](#)

Respondent's case Case of the respondent (Wormley)

Counsel [Signed] Geo. Perrott

Library Law Library of Congress: Sir George Lee collection

[view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1751_00

Degge v Kay

Virginia

Case Name Short **Degge v Kay**

Case Name Long **William Degge, George Russell and Thomas Russell v
Rev. William Kay**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [145] p.113 – 30 April 1751 – entry 1

PC Register Citation **George II v.13 (1 May 1750 – 30 March 1752) p.220:
PC 2/102/220**

[view](#)

APC Citation v.4 [145] p.113 – 31 October 1751 – entry 2

PC Register Citation **George II v.13 (1 May 1750 – 30 March 1752) p.241,
334, 353–354: PC 2/102/241, 334, 353–354**

[view](#)

APC Citation v.4 [145] p.113 – 115 – 6 June 1753 – entry 3

PC Register Citation **George II v.13 (1 May 1750 – 30 March 1752) p.380,
405: PC 2/102/380, 405**

[view](#)

PC Register Citation **George II v.14 (1 April 1752 – 31 December 1753)
p.242, 386, 415–417, 422–423: PC 2/103/242, 386,
415–417, 422–423**

[view](#)

Colonial Courts

General Court

General Court – 21 April 1749

Participants

Dawson, Mr. (commissary)

Degge, William of Richmond county, clerk

Hodgson, Thomas, merchant, of London

Kay, Rev. William, minister of the parish of Lunenburgh

Morthland, David, deceased minister

Russell, George of Richmond county

Russell, Thomas of Richmond county

Sydenham, Jonathan, merchant, of London

Description

Glebe dispute (trespass) in the parish of Lunenburgh

Disposition

Dismissed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Degge v Kay)

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant (Degge)

Counsel [Signed] D. Ryder; A. Hume-Campbell

Library Law Library of Congress: Sir George Lee collection (Manuscript notes limited to minor underlining) [view](#)

Respondent's case Case of the respondent (Kay)

Counsel [Signed] W. Murray; R. Henley

Library Law Library of Congress: Sir George Lee collection (Includes manuscript notes and 2 copies of the respondent's case) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document See the detailed index in Manross, *Fulham Papers*. He summarizes enlightening correspondence about this case, which is reproduced on Reel 7 of Lambeth Palace Library, *Fulham Papers*.

Report

Report No. 13_1752_01

Mason v Withers

Virginia

Case Name Short Mason v Withers

Case Name Long Anne Mason and George Mason v Edmund Withers

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [162] p.150–151 – 14 January 1752 – entry 1

PC Register Citation George II v.13 (1 May 1750 – 30 March 1752) p.433,
526: PC 2/102/433, 526 [view](#)

Colonial Courts

Chancery – 14 April 1748

Participants

Mason, Anne (widow of George Mason, gentleman)

Mason, George (son of George Mason)

Mason, George, gentleman (deceased husband of Anne Mason and father
of George Mason)

Withers, Edmund

Withers, John, deceased

Description

“Recovery of an estate belonging to John Withers,” according to the
APC

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1752_02

Robinson v Anderson

Virginia

Case Name Short Robinson v Anderson

Case Name Long John Robinson and Humphry Hill v John Anderson

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [184] p.172 – 18 October 1752 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.199: PC 2/103/199

[view](#)

APC Citation v.4 [184] p.172 – 29 May 1754 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.135–136: PC 2/104/135–136

[view](#)

APC Citation v.4 [184] p.173 – 21 June 1754 – entry 3

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.154, 163: PC 2/104/154, 163

[view](#)

Colonial Courts

Justices of the Peace for York County – March 1751

General Court – 10 April 1751

Participants

Anderson, John (executor of Mathew Anderson)

Anderson, Mathew

Branton, George

Francis, Thomas, attorney (appears for John Anderson)

Hill, Humphry (executor of George Branton)

Robinson, John (executor of George Branton)

Description

Action to recover £500 sterling for insurance on 80 hogsheads of tobacco

Disposition

Dismissed for non-prosecution

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1752_03

**McCarty v McCarty
(McCarty v Turf)**

Virginia

Case Name Short McCarty v Turf
McCarty v McCarty

Case Name Long Daniel McCarty by Joseph Morton v Thomas Turf on the
demise of Daniel McCarty

Acts of the Privy Council, Colonial Series

[view__APC](#)

APC Citation v.4 [190] p.180–181 – 20 December 1752 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.272: PC 2/103/272

[view](#)

APC Citation v.4 [190] p.181 – 10 May 1753 – entry 2

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.287–288, 289, 359, 360–364, 408–409: PC
2/103/287–288, 289, 359, 360–364, 408–409

[view](#)

Colonial Courts

General Court – 10 October 1751

Participants

McCarty (M'Carty), Daniel (son of Daniel McCarty and brother of
Dennis and Thaddeus McCarty)

McCarty (M'Carty), Daniel of Fairfax county (deceased father of Dennis,
Daniel, and Thaddeus McCarty)

McCarty (M'Carty), Daniel, infant (son of Dennis McCarty and plaintiff
in this action)

McCarty (M'Carty), Dennis (son of Daniel McCarty and brother of
Daniel and Thaddeus McCarty)

McCarty (M'Carty), Thaddeus (son of Daniel McCarty and brother of
Dennis and Daniel McCarty)

Minor, John

Morton, Joseph, gentleman (guardian of Daniel McCarty, infant)

Payne, William

Shirman, John

Turf, Thomas (lessee)

Description

Land (action of ejectment, according to the *APC*; action of trespass and
ejectment, according to the earlier entries in the Privy Council register;
“a Declaration in an Action of Trespass and Ejectment,” according to the

Committee report) in Copeley parish, Westmoreland County

Disposition

Reversed – respondent allowed to proceed to a new trial with a special verdict

Notes

There can be little doubt that Thomas Turf and the lease to him are fictional. On this and on the action of trespass and ejection involved here, see *Additional Research*.

From the record we have before us and the printed cases, it would seem that this is a suit between nephew and uncle, both named Daniel, and at issue is the interpretation of a clause in the grandfather's will that deprived his son Daniel of the premises if he ceased to reside there and a deed by Dennis, the deceased father of the infant Daniel, in which Dennis waived his rights under that clause. The Committee, however, found the case confusing (hence, the result), and the record that we have may not tell the whole story.

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (McCarty)

Counsel [Signed] W. Murray; A. Hume-Campbell

Note The appellant's case is titled: Daniel M'Carty, an Infant, by Joseph Morton, Gent. his Guardian – appellant; Daniel M'Carty, of Fairfax County, in Virginia, and Thomas Turf, his feigned Lessee . . . respondent.

Library Law Library of Congress: Sir George Lee collection

[view](#)

Respondent's case Case of the respondent (Turf . . . “upon the fictitious demise of Daniel M'Carty”)

Counsel [Signed] D. Ryder; K. Evans

Note The respondent's case gives the respondent as: Thomas Turf, the Plaintiff at Law, in an Ejection upon a fictitious demise of Daniel M'Carty, of Fairfax County, in Virginia aforesaid, Gentleman.

Library Law Library of Congress: Sir George Lee collection

[view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1753_01

Jones v Shields

Virginia

Case Name Short Jones v Shields

Case Name Long Robert jun. and Sarah Jones and Dudley and Martha
Richardson v James Shields

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [198] p.194 – 25 January 1753 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.205, 298: PC 2/103/205, 298

[view](#)

APC Citation v.4 [198] p.194 – 30 January 1753 – entry 2

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.301: PC 2/103/301

[view](#)

APC Citation v.4 [198] p.194 – 7 March 1753 – entry 3

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.351: PC 2/103/351

[view](#)

APC Citation v.4 [198] p.194 – 20 March 1753 – entry 4

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.358–359: PC 2/103/358–359

[view](#)

APC Citation v.4 [198] p.194 – 10 May 1753 – entry 5

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.383–385, 409–410: PC 2/103/383–385, 409–410

[view](#)

Colonial Courts

County Court of Chancery for York county – 20 November 1749

General Court – 10 October 1751

Participants

Allen, Daniel (deceased executor of Robert Cobbs)

Cobbs, Elizabeth (deceased second wife of Robert Cobbs, executor of
Robert Cobbs, and mother of Sarah Cobbs Jones and Martha Cobbs
Richardson)

Cobbs, Rebecca Pinkethman (deceased daughter of William Pinkethman,
wife of Robert Cobbs, and mother of Elizabeth Cobbs Shields)

Cobbs, Robert (deceased husband of both Rebecca Pinkethman Cobbs
and Elizabeth Cobbs)

Jones, Robert, jun. (husband of Sarah Cobbs Jones)

Jones, Sarah Cobbs (daughter of Robert and Elizabeth Cobbs; wife of
Robert Jones, jun.; and sister of Martha Cobbs Richardson)

Pinkethman, William (deceased father of Rebecca Pinkethman Cobbs)

Richardson, Dudley (husband of Martha Cobbs Richardson)

Richardson, Martha Cobbs (daughter of Robert and Elizabeth Cobbs, wife of Dudley Richardson, and sister of Sarah Cobbs Jones)
 Shields, Elizabeth Cobbs (deceased daughter of Robert and Rebecca Cobbs, and wife of James Shields)
 Shields, James, gentleman (widower of Elizabeth Cobbs Shields)

Description

Dispute involves slaves in the estate of William Pinkethman

Disposition

Dismissed

Notes

Dispute includes slaves.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Jones v Shields)

DOCUMENTATION

Printed Cases

Appellant's case	Case of the appellant (Jones)	
Counsel	[Signed] W. Murray; K. Evans	
Library	Law Library of Congress: Sir George Lee collection	view
Respondent's case	Case of the respondent (Shields)	
Counsel	[Signed] A. Hume-Campbell; R. Henley	
Library	Law Library of Congress: Sir George Lee collection	view

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document The appellants' and the respondent's printed cases are reproduced in Barton, *Virginia Colonial Decisions*, 2:B367–B382.

Report

Report No. 13_1753_02

**King v Lewis
King v Braxton
Braxton v King**

Virginia

Case Name Short King v Lewis
King v Braxton
Braxton v King

Case Name Long Walter King v Charles Lewis and Lewis Burwell
Walter King v Carter Braxton and Lewis Burwell
Carter Braxton by John Robinson v Walter King

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [212] p.210–211 – 6 June 1753 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.424–425, 465–466: PC 2/103/424–425, 465–466

[view](#)

APC Citation v.4 [212] p.211 – 10 January 1754 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.4–5: PC 2/104/4–5

[view](#)

APC Citation v.4 [212] p.211 – 22 January 1754 – entry 3

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.5–13, 20: PC 2/104/5–13, 20

[view](#)

Colonial Courts

Chancery – 10 October 1751

Participants

Braxton, Carter, infant (eldest son of George Braxton, jun.)

Braxton, George, jun. (deceased father of Carter Braxton)

Braxton, George, sen. (deceased father of George Braxton, jun.)

Burwell, Lewis (agent of the Perrys in Virginia)

Corbin, Richard

Digges, Dudley

Edwards, Benjamin (agent of the Perrys in Virginia)

King, Walter, merchant

Lewis, Charles

Perry, Micajah (Micaiah), merchant, late of London

Perry, Philip, merchant, late of London

Robinson, John ('next friend' of Carter Braxton)

Description

Land in the county called formerly Goochland, now Albemarle and

known as the Fork. According to the *APC*, King appeals from two equity orders that barred him from proceeding at law in ejectment to recover the land and ordered him to convey the land to the respondents upon their paying certain sums.

Disposition

King's appeals are sustained.

Notes

For the action of ejectment mentioned here, see *Additional Research*.

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (King in King v Lewis) ESTC: N469682

Counsel [Signed] Wm. Murray; Ste. Comyn

Note Although the case mentions only Lewis and Burwell in the heading, Braxton is mentioned in the body of the case. There is, however, no reference to Braxton's cross-appeal.

Library Law Library of Congress: Sir George Lee collection (Noted in ESTC? No.)

Library New-York Historical Society: SY – DC 1754 no. 1 (Noted in ESTC? Yes.)

Library Yale University. Beinecke Rare Book and Manuscript Library: ZZ40 25 (Includes manuscript notes, notably on the dorse, where there is an index referring to events in the 1730s and 1740s. The references correspond, for the most part, to events mentioned in the brief, but the page numbers suggest that they refer to a much fuller record of the case.) (Noted in ESTC? No.) view

Respondent's case Case of the respondent (Braxton in King v Braxton)

Counsel [Signed] A. Hume-Campbell; Al. Forrester

Note The heading of the case lists the names of Braxton, Burwell, and Lewis, suggesting that this covers all three cases.

Library Yale University. Beinecke Rare Book and Manuscript Library: ZZ40 25 (Manuscript notes limited to few numerals on dorse) view

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document In addition, see papers relating to the King controversy in the Joshua Sharpe papers in the Thomas Phillipps collection at the Library of Congress, Manuscripts Division. At the University of Virginia, the Tracy W. McGregor Autograph Collection in Series 1, Letters and Manuscripts, holds in manuscript what is described as: a draft of the appellant's brief in the case of Walter King v Carter Braxton. This manuscript appears to be a working summary of the fuller record in the appeal containing chancery documents, letters, and depositions.

Report

Report No. 13_1753_03

Jones v Porter

Virginia

Case Name Short Jones v Porter

Case Name Long Churchill Jones v Jane Porter

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [223] p.227 – 28 November 1753 – entry 1

PC Register Citation George II v.14 (1 April 1752 – 31 December 1753)
p.524–525: PC 2/103/524–525

[view](#)

APC Citation v.4 [223] p.227 – 25 February 1755 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.157, 240, 312, 347–348: PC 2/104/157, 240, 312,
347–348

[view](#)

Colonial Courts

General Court – 10 April 1753

Participants

Jones, Churchill, gentleman (son of Roger Jones)

Jones, Roger (father of Churchill Jones)

Porter, Francis (deceased son of Jane Porter and father of Jane Porter)

Porter, Jane (daughter of Francis Porter)

Porter, Jane (deceased mother of Francis Porter)

Description

Land in dispute in Christchurch parish south of the river Rappahannock

Disposition

Affirmed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Jones v Porter)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Jones)

Counsel [Signed] W. Murray; A. Hume-Campbell

Library Law Library of Congress: Sir George Lee collection

[view](#)

Respondent's case Case of the respondent (Porter)

Counsel [Signed] R. Henley; Al. Forrester

Library Law Library of Congress: Sir George Lee collection (2 copies of the respondent's case) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document See related entry (Jones &c. v. Porters) in Barton, *Virginia Colonial Decisions*, 2:B93–100.

Report

Report No. 13_1755_01

Lidderdale v Chiswell

Virginia

Case Name Short Lidderdale v Chiswell

Case Name Long John Lidderdale and John Harmer v John Chiswell

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [263] p.286 – 25 February 1755 – entry 1

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.349–350: PC 2/104/349–350

[view](#)

APC Citation v.4 [263] p.286 – 24 June 1755 – entry 2

PC Register Citation George II v.15 (1 January 1754 – 31 December 1755)
p.439, 455–456: PC 2/104/439, 455–456

[view](#)

APC Citation v.4 [263] p.286 – 1 April 1758 – entry 3

PC Register Citation George II v.16 (1 January 1756 – 31 December 1757)
p.131, 168: PC 2/105/131, 168

[view](#)

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759) p.43–
46, 92–93: PC 2/106/43–46, 92–93

[view](#)

Colonial Courts

General Court – 10 April 1754

Participants

Chamberlayne, Thomas (deceased partner of John Lidderdale and John Harmer)

Chiswell, John, merchant and planter

Hamersley, Hugh of Lincoln's Inn

Harmer, John, merchant, of Bristol (partner of Thomas Chamberlayne)

Lidderdale, John, merchant, of Bristol (partner of Thomas Chamberlayne)

Description

Not stated in *Acts of the Privy Council, Colonial Series*

Disposition

Reversed; plaintiffs are allowed to proceed to a new trial

References in Smith, *Appeals to the Privy Council*

Table of Cases (Lidderdale v Chiswell)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Lidderdale)

Counsel [Signed] C. Yorke

Library British Library: (Hardwicke Papes) Additional Manuscripts 36217
f.199–200 (Includes manuscript notes on appellant's case and a view
separate page of manuscript notes, f.205)

Library Law Library of Congress: Sir George Lee collection

Respondent's case Case of the respondent (Chiswell)

Counsel [Signed] C. Pratt

Library British Library: (Hardwicke Papers) Additional Manuscripts 36217
f.201–204 (Includes manuscript notes on respondent's case and a view
separate page of manuscript notes, f.205)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1755_02

Dunbar v Custis

Virginia

Case Name Short **Dunbar v Custis**

Case Name Long **Charles Dunbar v Daniel Parke Custis**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [270] p.288–289 – 3 April 1755 – entry 1

PC Register Citation **George II v.15 (1 January 1754 – 31 December 1755)**
p.370: PC 2/104/370

[view](#)

APC Citation v.4 [270] p.289–290 – 30 June 1757 – entry 2

PC Register Citation **George II v.16 (1 January 1756 – 31 December 1757)**
p.531, 534–537, 540: PC 2/105/531, 534–537, 540

[view](#)

Colonial Courts

Virginia Chancery – 10 April 1754

Participants

Byam, Samuel (executor of Governor Parke)

Byrd, Lucy (presumed deceased daughter of Governor Parke and mother of Wilhelmina Chamberlain)

Chamberlain, Thomas (husband of Wilhelmina Chamberlain)

Chamberlain, Wilhelmina (daughter of Lucy Byrd and wife of Thomas Chamberlain)

Chester, Catherine (mother of Lucy Chester Dunbar Parke)

Custis, Daniel Parke (son of and executor to John Custis)

Custis, Frances Parke (presumed deceased daughter of Governor Parke and wife of John Custis)

Custis, John (deceased husband of Frances Parke Custis)

Dunbar, Charles, esquire, of Antigua (acting executor of Thomas Dunbar Parke)

Long, Thomas (trustee)

MacKinnen, William (executor of Thomas Dunbar Parke)

Parke, Daniel (son of Thomas Dunbar Parke and Lucy Chester Dunbar Parke)

Parke, Elizabeth (daughter of Thomas Dunbar Parke and Lucy Chester Dunbar Parke)

Parke, Governor (deceased father of Frances Parke Custis and Lucy Byrd)

Parke, Julius Caesar (godson of Governor Parke)

Parke, Lucy (daughter of Thomas Dunbar Parke and Lucy Chester Dunbar Parke)

Parke, Lucy Chester Dunbar (widow and executor of Thomas Dunbar Parke and daughter of Catherine Chester)

Parke, Thomas Dunbar (deceased husband of Lucy Chester Dunbar Parke)

Perry, Micaiah (executor of Governor Parke)

Perry, Richard (executor of Governor Parke)

Redwood, Abraham (executor of Governor Parke)

Rodney, Caesar (trustee)

Sydcenf, Dr. Walter (executor of Thomas Dunbar Parke)

Warner, Ashton (executor of Thomas Dunbar Parke)

Description

Estate dispute

Disposition

Reversed; the plaintiffs are allowed to amend the bill by adding the proper parties

Notes

Daniel Parke Custis became the husband of Martha Dandridge, who after his death married George Washington. As reported in Fleming, *Intimate Lives of the Founding Fathers*, p.20, Custis was the grandson of Governor Parke. This suit was brought on behalf of Gov. Parke's illegitimate daughter Lucy in Antigua.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Dunbar v Custis)

DOCUMENTATION

Printed Cases

Appellant's case	Case of the appellant (Dunbar)	ESTC: N474424
Counsel	[Signed] Robert Henley; Al. Forrester	
Library	British Library: (Hardwicke Papers) Additional Manuscripts 36217 f.161–164 (Includes manuscript notes on the appellant's case and separate pages of manuscript notes, f.169–171)	view
Library	Law Library of Congress: Sir George Lee collection (Includes manuscript notes. 2 copies) (Noted in ESTC? No.)	view
Library	New York Public Library. Schwarzman Building: Rare Book Collection *KF+ 1757 (Northington, R.H. Virginia) (Includes manuscript notes) (Noted in ESTC? Yes.)	
Respondent's case	Case of the respondent (Custis)	

Counsel [Signed] C. Yorke; Cha. Pratt

Library British Library: (Hardwicke Papers) Additional Manuscripts 36217
f.165–168 (Includes manuscript notes on the respondent's case and view
separate pages of manuscript notes, f.169–171)

Library Law Library of Congress: Sir George Lee collection

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1759_01

Nelson v Ambler

Virginia

Case Name Short Nelson v Ambler

Case Name Long William Nelson and Francis Whiting v Richard Ambler

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [377] p.403 – 2 February 1759 – entry 1

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759) p.355,
366 *recte* 355–356: PC 2/106/355, 366 *recte* 355–356 [view](#)

Colonial Courts

Court at Williamsburgh – 10 October 1751

Participants

Ambler, Richard, collector of customs in the port of York River

Black, William, merchant

Gale, William, merchant

Hutchinson, John, bankrupt

Janson, Joseph (assignee of estate and effects of John Philpot and John Hutchinson)

Nelson, William

Philpot, John, bankrupt

Pomeroy, Bartholomew (assignee of estate and effects of John Philpot and John Hutchinson)

Symon, Henry, solicitor of H.M. Customs (appears for Richard Ambler)

Whiting, Francis

Vessels

Elizabeth of Nantes

Banstead

Neptune

Richmond

Description

Dispute over duties payable on a French prize, the *Elizabeth*, and her cargo, brought into the York River by the privateers *Banstead*, *Neptune*, and *Richmond*

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1759_02

Burwell v Johnson

Virginia

Case Name Short Burwell v Johnson

Case Name Long Lewis and Frances Burwell v Philip and Elizabeth Johnson

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [388] p.417–418 – 14 April 1759 – entry 1

PC Register Citation George II v.17 (1 January 1758 – 21 May 1759) p.487:
PC 2/106/487 [view](#)

APC Citation v.4 [388] p.418 – 5 April 1762 – entry 2

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763)
p.130–135, 168: PC 2/109/130–135, 168 [view](#)

Colonial Courts

General Court – 10 April 1758

Participants

Allen, Elizabeth (daughter of the elder James Bray)

Bray, James (deceased former husband of Frances Burwell and grandson of the elder James Bray)

Bray, James (deceased grandfather of the younger James Bray and father of Elizabeth Allen and Thomas Bray)

Bray, Thomas (deceased son of the elder James Bray and father of Elizabeth Johnson)

Burwell, Carter (executor of the younger James Bray)

Burwell, Frances (wife of Lewis Burwell and widow and executor of the younger James Bray)

Burwell, Lewis, gentleman, of county of James City (husband of Frances Burwell and executor of the younger James Bray)

Johnson, Elizabeth (wife of Philip Johnson and daughter of Thomas Bray)

Johnson, Philip (husband of Elizabeth Johnson)

Thacker, Edwin (father of Frances Burwell and executor of the younger James Bray)

Description

Accounting and delivery of slaves belonging to James Bray upon his death

Disposition

Affirmed

Notes

Slaves at issue.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Burwell et ux v Johnson et ux)

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant (Burwell)

Counsel [Signed] C. Pratt; C. Yorke

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.138–141 (Includes manuscript notes) [view](#)

Respondent's case Case of the respondent (Johnson)

Counsel [Signed] Wm. DeGrey; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.142–143 (Manuscript notes limited to 'Mr. Att. Gen.' on dorse) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Report

Report No. 13_1760_00

**Tabb v Edmundson
Edmundson v Tabb**

Virginia

Case Name Short Tabb v Edmundson
Edmundson v Tabb

Case Name Long William, Martha and Humphrey Toy Tabb v Thomas
Edmundson and John Edmundson
Thomas Edmundson and John Edmundson v William,
Martha and Humphrey Toy Tabb

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation	v.4 [416] p.443 – 16 February 1760 – entry 1	
PC Register Citation	George II v.18 (2 May 1759 – 10 July 1760) p.256– 257: PC 2/107/256–257	view
APC Citation	v.4 [416] p.443 – 5 April 1760 – entry 2	
PC Register Citation	George II v.18 (2 May 1759 – 10 July 1760) p.310, 330, 347, 399: PC 2/107/310, 330, 347, 399	view
APC Citation	v.4 [416] p.443 [416] – 12 April 1762 –entry 3	
PC Register Citation	George III v.2 (1 January 1762 – 30 April 1763) p.203: PC 2/109/203	view
APC Citation	v.4 [416] p.443 – 21 December 1763 – entry 4	
PC Register Citation	George III v.3 (1 May 1763 – 30 September 1764) p.172–176, 192: PC 110/172–176, 192	view

Colonial Courts

Chancery – 10 April 1758

Chancery – 2 October 1758

Participants

Allaman, John (deceased son of Thomas Allaman and brother of Thomas Allaman and William Allaman)

Allaman, Sarah (deceased daughter of William Allaman and Ann Allaman Tabb)

Allaman, Thomas (deceased father of Judith Edmundson and John, Thomas, and William Allaman)

Allaman, Thomas (deceased son of Thomas Allaman, also deceased, and brother of John Allaman and William Allaman)

Allaman, Thomas (deceased son of William Allaman and Ann Allaman Tabb and grandson of Thomas Allaman)

Allaman, William (deceased husband of Ann Allaman Tabb, brother of John Allaman and Thomas Allaman, son of Thomas Allaman, and

father of Thomas and Sarah Allaman)
 Blacknall, Charles
 Booth, Thomas
 Edmundson, John, merchant, of Essex county (son of Judith Allaman
 Edmundson and brother of Thomas Edmundson)
 Edmundson, Judith Allaman (daughter of Thomas Allaman and mother
 of Thomas Edmundson and John Edmundson)
 Edmundson, Thomas, merchant, of Essex county (son of Judith Allaman
 Edmundson and brother of John Edmundson)
 Hyndman, John, merchant, of London
 Page, John
 Palmer, Charlton, gentleman, merchant, of London
 Tabb, Ann Allaman (widow of William Allaman; wife of John Tabb;
 mother of Thomas Allaman, Sarah Allaman, Humphrey Tabb, and
 Martha Tabb)
 Tabb, Humphrey Toy (son of John and Ann Allaman Tabb and brother
 of Martha Tabb)
 Tabb, John (husband of Ann Allaman Tabb)
 Tabb, Martha (daughter of John and Ann Allaman Tabb and sister of
 Humphrey Tabb)
 Tabb, William (relationship unclear)
 Whiting, Francis

Description

Estate dispute

Disposition

Chancery decrees reversed; Edmundsons' appeal dismissed; restitution
 ordered

Notes

Property includes slaves.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Tabb v Edmundson)

DOCUMENTATION

Printed Cases

Appellant's case	Case of the appellant (Tabb)
Counsel	[Signed] F. Norton; C. Ambler
Library	British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.248–249 (Includes manuscript notes) view

Respondent's case Case of the appellant (Edmundson as appellant in a cross-appeal)

Counsel [Signed] C. Yorke; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.250–251 (Includes manuscript notes) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 15 Dec. 1763 – PC 1/50/49 [view_Doc](#)

Notes Referenced in *APC*, v.6 [579] p.359–360. The report [view_APC](#) is described as being on the appeal of Tabb and also upon the cross-appeal of Edmundson.

Other Documents

Document See related entry (as Edmundson v Tabb) and opinion by Barradall in Barton, *Virginia Colonial Decisions*, 2:B359–B363, B31–B32.

Report

**Report No. 13_1762_01 Camm v William and Mary College
Graham v William and Mary
College**

Virginia

Case Name Short Camm v Rector, Visitors and Governors of
William and Mary College
Graham v Rector, Visitors and Governors
of William and Mary College

Case Name Long Rev. John Camm v Rector, Visitors and Governors of
William and Mary College
Rev. Richard Graham v Rector, Visitors and Governors
of William and Mary College

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [473] p.530 – 15 February 1762 – entry 1

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763) p.75,
76: PC 2/109/75, 76 [view](#)

APC Citation v.4 [473] p.530 – 16 March 1763 – entry 2

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763)
p.521–522, 522–523, 534, 535: PC 2/109/521–522,
522–523, 534, 535 [view](#)

Colonial Courts

General Court – 10 October 1759

Participants

Camm, Rev. John, Professor of Divinity at William and Mary College
Fauquier, Francis, Lieutenant Governor and judge of General Court
Graham, Rev. Richard, Professor of Natural Philosophy at William and
Mary College

Rectors, Visitors and Governors of William and Mary College

Description

Issue is the removal of Revs. Camm and Graham from their
professorships

Disposition

Both appeals sustained.

Notes

Camm spelled in error in the *APC* as Camin.

DOCUMENTATION**Printed Cases**

Appellant's case	Case of the appellants (Camm) and (Graham)	ESTC: T222030, T222034
Counsel	[Signed] Fl. Norton; E. Willes	
Library	British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.223–224 (Camm) (Noted in ESTC? No.)	view
Library	British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.227–228 (Graham) (Noted in ESTC? No.)	view
Library	Lambeth Palace Library: Seeker Papers, American 1721–1765 v.1 f.56–57 (Camm); f.60–61 (Graham) (Manuscript notes on Camm's printed case are limited to day and time and "His Grace Lord Archbishop of Canterbury.") (Noted in ESTC? Yes.)	
Respondent's case	Case of the respondent (Rector . . . in both Camm and Graham)	ESTC: T222032, T222035
Counsel	[Signed] C. Yorke; Al. Forrester	
Library	British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.225–226 (Camm); f.229–230 (Graham)	view
Library	British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.229–230 (Graham) (Noted in ESTC? No.)	view
Library	Lambeth Palace Library: Seeker Papers, American 1721–1765 v.1 f.58–59 (Camm); f.62–63 (Graham) (Noted in ESTC? Yes.)	

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Committee report (Camm) – 12 Mar. 1763 – PC 1/50/48	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [552] p.353	view_APC
TNA Document	Committee report (Graham) – 12 Mar. 1763 – PC 1/50/48	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [552] p.353	view_APC

Other Documents

Document	At Lambeth Palace Library, supplementary manuscript material concerning the controversy can be found at f.26–55 and f.64–65 of the Seeker Papers, American 1721–1765, v.1. Manross, <i>Fulham Papers</i> , includes references to the Camm issue. Camm and Graham materials at Lambeth can be found in Lambeth Palace Library, <i>Miscellaneous American Material</i> , Reel 5 Part C.	
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Report

Report No. 13_1762_02

Rickards v Hudson

Virginia

Case Name Short Rickards v Hudson

Case Name Long Samuel Rickards, Archibald Maclane, Israel Mauduit, Edmund Lardner, William Cooke, Francis Jerdone, Robert Duncanson and Ann Buchanan v John and Ann Hudson, William and Martha Johnson, Roger Gregory, Orlando Jones, Rolling Jones and Francis Barber Jones

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [475] p.531 – 9 April 1762 – entry 1

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763)
p.196–197: PC 2/109/196–197

[view](#)

APC Citation v.4 [475] p.531–532 – 3 August 1762 – entry 2

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763)
p.288–293, 326: PC 2/109/288–293, 326

[view](#)

Colonial Courts

General Court of Chancery – 10 April 1761

Participants

Barber, Mary (niece of Elizabeth Milner)

Barber, Mr. (a deceased husband of Anna Maria Timson Barber
Scarburgh Thornton)

Buchanan, Ann, widow, of Glasgow in North Britain (executor of Neil
Buchanan)

Buchanan, George, bankrupt merchant, late of London (executor of Neil
Buchanan)

Buchanan, James, merchant, of London

Buchanan, Neil, esquire, of London, deceased

Cooke, William, merchant, of London (assignee of the estate and effects
of George Buchanan and William Hamilton)

Duncanson, Robert, merchant, of Virginia

Goslin, William (executor of Elizabeth Milner)

Gregory, Roger (executor of Lane Jones)

Hamilton, William, bankrupt merchant, late of London (executor of Neil
Buchanan)

Hanbury, Mr.

Hudson, Ann (daughter of Lane Jones and wife of John Hudson)

Hudson, John (husband of Ann Hudson)

Jerdone, Francis, merchant, of Virginia
 Johnson, Martha (daughter of Lane Jones and wife of William Johnson)
 Johnson, William (husband of Martha Johnson)
 Jones, Francis Barber (daughter of Lane Jones)
 Jones, Lane (deceased father of Ann Hudson, Martha Johnson, and
 Orlando, Rolling, and Francis Barber Jones)
 Jones, Lane (possibly the deceased son of Lane Jones)
 Jones, Orlando (son of Lane Jones)
 Jones, Rolling (son of Lane Jones)
 Keys, Maurice (executor of Elizabeth Milner)
 Lardner, Edmund, merchant, of London (assignee of the estate and
 effects of George Buchanan and William Hamilton)
 Maclane, Archibald, merchant, of London (assignee of the estate and
 effects of George Buchanan and William Hamilton)
 Manly, Mr.
 Mauduit, Israel, merchant, of London (assignee of estate and effects of
 George Buchanan and William Hamilton)
 Milner, Elizabeth of the Strand in London (deceased aunt of William
 Timson and Mary Barber)
 Palmer, Charlton
 Rickards, Samuel, merchant, of London (assignee of the estate and
 effects of George Buchanan and William Hamilton)
 Robothan, Charles (son of Walter Robothan)
 Robothan, Sarah (widow of Walter Robothan)
 Robothan, Walter (deceased executor of Elizabeth Milner, father of
 Charles and Walter Robothan, and husband of Sarah Robothan)
 Robothan, Walter (son of Walter Robothan)
 Scarburgh, Col. Edmund (husband of Anna Maria Timson Barber
 Scarburgh Thornton)
 Thornton, Anna Maria Timson Barber Scarburgh (wife of William
 Timson, then William Barber, then Edmund Scarburgh, and then John
 Thornton)
 Thornton, John (another husband of Anna Maria Timson Barber
 Scarburgh Thornton)
 Timson, Samuel (alias John) (son of William Timson)
 Timson, William (The number of William Timsons mentioned is
 unclear.)

Description

Debt that, according to Smith (p.490), raises the question of the extension of the bankruptcy acts to Virginia

Disposition

Reversed

Notes

Spelling of Rolling Jones is more often Rowland, Roland, or Rolando. Francis Barber Jones is more properly Frances. The Jones, Timson, and Barber families are related by blood and marriage. See Cary, "Descendants of Rev. Rowland Jones."

References in Smith, *Appeals to the Privy Council*

Table of Cases (Rickards et al v Hudson et al)

DOCUMENTATION**Printed Cases**

Appellant's case Case of the appellant (Rickards)

Counsel [Signed] C. Yorke; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.199–201 and f.202–204 (Two copies, both with manuscript notes) [view](#)

Respondent's case Case of the respondent (Hudson)

Counsel [Signed] Tho. Sewell; Wm. DeGrey

Library British Library: (Hardwicke Papers) Additional Manuscripts 36218 f.205–206 [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 15 July 1762 – PC 1/50/47 [view_Doc](#)

Notes Referenced in *APC*, v.6 [539] p.339 [view_APC](#)

Other Documents

Document The cases of Timson v Robertson and Scarbury & ux. v Barber's Ex'or in Barton, *Virginia Colonial Decisions*, 2:B85–B87, B294–304, involve members of some of the families involved in this case, and probably some of the same people. Whether the issues are otherwise related requires further exploration.

Report

Report No. 13_1763_01

Cleeve v Mills

Virginia

Case Name Short Cleeve v Mills

Case Name Long Richard Cleeve and John Hinde v James Mills, William Bird, John Robinson, Richard Bland, William Jordan, Presly Thornton and James Power

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [502] p.557 – 23 February 1763 – entry 1

PC Register Citation George III v.2 (1 January 1762 – 30 April 1763) p.506:
PC 2/109/506 [view](#)

APC Citation v.4 [502] p.557 – 3 August 1764 – entry 2

PC Register Citation George III v.3 (1 May 1763 – 30 September 1764)
p.570–574, 598: PC 2/110/570–574, 598 [view](#)

Colonial Courts

Virginia Chancery – 10 October 1761

Participants

Beverley, William

Bird, William

Bland, Richard

Cleeve, Richard (assignee of the estate and effects of Pearson Pettit)

Dolby, Charles

Garland, James

Hanbury, Capel

Hanbury, John

Hinde, John (assignee of the estate and effects of Pearson Pettit)

Hitt, Thomas

Jordan, William

Mills, James

Nelson, Thomas

Nelson, William

Pettit, John

Pettit, Pearson, bankrupt merchant, late of London

Power, James

Robinson, John

Rybott, Francis

Thornton, Presly

Description

Debt that, according to Smith (p.492), raises the question of the extension of the bankruptcy acts to Virginia

Disposition

Dismissed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Cleeve v Mills)

DOCUMENTATION

Printed Cases

- | | | |
|--|--|---------------|
| Appellant's case | Case of the appellant (Cleeve) | ESTC: T128996 |
| Counsel | [Signed] C. Yorke; Al. Forrester | |
| Library | British Library: (Hardwicke Papers) Additional Manuscripts 36219 f.85–88 (Includes manuscript notes) (Noted in ESTC? No.) | view |
| Library | British Library: General Reference Collection – L.3.a.1[vol.13] (134) (Bound with appeals to the House of Lords. The ESTC record states in error that the appeal was to that body.) (Noted in ESTC? Yes.) | |
| Respondent's case | Case of the respondent (Mills) | ESTC: T129014 |
| Counsel | [Signed] Flr. Norton; C. Ambler | |
| Library | British Library: (Hardwicke Papers) Additional Manuscripts 36219 f.89–93 (Includes manuscript notes) (Noted in ESTC? No.) | view |
| Library | British Library: General Reference Collection – L.3.a.1[vol.13] (135) (Includes manuscript notes. Bound with appeals to the House of Lords. The ESTC record states in error that the appeal was to that body.) (Noted in ESTC? Yes.) | |
| Privy Council Documents in PC 1 at The National Archives at Kew | | |
| TNA Document | Report of the Board of Trade – July 1764 – PC 1/59/5/1 | view_Doc |
| Catalogued as | Catalogued by TNA: Report of Board of Trade for dismissing appeal of Cleeve v Mills | |
| TNA Document | Draft order dismissing the appeal of Cleeve v Mills and others – July 1764 – PC 1/59/5/1 | view_Doc |
| Catalogued as | Catalogued by TNA: Draft order dismissing appeal of Cleeve v Mills and others from Virginia | |

Report

Report No. 13_1763_02

Steuart v Buchanan

Virginia

Case Name Short **Steuart v Buchanan**

Case Name Long **Charles Steuart v Thomas Buchanan et al**

Acts of the Privy Council, Colonial Series

APC Citation v.4 [510] p.562–563 – 15 June 1763 – entry 1

PC Register Citation **George III v.3 (1 May 1763 – 30 September 1764)**
p.36–37: PC 2/110/36–37

[view](#)

APC Citation v.4 [510] p.563 – 21 December 1763 – entry 2

PC Register Citation **George III v.3 (1 May 1763 – 30 September 1764)**
p.180–181, 194: PC 2/110/180–181, 194

[view](#)

Colonial Courts

Court for Hanover County – 2 August 1759

General Court – 10 April 1762

Participants

Buchanan, Thomas, merchant of Hanover county

Dickenson, William, merchant, late of Newcastle in Hanover county

Green, William, merchant, late of Newcastle in Hanover county

Smith, John, merchant, late of Newcastle in Hanover county

Steuart (Steward), Charles, merchant of Portsmouth county

Description

Voided mortgage

Disposition

Dismissed

Notes

The Committee report reveals that the appeal was dismissed for non-prosecution. In addition to land, slaves were also at issue in this appeal.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 15 Dec. 1763 – PC 1/50/49

[view_Doc](#)

Notes Referenced in *APC*, v.6 [579] p.359–360

[view_APC](#)

Report

Report No. 13_1763_03

**Howlett v Osburne
(Howlett v Doe)**

Virginia

Case Name Short Howlett v Osburne
Howlett v Doe

Case Name Long Thomas Howlett v John Doe on the demise of Thomas
Osburne

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [519] p.568–569 – 31 August 1763 – entry 1

PC Register Citation George III v.3 (1 May 1763 – 30 September 1764)
p.89: PC 2/110/89

[view](#)

APC Citation v.4 [519] p.569 – 26 July 1765 – entry 2

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.300, 307: PC 2/111/300, 307

[view](#)

Colonial Courts

Unnamed – 10 October 1760

General Court – 10 April 1762

Participants

Doe, John

Howlett, Thomas

Osburne, Thomas

Description

Land dispute (action of ejectment) in the parish of Dale in the county of Henrico; according to Smith (p.512), the question relates to the validity of the docking of the entail and a subsequent conveyance.

Disposition

Reversed

Notes

There can be little doubt that John Doe and the lease to him are fictional. On this and on the action of ejectment involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Howlett v Osburn)

DOCUMENTATION

Printed Cases**Appellant's case** Case of the appellant (Howlett)

Counsel [Signed] C. Yorke; C. Ambler

Note The respondent's name is spelled Osburn on both the appellant's and the respondent's printed cases.

Library British Library: (Hardwicke Papers) Additional Manuscripts 36219 f.273–276 (Includes manuscript notes) [view](#)**Respondent's case** Case of the respondent (Osburne)

Counsel [Signed] Fl. Norton; Al. Forrester

Note The respondent's name is spelled Osburn on both the appellant's and the respondent's printed cases.

Library British Library: (Hardwicke Papers) Additional Manuscripts 36219 f.277–278 (Includes manuscript notes) [view](#)**Privy Council Documents in PC 1 at The National Archives at Kew****TNA Document** Committee report – 18 July 1765 – PC 1/51/56 [view_Doc](#)Notes Referenced in *APC*, v.6 [667] p.403 [view_APC](#)

Report

Report No. 13_1763_04

**Parsons v Parsons
(Doe v Parsons)**

Virginia

Case Name Short Parsons v Parsons
Doe v Parsons

Case Name Long John Doe on the demise of John Parsons v William
Parsons

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [531] p.613 – 19 December 1763 – entry 1

PC Register Citation George III v.3 (1 May 1763 – 30 September 1764)
p.190: PC 2/110/190

[view](#)

APC Citation v.4 [531] p.613 – 19 March 1765 – entry 2

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.162–163: PC 2/111/162–163

[view](#)

APC Citation v.4 [531] p.613 – 26 July 1765 – entry 3

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.299, 306–307: PC 2/111/299, 306–307

[view](#)

Colonial Courts

Unnamed – 10 October 1759

General Court – 10 April 1763

Participants

Doe, John (lessee)

Parsons, John

Parsons, William

Sharpe, Joshua of Lincoln's Inn (appears for William Parsons)

Thomas, William ap, deceased

Description

Land dispute (bill of ejectment) over an orchard

Disposition

Reversed

Notes

There can be little doubt that John Doe and the lease to him are fictional. On this and on the bill of ejectment involved here, see Additional Research.

References in Smith, *Appeals to the Privy Council*

Table of Cases (Parsons v Parsons)

DOCUMENTATION**Printed Cases****Appellant's case** Case of the appellant (Parsons)

Counsel [Signed] C. Yorke; Al. Forrester

Library British Library: (Hardwicke Papers) Additional Manuscripts 36219 f.269–270 (Manuscript notes limited to counsel names on dorset) [view](#)**Respondent's case** Case of the respondent (Parsons)

Counsel [Signed] Fl. Norton; Wm. DeGrey

Library British Library: (Hardwicke Papers) Additional Manuscripts 36219 f.271–272 [view](#)**Privy Council Documents in PC 1 at The National Archives at Kew****TNA Document** Committee report – 18 July 1765 – PC 1/51/56 [view_Doc](#)**Notes** Referenced in *APC*, v.6 [667] p.403 [view_APC](#)**Other Documents****Document** The Joshua Sharpe papers in the collection of Thomas Phillipps at the Library of Congress, Division of Manuscripts, contain legal papers related to this appeal.

Report

Report No. 13_1765_01

Camm v Hansford

Virginia

Case Name Short Camm v Hansford

Case Name Long Rev. John Camm v Charles Hansford, jun., and William Moss

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [588] p.699 – 6 February 1765 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.89, 95: PC 2/111/89, 95

[view](#)

APC Citation v.4 [588] p.699 – 3 December 1765 *recte* 1766 – entry 2

PC Register Citation George III v.5 (August 1766 – January 1768) p.96–97,
113: PC 2/112/96–97, 113

[view](#)

Colonial Courts

General Court of Williamsburgh – 10 April 1764

Participants

Camm, Rev. John, minister of the parish of Yorkhampton
Hansford, Charles, jun.
Moss, William

Description

Recovery of value of tobacco, as salary

Disposition

Dismissed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Camm v Hansford and Moss, also as Parsons' Cause)
(extensive discussion)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Camm) ESTC: T222031

Counsel [Signed] Fl. Norton; E. Willes

Note Appellant's name is spelled Cam in appellant's printed case.

Library British Library: (Hardwicke Papers) Additional Manuscripts 36220
f.52–54 (Includes manuscript notes and separate pages of view
manuscript notes, f.61–64) Noted in ESTC? (No.)

Library Lambeth Palace Library: Seeker Papers, American 1721–1765 v.1
f.95–97 (Noted in ESTC? Yes.)

Respondent's case Case of the respondent (Hansford) ESTC: T222033

Counsel [Signed] C. Yorke: Wm. DeGrey

Library British Library: (Hardwicke Papers) Additional Manuscripts 36220
f.55–58 (Includes manuscript notes and separate pages of view
manuscript notes, f.61–64) (Noted in ESTC? No.)

Library Lambeth Palace Library: Seeker Papers, American 1721–1765 v.1
f.98–101 (Noted in ESTC? Yes.)

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 27 Nov. 1766 – PC 1/52/58 [view_Doc](#)

Notes Referenced in *APC*, v.6 [731] p.440 [view_APC](#)

Other Documents

Document At British Library, Additional Manuscripts 36220 f.59–60 is a
manuscript extract of an Order in Council of 7 March 1753
approving a report made by the lords of the Committee of [view](#)
Council dated 1 March 1753.

Document Note also additional manuscript material at Lambeth Palace in
the Seeker Papers, American 1721–1765, v.1, f.66–94,
described in Manross, *Fulham Papers*. The Camm materials at
Lambeth can be found in Lambeth Palace Library,
Miscellaneous American Material, Reel 5 Part C.

Report

Report No. 13_1765_02

Wilson v Darrell

Virginia

Case Name Short **Wilson v Darrell**

Case Name Long **Thomas Wilson, William and Anne Huggins, John Wilson, William Wilson, Isaac and Elizabeth Hobday v Sampson Darrell, George and Elizabeth Turner, William and Ann Sansom, John and Elizabeth Noble, and William Slaughter**

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [613] p.727 – 10 July 1765 – entry 1

PC Register Citation **George III v.4 (1 October 1764 – 27 August 1766) p.261, 280–281: PC 2/111/261, 280–281**

[view](#)

APC Citation v.4 [613] p.727 – 8 March 1769 – entry 2

PC Register Citation **George III v.6 (January 1768 – April 1769) p.468: PC 2/113/468**

[view](#)

APC Citation v.5 [280] p.390 – 31 December 1773 – entry 3 (The *APC* does not list this entry with the rest of 13_1765_02.)

PC Register Citation **George III v.10 (January 1773 – April 1774) p.371–372, 389–390: PC 2/117/371–372, 389–390**

[view](#)

Colonial Courts

Chancery – 11 April 1763

Participants

Almond, Jane (wife of Lewis Almond)

Almond, Lewis (husband of Jane Almond)

Darrell, Sampson (the elder, presumed deceased)

Darrell, Sampson (the younger)

Hobday, Elizabeth (wife of Isaac Hobday)

Hobday, Isaac (husband of Elizabeth Hobday)

Huggins, Anne (wife of William Huggins)

Huggins, William (husband of Anne Huggins)

Noble, Elizabeth (wife of John Noble)

Noble, John (husband of Elizabeth Noble)

Sansom, Ann (wife of William Sansom)

Sansom, William (husband of Ann Sansom)

Slaughter, William

Turner, Elizabeth (wife of George Turner)

Turner, George (husband of Elizabeth Turner)

Walton, Mr. of Girdlers Hall in Basinghall Street (appears for

respondents)
 Wilson, John
 Wilson, Thomas
 Wilson, William

Description

“to account . . . for all the personal estate of Sampson Darrell, the elder . . . and deliver the real estate to the respondents,” according to the *APC*

Disposition

Dismissed

Notes

The petition reveals that slaves are part of the property at issue.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Petition of Wilson – 10 July 1765 – PC 1/51/54	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [665] p.403	view_APC
TNA Document	Order of reference – 10 July 1765 – PC 1/51/54	view_Doc
Notes	Referenced in <i>APC</i> , v.6 [665] p.403	view_APC

Report

Report No. 13_1766_00

Corbin v Lomax

Virginia

Case Name Short Corbin v Lomax

Case Name Long Gawen Corbin by Lettice Corbin v Lunsford Lomax and
Aminadab Seekright

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.4 [656] p.767–768 – 2 July 1766 – entry 1

PC Register Citation George III v.4 (1 October 1764 – 27 August 1766)
p.686: PC 2/111/686

[view](#)

APC Citation v.4 [656] p.768 – 26 June 1767 – entry 2

PC Register Citation George III v.5 (August 1766 – January 1768) p.317–
318, 318–319, 356, 357: PC 2/112/317–318, 318–319,
356, 357

[view](#)

Colonial Courts

General Court – 26 April 1764 (multiple judgments)

Participants

Corbin, Gawen, a minor

Corbin, Lettice (guardian of Gawen Corbin)

Lomax, Lunsford

Lunsford, Sir Thomas, Kt. and Bart.

Seekright, Aminadab (lessee of Lunsford Lomax)

Description

Land dispute on the lower side of Portobago creek. Island and lands on Rappanhannock River also mentioned.

Disposition

Affirmed

References in Smith, *Appeals to the Privy Council*

Table of Cases (Corbin v Lomax)

DOCUMENTATION

Printed Cases

Appellant's case Case of the appellant (Corbin)

Counsel [Signed] C. Yorke; Al. Wedderburn

Library British Library: (Hardwicke Papers) Additional Manuscripts 36220

- f.117–119 (Includes manuscript notes) [view](#)
- Library Columbia University. Diamond Law Library: Treasure – Johnson 1770m and 2nd Fl Microfilm Cabinet – AA70 (Includes manuscript notes) [view](#)
- Respondent's case** Case of the respondent (Lomax)
- Counsel [Signed] Wm. DeGrey; Al. Forrester
- Library British Library: (Hardwicke Papers) Additional Manuscripts 36220 f.120–121 (Includes manuscript notes) [view](#)

Privy Council Documents in PC 1 at The National Archives at Kew

- TNA Document** Committee reports (Report 1) – 10 June 1767 – PC 1/53/60 [view_Doc](#)
- Notes Referenced in *APC*, v.6 [761] p.453–454 [view_APC](#)
- TNA Document** Committee reports (Report 2) – 10 June 1767 – PC 1/53/60 [view_Doc](#)
- Notes Referenced in *APC*, v.6 [761] p.453–454 [view_APC](#)

Report

Report No. 13_1768_01

Dixon v Turner

Virginia

Case Name Short Dixon v Turner

Case Name Long Edward Dixon and Harry Dixon and Turner Dixon v Thomas Turner by Thomas Jett, guardian, and Harry Turner by Anthony Thornton, guardian, Walker and Sally Turner Taliaferro, and Thomas Jett, John Skinker and Joseph Murdock

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [64] p.128–129 – 23 March 1768 – entry 1

PC Register Citation George III v.6 (January 1768 – April 1769) p.110, 164, 208; PC 2/113/110, 164, 208 [view](#)

APC Citation v.5 [64] p.129 – 6 July 1770 – entry 2

PC Register Citation George III v.7 (May 1769 – December 1770) p.299–308, 449–450; PC 2/114/299–308, 449–450 [view](#)

Colonial Courts

General Court – 10 April 1764

General Court – 10 October 1766

Participants

Betty, a slave

Dixon, Edward, gentleman (widower of Sarah Turner Dixon and father of Harry Dixon and Turner Dixon)

Dixon, Harry (grandson of Col. Thomas Turner, son of Edward and Sarah Turner Dixon, and brother of Turner Dixon)

Dixon, Sarah Turner (deceased wife of Edward Dixon, daughter of Col. Thomas Turner, and mother of Harry Dixon and Turner Dixon)

Dixon, Turner (grandson of Col. Thomas Turner, son of Edward and Sarah Turner Dixon, and brother of Harry Dixon)

Jett, Thomas (guardian of Thomas Turner, the respondent, and executor of Thomas Turner)

Mariah, a slave

Murdock, Joseph (executor of Thomas Turner)

Skinker, John (executor of Thomas Turner)

Smith, Nicholas (father of Elizabeth Smith Turner)

Smith, Nicholas (brother of Elizabeth Smith Turner)

Taliaferro, Sally Turner (wife of Walker Taliaferro, daughter of Thomas Turner and granddaughter of Col. Thomas Turner)

Taliaferro, Walker (husband of Sally Turner Taliaferro)

Thornton, Anthony (guardian of Harry Turner)
 Turner, Col. Thomas of King George county (deceased father of Thomas Turner, Harry Turner, and Sarah Turner Dixon and grandfather of Harry Turner, Sally Turner Taliaferro, Thomas Turner, Harry Dixon, and Turner Dixon)
 Turner, Elizabeth Smith (widow of Harry Turner, the son of Col. Thomas Turner, and mother of Thomas Turner, the respondent)
 Turner, Harry (deceased son of Col. Thomas Turner and husband of Elizabeth Smith Turner)
 Turner, Harry (son of Thomas Turner and grandson of Col. Thomas Turner)
 Turner, Thomas (deceased son of Col. Thomas Turner and father of Harry Turner and Sally Turner Taliaferro)
 Turner, Thomas (son of Harry Turner and Elizabeth Smith Turner and grandson of Col. Thomas Turner)

Description

At issue the estate of Col. Thomas Turner

Disposition

Reversed in part with directions given for taking accounts

Notes

Property includes slaves.

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document	Report of committee re Dixon v Turner and others	view_Doc
	– Apr. 1770 – PC 1/60/7	
Catalogued as	Catalogued by TNA: Report of committee on appeal of Dixon v Turner and others	

Report

Report No. 13_1768_02

Hiscox v Hill

Virginia

Case Name Short Hiscox v Hill

Case Name Long John Hiscox v Humphrey Hill

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [88] p.172 – 7 October 1768 – entry 1

PC Register Citation George III v.6 (January 1768 – April 1769) p.348: PC 2/113/348

[view](#)

APC Citation v.5 [88] p.172 – 9 January 1771 – entry 2

PC Register Citation George III v.7 (May 1769 – December 1770) p.13, 685–686: PC 2/114/13, 685–686

[view](#)

PC Register Citation George III v.8 (January – December 1771) p.19–20: PC 2/115/19–20

[view](#)

Colonial Courts

Chancery – 10 October 1767

Participants

Anderson, Matthew

Braxton, George, presumed deceased

Guest, Samuel

Hill, Humphrey (executor of George Braxton)

Hiscox, John, merchant, of London

Reynolds, Thomas

Robertson or Robinson, John

Description

Sums due to executor

Disposition

Dismissed

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

TNA Document Committee report – 20 Dec. 1770 – PC 1/54/66C [view_Doc](#)

Notes Referenced in *APC*, v.6 [840] p.484 [view_APC](#)

Report

Report No. 13_1771_00

Lee v Hunter

Virginia

Case Name Short Lee v Hunter

Case Name Long Philip Ludwell Lee v John Hunter

Acts of the Privy Council, Colonial Series

[view_APC](#)

APC Citation v.5 [184] p.296 – 15 May 1771 – entry 1

PC Register Citation George III v.8 (January – December 1771) p.188: PC
2/115/188

[view](#)

APC Citation v.5 [184] p.296 – 7 June 1771 – entry 2

PC Register Citation George III v.8 (January – December 1771) p.260: PC
2/115/260

[view](#)

APC Citation v.5 [184] p.296 – 8 July 1772 – entry 3

PC Register Citation George III v.9 (January – December 1772) p.328–329,
367–368: PC 2/116/328–329, 367–368

[view](#)

PC Register Note The header in *APC*, v.5 for George III v.9 (January –
December 1772) is erroneously labeled Volume X.

Colonial Courts

General Court – 3 May 1770

Participants

Hunter, John, merchant

Lee, Philip Ludwell

Description

Action of debt

Disposition

Dismissed

Notes

Cataloguing note in the ESTC says “Concerning a debt owed by Lee to a John Hanbury, London merchant, represented by Hunter, Virginia attorney.”

DOCUMENTATION

Printed Cases

Appellant's case

Case of the appellant (Lee)

ESTC: N478563

Counsel [Signed] J. Dunning

Library Yale University. Beinecke Rare Book and Manuscript Library: [view](#)
BrSides Cb4a 1772 (Noted in ESTC? Yes.)

Respondent's case Case of the respondent (Hunter)

Note Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Other Documents

Document The Joshua Sharpe papers in the collection of Thomas Phillipps at the Library of Congress, Division of Manuscripts, contain a notice of hearing in this appeal.

Report

Report No. 13_1775_00**Taliaferro v Taliaferro****Virginia**

Case Name Short Taliaferro v Taliaferro

Case Name Long Mary Taliaferro, Harry Taliaferro, William and Mildred
Strother v Lawrence Taliaferro et al*Acts of the Privy Council, Colonial Series*[view_APC](#)

APC Citation v.5 [311] p.405 – 23 January 1775 – entry 1

PC Register Citation George III v.11 (May 1774 – May 1775) p.377: PC
2/118/377[view](#)

Colonial Courts

General Court – 10 April 1773

Participants

Strother, Mildred (wife of William Strother)

Strother, William (husband of Mildred Strother)

Taliaferro, Harry (son of Kemp Taliaferro)

Taliaferro, Kemp (deceased husband of Mary Taliaferro)

Taliaferro, Lawrence

Taliaferro, Mary (widow and administratrix of Kemp Taliaferro)

Taliaferro, Zachary, deceased

Description

Action concerns the estate of Zachary Taliaferro

Disposition

Not stated in *Acts of the Privy Council, Colonial Series*

DOCUMENTATION

Printed Cases

Not found

Privy Council Documents in PC 1 at The National Archives at Kew

Not found

Further Research

Opportunities for Further Research, Discovery, and Investigation on Appeals to the Privy Council

Ships, slaves, debts, widows, inheritance, bastards, privateers, treason, customs, land companies, minors, orphans, governors . . . the appeals to the Privy Council from the American colonies contain these issues. In each appeal, someone cared enough to pay to have a petition filed and a printed case prepared in London. In many appeals, the underlying matter was sufficiently important to the parties that they were willing to expend significant sums hiring English lawyers to argue the case before the Privy Council. The appeals were an important linchpin of the Atlantic world.

The Appeals Catalogue is an excellent source for undergraduate research papers, graduate papers, law school seminar papers, and other writing projects. For Americans, the Catalogue provides a way to ‘travel to England’ to read the official papers of the British government in these matters. For those readers in the United Kingdom, the Catalogue provides an entry point for American matters that were decided in England by British officials. For readers in Canada, India, Australia, or elsewhere in the world, the Catalogue offers an opportunity for comparative research. This brief guide offers possible investigations and arguments.

The compilers of the Catalogue hope to be able to supplement it with further discoveries and source material. The website has the capacity to include an “Additional Research” note for each report, which could contain information worthy of inclusion brought to the attention of the compilers. Two reports (Oulton v Savage, 05_1717_00, and Apthorpe v Pateshall, 05_1768_00) contain samples of such additional research, matter that was discovered in a quick trip to the Massachusetts State Archives. A more ambitious example of additional research is a memorandum that Charles Donahue prepared about the forty-seven cases that originated in actions of ejectment or like ejectment in the colonies.

Scope

As the Home Page indicates, this Catalogue includes basic information on appeals from the 13 colonies that became the United States, and some information about those from the Caribbean and Canada prior to 1783. The focus of the Catalogue is on appeals from the 13 colonies, and it includes digital images of considerable primary source materials available in repositories in England and America for those appeals. We hope that digital images can be added for appeals from the Caribbean and Canada at a later date. We welcome information about any new

documentary discoveries that researchers might find.

As a reminder for those new to this discipline, the definition of the three major Privy Council primary sources digitized for this project are noted in the paragraphs that follow.

Printed Cases. A ‘printed case’ is basically the eighteenth-century British version of what American lawyers call a ‘brief’. Each side in an appeal prepared a printed case reflecting the facts and reasons (legal arguments) concerning the dispute. Some printed cases contain handwritten notations by the judge or lawyer. The appellant’s case will be the side requesting the appeal; the respondent’s case will be the side defending. The term, ‘counsel’ is used in this Catalogue for the name of the English attorney who signed the printed case. The printed case usually also provides the dates of the underlying court actions in the colonies and any additional useful names. If this Catalogue does not contain images of a printed case, do not draw the conclusion that one did not exist. Unfortunately, only some printed cases survived and have been located. It may also be possible that cases were also submitted to the Privy Council in manuscript form early in the century.

Registers. At the Privy Council, the appeal was recorded in registers, indicating actions taken on any particular day on matters coming before the Council. Matters relating to an appeal and its disposition appear in the registers. The Privy Council registers are large volumes kept chronologically and catalogued at The National Archives (Kew) with the reference number ‘PC2’. In this Catalogue, the PC 2 numbers link to the pages of the register relating to that appeal. These page numbers are drawn from summaries made of the registers in the *Acts of the Privy Council: Colonial Series (APC)*. The *APC* is largely reliable in terms of having located references to the appeal but may have overlooked on occasion a reference.

Miscellaneous records. Miscellaneous material from Privy Council proceedings held by The National Archives is catalogued as ‘PC 1’. Documents such as petitions, orders of reference, and committee reports for the appeal may be found there.

Secondary sources. The most exhaustive secondary source on colonial appeals is Joseph Smith’s *Appeals to the Privy Council from the American Plantations*, available digitally on this site. “Personnel and Practices,” in Bilder, *The Transatlantic Constitution* (chapter 6) provides an overview of the appeals process. The Bibliography offers further guidance.

Investigations and Arguments

The Catalogue can be used to research a variety of topics in which the appeal serves as the architectural foundation for the paper. Possibilities include the following:

1. *A case study of an appeal.* Each appeal contains an underlying dispute about

relationships, wealth, or power. A case study provides a narrative account of the appeal by investigating additional sources. Historical case studies usually require a thesis or argument beyond an investigative recounting of the events. A useful approach to developing a thesis is to ask the question: What does my case study reveal about the people or time or place or politics or law or . . . ? The answer usually can be expanded into a more nuanced thesis.

2. *A comparison of two (or more) appeals on a single issue.* The appeals often raised similar issues in different colonies. A comparative study seeks to explain the reason for the similarity or difference in the outcome. The Catalogue may be used for various comparisons:

- Appeals from different mainland colonies
- Appeals from a mainland and Caribbean colony
- Appeals from different Caribbean colonies
- Appeals from one of the 13 colonies and a Canadian colony
- Appeals from a colony in this Catalogue and one from India or Australia

3. *Development of the law.* The significance of the appeals for development of Anglo-American law has not been studied in depth. Although the decisions in the appeals were not printed contemporaneously, many important legal arguments were raised and decided.

- *Relationship to English law.* Were the decisions in appeals perceived to be an exception to dominant English law? Did the arguments made in these appeals influence or alter English case law or legislation? How did the appeals expand the scope of legal possibilities for the English judges? How did the appeals relate to English law reform efforts?
- *Relationship to American law.* What influence did the appeals have on contemporary colonial law? What influence did the appeals have on American law in the late eighteenth and early nineteenth century? Did the appeals help to create “American” doctrinal positions on common law and statutory interpretive issues?

For undergraduates or others just entering this field, a good contemporary source of basic English law is Thomas Wood’s *An Institute of the Laws of England* (1724 or later editions) (available by subscription online and in a modern reprint). A later contemporary source is William Blackstone’s *Commentaries on the Laws of England* (1765–1769) (available online and in many reprints). Be aware that Blackstone did not always state what the law actually was but rather what he thought it should be. There are many secondary sources to help decipher English

law. J. H. Baker, *Introduction to English Legal History* may be of assistance; for greater detail, consult monographs and articles on a chosen topic. (Baker has good selective bibliographies for each chapter).

4. *Pleading and Practice*. The appeals contain important clues as to significant differences from and similarities to English pleading and procedural rules. In eighteenth-century English court proceedings, legal problems were litigated using specific forms of action and accepted pleading and procedural rules. The appeals indicate some instances where colonial law or the appeals themselves diverged from English precedents and procedures.

A particularly interesting example of divergence relates to title to land. As is well known, English practice in the eighteenth-century was, as a general matter, to try title to land by means of a variety of the action on the case known as ejectment. For historical reasons, the English action of ejectment was framed in the form of a claim by a lessee of the land that he or she had been ejected from the land. By the eighteenth-century, the lease, in many, but not all cases, was fictional as was the lessee. The case was described as John Doe (or Richard Roe) on the demise (i.e., lease) of X (the real party at interest) v Y (the defendant). In some cases colonial practice followed this form, and colonial lawyers seem to have been quite imaginative in devising names for the fictitious lessee. We find, for example, ‘Timothy Thrustout’ or ‘Thomas Turf’. In some cases – and this seems to have been particularly common in New England, though it is found elsewhere – the colonial courts seem to have reached the same result by other means. In particular, we find an action that is described in the Privy Council registers as ‘trespass and ejectment’. This action may have begun as an ordinary action of trespass to land, but when the parties came into court, the plaintiff made a declaration (the initial pleading in eighteenth-century practice) in ejectment. By the time that the case reached the Privy Council the fictitious lessee, if one was ever alleged, was forgotten, and the case was styled simply as X v Y, the person claiming ownership against the possessor. How this action worked can only be determined by careful study of the surviving colonial records, which we have not undertaken. The practice may well have varied from colony to colony, perhaps even within colonies, and it may well have varied over time. What we have tried to do in the Notes for these appeals is to identify those lessees who are likely to be fictitious, and those who are not. Professor Donahue’s *Ejectment Research* discusses the terms used to describe actions for land, but much more could, and should, be done with the underlying colonial court records.

5. *An investigation of the Privy Council appeals process*. Many questions about the Privy Council appeals process remain uninvestigated. How did the Privy Council sort out what type of appeals it should handle? How did litigants in the colonies learn of the process? What did the British empire look like from the perspective of those involved with appeals? What was the relationship of arguments made in one appeal with another? Was the appeals process different with respect to colonial appeals than admiralty appeals or appeals to the House of

Lords? For students interested in the history of the Judicial Committee of the Privy Council, the appeals can be used as sources for the early development. Later Privy Council materials can be accessed on the website Privy Council Papers Online.

6. *An investigation of the English lawyers and related officials.* Some of the lawyers who argued the appeals were among the greatest of English crown law officers and some (e.g., William Murray, later Lord Mansfield) went on to become important judicial figures. Charles Yorke, who appears more often than anyone else in our reports, was active in politics all his life, briefly became Lord Chancellor (as his father had been), and then committed suicide. The appeals have largely been ignored in studies of the careers of these men.

Cautionary Advice about the Catalogue

For all researchers, we suggest reading the ‘Advice’ section of the Introduction to the Catalogue when approaching a project. In addition, the ‘Useful Lists’ may be of considerable assistance.

Colonial court records. Note especially, that the Catalogue contains information about the appeal once it was appealed to the Privy Council. It does not contain much information about the underlying colonial case, nor any about the subsequent proceedings in the colony after the appeal was decided. Care should be taken in interpreting the appeal in the absence of consulting these colonial court records which provide useful clarification and explanation. Court records can resolve discrepancies. In one case, *Oulton v Savage* (05_1717_00), the *APC* describes Cornelius Waldo as an appellant while Smith’s treatise places Waldo as a respondent. A trip to consult the original Massachusetts records resolved the matter in the *APC*’s favor. Court records can be used to ascertain whether a reported colonial case is really the case appealed to the Privy Council. In *Apthrope v Pateshall* (05_1768_00) the court records and newly edited colonial reports resolved the question and, in turn, allowed us to cast light on what really was at issue in the case.

The lower court records may often be found through the local public or historical records offices. For colonial American courts, an excellent guide to such archives is Michael Chiorazzi and Marguerite Most’s *Prestatehood Legal Materials*. Careful consultation should be made of court record books (recording the procedural stages and disposition of the case) and the case files. An entire case file may include depositions, evidence, jury votes, maps, and other documents. In some colonies, consultation of the legislative assembly records or petition records may also produce related materials.

Sometimes, much can be learned without a trip to the archives. We found reports of three of our Massachusetts cases in *Quincy’s Reports*, a book which has been in print since the mid-nineteenth century, and which has recently been given a new edition. We include images of the relevant pages of *Quincy’s Reports* on our site. Other colonies also have early printed reports. Additional research could explore,

for example, the reports of cases that are included here and also in Barton's *Virginia Colonial Decisions* or in Harris's *Maryland Reports*. A comparison of the arguments made in a printed colonial case and those made in one of the printed cases on appeal might be a particularly appropriate topic for a law student's paper.

Participants. Only a starting point for the participants in an appeal is provided by the Catalogue. For each appeal, the Catalogue provides a case name derived from the abstract in the *APC* and a list of persons named in the *APC* abstract. The case name and the list of participants, however, may not include every person involved in the appeal. Others may be found in additional printed documents. Be aware also that names are often spelled many different ways. Investigating the relationship among the people in the appeal is imperative. In some cases, particularly where 'repeat players' are involved (for example, the cases involving the Waldo family in Massachusetts or the Corbin family in Virginia), it may be possible to reconstruct the social situation that gave rise to the litigation. Many people can be located using genealogical materials. One simple starting point is to search for the name through a search engine such as Google Books. Names may also be searched through a local historical or genealogical society. Paid sites such as Ancestry.com or Fold3 contain many useful records and may sometimes be used for free under a short-term trial membership. If you are a member of a university or public library, you may be able to obtain access to subscription sites.

Mary Bilder

Further Research

Additional Research on Ejectment Cases

As is well known, English practice in the eighteenth-century, as a general matter, was to try title to land by means of a variety of the action on the case known as ejectment. For historical reasons, the English action of ejectment was framed in the form of a claim by a lessee of the land that he or she had been ejected from the land. By the eighteenth-century, the lease, in many, but not all, cases, was fictional as was the lessee. The case was described as John Doe on the demise (i.e., lease) of X (the real party at interest) v Y (the defendant). In some cases colonial practice followed this form, and colonial lawyers seem to have been quite imaginative in devising names for the fictitious lessee. We find, for example, ‘Timothy Thrustout’ and ‘Crispin Heeltap’. There are seven ejectment cases in our reports that involve a fictitious lessee (4 from Virginia, 2 from Pennsylvania, and 1 from Maryland) and three (1 from East Jersey and 2 from Virginia) where the lessee may be a real person, but the lease is probably fictitious or entered into solely for the purpose of setting up the action. See the list below.

There are, however, an additional thirty-seven cases (38 if one counts actions rather than cases) where the Privy Council registers mention ejectment or its equivalent but where, for the most part, the fiction does not seem to be being used. Twenty-one of these cases describe the action as ‘trespass and ejectment’ (1 from Maryland, 2 from Massachusetts, 15 from Rhode Island, 3 from Virginia). That a form of trespass should be being used to try title is not surprising. Such actions are found in England even before ejectment in its eighteenth-century form came into common use. Only three of these mention a lease, one of which is probably genuine (Maryland), one of which is dubious (Virginia), and one of which is clearly fictional (Virginia).

How the colonial action of trespass and ejectment worked can only be determined by careful study of the surviving colonial records. The practice may have varied from colony to colony, perhaps even within colonies, and it may well have varied over time. A hint, however, about how it might have worked is contained in four cases that are not described as ‘trespass and ejectment’ but as ‘declaration in/of ejectment’ (2 from Massachusetts and 2 from Rhode Island). This action may have begun as an ordinary action of trespass to land, but when the parties came into court, the plaintiff made a declaration (the initial pleading in eighteenth-century practice) in ejectment. By the time that the case reached the Privy Council the fictitious lessee, if one was ever alleged, was forgotten, and the case was styled simply as X v Y, the person claiming ownership against the possessor.

That leaves sixteen actions that are not called ‘trespass and ejectment’, but where ejectment or its equivalent is mentioned, and no lease is mentioned. It is possible, perhaps even likely, that many of these actions, too, were either ones that the Privy Council registers elsewhere call ‘trespass and ejectment’ or some other form of action that allowed the plaintiff to set up an action to try title without using the fictitious lessee.

Listed below are the forty-seven cases (48 actions) in which ejectment or its equivalent is mentioned, giving the report number, case name and colony, the term used to describe the action in the Privy Council register, and a statement about the presence or absence of a lease. In some cases, this is followed by a note, supplementary to those found in the report, that is specific to the case. The classification is quite speculative, as is the characterization of some of the actions. It could well be upset by further study of the colonial court records. That said, the 48 actions break down as follows: 7 ejectment actions with fictitious lessees; 3 ejectment actions with what are probably real persons named as lessees but where we may doubt the reality of the lease; 21 trespass and ejectment actions, 3 of which involve a lease (1 probably genuine, 1 dubious, and 1 fictitious) and 18 of which mention no lease; 16 actions described as ejectment (or its equivalent, including 4 described as ‘declaration in/of ejectment’) in which no lease is mentioned and which probably are the same as, or the equivalent of, what the Privy Council register elsewhere calls ‘trespass and ejectment’; and 1 equity action to enjoin ejectment actions.

Also included is one case (06_1701_00 *Allen v Waldron*), where ejectment is not mentioned, but which poses some puzzles about an original action concerning rights in land.

- 04_1739_00 *Tasker v Simpson* (Maryland) – trespass and ejectment – lease mentioned. The lease here is probably genuine. The fact that the case is described as trespass and ejectment supports that conclusion, in addition to the facts that John Simpson’s name is not obviously fictitious and that William’s side of the Brent family was not resident in Maryland.
- 04_1776_00 *Heeltap v Weems* (Maryland) – ejectment – fictitious lessee. In addition to the implausibility of his surname, the fact that the action is described as ‘ejectment’ and the way in which Harris styles the case (see Additional Sources) provide further support for the proposition that Heeltap is fictional.
- 05_1705_01 *Allen v Spencer* (Massachusetts) – “Writ of Ejectment” (*APC*), “an Ejectment at Law” (Committee Report, as given in the Privy Council register) – no lease mentioned. We should prefer the description in the Committee Report to that in the *APC*.
- 05_1731_00 *Bennet v Gray* (Massachusetts) – trespass and ejectment – no lease mentioned.

- 05_1734_01 Waldo v Waldo (Massachusetts) – action of ejectment – no lease mentioned.
- 05_1734_04 Waldo v Waldoe (Massachusetts) – action of ejectment – no lease mentioned.
- 05_1737_01 Stoddard v Jones (Massachusetts) – trespass and ejectment – no lease mentioned.
- 05_1737_02 Pelham v Stone (Massachusetts) – declaration in ejectment – no lease mentioned.
- 05_1738_00 Pelham v Bannister (Massachusetts) – declaration in ejectment – no lease mentioned.
- 05_1755_00 Bannister v Cunningham (Massachusetts) – action of ejectment – no lease mentioned.
- 05_1767_00 Jeffries v Donnell (Massachusetts) – action of ejectment – no lease mentioned.
- 06_1701_00 Allen v Waldron (New Hampshire) – (“appeal which relates to certain quit rents of land,” according to the *APC*; “Appeal . . . from a Verdict and Judgment . . . touching the Petitioner’s right, as the Proprietor, to certain Quit Rents of Land,” according to the Privy Council register) – no lease mentioned. The wording of the Privy Council register suggests that the English lawyers thought of this as an action in the right, perhaps even as some form of *praecipe quod reddat*. What the New Hampshire courts thought of it can only be determined if someone can find the original records. New Hampshire seems to have judicial records going back this far. The online Index of Petitions (1680–1819) to the General Court, i.e., the legislature, published by the state archives seems not to have one concerning this action, though it has a number of other petitions by the Allens.
- 06_1750_00 French v Folensby (New Hampshire) – upon an ejectment – no lease mentioned.
- 06_1754_00 Merrill v Proprietors of Bow (New Hampshire) – “upon an Ejectment,” according the the Privy Council register – no lease mentioned.
- 06_1762_00 Rolfe v Proprietors of Bow (New Hampshire) – “upon an Ejectment,” according the the Privy Council register – no lease mentioned.
- 07_1696_00 Jones v Fullerton (New Jersey [East]) – in ejectment – lease mentioned. The Privy Council register describes the judgment appealed from as one ‘in ejectment’. That the original action was one in ejectment is confirmed by Smith (p.366 n.66). Smith, in turn, relies on Edsall, *Journal*. Edsall not only transcribes the original record, but also notes that real persons are named as lessees of fictitious leases in ejectment actions in East Jersey in this period (p.84–85).
- 10_1765_01 Fothergill v Stover (Pennsylvania) – action of ejectment – no

lease mentioned. While the fact that no lease of the plaintiff in the original action is mentioned suggests that the action may have been one that the Privy Council elsewhere calls ‘trespass and ejectment’ or its equivalent, the trustees, as the *APC* notes, were constituted by Act of Parliament in 1760, and they may have been entitled to use special procedures. Evidence that it was a traditional action of ejectment is found in the title of the respondent’s printed case – “Timothy Peaceable (upon the demise of John Fothergill . . .) appellant and Christian Stover, respondent” – and in the style of the case in Dallas, *Reports 1* (see Other Documents) – “Lessee of Fothergill and others versus Christian Stover.” ‘Timothy Peaceable’ would be a particularly appropriate name for a fictitious lessee in Quaker Pennsylvania.

- 10_1774_00 Thrustout v Logan (Pennsylvania) – ejectment – fictitious lessee.
- 11_1729_01 Wharton v Northrup (Rhode Island) – “concerning the right to a Tract of Land,” according to the Privy Council register; “an ejectment action,” according to Smith (p.355 n.17) – no lease mentioned. The fact that no lease of the plaintiff in the original action is mentioned suggests that the action may have been one that the Privy Council elsewhere calls ‘trespass and ejectment’ or its equivalent. The way in which the action is described in the Privy Council register may suggest that the English lawyers thought of this action as different from an ordinary action of ejectment. See *Allen v Waldron* (06_1701_00), above. Smith gives no indication of having seen the colonial court records.
- 11_1729_02 Wood v Sanford (Rhode Island) – declaration in ejectment – no lease mentioned.
- 11_1733_00 Torrey v Mumford (Rhode Island) – trespass and ejectment – no lease mentioned.
- 11_1735_02 Hassard v Potter (Rhode Island) – trespass and ejectment – no lease mentioned.
- 11_1736_00 MacSparran v Hassard (Rhode Island) – “writ of ejectment,” according to the *APC*; “Action of Trespass and Ejectment,” according to the Privy Council register – no lease mentioned. We should prefer the description in the Privy Council register to that in the *APC*.
- 11_1738_02 Coggeshall v Coggeshall (Rhode Island) – trespass and ejectment – no lease mentioned.
- 11_1747_01 Staniford v Newell (Rhode Island) – action of ejectment – no lease mentioned.
- 11_1747_03 Brenton v Remington (Rhode Island) – “writ of ejectment,” according to the *APC*; “Writ of Trespass and Ejectment,” according to the Committee report – no lease mentioned. We should prefer the description

- in the Committee report to that in the *APC* (which reflects an earlier entry in the Privy Council register). The case probably should be classified as trespass and ejectment (and is so classified above), although the reference to a writ is puzzling. It seems highly unlikely that an original writ ever issued, and the use of the word is probably just a substitute for ‘action’.
- 11_1750_00 *Clemence v Angel* (Rhode Island) – trespass and ejectment – no lease mentioned.
 - 11_1752_03 *Whitman v Whitman* (Rhode Island) – trespass and ejectment – no lease mentioned.
 - 11_1753_00 *Borden v Cook* (Rhode Island) – declaration of ejectment – no lease mentioned.
 - 11_1755_04 *Whipple v Bowen* (Rhode Island) – trespass and ejectment – no lease mentioned.
 - 11_1755_06 *Whipple v Ninigret* (Rhode Island) – trespass and ejectment – no lease mentioned.
 - 11_1758_00 *Freebody v Brenton* (Rhode island) – trespass and ejectment – no lease mentioned.
 - 11_1760_02 *Larkin v York* (Rhode Island) – upon an ejectment – no lease mentioned.
 - 11_1762_02 *Potter v Hazard* (Rhode Island) – trespass and ejectment – no lease mentioned.
 - 11_1766_02 *Lewis v Wilkinson* (Rhode Island) – trespass and ejectment – no lease mentioned.
 - 11_1766_03 *Arnold v Green* (Rhode Island) – trespass and ejectment – no lease mentioned.
 - 11_1766_05 *Freebody v Holmes* (Rhode Island) – trespass and ejectment – no lease mentioned.
 - 13_1703_00 *Selden v Beverley* (Virginia) (1) – “proceedings . . . touching two plantations of lands” (*Selden v Beverley*) – no lease mentioned. The fact that no lease of the plaintiff in the original action in *Selden v Beverley* is mentioned suggests that the action may have been one that the Privy Council elsewhere calls ‘trespass and ejectment’ or its equivalent.
 - 13_1703_00 *Selden v Beverley* (Virginia) (2) – “petition . . . of the lessee of Samuel Selden, and Rebecca his wife, on behalf of himself and the said lessors, complaining of proceedings . . . touching two plantations of lands” (*Ballard v Beverley*) – lease mentioned. The original action in *Ballard v Beverley* may have been the traditional one of ejectment (it is called ‘ejectment’ in *Beverley’s* petition for a writ of attain). *Ballard* may be a real person, but the lease to him may not be real.
 - 13_1732_00 *Corbin v Faldo* (Virginia) – trespass and ejectment – lease

- mentioned. Because the original action is expressly said to be in ‘trespass and ejectment’ and because we have no reason to doubt the genuineness of his surname, Robert Faldo and the lease to him may be real. The fact, however, that the Privy Council register consistently describes the original action as one brought by “Thomas Corbin in the Name of Robert Faldo as Lessee” might cause us to have doubts. This may be a case in which the lessee is a real person, but, like *Ballard v Beverley*, immediately above, and *Burges v Hack*, immediately below, the lease may be fictitious or may have been entered into solely for the purpose of setting up the action.
- 13_1736_00 *Burges v Hack* (Virginia) – “upon an Ejectment,” according to the the Privy Council register – lease mentioned. The summary of the Committee report in the *APC* has Frances Burges as lessee, but the Privy Council register has her properly as the lessor. Lemuel Gulliver may be a real person, but we may doubt the reality of the lease to him.
 - 13_1742_03 *Starke v Thrustout* (Virginia) – ejectment – fictitious lessee.
 - 13_1743_00 *Meade v Thrustout* (Virginia) – ejectment – fictitious lessee.
 - 13_1747_02 *Kenner v Ball* (Virginia) – upon an ejectment – no lease mentioned.
 - 13_1749_02 *Randolph v Wormley* (Virginia) – trespass and ejectment – no lease mentioned.
 - 13_1752_03 *McCarty v Turf* (Virginia) – action of ejectment, according to the *APC*; action of trespass and ejectment, according to the earlier entries in the Privy Council register; “a Declaration in an Action of Trespass and Ejectment,” according to the Committee report – fictitious lessee. There can be no doubt that the lease to Thomas Turf is fictitious; it is called “feigned” in the Committee report and in the titles of both of the printed cases. There can also be little doubt that Turf himself is fictitious. This seems to be a case, like *Corbin v Faldo* (13_1732_00), where a fictitious lease was used in an action of trespass and ejectment.
 - 13_1753_02 *King v Lewis* (Virginia) – equity orders barring proceedings at law in ejectment – no lease mentioned. The portions of these equity orders that bar proceedings at law bear a distinct resemblance to the equity action sometimes called an ‘action to quiet title’. How close the Virginia action came to English practice in this regard (whether, for example, that the plaintiff had to show that he had been the defendant in one or more unsuccessful ejectment actions) can only be determined by closer study of the Virginia records.
 - 13_1763_03 *Howlett v Osburne* (Virginia) – ejectment – fictitious lessee.
 - 13_1763_04 *Parsons v Parsons* (Virginia) – bill of ejectment – fictitious lessee. The fact that the Privy Council register calls this a ‘bill of ejectment’ rather than an ‘action of ejectment’ or simply ‘ejectment’ may

tell us something about Virginia procedure in this period (for example, that they were using something like the English bill of Middlesex), but it does not affect the conclusion that this was framed as a traditional ejectment action with a fictitious lessee.

While Sharon O'Connor takes no responsibility for the legal historical conclusions suggested here, I would like to acknowledge her assistance in the preparation of this memo. She saved me from three potentially embarrassing errors and a number of infelicities. Those that remain are my own.

Charles Donahue, Jr.

Abbreviations and Bibliography

Abbreviations:

The following abbreviations are used throughout the catalogue. In most cases fuller references are given in the bibliography that follows.

AALT = Anglo-American Legal Tradition (website).

APC = *Acts of the Privy Council of England: Colonial Series*.

Bilder, *Transatlantic Constitution* = Mary Sarah Bilder, *The Transatlantic Constitution: Colonial Legal Culture and the Empire*.

Bilder, *Salamanders and Sons of God* = Mary Sarah Bilder, *Salamanders and Sons of God: Transatlantic Legal Culture and Colonial Rhode Island*.

CSP = *Calendar of State Papers, Colonial: North America and the West Indies*.

ESTC = English Short Title Catalogue (website).

n.d. (in bibliographic citations) = no date of publication given.

n.l. (in bibliographic citations) = no place of publication given.

n.p. (in bibliographic citations) = no publisher or printer given.

PC 1 = TNA classification: Privy Council and Privy Council Office: Miscellaneous Unbound Papers.

PC 2 = TNA classification: Privy Council: Registers.

Smith = Joseph Henry Smith, *Appeals to the Privy Council from the American Plantations*. [Included on this site.]

TNA = The National Archives (U.K.).

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availability, when known, appears in the second set of round brackets. A third set of round brackets gives the report number (linked) and section of the report in which the citation appears, a link to the Introduction, or a link to Research Opportunities or Ejectment Research. The items listed above under Abbreviations are cited throughout the catalogue. They are not given specific citations here, except that Bilder's works are cited when they appear in the Introduction or in the Notes in the reports.

For example, in the entry "Dallas, *Report 1 = Reports of Cases Ruled and Adjudged in the Courts of Pennsylvania before and since the Revolution*, ed. A[lexander] J. Dallas, vol. 1, 2d. ed. (Philadelphia: printed for P. Byrne, 1806) (1 U.S. [1 Dall.]) (Internet Archive) (10_1765_01, Other Documents; 10_1766_01, Other Documents)":

- (1 U.S. [1 Dall.]) is an alternate short-form for Dallas, *Reports 1*;
- (Internet Archive) is a website where the book may be found;
- (10_1765_01, Other Documents; 10_1766_01, Other Documents) are the reports and sections of reports where the work is cited with links to the reports.

A.B., *Brief Representation* = A.B., *A brief representation of the case depending between the Rev. Dr. Mc'Sparran, plaintiff, and the Rev. Mr. Torrey, defendant, relating to the ministerial land in Narraganset in a letter from a gentleman at Newport to his friend in Boston* (Newport: n.p., Aug. 29, 1739) (Early American Imprints, Series 1: Evans no. 40156, by subscription) (11_1725_00, Additional Sources; 11_1733_00, Additional Sources; 11_1736_00, Additional Sources).

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Wood, *Institute* = Thomas Wood, *An Institute of the Laws of England; or, The Laws of England in their Natural Order, According to Common Use*, first ed. ([London]: E. and R. Nutt and R. Gosling, 1720) (Research Opportunities). [Between 1720 and 1772, the work saw ten editions, all of which are available online by subscription in Eighteenth Century Collections Online. A reprint of the 1772 edition was published in 2006 by The Lawbook Exchange.]

Wroth, “Maine Connection” = Kinvin Wroth, “The Maine Connection: Massachusetts Justice Downeast, 1620-1820,” in *The History of the Law in Massachusetts: The Supreme Judicial Court 1692-1992*, ed. Russell K. Osgood (Boston: Supreme Judicial Court Historical Society, 1992), p.171–206 (05_1735_02, Notes).

Yirush, “Claiming the New World” = Craig B. Yirush, “Claiming the New World: Empire, Law, and Indigenous Rights in the Mohegan Case, 1704–1743,” *Law and History Review*, 29 (2011) 333–373 (Introduction).

Useful Lists

The following collection of lists substitutes for an index. Parties to the cases can be found on the lists of case names. Counsel retained in England can be found on the list of counsel. There is a separate list for vessels. Other persons and placenames are best found by using one of the search engines on the website: <http://amesfoundation.law.harvard.edu/ColonialAppeals/search1.php>. The three final lists deal with Caribbean and Canadian appeals, which are not otherwise covered in the catalogue.

- Case Names Long – lists all of the appeals in the database by colony and date using the long form of the case name.
- Case Names Short – lists all of the appeals in the database alphabetically by the short form of the case name.
- Vessels – lists alphabetically all of the vessels that are named in the cases with the name of the case.
- Proceedings That Have Printed Cases – lists the colony, report number, and case name of all those proceedings that have printed cases, sometimes of one party, sometimes of both, and sometimes more than one for a party.
- All Printed Cases – lists the report number and the surname of the party for whom the printed case was prepared. Parties for whom no printed case survives are omitted.
- Printed Cases in ESTC – lists the report number, the surname of the party for whom the printed case was prepared, and the English Short Title Catalogue number of those printed cases that are in the ESTC.
- Cases That Are Not ‘True’ Appeals – a list of those cases that we have classified as not ‘true’ appeals.
- Counsel – lists all of the signatories of the printed cases alphabetically by their surnames followed by the names of the cases that they signed.
- Repositories of Printed Cases – lists alphabetically the name, address, telephone number, and, where available, website of all the libraries and archives in which printed cases have been found.
- Conversion Chart – compares the names and numbers of the registers that are cited in *APC* with those that are currently in use at The National Archives.
- Canadian Appeals – a preliminary list of appeals taken from the Canadian provinces prior to 1784.
- Caribbean Appeals – a preliminary list of appeals taken from the Caribbean prior to 1784.
- Caribbean Appeals, Printed Cases – a brief list of eighteenth-century Caribbean printed cases known to be extant in the British Library’s Hardwicke Papers, the Law Library of Congress, and the Law Library at Columbia University.

Useful Lists

List of Appeals by Colony, Date, and Long Case Name

The date is the date of the first mention in the *Acts of the Privy Council, Colonial Series*. Information in brackets is not found in the *APC* but in Joseph Smith, *Appeals to the Privy Council from the American Plantations*.

Connecticut

Edward Palmes and John Hallam v [FitzJohn Winthrop, Richard Christopher and Samuel Fosdick] – 1699

John Hallam and Nicholas Hallam v John Fitz Winthrop and Edward Palmes – 1699

Edward Palmes v Fitzjohn Winthrop, Richard Christopher and Samuel Fosdick – 1703

John Winthrop v Thomas and Ann Lechmere – 1727

Robert Wheeler v Thomas Levenworth – 1737

Samuel Clark v Thomas and Hannah Towsey (and against Thomas Towsey as guardian to John Clark), Thomas Clark (and as guardian to Gamaliel Clerk) and Richard Bryon (as guardian to children of late wife Mehitabell) – 1737

Samuel Danielson and Nathan West v Dan Throop and Caleb and Irena Hide – 1756

Samuel Danielson and Nathan West v Aaron Fish – 1756

Elisha Whittlesey, appeal of – 1765

Delaware

David, Robert, Elizabeth and Ann Dorothy Finney v Henry Bickerton et al – 1774

David, Robert, Elizabeth and Ann Dorothy Finney v James Byrne et al – 1774

Georgia

Caleb Davis v James Edward Powell – 1751

Raymond Demere v Caleb Davis – 1755

Maryland

Richard Rawstone, appeal of – 1694

John Taylor v Ann Jones and Thomas Gassaway – 1707

Thomas Macnamara v *Rex* – 1711

Jonathan Forward v Gilbert Poulson (later William Hunt) – 1720

- Joseph Brown v Thomas Boardley – 1723
 Michael Macnamara v Thomas Brooke – 1730
 Thomas Nelson v John Beale – 1730
 John Collins, appeal of – 1735
 Edmund Jennings and John Gallaway v William Cuming Executor of Thomas Facer and Achsah Woodward Administrator *de bonis non* of Amos Garret – 1738
 Charles Carroll v Mary Parran and John Parran – 1738
 Benjamin Tasker v John Simpson on the demise of William Brent – 1739
 Elizabeth Frisby v Mary Frisby Baldwin – 1748
 John Beale Bordley and Margaret Bordley and William and Mary Paca v Ann Thomas – 1773
 Crispin Heeltap on the demise of William Chew v James Weems and David Weems – 1776
- Massachusetts**
- Edward Randolph, appeals of – 1681
 Richard Thayre v [Capt. Savage] and [Capt. Clapp] – 1682
 [*In re* The Salisbury] – 1691
 Jahleel Brenton v George Lawson (*In re* The Two Brothers) – 1692
 Jahleel Brenton v Thomas Wilkinson (*In re* The Three Brothers) – 1692
 Jahleel Brenton, appeal of (*In re* The Mary) – 1692
 Jahleel Brenton v Elizabeth Shrimpton – 1698
 Jonathan Ting v Wait Wythrop – 1700
 Samuel Allen (later Thomas Allen) v Humphrey Spencer – 1705
 Samuel Gookin v Sarah Smith – 1705
 George Lason v Peter Serjeant – 1706
 Samuel Lillie v Edward Bromfield and Francis Burroughs – 1711
 Samuel Lillie v Elias Adams – 1711
 Thomas Bannister v Margaret Bowe – 1715
 John Oulton and Cornelius Waldo v Arthur Savage – 1717
 William and Christian Tunley v William Maccarty – 1718
 Henry Flint v Ann Willett – 1718
 Christopher Taylor v Rebecca Taylor and Sarah Taylor – 1718
 John Gilbert v John Branfield and William Ward – 1722
In re The Mary Ann – 1726
 Joseph Bennet and Samuel Freeth and William Walker v Benjamin Gray – 1731
 Samuel Waldo v Thomas Fairweather (later Hannah Fairweather and John

Fairweather (1) – 1733

Samuel Waldo v Thomas Fairweather (later Hannah Fairweather and John Fairweather) (2) – 1733

William Stoddard v John Barrell, sen. (later revived against Barrell's executors) – 1733

Nathaniel Byfield v Samuel Swasey – 1733

Cornelius Waldo v Samuel Waldo, Jonathan Waldo, Thomas Fairweather, Edward and Anna Tyng – 1734

James Gooch, Abraham Blish, James Allen, James Gooch, jun., and Francis Wilks v Samuel Dummer – 1734

Giles Dulake Tidmarsh v Joseph Brandon – 1734

John Waldo v Samuel Waldoe, Jonathan Waldoe, Thomas Fairweather, and Edward and Anne Tyng – 1734

Gillam Philips v Hannah Savage, Faith Savage, Hannah Philips, and representatives for Mary Butler – 1734

Samuel Waldo v Thomas and Hannah Fairweather – 1734

Samuel Waldo v Jonathan Waldo – 1734

Samuel Waldo v Edward and Ann Tyng – 1734

Matthew Ellis v Richard Sprague – 1735

William Leighton v John Frost – 1735

Anthony Stoddard, William Stoddard and William Clarke v John and Hannah Jones, Elizabeth Willard, Hebzibah Mortimer, Mary Alden and Thomas Alden, Elizabeth Alden, Ann Alden, Mary Brightman, Nathaniel and Hepzibah Howard, Elizabeth Butterly, Peter and Lydia Briton, Zachariah Alden, Samuel and Mary Kneeland, Timothy and Elizabeth Green, and Nathaniel Alden – 1737

Herbert Pelham v Samuel Stone, Isaac Hunt and Thomas Bent – 1737

Herbert Pelham v Samuel Bannister and Thomas Soden – 1738

Abraham Francis and John and Hannah Jones v John Jeffries, Jonathan Armitage, David Colson, Alexander Forsythe, Caleb Lyman, Jonas Clarke and Thomas Hutchinson – 1742

___ Liebenrood v ___ Dennie – 1749

Governor Shirley v Samuel Waldo – 1750

Charles Knowles v Dr. William Douglas – 1750

William Vassall v William Fletcher – 1753

John Bannister and Frances Bowen v Nathaniel Cunningham – 1755

Thomas Dudley v Joseph and Elizabeth Richards, Benjamin and Rebecca Guerrish, Joseph Dudley, John and Mary Cotton, and Ann Dudley – 1764

David Jeffries v Nathaniel Donnell – 1767

Charles Ward Apthorpe v Richard Pateshall – 1768
 John Wentworth v James Bowdoin and William Bowdoin, James Pitt, Silvester Gardiner and Benjamin Hallowell – 1774
 Simon Pease v Abraham Pullibank – 1775
 Lieutenant Richard Beale, appeal of – 1776

New Hampshire

Georg Walton v Jeremy Walford and John Amazeen – 1683
 Walter Barefoot v Robert Wadleigh – 1683
 William Vaughan v [Richard Martin] – 1684
 William Vaughan v [Robert Mason] – 1684
 William Vaughan v [Rex] – 1684
 [*In re* The Diligence] – 1684
 Samuel Allen, appeal of – 1700
 Samuel Allen (later Thomas Allen) v Richard Waldron – 1701
 Nathaniel French v Thomas Folensby, Peter Moss and Moses Calton – 1750
 Rev. Timothy Walker et al, appeal of – 1753
 John Merrill v Proprietors of the township of Bow – 1754
 Barlow Trecothick v Samuel Wentworth – 1758
 John Sherburne v Samuel Sherburne, Peter and Dorothy Gillman, Joseph and Anne Langdon – 1759
 Thomas Dering v Thomas Packer – 1759
 Benjamin Rolfe, Daniel Carter, Timothy Simons, John Evans, John Chandler, Abraham Colby and Abraham Kimball v Proprietors of Bow – 1762
 Josiah Hilton v Philip Fowler – 1765
 Philip Fowler v Josiah Hilton – 1765
 William James v Samuel Moffatt and George Meserve – 1773

New Jersey

Jeffrie Jones v James Fullerton on the demise of the Proprietors of East Jersey – 1696
 Mary Crowley and John Borrow, appeal of – 1712
 Peter Sonmans v Joseph and Rachel Ormstone and Joseph and Johanna Wright – 1716
 Peter Wickoff and Joseph Reed v William Ouke – 1773
 John Reid v Joseph Reed – 1775

New York

John Ward v Mrs. John Palmer – 1680

Thomas Darvall v Richard Hall – 1681
 Capt. William Dyer v Samuel Winder – 1681
 Robert Wright and Francis Pew v Robert Cornwall – 1683
 Capt. [Christopher] Billop v ___ [West] – 1685
 Jacob Mauritz v Frederick Philips – 1692
 Valentine Cruger v Abraham Depeyster – 1699
 Richard Alsop v Audry Vaudall – 1700
In re The Elizabeth and Catherine – 1702
 Col. Nicholas Bayard v *Rex* – 1702
 John Hutchins v *Rex* – 1702
 Mr. Budge, appeal of – 1708
 Abraham Gouverneur et al v Isaac De Biemer, sen. – 1716
 Thomas Summers et al, appeal of – 1717
 John Smith, appeal of – 1717
 Solomon Medina Mossesson, Moses Medina and Abraham Medina, and Roderigo Pacheto v Mathew Norris – 1735
 Thomas Brown v Frederick Philips – 1738
 Capt. Vincent Pearse v George Cummyns – 1741
 Capt. Vincent Pearse v John Key and Michael Hubbard – 1741
 Archibald Kennedy v Thomas Fowles – 1742
 Robert Etherington, Waddle Cunningham, Elias Debrosses and Richard Thomas, appeal of – 1765
 Waddell Cunningham v Thomas Forsey – 1765
 John Van Rensselaer v James Jackson, Thomas Williams, Harme van Hoesen, William W., Cornelius, and Volckert G. Vandenberg, Anthony van Tevere, and Dirk Bradt van Schoenhoven – 1773

North Carolina

Christopher Gale v Sir Richard Everard, Baronet – 1729
 Abner Nash v Conway Richard Dobbs and Edward Brice Dobbs – 1773
 George Casey, appeal of – 1774

Pennsylvania

John Macarell, appeal of – 1712
 Simon Clement's appeal on behalf of William Penn's widow – 1720
 Peter Evans, appeal of – 1736
 John Fothergill, Daniel Zachary, Thomas How, Devereux Bowley, Luke Hind, Jacob Hagen, Silvanus Grove and William Heron v Christian Stover – 1765

- David McMurterie and William McMurterie v John Browne and Obadiah Browne – 1765
- John Long and William Plumstead v Thomas Harper and John Nixon and Co. – 1766
- Patrick Crawford (representing James Crawford) and Charles Smith v James Hawker – 1766
- John Swift v Henry Jones and Robert Smith – 1770
- John Swift v George Hawkins and John Moore – 1770
- John Swift v Abraham Mitchell and Thomas Lightfoot – 1770
- Samuel Pike v Samuel Hoare and Nathaniel Newberry – 1770
- James Styles v Joseph Kirkbride and Thomas Riche – 1773
- Timothy Thrustout on the demise of Peter Henry Sheipers v James Logan – 1774

Rhode Island

- Daniel Peirce et al v Edmund and Margaret Willie and Richard and Judith Hancock – 1698
- Francis Brinley v ___ [Dyer] – 1699
- Andrew Harris, Thomas Field and Nathaniel Waterman, appeal of – 1705
- Thomas Newton, appeal of – 1705
- Stephen Remington v Jahleel Brenton – 1709
- Peter Ford v Daniel Hodgson – 1718
- Nicholas Carr v John Holmes and Thomas Martin – 1718
- Capt. John Owen, appeal of – 1721
- In re* The Pearl – 1721
- Samuel Cranston v John Jekyll – 1724
- John Jekyll v Samuel Cranston – 1724
- James MacSparran v George Mumford – 1725
- Eunice Wharton v Stephen, Thomas, Benjamin, Henry jr., and Nicholas Northrup and Lawrence Whaley – 1729
- William Wood and John Allen v Samuel Sanford – 1729
- Daniel Sabere v Ann Sabere and Deborah Sabere and Mary Sabere – 1730
- Jahleel Brenton (later Jahleel Brenton, his son and executor) v Francis and Jane Boreland – 1732
- Francis and Jane Boreland v Jahleel Brenton, son and executor of Jahleel Brenton – 1732
- Jahleel Brenton, son and executor of Jahleel Brenton, v Francis and Jane Boreland – 1732
- Joseph Torrey v George Mumford – 1733

Peter Coggeshall v Edward Pelham – 1735
Stephen Hassard and Robert Hassard v John Potter – 1735
Ezekiel Johnson v Josiah Arnold – 1735
James MacSparran v Robert Hassard – 1736
Benjamin Brenton v Jahleel Brenton – 1737
Peleg Brown v James Allen and Ezekiel Chever – 1738
Daniel Coggeshall v Mary Coggeshall – 1738
James Martin v William Gardiner by Abigail Gardiner – 1738
James Martin v Elizabeth Gibbs – 1738
Edward Fogg v William Harvey – 1745
John Potter v Joseph and Dorcas Freeborn – 1745
John Rous v Benjamin Hassard, Robert Carr, John Easton and Jonathan Hassard – 1746
Benjamin Hassard, Robert Carr, John Easton and Jonathan Hassard v John Rous – 1746
David Vanbrugh and Samuel Carpenter v Joseph Powers – 1746
Joseph Powers v David Vanbrugh and Samuel Carpenter – 1746
Isaac Polock v Gulian Verplank – 1746
Wait Tripp v Benjamin Tripp – 1746
John Staniford v Timothy and Margaret Newell – 1747
John Freebody v Joseph Wanton – 1747
Benjamin Brenton v Gersham Remington – 1747
Robert Gibbs v Jonathan Sheldon – 1748
Nathaniel Wheelwright v Ebenezer Tyler – 1749
George and Mary Taylor v James and Mary Clark – 1749
John Channing v Arthur Fenner – 1749
Thomas Clemence v John Angel – 1750
Robert Rodman v John Bannister – 1751
John Peirce and Thomas Peirce v John Rice – 1752
William Walker v Henry Paget – 1752
Noah Whitman v John Whitman – 1752
Samuel Borden and Stephen Cook v William Cook – 1753
John Freebody v John Cook – 1754
Patrick Grant and Andrew Heatley v Samuel Dyre – 1755
Daniel Stanton v Elias Thompson – 1755
John Chaloner v Elias Bland – 1755

- John Whipple v Ephraim Bowen, John Carlisle, and Joseph Sweeting – 1755
Benjamin Hazard v Mary Hazard – 1755
Joseph Whipple, Daniel Coggeshall, John Spencer, Samuel Perry, and David Anthony v Thomas Ninigret by Jonathan Nichols, guardian – 1755
Jahleel Brenton, Benjamin Wickham and George Gardner v Joseph Sylvester – 1756
Jacob Isaacs v John Merrett – 1757
John Freebody (later Samuel, John and Thomas Freebody) v Jahleel Brenton, Benjamin Wickham and George Gardiner – 1758
Boyle Moss v Esek Hopkins – 1759
Paul Creaugh v Charles Whitfield – 1760
John Larkin v Edward York – 1760
Peter Simons v Joseph Wanton – 1761
William Read v Benjamin Nicholls – 1762
John Potter v George Hazard – 1762
William Stead v Naphthali Hart and Isaac Hart – 1765
William Stead v Isaac Elizer – 1765
Thomas Shearman v Gideon Cornell – 1765
William Stead v Jacob Isaacs – 1766
Robert Lewis and Ellis Lewis v Benjamin Wilkinson – 1766
Benjamin Arnold et al v Nathaniel Green – 1766
John, Thomas, and Samuel Freebody v Jahleel Brenton, Benjamin Wickham and George Gardiner – 1766
Jahleel Brenton, Benjamin Wickham and George Gardiner v John, Thomas and Samuel Freebody – 1766
Thomas Freebody v John Holmes – 1766
John Holmes v Thomas Freebody – 1766
John Bannister v Jane Brown, Matthew Robinson, and Robert Brown – 1766
Godfrey Laycock (later Hannah Laycock) v James Clarke and Solomon Southwick – 1767
Jacob Isaacks v William Stead – 1768
Naphthali Hart and Isaac Hart v Abraham Solomons – 1769
Alexander Grant v Charles Hardy – 1769
Giles and Elizabeth Sandford v Elizabeth and Isaac Smith, William Taggart, Israel and Sarah Church – 1773
Gervase Elam v John Dockray – 1773

Charles Dudley v John Innis Clarke and Joseph Nightingale – 1773

Charles Dudley v Nathaniel Shaw – 1773

Robert Keeler v William Rhodes – 1773

Samuel Bean and Isaac Walker, Francis Newton and John Colville v Gideon Wanton and John Wanton – 1774

John Andrews v John Farrint – 1775

South Carolina

George Peers v Jonathan Amory (*In re* The Turtle) – 1699

Benjamin Niccoll, John Crosse, Patrick Walsh, and Giles Been v [Blake] (*In re* The Cole and Bean) – 1700

Virginia

Sarah Bland v Col. St. Leger Codd and wife – 1682

Edward Plampin v Edmund Scarborough – 1685

Philip Ludwell v John Toton – 1690

William Bowtell and Thomas Wenborne, appeal of – 1696

Thomas Starke v Thomas and Francillia Parker – 1699

Samuel Selden v Robert Beverley – 1703

Francis Ballard on the demise of Samuel and Rebecca Selden v Robert Beverley – 1703

Robert D'Oyly v Benjamin Harrison – 1709

Robert Beverly v Samuel Seldon – 1715

Anne Stannard by William Stannard v John Wormeley – 1716

Robert and Elizabeth Jones v Thomas Toleson and William Williams – 1719

Elizabeth Winder and Richard and Elizabeth Kenner v Robert and Elizabeth Jones – 1719

Gawen Corbin v James and Jane Roscow – 1720

Sarah Perry, Micaiah Perry and Philip Perry v Mary, William and Thomas Randolph – 1724

George Heal v William Ball – 1727

William Ball v George Heal – 1727

John Bayler by Robert Bayler and Augustine Moor v John and Elizabeth Carter – 1729

Gawen Corbin v Robert Faldo on the demise of Thomas Corbin – 1732

Lemuel Gulliver on the demise of Frances Burges v John Hack – 1736

William Hunt v James and Joyce Hill – 1738

Sarah Rogers v Alexander Spalding – 1740

- Micaiah Perry, John Maynard and Edward Athawes v Armistead Churchill – 1740
- Courtney, George, Francis and Margaret Walker by Jacob Walker and Samuel Boush v Robert Tucker and John Tucker and John Cook and Robert Cook – 1740
- Edward Randolph v William Woodford – 1742
- Edward Randolph v William Beverley – 1742
- Thomas Starke and Augustine Baughan v William Thrustout on the demise of John Hawkins – 1742
- David Meade v William Thrustout on the demise of Martha Godwin, Samuel and Elizabeth Whitfield, William and Leah Godwin, Julian Norsworthy, Martha Norsworthy, Mary Norsworthy, and Ann Norsworthy – 1743
- John Lillie v William Tab – 1747
- Richard Kenner v Jesse Ball – 1747
- Philip Ludwell, appeal of – 1749
- Thomas Man Randolph by Peter Randolph v Ralph Wormley – 1749
- William Degge, George Russell and Thomas Russell v Rev. William Kay – 1751
- Anne Mason and George Mason v Edmund Withers – 1752
- John Robinson and Humphry Hill v John Anderson – 1752
- Daniel McCarty by Joseph Morton v Thomas Turf on the demise of Daniel McCarty – 1752
- Robert jun. and Sarah Jones and Dudley and Martha Richardson v James Shields – 1753
- Walter King v Charles Lewis and Lewis Burwell – 1753
- Walter King v Carter Braxton and Lewis Burwell – 1753
- Carter Braxton by John Robinson v Walter King – 1753
- Churchill Jones v Jane Porter – 1753
- John Lidderdale and John Harmer v John Chiswell – 1755
- Charles Dunbar v Daniel Parke Custis – 1755
- William Nelson and Francis Whiting v Richard Ambler – 1759
- Lewis and Frances Burwell v Philip and Elizabeth Johnson – 1759
- William, Martha and Humphrey Toy Tabb v Thomas Edmundson and John Edmundson – 1760
- Thomas Edmundson and John Edmundson v William, Martha and Humphrey Toy Tabb – 1760
- Rev. John Camm v Rector, Visitors and Governors of William and Mary College – 1762
- Rev. Richard Graham v Rector, Visitors and Governors of William and Mary

College – 1762

Samuel Rickards, Archibald Maclane, Israel Mauduit, Edmund Lardner, William Cooke, Francis Jerdone, Robert Duncanson and Ann Buchanan v John and Ann Hudson, William and Martha Johnson, Roger Gregory, Orlando Jones, Rolling Jones and Francis Barber Jones – 1762

Richard Cleeve and John Hinde v James Mills, William Bird, John Robinson, Richard Bland, William Jordan, Presly Thornton and James Power – 1763

Charles Steuart v Thomas Buchanan et al – 1763

Thomas Howlett v John Doe on the demise of Thomas Osburne – 1763

John Doe on the demise of John Parsons v William Parsons – 1763

Rev. John Camm v Charles Hansford, jun., and William Moss – 1765

Thomas Wilson, William and Anne Huggins, John Wilson, William Wilson, Isaac and Elizabeth Hobday v Sampson Darrell, George and Elizabeth Turner, William and Ann Sansom, John and Elizabeth Noble, and William Slaughter – 1765

Gawen Corbin by Lettice Corbin v Lunsford Lomax and Aminadab Seekright – 1766

Edward Dixon and Harry Dixon and Turner Dixon v Thomas Turner by Thomas Jett, guardian, and Harry Turner by Anthony Thornton, guardian, Walker and Sally Turner Taliaferro, and Thomas Jett, John Skinker and Joseph Murdock – 1768

John Hiscox v Humphrey Hill – 1768

Philip Ludwell Lee v John Hunter – 1771

Mary Taliaferro, Harry Taliaferro, William and Mildred Strother v Lawrence Taliaferro et al – 1775

Useful Lists

List of Appeals by Short Case Name, Colony, and Date

The date is the date of the first mention in the *Acts of the Privy Council, Colonial Series*. Information in brackets is not found in the *APC* but in Joseph Smith, *Appeals to the Privy Council from the American Plantations*. Alphabetization ignores the prefix. Hence, a case name beginning 'In re The' will be found under the name of the vessel. Appeals with alternate names are listed under both names.

Allen v Spencer – Massachusetts – 1705
 Allen v Waldron – New Hampshire – 1701
 Allen, appeal of – New Hampshire – 1700
 Alsop v Vaudall – New York – 1700
 Andrews v Farrint – Rhode Island – 1775
 Apthorpe v Pateshall – Massachusetts – 1768
 Arnold v Green – Rhode Island – 1766
 Ball v Heal – Virginia – 1727
 Ballard v Beverley – Virginia – 1703
 Bannister v Bowe – Massachusetts – 1715
 Bannister v Brown – Rhode Island – 1766
 Bannister v Cunningham – Massachusetts – 1755
 Barefoot v Wadleigh – New Hampshire – 1683
 Bayard v *Rex* – New York – 1702
 Bayler v Carter – Virginia – 1729
 Beale, appeal of – Massachusetts – 1776
 Bean v Wanton – Rhode Island – 1774
 Bennet v Gray – Massachusetts – 1731
 Beverly v Seldon – Virginia – 1715
 Billop v [West] – New York – 1685
 Bland v Codd – Virginia – 1682
 Borden v Cook – Rhode Island – 1753
 Bordley v Thomas – Maryland – 1773
 Boreland v Brenton – Rhode Island – 1732
 Bowtell, appeal of – Virginia – 1696
 Braxton v King – Virginia – 1753
 Brenton v Boreland (1) – Rhode Island – 1732
 Brenton v Boreland (2) – Rhode Island – 1732
 Brenton v Brenton – Rhode Island – 1737
 Brenton v Freebody – Rhode Island – 1766
 Brenton v Lawson – Massachusetts – 1692

Brenton v Remington – Rhode Island – 1747
Brenton v Shrimpton – Massachusetts – 1698
Brenton v Sylvester – Rhode Island – 1756
Brenton v Wilkinson – Massachusetts – 1692
Brenton, appeal of – Massachusetts – 1692
Brinley v [Dyer] – Rhode Island – 1699
Brown v Allen – Rhode Island – 1738
Brown v Boardley – Maryland– 1723
Brown v Philips – New York – 1738
Budge, appeal of – New York – 1708
Burges v Hack – Virginia – 1736
Burwell v Johnson – Virginia – 1759
Byfield v Swasey – Massachusetts – 1733
Camm v Hansford – Virginia – 1765
Camm v Rector, Visitors and Governors of William and Mary College –
Virginia – 1762
Carr v Holmes – Rhode Island – 1718
Carroll v Parran – Maryland– 1738
Casey, appeal of – North Carolina – 1774
Chaloner v Bland – Rhode Island – 1755
Channing v Fenner – Rhode Island – 1749
Chew v Weems – Maryland– 1776
Clark v Towsey – Connecticut– 1737
Cleeve v Mills – Virginia – 1763
Clemence v Angel – Rhode Island – 1750
Clement, appeal of – Pennsylvania – 1720
Coggeshall v Coggeshall – Rhode Island – 1738
Coggeshall v Pelham – Rhode Island – 1735
In re The Cole and Bean – South Carolina – 1700
Collins, appeal of – Maryland– 1735
Corbin v Corbin – Virginia – 1732
Corbin v Faldo – Virginia – 1732
Corbin v Lomax – Virginia – 1766
Corbin v Roscow – Virginia – 1720
Cranston v Jekyll – Rhode Island – 1724
Crawford v Hawker – Pennsylvania – 1766
Creaugh v Whitfield – Rhode Island – 1760
Crowley, appeal of – New Jersey – 1712
Cruger v Depeyster – New York – 1699
Cunningham v Forsey – New York – 1765
D'Oyly v Harrison – Virginia – 1709
Danielson v Fish – Connecticut– 1756
Danielson v Throop – Connecticut– 1756

Darvall v Hall – New York – 1681
Davis v Powell – Georgia– 1751
Degge v Kay – Virginia – 1751
Demere v Davis – Georgia– 1755
Dering v Packer – New Hampshire – 1759
[*In re The Diligence*] – New Hampshire – 1684
Dixon v Turner – Virginia – 1768
Doe v Parsons – Virginia – 1763
Dudley v Clarke – Rhode Island – 1773
Dudley v Richards – Massachusetts – 1764
Dudley v Shaw – Rhode Island – 1773
Dunbar v Custis – Virginia – 1755
Dyer v Winder – New York – 1681
Edmundson v Tabb – Virginia – 1760
Elam v Dockray – Rhode Island – 1773
In re The Elizabeth and Catherine – New York – 1702
Ellis v Sprague – Massachusetts – 1735
Etherington, appeal of – New York – 1765
Evans, appeal of – Pennsylvania – 1736
Finney v Bickerton – Delaware– 1774
Finney v Byrne – Delaware– 1774
Flint v Willett – Massachusetts – 1718
Fogg v Harvey – Rhode Island – 1745
Ford v Hodgson – Rhode Island – 1718
Forward v Poulson (later Hunt) – Maryland– 1720
Fothergill v Stover – Pennsylvania – 1765
Fowler v Hilton – New Hampshire – 1765
Francis v Jeffries – Massachusetts – 1742
Freebody v Brenton – Rhode Island – 1758
Freebody v Brenton – Rhode Island – 1766
Freebody v Cook – Rhode Island – 1754
Freebody v Holmes – Rhode Island – 1766
Freebody v Wanton – Rhode Island – 1747
French v Folensby – New Hampshire – 1750
Frisby v Baldwin – Maryland– 1748
Gale v Everard – North Carolina – 1729
Gibbs v Sheldon – Rhode Island – 1748
Gilbert v Branfield – Massachusetts – 1722
Gooch v Dummer – Massachusetts – 1734
Gookin v Smith – Massachusetts – 1705
Gouverneur v De Biemer – New York – 1716
Graham v Rector, Visitors and Governors of William and Mary College –
Virginia – 1762

Grant v Dyre – Rhode Island – 1755
Grant v Hardy – Rhode Island – 1769
Gulliver v Hack – Virginia – 1736
Hallam v Winthrop – Connecticut– 1699
Harris, appeal of – Rhode Island – 1705
Hart v Solomons – Rhode Island – 1769
Hassard v Potter – Rhode Island – 1735
Hassard v Rous – Rhode Island – 1746
Hazard v Hazard – Rhode Island – 1755
Heal v Ball – Virginia – 1727
Heeltap v Weems – Maryland– 1776
Hilton v Fowler – New Hampshire – 1765
Hiscox v Hill – Virginia – 1768
Holmes v Freebody – Rhode Island – 1766
Howlett v Doe – Virginia – 1763
Howlett v Osburne – Virginia – 1763
Hunt v Hill – Virginia – 1738
Hutchins v *Rex* – New York – 1702
Isaacks v Stead – Rhode Island – 1768
Isaacs v Merrett – Rhode Island – 1757
James v Moffatt – New Hampshire – 1773
Jeffries v Donnell – Massachusetts – 1767
Jekyll v Cranston – Rhode Island – 1724
Jennings v Cuming – Maryland– 1738
Johnson v Arnold – Rhode Island – 1735
Jones v Fullerton – New Jersey – 1696
Jones v Porter – Virginia – 1753
Jones v Shields – Virginia – 1753
Jones v Toleson – Virginia – 1719
Keeler v Rhodes – Rhode Island – 1773
Kennedy v Fowles – New York – 1742
Kenner v Ball – Virginia – 1747
King v Braxton – Virginia – 1753
King v Lewis – Virginia – 1753
Knowles v Douglas – Massachusetts – 1750
Larkin v York – Rhode Island – 1760
Lason v Serjeant – Massachusetts – 1706
Laycock v Clarke – Rhode Island – 1767
Lee v Hunter – Virginia – 1771
Leighton v Frost – Massachusetts – 1735
Lewis v Wilkinson – Rhode Island – 1766
Lidderdale v Chiswell – Virginia – 1755
Liebenrood v Dennie – Massachusetts – 1749

Lillie v Adams – Massachusetts – 1711
Lillie v Bromfield – Massachusetts – 1711
Lillie v Tab – Virginia – 1747
Long v Harper – Pennsylvania – 1766
Ludwell v Toton – Virginia – 1690
Ludwell, appeal of – Virginia – 1749
Macarell, appeal of – Pennsylvania – 1712
Macnamara v *Rex* – Maryland– 1711
Macnamara v Brooke – Maryland– 1730
MacSparran v Hassard – Rhode Island – 1736
MacSparran v Mumford – Rhode Island – 1725
Martin v Gardiner – Rhode Island – 1738
Martin v Gibbs – Rhode Island – 1738
In re The Mary – Massachusetts – 1692
In re The Mary Ann – Massachusetts – 1726
Mason v Withers – Virginia – 1752
Mauritz v Philips – New York – 1692
McCarty v McCarty – Virginia – 1752
McCarty v Turf – Virginia – 1752
McMurterie v Browne – Pennsylvania – 1765
Meade v Godwin – Virginia – 1743
Meade v Thrustout – Virginia – 1743
Merrill v Proprietors of the township of Bow – New Hampshire – 1754
Moss v Hopkins – Rhode Island – 1759
Mossesson v Norris – New York – 1735
Nash v Dobbs – North Carolina – 1773
Nelson v Ambler – Virginia – 1759
Nelson v Beale – Maryland– 1730
Newton, appeal of – Rhode Island – 1705
Niccoll v [Blake] – South Carolina – 1700
Oulton v Savage – Massachusetts – 1717
Owen, appeal of – Rhode Island – 1721
Palmes and Hallam v [Winthrop] – Connecticut– 1699
Palmes v Winthrop – Connecticut– 1703
Parsons v Parsons – Virginia – 1763
In re The Pearl – Rhode Island – 1721
Pearse v Cummyns – New York – 1741
Pearse v Key – New York – 1741
Pease v Pullibank – Massachusetts – 1775
Peers v Amory – South Carolina – 1699
Peirce v Rice – Rhode Island – 1752
Peirce v Willie – Rhode Island – 1698
Pelham v Bannister – Massachusetts – 1738

Pelham v Stone – Massachusetts – 1737
Perry v Churchill – Virginia – 1740
Perry v Randolph – Virginia – 1724
Philips v Savage – Massachusetts – 1734
Pike v Hoare – Pennsylvania – 1770
Plampin v Scarborough – Virginia – 1685
Pollock v Verplank – Rhode Island – 1746
Potter v Freeborn – Rhode Island – 1745
Potter v Hazard – Rhode Island – 1762
Powers v Vanbrugh – Rhode Island – 1746
Randolph v Armitage – Massachusetts – 1681
Randolph v Beverley – Virginia – 1742
Randolph v Bollard – Massachusetts – 1681
Randolph v Brock – Massachusetts – 1681
Randolph v Clay – Massachusetts – 1681
Randolph v Grecian – Massachusetts – 1681
Randolph v Harding – Massachusetts – 1681
Randolph v Huling – Massachusetts – 1681
Randolph v Hunkins – Massachusetts – 1681
Randolph v Hutchinson – Massachusetts – 1681
Randolph v Janon – Massachusetts – 1681
Randolph v Lucy (?) – Massachusetts – 1681
Randolph v Nichols – Massachusetts – 1681
Randolph v Severet and Nicholls – Massachusetts – 1681
Randolph v Whetstone – Massachusetts – 1681
Randolph v Woodford – Virginia – 1742
Randolph v Wormley – Virginia – 1749
Randolph, appeals of – Massachusetts – 1681
Rawstone, appeal of – Maryland – 1694
Read v Nicholls – Rhode Island – 1762
Reid v Reed – New Jersey – 1775
Remington v Brenton – Rhode Island – 1709
Rickards v Hudson – Virginia – 1762
Robinson v Anderson – Virginia – 1752
Rodman v Bannister – Rhode Island – 1751
Rogers v Spalding – Virginia – 1740
Rolfe v Proprietors of Bow – New Hampshire – 1762
Rous v Hassard – Rhode Island – 1746
Sabere v Sabere – Rhode Island – 1730
[*In re* The Salisbury] – Massachusetts – 1691
Sandford v Smith – Rhode Island – 1773
Selden v Beverley – Virginia – 1703
Shearman v Cornell – Rhode Island – 1765

Sheipers v Logan – Pennsylvania – 1774
Sherburne v Sherburne – New Hampshire – 1759
Shirley v Waldo – Massachusetts – 1750
Simons v Wanton – Rhode Island – 1761
Smith, appeal of – New York – 1717
Sonmans v Ormstone – New Jersey – 1716
Staniford v Newell – Rhode Island – 1747
Stannard v Wormeley – Virginia – 1716
Stanton v Thompson – Rhode Island – 1755
Starke v Hawkins – Virginia – 1742
Starke v Parker – Virginia – 1699
Starke v Thrustout – Virginia – 1742
Stead v Elizer – Rhode Island – 1765
Stead v Hart – Rhode Island – 1765
Stead v Isaacs – Rhode Island – 1766
Steuart v Buchanan – Virginia – 1763
Stoddard v Barrell – Massachusetts – 1733
Stoddard v Jones – Massachusetts – 1737
Styles v Kirkbride – Pennsylvania – 1773
Summers, appeal of – New York – 1717
Swift v Hawkins – Pennsylvania – 1770
Swift v Jones – Pennsylvania – 1770
Swift v Mitchell – Pennsylvania – 1770
Tabb v Edmundson – Virginia – 1760
Taliaferro v Taliaferro – Virginia – 1775
Tasker v Simpson – Maryland– 1739
Taylor v Clark – Rhode Island – 1749
Taylor v Jones – Maryland– 1707
Taylor v Taylor – Massachusetts – 1718
Thayre v [Savage] – Massachusetts – 1682
In re The Three Brothers – Massachusetts – 1692
Thrustout v Logan – Pennsylvania – 1774
Tidmarsh v Brandon – Massachusetts – 1734
Ting v Wynthrop – Massachusetts – 1700
Torrey v Mumford – Rhode Island – 1733
Trecothick v Wentworth – New Hampshire – 1758
Tripp v Tripp – Rhode Island – 1746
Tunley v Maccarty – Massachusetts – 1718
In re The Turtle – South Carolina – 1699
In re The Two Brothers – Massachusetts – 1692
Van Rensselaer v Jackson – New York – 1773
Vanbrugh v Powers – Rhode Island – 1746
Vassall v Fletcher – Massachusetts – 1753

Vaughan v [Rex] – New Hampshire – 1684
Vaughan v [Martin] – New Hampshire – 1684
Vaughan v [Mason] – New Hampshire – 1684
Waldo v Fairweather – Massachusetts – 1734
Waldo v Fairweather (1) – Massachusetts – 1733
Waldo v Fairweather (2) – Massachusetts – 1733
Waldo v Tyng – Massachusetts – 1734
Waldo v Waldo – Massachusetts – 1734
Waldo v Waldo – Massachusetts – 1734
Waldo v Waldoe – Massachusetts – 1734
Walker v Paget – Rhode Island – 1752
Walker v Tucker – Virginia – 1740
Walker, appeal of – New Hampshire – 1753
Walton v Walford – New Hampshire – 1683
Ward v Palmer – New York – 1680
Wentworth v Bowdoin – Massachusetts – 1774
Wharton v Northrup – Rhode Island – 1729
Wheeler v Levenworth – Connecticut– 1737
Wheelwright v Tyler – Rhode Island – 1749
Whipple v Bowen – Rhode Island – 1755
Whipple v Ninigret – Rhode Island – 1755
Whitman v Whitman – Rhode Island – 1752
Whittlesey, appeal of – Connecticut– 1765
Wickoff v Ouke – New Jersey – 1773
Wilson v Darrell – Virginia – 1765
Winder v Jones – Virginia – 1719
Winthrop v Lechmere – Connecticut– 1727
Wood v Sanford – Rhode Island – 1729
Wright v Cornwall – New York – 1683

Useful Lists

Vessels Named in Appeals

Year reflects the first mention in the *Acts of the Privy Council, Colonial Series*.
Information in brackets are not found in the *APC* but in Joseph Smith, *Appeals to the Privy Council from the American Plantations*.

Vessel Name	Case(s)	Colony	Year
<i>Abbey</i>	Swift v Jones Swift v Hawkins Swift v Mitchell	Pennsylvania	1770
<i>Abigail</i>	Pease v Pullibank	Massachusetts	1775
<i>Banstead</i>	Nelson v Ambler	Virginia	1759
<i>Batchelor Delight of Providence</i>	Appeals of Randolph	Massachusetts	1681
<i>Bon Rencontre</i>	Appeal of Etherington	New York	1765
<i>Canary Merchant</i>	Pearse v Key	New York	1741
<i>Chance</i>	Crawford v Hawker	Pennsylvania	1766
<i>Cole and Bean</i>	Niccoll v [Blake] <i>In re</i> The Cole and Bean	South Carolina	1700
<i>Confirmation</i>	Hart v Solomons	Rhode Island	1769
[<i>Diligence</i>]	[<i>In re</i> The Diligence]	New Hampshire	1684
<i>Dolphin</i>	Forward v Poulson (later Hunt)	Maryland	1720
<i>Duke of Cumberland</i>	Demere v Davis	Georgia	1755
<i>Elizabeth and Catherine</i>	<i>In re</i> The Elizabeth and Catherine	New York	1702
<i>Elizabeth of Nantes</i>	Nelson v Ambler	Virginia	1759
<i>Elpierto del Principe aka Porto Prince</i>	Cranston v Jekyll Jekyll v Cranston	Rhode Island	1724
<i>Expectation of Boston</i>	Appeals of Randolph	Massachusetts	1681
<i>Expedition of Bristoll</i>	Appeals of Randolph	Massachusetts	1681
<i>Francis and Thomas aka St. Peter</i>	Mauritz v Philips	New York	1692
<i>Good Intent</i>	Appeal of Summers	New York	1717
<i>Guift of God of Guernzey</i>	Appeals of Randolph	Massachusetts	1681
<i>Guift of God of Kittery</i>	Appeals of Randolph	Massachusetts	1681

VESSELS

513

<i>Heron</i>	Demere v Davis	Georgia	1755
<i>HMS Beaver</i>	Dudley v Clarke	Rhode Island	1773
<i>HMS Flamborough</i>	Pearse v Cummysns	New York	1741
<i>HMS Mercury</i>	Appeal of Beale	Massachusetts	1776
<i>HMS Mercury</i>	Keeler v Rhodes	Rhode Island	1773
<i>HMS Sardoine</i>	Crawford v Hawker	Pennsylvania	1766
<i>Hope</i>	Appeal of Casey	North Carolina	1774
<i>Hope</i>	Appeal of Evans	Pennsylvania	1736
<i>Hope Still</i>	Andrews v Farrint	Rhode Island	1775
<i>Hopewell</i>	Gibbs v Sheldon	Rhode Island	1748
<i>Industry</i>	Appeal of Beale	Massachusetts	1776
<i>Industry</i>	Dudley v Clarke	Rhode Island	1773
<i>Industry of Plymouth</i>	Appeals of Randolph	Massachusetts	1681
<i>Jacob aka Noble Jane</i>	Rodman v Banniste	Rhode Island	1751
<i>John</i>	Ford v Hodgson	Rhode Island	1718
<i>Kingston aka South Kingstown</i>	Rous v Hassard Hassard v Rous	Rhode Island	1745/6
<i>Liveen</i>	Palmes v Winthrop	Connecticut	1703
<i>Maidenhead of Nuberry</i>	Appeals of Randolph	Massachusetts	1681
<i>Mary</i>	Appeal of Allen	New Hampshire	1700
<i>Mary</i>	Appeal of Brenton <i>In re</i> The Mary	Massachusetts	1692
<i>Mary of Bristol</i>	Appeals of Randolph	Massachusetts	1681
<i>Mary and Margaret</i>	Kennedy v Fowles	New York	1742
<i>Mary Ann</i>	<i>In re</i> The Mary Ann	Massachusetts	1726
<i>Maxwell</i>	Appeal of Etherington	New York	1765
<i>Mermaid</i>	Dudley v Shaw	Rhode Island	1773
<i>Molly</i>	Long v Harper	Pennsylvania	1766
<i>Murray</i>	Davis v Powell	Georgia	1751
<i>Neptune</i>	Nelson v Ambler	Virginia	1759
<i>Noble Jane aka Jacob</i>	Rodman v Banniste	Rhode Island	1751
<i>Patuxent of Newbury</i>	Appeal of Collins	Maryland	1735
<i>Pearl</i>	<i>In re</i> The Pearl	Rhode Island	1721
<i>Porto Prince aka Elpierto del Principe</i>	Cranston v Jekyll Jekyll v Cranston	Rhode Island	1724

<i>Providence</i>	Moss v Hopkins	Rhode Island	1759
<i>Providence</i>	Channing v Fenner	Rhode Island	1749
<i>Providence</i>	McMurterie v Browne	Pennsylvania	1765
<i>Providence</i>	Brown v Allen	Rhode Island	1738
<i>Province</i>	Oulton v Savage	Massachusetts	1717
<i>Restoration</i>	Pearse v Cummys	New York	1741
<i>Richmond</i>	Nelson v Ambler	Virginia	1759
<i>Rising Sun</i>	Stead v Isaacs	Rhode Island	1766
<i>St. John Baptist</i> aka <i>Society of Dublin</i>	Appeal of Macarell	Pennsylvania	1712
<i>St. Joseph</i>	Appeal of Macarell	Pennsylvania	1712
<i>St. Peter</i> aka <i>Francis and Thomas</i>	Mauritz v Philips	New York	1692
<i>St. Stephen</i>	Appeal of Etherington	New York	1765
[<i>Salisbury</i>]	[<i>In re</i> The Salisbury]	Massachusetts	1691
<i>Sally</i>	Moss v Hopkins	Rhode Island	1759
<i>Society of Dublin</i> aka <i>St. John Baptist</i>	Appeal of Macarell	Pennsylvania	1712
<i>South Kingstown</i> aka <i>Kingston</i>	Rous v Hassard Hassard v Rous	Rhode Island	1745/6
<i>Three Brothers</i>	Brenton v Wilkinson <i>In re</i> The Three Brothers	Massachusetts	1692
<i>Three Brothers</i>	Appeal of Smith	New York	1717
<i>Turtle</i> of Barbados	Peers v Amory <i>In re</i> The Turtle	South Carolina	1699
<i>Two Brothers</i>	Brenton v Lawson <i>In re</i> The Two Brothers	Massachusetts	1692
<i>Two Sisters</i> of Boston	Appeals of Randolph	Massachusetts	1681
<i>Walker</i>	Davis v Powell	Georgia	1751
<i>Young Eagle</i>	Rous v Hassard Hassard v Rous	Rhode Island	1745/6

Useful Lists

Proceedings That Have Printed Cases (by Colony, Report Number, and Case Name)

Lists the colony, report number, and the first case named within a single report number for all proceedings that have printed cases. Printed cases may be of one or more parties and sometimes more than one for a party.

Maryland

04_1720_00 Forward v Poulson (later Hunt)
04_1739_00 Tasker v Simpson
04_1748_00 Frisby v Baldwin

Massachusetts

05_1733_01 Waldo v Fairweather
05_1734_05 Philips v Savage
05_1753_00 Vassall v Fletcher
05_1767_00 Jeffries v Donnell

New Hampshire

06_1754_00 Merrill v Proprietors of Bow
06_1758_00 Trecothick v Wentworth
06_1759_01 Sherburne v Sherburne
06_1759_02 Dering v Packer
06_1762_00 Rolfe v Proprietors of Bow

Pennsylvania

10_1765_01 Fothergill v Stover
10_1765_02 McMurterie v Browne
10_1766_01 Long v Harper

Rhode Island

11_1732_00 Brenton v Boreland
11_1736_00 MacSparran v Hassard
11_1738_01 Brown v Allen
11_1738_02 Coggeshall v Coggeshall
11_1745_02 Potter v Freeborn
11_1746_01 Rous v Hassard
11_1751_00 Rodman v Bannister
11_1754_00 Freebody v Cook
11_1755_02 Stanton v Thompson
11_1755_04 Whipple v Bowen

11_1757_00 Isaacs v Merrett
11_1758_00 Freebody v Brenton
11_1760_02 Larkin v York
11_1762_02 Potter v Hazard
11_1765_02 Shearman v Cornell
11_1766_01 Stead v Isaacs
11_1766_02 Lewis v Wilkinson
11_1766_04 Freebody v Brenton
11_1766_05 Freebody v Holmes

Virginia

13_1736_00 Burges v Hack
13_1740_01 Rogers v Spalding
13_1749_02 Randolph v Wormley
13_1751_00 Degge v Kay
13_1752_03 McCarty v Turf
13_1753_01 Jones v Shields
13_1753_02 King v Lewis
13_1753_03 Jones v Porter
13_1755_01 Lidderdale v Chiswell
13_1755_02 Dunbar v Custis
13_1759_02 Burwell v Johnson
13_1760_00 Tabb v Edmundson
13_1762_01 Camm v William and Mary College
13_1762_02 Rickards v Hudson
13_1763_01 Cleeve v Mills
13_1763_03 Howlett v Osburne
13_1763_04 Parsons v Parsons
13_1765_01 Camm v Hansford
13_1766_00 Corbin v Lomax
13_1771_00 Lee v Hunter

Useful Lists

Proceedings That Have Printed Cases (by Report Number and Name of the Party)

Lists the report number and last name of the party for whom the printed case was prepared.

- 04_1720_00 Case of the respondent (Hunt) (Maryland, 1720)
- 04_1739_00 Case of the appellant (Tasker) (Maryland, 1739)
- 04_1739_00 Case of the respondent (Simpson) (Maryland, 1739)
- 04_1748_00 Case of the appellant (Frisby) (Maryland, 1748)
- 05_1733_01 Case of the respondent (Fayreweather) (Massachusetts, 1733)
- 05_1734_05 Case of the appellant (Philips) (Massachusetts, 1734)
- 05_1734_05 Case of the respondents (Savage) (Massachusetts, 1734)
- 05_1753_00 Case of the appellant (Vassall) (Massachusetts, 1753)
- 05_1753_00 Case of the respondent (Fletcher) (Massachusetts, 1753)
- 05_1767_00 Case of the appellant (Jeffries) (Massachusetts, 1767)
- 06_1754_00 Case of the appellant (Merrill) (New Hampshire, 1754)
- 06_1754_00 Case of the respondent (Proprietors of the township of Bow) (New Hampshire, 1754)
- 06_1758_00 Case of the appellant (Trecothick) (New Hampshire, 1758)
- 06_1759_01 Case of the appellant (Sherburne) (New Hampshire, 1759)
- 06_1759_01 Case of the respondent (Sherburne) (New Hampshire, 1759)
- 06_1759_02 Case of the appellant (Dering) (New Hampshire, 1759)
- 06_1759_02 Case of the respondent (Packer) (New Hampshire, 1759)
- 06_1762_00 Case of the appellant (Rolfe) (New Hampshire, 1762)
- 06_1762_00 Case of the respondent (Proprietors of Bow) (New Hampshire, 1762)
- 10_1765_01 Case of the appellant (Fothergill) (Pennsylvania, 1765)
- 10_1765_01 Case of the respondent (Stover) (Pennsylvania, 1765)
- 10_1765_02 Case of the appellant (McMurterie) (Pennsylvania, 1765)
- 10_1765_02 Case of the respondent (Browne) (Pennsylvania, 1765)
- 10_1766_01 Case of the appellant (Long) (Pennsylvania, 1766)

- 10_1766_01 Case of the respondent (Harper) (Pennsylvania, 1766)
- 11_1732_00 Case of the respondent (Boreland) (Rhode Island, 1732)
- 11_1736_00 Case of the appellant (MacSparran) (Rhode Island, 1736)
- 11_1736_00 Case of the respondent (Hassard) (Rhode Island, 1736)
- 11_1738_01 Case of the appellant (Brown) (Rhode Island, 1738)
- 11_1738_01 Case of the respondent (Allen) (Rhode Island, 1738)
- 11_1738_02 Case of the appellant (Coggeshall) (Rhode Island, 1738)
- 11_1738_02 Case of the respondent (Coggeshall) (Rhode Island, 1738)
- 11_1745_02 Case of the respondent (Freeborn) (Rhode Island, 1745)
- 11_1746_01 Case of the appellant/respondent (Hassard) (Rhode Island, 1746)
- 11_1746_01 Case of the appellant/respondent (Rous) (Rhode Island, 1746)
- 11_1751_00 Case of the appellant (Rodman) (Rhode Island, 1751)
- 11_1754_00 Case of the appellant (Freebody) (Rhode Island, 1754)
- 11_1754_00 Case of the respondent (Cook) (Rhode Island, 1754)
- 11_1755_02 Case of the appellant (Stanton) (Rhode Island, 1755)
- 11_1755_02 Case of the respondent (Thompson) (Rhode Island, 1755)
- 11_1755_04 Case of the respondent (Bowen) (Rhode Island, 1755)
- 11_1757_00 Case of the appellant (Isaacs) (Rhode Island, 1757)
- 11_1757_00 Case of the respondent (Merrett) (Rhode Island, 1757)
- 11_1758_00 Case of the appellant in the first and second appeals (Freebody)
(Rhode island, 1758)
- 11_1758_00 Case of the respondent in the first and second appeals (Brenton)
(Rhode island, 1758)
- 11_1760_02 Case of appellant (Larkin) (Rhode Island, 1760)
- 11_1760_02 Case of respondent (York) (Rhode Island, 1760)
- 11_1762_02 Case of the appellant (Potter) (Rhode Island, 1762)
- 11_1762_02 Case of the respondent (Hazard) (Rhode Island, 1762)
- 11_1765_02 Case of appellant (Shearman) (Rhode Island, 1765)
- 11_1766_01 Case of the appellant (Stead) (Rhode Island, 1766)
- 11_1766_01 Case of the respondent (Isaacs) (Rhode Island, 1766)
- 11_1766_02 Case of the appellant (Lewis) (Rhode Island, 1766)
- 11_1766_02 Case of the respondent (Wilkinson) (Rhode Island, 1766)
- 11_1766_04 Case of the appellant in two appeals and as respondent in two cross-

- appeals (Freebody) (Rhode Island, 1766)
- 11_1766_04 Case of the respondent in two appeals and as appellant in two cross-appeals (Brenton) (Rhode Island, 1766)
- 11_1766_05 Case of the appellant (Holmes) (Rhode Island, 1766)
- 11_1766_05 Case of the respondent (Freebody) (Rhode Island, 1766)
- 13_1736_00 Case of the appellant (Lemuel Gulliver on the demise of Frances Burgess) (Virginia, 1736)
- 13_1740_01 Case of the appellant (Rogers) (Virginia, 1740)
- 13_1740_01 Case of the respondent (Spalding) (Virginia, 1740)
- 13_1749_02 Case of the appellant (Randolph) (Virginia, 1749)
- 13_1749_02 Case of the respondent (Wormley) (Virginia, 1749)
- 13_1751_00 Case of the appellant (Degge) (Virginia, 1751)
- 13_1751_00 Case of the respondent (Kay) (Virginia, 1751)
- 13_1752_03 Case of the appellant (McCarty) (Virginia, 1752)
- 13_1752_03 Case of the respondent (Turf . . . “upon the fictitious demise of Daniel M’Carty”) (Virginia, 1752)
- 13_1753_01 Case of the appellant (Jones) (Virginia, 1753)
- 13_1753_01 Case of the respondent (Shields) (Virginia, 1753)
- 13_1753_02 Case of the appellant (King in King v Lewis) (Virginia, 1753)
- 13_1753_02 Case of the respondent (Braxton in King v Braxton) (Virginia, 1753)
- 13_1753_03 Case of the appellant (Jones) (Virginia, 1753)
- 13_1753_03 Case of the respondent (Porter) (Virginia, 1753)
- 13_1755_01 Case of the appellant (Lidderdale) (Virginia, 1755)
- 13_1755_01 Case of the respondent (Chiswell) (Virginia, 1755)
- 13_1755_02 Case of the appellant (Dunbar) (Virginia, 1755)
- 13_1755_02 Case of the respondent (Custis) (Virginia, 1755)
- 13_1759_02 Case of the appellant (Burwell) (Virginia, 1759)
- 13_1759_02 Case of the respondent (Johnson) (Virginia, 1759)
- 13_1760_00 Case of the appellant (Tabb) (Virginia, 1760)
- 13_1760_00 Case of the appellant (Edmundson as appellant in a cross-appeal) (Virginia, 1760)
- 13_1762_01 Case of the appellants (Camm) and (Graham) (Virginia, 1762)
- 13_1762_01 Case of the respondent (Rector . . . in both Camm and Graham)

(Virginia, 1762)

- 13_1762_02 Case of the appellant (Rickards) (Virginia, 1762)
- 13_1762_02 Case of the respondent (Hudson) (Virginia, 1762)
- 13_1763_01 Case of the appellant (Cleeve) (Virginia, 1763)
- 13_1763_01 Case of the respondent (Mills) (Virginia, 1763)
- 13_1763_03 Case of the appellant (Howlett) (Virginia, 1763)
- 13_1763_03 Case of the respondent (Osburne) (Virginia, 1763)
- 13_1763_04 Case of the appellant (Parsons) (Virginia, 1763)
- 13_1763_04 Case of the respondent (Parsons) (Virginia, 1763)
- 13_1765_01 Case of the appellant (Camm) (Virginia, 1765)
- 13_1765_01 Case of the respondent (Hansford) (Virginia, 1765)
- 13_1766_00 Case of the appellant (Corbin) (Virginia, 1766)
- 13_1766_00 Case of the respondent (Lomax) (Virginia, 1766)
- 13_1771_00 Case of the appellant (Lee) (Virginia, 1771)

Useful Lists

Proceedings That Have Printed Cases Listed in ESTC (by Report Number and Name of the Party)

Lists the report number, last name of the party for whom the printed case was prepared, and the number assigned to the printed case by the English Short Title Catalogue. If there is no ESTC number, the printed case is omitted.

- 04_1739_00 Case of the appellant (Tasker) (Maryland, 1739) [N15037]
- 04_1739_00 Case of the respondent (Simpson) (Maryland, 1739) [N15036]
- 04_1748_00 Case of the appellant (Frisby) (Maryland, 1748) [T39018]
- 05_1734_05 Case of the appellant (Philips) (Massachusetts, 1734) [N16903]
- 05_1734_05 Case of the respondents (Savage) (Massachusetts, 1734) [N17105]
- 06_1754_00 Case of the respondent (Proprietors of the township of Bow) (New Hampshire, 1754) [N473543]
- 06_1759_01 Case of the appellant (Sherburne) (New Hampshire, 1759) [T91656]
- 06_1759_01 Case of the respondent (Sherburne) (New Hampshire, 1759) [N66141]
- 06_1762_00 Case of the respondent (Proprietors of Bow) (New Hampshire, 1762) [N62941]
- 10_1765_01 Case of the respondent (Stover) (Pennsylvania, 1765) [N63621]
- 11_1732_00 Case of the respondent (Boreland) (Rhode Island, 1732) [N67012]
- 11_1738_01 Case of the appellant (Brown) (Rhode Island, 1738) [N48495]
- 11_1738_01 Case of the respondent (Allen) (Rhode Island, 1738) [N48493]
- 11_1738_02 Case of the appellant (Coggeshall) (Rhode Island, 1738) [T140450]
- 11_1738_02 Case of the respondent (Coggeshall) (Rhode Island, 1738) [T140451]
- 13_1740_01 Case of the respondent (Spalding) (Virginia, 1740) [N68544]
- 13_1753_02 Case of the appellant (King in King v Lewis) (Virginia, 1753) [N469682]
- 13_1755_02 Case of the appellant (Dunbar) (Virginia, 1755) [N474424]
- 13_1762_01 Case of the appellants (Camm) and (Graham) (Virginia, 1762) [T222030, T222034]
- 13_1762_01 Case of the respondent (Rector . . . in both Camm and Graham) (Virginia, 1762) [T222032, T222035]

- 13_1763_01 Case of the appellant (Cleeve) (Virginia, 1763) [T128996]
- 13_1763_01 Case of the respondent (Mills) (Virginia, 1763) [T129014]
- 13_1765_01 Case of the appellant (Camm) (Virginia, 1765) [T222031]
- 13_1765_01 Case of the respondent (Hansford) (Virginia, 1765) [T222033]
- 13_1771_00 Case of the appellant (Lee) (Virginia, 1771) [N478563]

Useful Lists

Repositories of Printed Cases

Lists alphabetically the name, address, and telephone number of all the libraries and archives in which printed cases have been found. Efforts were made to ensure the accuracy of this information as of 1 January 2013.

American Antiquarian Society
185 Salisbury Street
Worcester, MA 01609-1634
(508) 755-5221
www.americanantiquarian.org

British Library
96 Euston Road
London NW1 2DB
England
+44 (0) 843-208-1144
www.bl.uk

Columbia University. Columbia Law School. Arthur W. Diamond Law Library
435 W. 116th Street
New York, NY 10027-7237
(212) 854-3743
www.law.columbia.edu/library

Harvard University. Harvard Law School. Harvard Law School Library
1545 Massachusetts Ave.
Langdell Hall
Cambridge, MA 02138-2903
(617) 495-3174
www.law.harvard.edu/library

Historical Society of Pennsylvania
1300 Locust Street
Philadelphia, Pennsylvania 19107
(215) 732-6200
www.hsp.org

Huntington Library
1151 Oxford Road
San Marino, CA 91108
(626) 405-2100
www.huntington.org

John Carter Brown Library

94 George Street
Providence, RI 02906
(401) 863-2725
Mailing address:
Brown University
Box 1894
Providence, RI 02912
www.brown.edu/Facilities/John_Carter_Brown_Library

Lambeth Palace Library
Lambeth Palace Road
London SE1 7JU
England
+44 (0) 20 7898 1400
www.lambethpalacelibrary.org

Law Library of Congress
101 Independence Ave. SE
James Madison Memorial Building, Room LM 201
Washington, D.C. 20540-0002
(202) 707-1820
www.loc.gov/law

Library Company of Pennsylvania
1314 Locust Street
Philadelphia, PA 19107
(215) 546-3181
www.librarycompany.org

Maryland Historical Society
201 West Monument Street
Baltimore, MD 21201
(410) 685-3750
www.mdhs.org

Maryland State Archives
350 Rowe Boulevard
Annapolis, MD 21401
(410) 260-6400
www.msa.md.gov

Massachusetts Historical Society
1154 Boylston Street
Boston, MA 02215
(617) 536-1608
www.masshist.org

New-York Historical Society
170 Central Park West

New York, NY 10024

(212) 873-3400

www.nyhistory.org

New York Public Library

Stephen A. Schwarzman Building

Fifth Ave at 42nd Street

New York, NY 10018-2788

(917) 275-6975

www.nypl.org

New York State Library

222 Madison Ave.

Empire State Plaza

Albany, NY 12230

(518) 474-5355

www.nysl.nysed.gov

State Library of Pennsylvania

Forum Building

Commonwealth Ave. and Walnut Street

Harrisburg, PA

(717) 783-5950

Mailing Address:

333 Market Street

Harrisburg, PA 17126-1745

www.statelibrary.state.pa.us

University of Delaware. Hugh M. Morris Library

181 S. College Ave.

Newark, DE 19717

(302) 831-2965

www.lib.udel.edu

University of Michigan. William L. Clements Library

909 S. University Ave.

Ann Arbor, MI 48109-1190

(734) 764-2347

www.clements.umich.edu

Wisconsin Historical Society

816 State Street

Madison, WI 53706

(608) 264-6535

www.wisconsinhistory.org

Yale University. Beinecke Rare Book and Manuscript Library

121 Wall Street

New Haven, CT 06511

Mailing address:

PO Box 208240

New Haven, CT 06520-8240

(203) 432-2972

www.library.yale.edu/libraries/beinecke.html

Yale University. Sterling Library

120 High Street

New Haven, CT 06511

Mailing address:

PO Box 208240

New Haven, CT 06520-8240

(203) 432-2798

www.library.yale.edu/rsc/sml

Useful Lists

List of Those Who Argued Appeals

Lists the counsel who signed the printed cases and the short name, colony, and date of the cases that they signed. The date is the date of the first mention in the *Acts of the Privy Council, Colonial Series*.

Ambler, C(harles)

Freebody v Brenton – Rhode Island – 1758

Tabb v Edmundson – Virginia – 1760

Cleeve v Mills – Virginia – 1763

Howlett v Osburne – Virginia – 1763

Freebody v Brenton – Rhode Island – 1766

Belcher, Jonathan

Philips v Savage – Massachusetts – 1734

Brown(e), J

Philips v Savage – Massachusetts – 1734

Burges v Hack – Virginia – 1736

Coggeshall v Coggeshall – Rhode Island – 1738

Campbell, Fredk

Stanton v Thompson – Rhode Island – 1755

Clarke, C

Rogers v Spalding – Virginia – 1740

Comyn, Ste

King v Lewis – Virginia – 1753

DeGrey, William (1st Baron Walsingham)

Sherburne v Sherburne – New Hampshire – 1759

Dering v Packer – New Hampshire – 1759

Burwell v Johnson – Virginia – 1759

Rolfe v Proprietors of Bow – New Hampshire – 1762

Rickards v Hudson – Virginia – 1762

Parsons v Parsons – Virginia – 1763

Fothergill v Stover – Pennsylvania – 1765

McMurterie v Browne – Pennsylvania – 1765

Camm v Hansford – Virginia – 1765

Long v Harper – Pennsylvania – 1766

Stead v Isaacs – Rhode Island – 1766

Freebody v Brenton – Rhode Island – 1766

Holmes v Freebody – Rhode Island – 1766

Corbin v Lomax – Virginia – 1766

Jeffries v Donnell – Massachusetts – 1767

Dunning, J(ohn) (1st Baron Ashburton)

Stead v Isaacs – Rhode Island – 1766

Lewis v Wilkinson – Rhode Island – 1766

Holmes v Freebody – Rhode Island – 1766

Lee v Hunter – Virginia – 1771

Evans, K

McCarty v Turf – Virginia – 1752

Jones v Shields – Virginia – 1753

Feilde, Paule

Sherburne v Sherburne – New Hampshire – 1759

Forrester, A(lexander)

Potter v Freeborn – Rhode Island – 1745

Randolph v Wormley – Virginia – 1749

Rodman v Bannister – Rhode Island – 1751

King v Braxton – Virginia – 1753

Vassall v Fletcher – Massachusetts – 1753

Jones v Porter – Virginia – 1753

Merrill v Proprietors of the township of Bow – New Hampshire – 1754

Freebody v Cook – Rhode Island – 1754

Dunbar v Custis – Virginia – 1755

Stanton v Thompson – Rhode Island – 1755

Whipple v Bowen – Rhode Island – 1755

Isaacs v Merrett – Rhode Island – 1757

Freebody v Brenton – Rhode Island – 1758

Burwell v Johnson – Virginia – 1759

Dering v Packer – New Hampshire – 1759

Sherburne v Sherburne – New Hampshire – 1759

Edmundson v Tabb – Virginia – 1760

Larkin v York – Rhode Island – 1760

Rolfe v Proprietors of Bow – New Hampshire – 1762

Potter v Hazard – Rhode Island – 1762

Camm v Rectors, Visitors and Governors of William and Mary College –
Virginia – 1762

Graham v Rectors, Visitors and Governors of William and Mary College –
Virginia – 1762

Rickards v Hudson – Virginia – 1762

Cleeve v Mills – Virginia – 1763

Howlett v Osburne – Virginia – 1763

Parsons v Parsons – Virginia – 1763

Shearman v Cornell – Rhode Island – 1765

Lewis v Wilkinson – Rhode Island – 1766

Corbin v Lomax – Virginia – 1766
 Jeffries v Donnell – Massachusetts – 1767

Gardiner, J

Potter v Hazard – Rhode Island – 1762

Hay, G

Sherburne v Sherburne – New Hampshire – 1759

Henley, Robert (1st Earl of Northington)

Degge v Kay – Virginia – 1751
 Jones v Shields – Virginia – 1753
 Jones v Porter – Virginia – 1753
 Merrill v Proprietors of the township of Bow – New Hampshire – 1754
 Dunbar v Custis – Virginia – 1755

Hume-Campbell, A(lexander)

MacSparran v Hassard – Rhode Island – 1736
 Rous v Hassard – Rhode Island – 1745/6
 Frisby v Baldwin – Maryland – 1748
 Degge v Kay – Virginia – 1751
 McCarty v Turf – Virginia – 1752
 Jones v Shields – Virginia – 1753
 King v Braxton – Virginia – 1753
 Jones v Porter – Virginia – 1753
 Vassall v Fletcher – Massachusetts – 1753
 Merrill v Proprietors of the township of Bow – New Hampshire – 1754

Jackson, R(ichard)

McMurterie v Browne – Pennsylvania – 1765
 Long v Harper – Pennsylvania – 1766
 Lewis v Wilkinson – Rhode Island – 1766
 Holmes v Freebody – Rhode Island – 1766
 Freebody v Brenton – Rhode Island – 1766

Murray, William (1st Earl of Mansfield)

Boreland v Brenton – Rhode Island – 1732
 MacSparran v Hassard – Rhode Island – 1736
 Brown v Allen – Rhode Island – 1738
 Coggeshall v Coggeshall – Rhode Island – 1738
 Rogers v Spalding – Virginia – 1740
 Hassard v Rous – Rhode Island – 1745/6
 Rodman v Bannister – Rhode Island – 1751
 Degge v Kay – Virginia – 1751
 McCarty v Turf – Virginia – 1752
 Jones v Shields – Virginia – 1753
 King v Lewis – Virginia – 1753
 Jones v Porter – Virginia – 1753

Vassall v Fletcher – Massachusetts – 1753
 Merrill v Proprietors of the township of Bow – New Hampshire – 1754
 Freebody v Cook – Rhode Island – 1754

Nares, G (Sir George?)

Stead v Isaacs – Rhode Island – 1766

Noel, W

Tasker v Simpson – Maryland – 1739
 Hassard v Rous – Rhode Island – 1745/6

Norton, Fletcher (1st Baron Grantley)

Tabb v Edmundson – Virginia – 1760
 Potter v Hazard – Rhode Island – 1762
 Camm v Rectors, Visitors and Governors of William and Mary College –
 Virginia – 1762
 Graham v Rectors, Visitors and Governors of William and Mary College –
 Virginia – 1762
 Cleeve v Mills – Virginia – 1763
 Howlett v Osburne – Virginia – 1763
 Parsons v Parsons – Virginia – 1763
 Camm v Hansford – Virginia – 1765
 Fothergill v Stover – Pennsylvania – 1765
 Stead v Isaacs – Rhode Island – 1766

Perrott, Geo(rge)

Randolph v Wormley – Virginia – 1749

Perryn, R(ichard)

McMurterie v Browne – Pennsylvania – 1765
 Long v Harper – Pennsylvania – 1766

Pratt, Charles (1st Earl Camden)

Randolph v Wormley – Virginia – 1749
 Lidderdale v Chiswell – Virginia – 1755
 Dunbar v Custis – Virginia – 1755
 Stanton v Thompson – Rhode Island – 1755
 Isaacs v Merrett – Rhode Island – 1757
 Trecothick v Wentworth – New Hampshire – 1758
 Dering v Packer – New Hampshire – 1759
 Burwell v Johnson – Virginia – 1759
 Larkin v York – Rhode Island – 1760

Ryder, D(udley) (Sir)

Boreland v Brenton – Rhode Island – 1732
 Philips v Savage – Massachusetts – 1734
 MacSparran v Hassard – Rhode Island – 1736
 Burges v Hack – Virginia – 1736
 Brown v Allen – Rhode Island – 1738

Coggeshall v Coggeshall – Rhode Island – 1738

Tasker v Simpson – Maryland – 1739

Rogers v Spalding – Virginia – 1740

Hassard v Rous – Rhode Island – 1745/6

Frisby v Baldwin – Maryland – 1748

Degge v Kay – Virginia – 1751

McCarty v Turf – Virginia – 1752

Sewell, Tho(mas)

Freebody v Brenton – Rhode Island – 1758

Larkin v York – Rhode Island – 1760

Rickards v Hudson – Virginia – 1762

Strange, J(ohn) (Sir)

Philips v Savage – Massachusetts – 1734

Brown v Allen – Rhode Island – 1738

Coggeshall v Coggeshall – Rhode Island – 1738

Tasker v Simpson – Maryland – 1739

Rogers v Spalding – Virginia – 1740

Wedderburn, Al(expander) (1st Earl of Rosslyn)

Rolfe v Proprietors of Bow – New Hampshire – 1762

Corbin v Lomax – Virginia – 1766

Willis, E(dward)

Camm v Rectors, Visitors and Governors of William and Mary College –
Virginia – 1762

Graham v Rectors, Visitors and Governors of William and Mary College –
Virginia – 1762

Camm v Hansford – Virginia – 1765

Willis, J (Sir John)

Waldo v Fayreweather – Massachusetts – 1733

Wynne, William

Fothergill v Stover – Pennsylvania – 1765

Yorke, C(harles)

Vassall v Fletcher – Massachusetts – 1753

Stanton v Thompson – Rhode Island – 1755

Lidderdale v Chiswell – Virginia – 1755

Dunbar v Custis – Virginia – 1755

Freebody v Brenton – Rhode Island – 1758

Trecothick v Wentworth – New Hampshire – 1758

Sherburne v Sherburne – New Hampshire – 1759

Dering v Packer – New Hampshire – 1759

Burwell v Johnson – Virginia – 1759

Edmundson v Tabb – Virginia – 1760

Larkin v York – Rhode Island – 1760

Rolfe v Proprietors of Bow – New Hampshire – 1762
Potter v Hazard – Rhode Island – 1762
Camm v Rectors, Visitors and Governors of William and Mary College –
Virginia – 1762
Graham v Rectors, Visitors and Governors of William and Mary College –
Virginia – 1762
Rickards v Hudson – Virginia – 1762
Cleeve v Mills – Virginia – 1763
Howlett v Osburne – Virginia – 1763
Parsons v Parsons – Virginia – 1763
Camm v Hansford – Virginia – 1765
Fothergill v Stover – Pennsylvania – 1765
McMurterie v Browne – Pennsylvania – 1765
Shearman v Cornell – Rhode Island – 1765
Long v Harper – Pennsylvania – 1766
Lewis v Wilkinson – Rhode Island – 1766
Freebody v Brenton – Rhode Island – 1766
Holmes v Freebody – Rhode Island – 1766
Corbin v Lomax – Virginia – 1766

Useful Lists

Not 'True' Appeals

Lists the report number, short case name, and colony, of those cases that we have classified as not 'true' appeals.

01_1765_00 Appeal of Whittlesey (Connecticut)
04_1694_00 Appeal of Rawstone (Maryland)
05_1691_00 [*In re* The Salisbury] (Massachusetts)
05_1749_00 Liebenrood v Dennie (Massachusetts)
06_1700_00 Appeal of Allen (New Hampshire)
06_1753_00 Appeal of Walker (New Hampshire)
07_1712_00 Appeal of Crowley (New Jersey (East))
07_1716_00 Sonmans v Ormstone (New Jersey (East))
08_1681_02 Dyer v Winder (New York)
08_1692_00 Mauritz v Philips (New York)
08_1708_00 Appeal of Budge (New York)
08_1716_00 Gouverneur v DeBiemer (New York)
08_1717_01 Appeal of Summers (New York)
08_1717_02 Appeal of Smith (New York)
08_1735_00 Mossesson v Norris (New York)
08_1765_01 Appeal of Etherington (New York)
09_1729_00 Gale v Everard (North Carolina)
10_1720_00 Appeal of Clement (Pennsylvania)
11_1705_02 Appeal of Newton (Rhode Island)
11_1756_00 Brenton v Sylvester (Rhode Island)
13_1685_00 Plampin v Scarborough (Virginia)
13_1696_00 Appeal of Bowtell (Virginia)
13_1709_00 D'Oyly v Harrison (Virginia)
13_1715_00 Beverly v Seldon (Virginia)
13_1747_01 Lillie v Tab (Virginia)
13_1749_01 Appeal of Ludwell (Virginia)

Useful Lists

Conversion Chart

Lists the differences in The National Archives (TNA) designations of the Privy Council's register volumes and the designations given in the *Acts of the Privy Council, Colonial Series*. The left-hand column gives the current TNA reference. Where the current TNA description of the item differs from that in the *APC*, the former is given in italics following the latter. A few references are followed by notes.

- PC 2** **Volume 1 – 1613-1680**
 68 Charles II v. 15 (21 April 1679 – 29 May 1680)
- PC 2** **Volume 2 – 1680 – 1720**
 69 Charles II v. 16 (1 June 1680 – 31 May 1683)
 70 Charles II v. 17 (13 June 1683 – 4 February 1685)
 71 James II (6 February 1685 – 18 March 1687)
James II v. 1 (6 February 1685 – 18 March 1687) – TNA
 72 James II Part 2 (1 April 1687 – 16 December 1688)
James II v.2 (4 April 1687 – 16 December 1688) – TNA
 73 William III v. 1 (14 February 1689 – 21 August 1690)
William III v. 1 (14 February 1688/89 – 27 August 1690) – TNA
 74 William III v. 2 (3 September 1690 – 29 September 1692)
 75 William III v. 3 (1 October 1692 – 29 November 1694)
William III v. 3 (1 October 1692 – 2 August 1694) – TNA
 76 William III v. 4 (2 December 1694 – 23 April 1697)
 77 William III v. 5 (5 May 1697 – 30 March 1700)
William III v. 5 (5 May 1697 – 28 March 1700) – TNA
 78 William III v. 6 (4 April 1700 – 19 February 1702)
William III v. 6 (4 April 1700 – 19 February 1701) – TNA
 79 Anne v. 1 (8 March 1702 – 18 January 1704)
Anne v. 1 (8 March 1701 – 18 January 1703)
 80 Anne v. 2 (20 January 1704 – 29 September 1705)
Anne v. 2 (29 January 1703 – 29 September 1705) – TNA
 81 Anne v. 3 (11 October 1705 – 29 February 1708)
Anne v. 3 (11 October 1705 – 29 February 1707) – TNA
 82 Anne v. 4 (5 March 1708 – 31 May 1710)
Anne v. 4 (5 March 1707 – 2 May 1710) – TNA
 83 Anne v. 5 (2 June 1710 – 28 July 1712)
Anne v. 5 (10 June 1710 – 28 July 1712) – TNA
 84 Anne v. 6 (18 August 1712 – 31 July 1714)
 85 George I v. 1 (1 August 1714 – 2 March 1717)
George I v. 1 (1 August 1714 – 2 March 1716) – TNA

- 86 George 1 v. 2 (2 March 1717 – 25 August 1720)
George 1 v. 2 (2 March 1716 – 13 September 1720) – TNA
- 87 George 1 v. 3 (25 August 1720 – 31 December 1720) – APC v.2
 George 1 v. 3 (25 August 1720 – 31 May 1722) – APC v.3
George 1 v. 3 (15 September 1720 – 31 May 1722) – TNA
 George 1 v. 3 appears in APC volume 2 and in APC volume 3,
 although only Barbados matters are included in volume 2. The 31 May
 1722 date has been used for all George 1 v. 3 cases.

PC 2**Volume 3 – 1720-1745**

- 87 George 1 v. 3 (25 August 1720 – 31 May 1722)
George 1 v. 3 (15 September 1720 – 31 May 1722) – TNA
- 88 George 1 v. 4 (1 June 1722 – 25 August 1724)
- 89 George 1 v. 5 (September 1724 – May 1727)
George 1 v. 5 (1 September 1724 – 31 May 1727) – TNA
- 90 George II v. 1 (14 June 1727 – 22 May 1729)
- 91 George II v. 2 (1 June 1729 – 16 June 1732)
- 92 George II v. 3 (21 July 1732 – 18 July 1734)
George II v. 3 (1 July 1732 – 23 July 1734) – TNA
- 93 George II v. 4 (1 August 1734 – 23 September 1736)
- 94 George II v. 5 (1 October 1736 – 4 September 1738)
- 95 George II v. 6 (1 October 1738 – 27 March 1740)
- 96 George II v. 7 (1 April 1740 – 7 August 1741)
- 97 George II v. 8 (22 October 1741 – 29 September 1743)
George II v. 8 (1 October 1741 – 29 September 1743)
- 98 George II v. 9 (1 October 1743 – 27 February 1745)
George II v. 9 (4 October 1743 – 27 February 1744)

PC 2**Volume 4 – 1745-1766**

- 99 George II v. 10 (1 March 1745 – 31 July 1746)
George II v. 10 (1 March 1744 – 23 July 1746) – TNA
- 100 George II v. 11 (1 August 1746 – 30 April 1748)
George II v. 11 (1 August 1746 – 26 April 1748) – TNA
- 101 George II v. 12 (1 May 1748 – 29 March 1750)
George II v. 12 (1 May 1748 – 29 April 1750) – TNA
 This volume does extend through 29 April.
- 102 George II v. 13 (1 May 1750 – 30 March 1752)
George II v. 13 (1 May 1750 – 20 March 1752) – TNA
- 103 George II v. 14 (1 April 1752 – 31 December 1753)
George II v. 14 (1 April 1752 – 26 December 1753) – TNA
- 104 George II v. 15 (1 January 1754 – 31 December 1755)
- 105 George II v. 16 (1 January 1756 – 31 December 1757)
George II v. 16 (1 January 1756 – 28 December 1757) – TNA
- 106 George II v. 17 (1 January 1758 – 21 May 1759)
George II v. 17 (5 January 1758 – 21 May 1759) – TNA

- 107 George II v. 18 (2 May 1759 – 10 July 1760)
George II v. 18 (2 May 1759 – 6 October 1760) – TNA
 The bound volume for George II v. 18 is labeled 24 May and begins with entries for 24 May. It does not overlap with v. 17, as the *APC* and TNA dates indicate.
- 108 George III v. 1 (25 October 1760 – 31 December 1761)
- 109 George III v. 2 (1 January 1762 – 30 April 1763)
George III v. 2 (2 January 1762 – 29 April 1763) – TNA
- 110 George III v. 3 (1 May 1763 – 30 September 1764)
George III v. 3 (May 1763 – October 1764) – TNA
- 111 George III v. 4 (1 October 1764 – 27 August 1766)
George III v. 4 (1 October 1764 – August 1766) – TNA

PC 2**Volume 5 – 1766-1783**

- 112 George III v. 5 (August 1766 – January 1768)
 This volume actually only extends to the beginning of January 1768.
- 113 George III v. 6 (January 1768 – April 1769)
George III v. 6 (1 January 1768 – 27 April 1769) – TNA
- 114 George III v. 7 (May 1769 – December 1770)
George III v. 7 May 1769 – 1 December 1770) – TNA
- 115 George III v. 8 (January – December 1771)
George III v. 8 (1 January – 31 December 1771) – TNA
 There is no specific reference to a George III v. 9 in the *APC*.
- 116 George III v. 10 (January – December 1772)
George III v. 9 (1 January – December 1772) – TNA
 The *APC* mistakenly describes both January – December 1772 and January 1773 – April 1774 as George III v.10.
- 117 George III v. 10 (January 1773 – April 1774)
George III v. 10 (1 January 1773 – 30 April 1774) – TNA
- 118 George III v. 11 (May 1774 – May 1775)
George III v. 11 (May 1774 – 31 May 1775) – TNA
- 119 George III v. 12 (June 1775 – May 1776)
George III v. 12 (1 June 1775 – 31 May 1776) – TNA
- 120 George III v. 13 (June 1776 – May 1777)
George III v. 13 (1 June 1776 – 31 May 1777) – TNA
- 121 George III v. 14 (June 1777 – March 1778)
George III v. 14 (1 June 1777 – 31 March 1778) – TNA
- 122 George III v. 15 (April – September 1778)
George III v. 15 (1 April – 30 September 1778) – TNA
- 123 George III v. 16 (October 1778 – June 1779)
George III v. 16 (1 October 1778 – 30 June 1779) – TNA
- 124 George III v. 17 (July 1779 – February 1780)
George III v. 17 (1 July 1779 – 29 February 1780) – TNA
- 125 George III v. 18 (March – December 1780)

CONVERSION CHART

537

- George III v. 18 (1 March – 31 December 1780) – TNA*
- 126 **George III v. 19 (January – September 1781)**
George III v. 19 (1 January – 30 September 1781) – TNA
- 127 **George III v. 20 (October 1781 – September 1782)**
George III v. 20 (1 October 1781 – 30 September 1782) – TNA
- 128 **George III v. 21 (October 1782 – December 1783)**
George III v. 21 (1 October 1782 – 31 December 1783) – TNA

Useful Lists

Canadian Appeals

This preliminary list of Canadian appeals was constructed from index entries in the *Acts of the Privy Council, Colonial Series (APC)*. Additional research in the Privy Council registers, in genealogical records and on matters of procedure will be needed to further clarify the case names and establish their accuracy.

A search has not been made for surviving printed cases from Canada. However, cites by Joseph Smith in *Appeals to the Privy Council from the American Plantations* to copies that he was aware of are noted here, as is one printed case at the Diamond Law Library at Columbia University.

Privy Council documents indexed in volume 6 of the *APC* are noted here, but their presence at The National Archives at Kew has not been verified.

NEWFOUNDLAND

Lawrence Hearn v Henry Gapper and James Young, executors of James Webb

APC v.4 [462] p.501–502 (23 Nov. 1761 – 21 Dec.1763)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.590 (PC 2/108)

Register – George III v.2 (1 Jan.1762 – 30 April 1763) p.120, 169, 399, 401, 468 (PC 2/109)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.176–177, 193 (PC 2/110)

Smith TOC (Hearn v Gapper and Young)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee report – 15 Dec. 1763 (APC v.6 [579] p.359)

Hezekiah Thurman v Hugh Palliser

APC v.4 [582] p.694 (12 Dec. 1764 – 27 April 1770)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.51, 317 (PC 2/111)

Register – George III v.7 (May 1769 – Dec. 1770) p.331, 357 (PC 2/114)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee report – 6 April 1770 (APC v.6 [840] p.484)

Edmund Shannahan v Alexander Dunn

APC v.5 [117] p.198 (26 May 1769 – 27 April 1770)

Register – George III v.7 (May 1769 – Dec. 1770) p.30, 47, 329, 358 (PC 2/114)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee report – 6 April 1770 (APC v.6 [840] p.484)

NOVA SCOTIA**John Mascall *et al* v John Scaife**

APC v.4 [350] p.375 (29 March 1758 – 16 Jan. 1761)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.70 (PC 2/106)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.151 (PC 2/108)

John Grant v Henry Newton

APC v.4 [418] p.447 (4 March 1760 – 28 Jan. 1761)

Register – George II v.18 (2 May 1759 – 10 July 1760) p.278, 291, 295, 307, 311 (PC 2/107)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.111, 120, 153–154, 177 (PC 2/108)

Smith TOC (Grant v Newton)

DOCUMENTATION

Printed cases

Case of the appellant – British Library – Add Mss 36218 f.82 (cited by Joseph Smith in *Appeals to the Privy Council from the American Plantations*)

Privy Council documents in PC 1 at The National Archives at Kew

Committee report – 20 Jan. 1761 (APC v.6 [518] p.332)

James Major, James Le Roy, and Nicholas Le Mesurier for James and John Le Roy v Henry Newton and Thomas Burnet

APC v.4 [482] p.540–543 (2 June 1762 – 16 March 1763)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.250, 446, 523–526, 535 (PC 2/109)

Nicholas Enouf v Henry Newton and Thomas Haywood

APC v.4 [610] p.724–725 (21 June 1765)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.246 (PC 2/111)

Isaac Seguin (revived by Ann Seguin) v William Nesbitt, Henry Newton, Thomas Hayward and Henry Hervey

APC v.5 [57] p.123 (1 Feb. 1768 – 9 Feb. 1770)

Register – George III v.6 (Jan. 1768 – April 1769) p.50 (PC 2/113)

Register – George III v.7 (May 1769 – Dec. 1770) p.223, 228 (PC 2/114)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee report – 30 Jan. 1770 (APC v.6 [828] p.473)

John Wilson v William Nesbitt and Thomas Francis

APC v.5 [114] p.194 (3 May 1769 – 5 Jan. 1770)

Register – George III v.7 (May 1769 – Dec. 1770) p.12, 83, 181, 200 (PC 2/114)

DOCUMENTATION

Printed cases

Case of the appellant – Diamond Law Library. Columbia University

Henry Lynch v Henry Mowat

APC v.5 [360] p.457–458 (15 April 1778 – 18 May 1781)
 Register – George III v.15 (April 1778 – Sept. 1778) p.31 (PC 2/122)
 Register – George III v.17 (July 1779 – Feb. 1780) p.542, 570 (PC 2/124)
 Register – George III v.18 (March 1780 – Dec. 1780) p.54, 460 (PC 2/125)
 Register – George III v.19 (Jan. 1781 – Sept. 1781) p.319–322, 347 (PC 2/126)
 Smith TOC (Lynch v Mowat; Lynch v Binney and Mowat)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee report (Lynch v Binney and Mowat) – 12 May 1781 (APC v.6 [1010] p.589)

William Lovegrove v Jonathan Binney v Thomas Peart

APC v.5 [399] p.506 (6 April 1781 – 30 April 1783)
 Register – George III v.19 (Jan. 1781 – Sept. 1781) p.257 (PC 2/126)
 Register – George III v.20 (Oct. 1781 – Sept. 1782) p.59, 325, 449 (PC 2/127)
 Register – George III v.21 (Oct. 1782 – Dec. 1783) p.223–225, 252 (PC 2/128)
 Smith TOC (Lovegrove v Binney)

QUEBEC**William Johnstone v Sieur Houdin**

APC v.4 [506] p.559 (16 March 1763 – 15 Dec. 1763)
 Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.536 (PC 2/109)
 Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.184 (PC 2/110)
 Smith TOC (Johnstone v Houdin)

Nicholas Enouf v George Suckling at the instance of Thomas Ainsley

APC v.4 [610] p.724 (29 May 1765)
 Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.212 (PC 2/111)

John Ord, Jacob Rowe and William James v Anthony Peter Houdin

APC v.5 [39] p.110 (26 June 1767 – 24 July 1767)
 Register – George III v.5 (Aug. 1766 – Jan. 1768) p.127, 370, 377, 387 (PC 2/112)

Gabriel Christie v Francis Noble Knipe and John Le Quesne**Gabriel Christie v Francis Noble Knipe**

APC v.5 [55] p.121–122 (23 Dec. 1767 – 13 June 1768)
 Register – George III v.5 (Aug. 1766 – Jan. 1768) p.493, 538 (PC 2/112)
 Register – George III v.6 (Jan. 1768 – April 1769) p.3, 183–191, 203 (PC 2/113)
 Smith TOC (Christie v Knipe and Le Quesne)

DOCUMENTATION

Printed cases

Case of the appellant and respondents – British Library – Add Mss 36220 f.155
 (cited by Joseph Smith in *Appeals to the Privy Council from the American Plantations*)

Eleazer Levy v Ralph Burton (revived by Robert Burton), Daniel Disney,

Daniel Robertson and William Jones

APC v.5 [69] p.142–143 (11 May 1768 – 19 Oct. 1774)

Register – George III v.6 (Jan. 1768 – April 1769) p.177 (PC 2/113)

Register – George III v.7 (May 1769 – Dec. 1770) p.183 (PC 2/114)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.349–353, 364 (PC 2/115)

Register – George III v.11 (May 1774 – May 1775) p.228 (PC 2/118)

Smith TOC (Levy v Burton; Levy v Robertson)

DOCUMENTATION

Printed cases

Case of the appellant (Levy v Robertson) – British Library – Add Mss 15491 f.16
(cited by Joseph Smith in *Appeals to the Privy Council from the American Plantations*)

Privy Council documents in PC 1 at The National Archives at Kew

Committee report – 20 July 1771 (APC v.6 [868] p.504–505)

Conrad Gogy v Francois le Maitre Dueme**Ursuline nuns v Francois le Maitre Dueme**

APC v.5 [403] p.511 (27 April 1781 – 23 July 1783)

Register – George III v.19 (Jan. 1781 – Sept. 1781) p.285, 351, 371 (PC 2/126)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.355 (PC 2/128)

Adam Lymburner v John Melvin and Meredith Wills

APC v.5 [432] p.527 (3 March 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.200 (PC 2/128)

William Taylor and George Forsyth v James Monk

APC v.5 [451] p.547 (19 Dec. 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.610 (PC 2/128)

Useful Lists

Caribbean Appeals

This preliminary list includes appeals from Antigua, Bahamas, Barbados, Bermuda, Dominica, East Florida, Grenada, Guiana, Jamaica, Leeward Islands, Montserrat, Nevis, St. Christopher, St. Vincent, Tobago, Tortola, West Florida. It was constructed from index entries in the *Acts of the Privy Council, Colonial Series (APC)*, beginning with the year 1674 and ending with 1783. The focus is on appeals or petitions for leave to appeal with a definite lower court decision. A list by colony and section number of matters indexed as appeals but for which no lower court decision is apparent is provided for each volume of the *APC*. A smattering of disputes, not indexed as appeals (and so noted in this list), are included if the *APC* abstract uses appeals language. Prize cases are not included if the matter was referred to the Committee for Hearing Appeals on Prize. Appeals are listed according to the location in the margin note unless otherwise explained.

The spelling of the names of parties is accepted as presented in the *APC* abstracts. Appeals with John Doe or Richard Roe as named parties are treated as if those parties were individuals. Significant doubt about the identity of the respondent(s) results in the designation ‘X, appeal of’ as the name of the case. Given the abbreviated nature of the abstracts, additional research in the Privy Council registers, in genealogical records, and on matters of procedure will be needed to clarify the case names throughout and establish their accuracy.

If the *APC* only uses wording such as “petition of John Jones referred,” the action was not assumed to be an appeal. However, brief checks were made in Joseph Smith’s *Appeals to the Privy Council from the American Plantations*, the Privy Council’s registers, and the *Calendar of State Papers, Colonial (CSP)* for some items and judgments with regard to inclusion made accordingly.

Printed cases are noted for three collections only: the Hardwicke Papers at the British Library, the Sir George Lee collection at the Law Library of Congress, and the William Samuel Johnson collection at the Diamond Law Library at Columbia University. Further searching has not been undertaken.

- The Hardwicke cases in the British Library appear here in the order in which they appear in the bound volumes of Additional Manuscripts. Call numbers for Hardwicke materials indicate the first page on which the printed cases begin. These cases have been transcribed for the Division of Manuscripts at the Library of Congress.
- The Lee collection at the Law Library of Congress may also contain printed cases related to James Barclay for which detailed information was not available to this compiler and thus are not listed here.
- Location of material in the Diamond Law Library at Columbia University is as follows:
Treasure – Johnson 1770m and 2nd Fl. Microfilm Cabinet.

The name of the case is added to the entry for the repository only if needed for clarification or if the spelling of the names of the parties significantly differs.

Privy Council documents catalogued as PC 1 at The National Archives (TNA) at Kew are listed for each appeal for which an entry is indexed under the name of the colony in the *APC*,

volume 6, as either ‘appeals’ or ‘petitions and complaints’, the latter only if they appear to relate to a later appeal. A page-by-page study of volume 6 might reveal more documents. PC 1 documents can then be located by date in the *Anglo-American Legal Tradition* website. Additional PC 1 documents discovered after the creation of the *APC* should be located and added using the TNA catalogue.

APPEALS BY COLONY – Volume 1

Appeals are not indexed as such in volume 1 of the *APC*. Smith regards the earliest issues brought from the colonies to be ‘petitions in the nature of an appeal’ rather than true appeals. See his discussion of some of these matters beginning on p.66 of his treatise. A more complete enumeration of early actions in volume 1 may be warranted. However, Smith regards Rodney v Cole from Nevis as the first genuine appeal.

JAMAICA

Francis Mingham v T. Martin

APC v.1 [1308] p.864 (10 Oct. 1679)

Register – Charles II v.15 (21 April 1679 – 29 May 1680) p.225 (PC 2/68)

Smith TOC (Mingham v Martin)

Note: See also the entry for Mingham v Martin in the *APC* v.2 [6]

NEVIS

Capt. John Rodney (Rodeney) v Thomas Cole

APC v.1 [976], [983], [985] p. 597, 599, 601 (2 Jan. 1674 – 20 March 1674)

Register – Charles II v.11 (11 April 1673 – 30 Sept. 1675) p.158, 165, 188, 194
(PC 2/64)

CSP III no. 1207

Smith TOC (Rodney v Cole)

APPEALS BY COLONY – Volume 2

ANTIGUA

Capt. George St. Lowe (Loe) v John Kirwan

APC v.2 [221] p.97–98 (8 April 1687 – 16 July 1687)

Register – James II Part II (1 April 1687 – 16 Dec. 1688) p.433, 453, 458, 468,
476, 481 (PC 2/72)

CSP VII no. 1303, 1313, 1350

Smith TOC (St. Loe v Kirwan)

Note: Not indexed as an appeal

John Lucas, appeal of

APC v.2 [741] p.331 (18 May 1699)

Register – William III v.5 (5 May 1697 – 30 March 1700) p.334 (PC 2/77)

CSP XII no. 405

Smith TOC (Lucas v *Rex*)

William Cockrane v Capt. Garret Powell

APC v.2 [751] p.337 (29 June 1699 – 3 Aug. 1699)
 Register – William III v.5 (5 May 1697 – 30 March 1700) p.353, 355, 362 (PC 2/77)

Smith TOC (Cockrane v Powell)

Anthony Monteyro, appeal of

APC v.2 [838] p.377 (16 Sept. 1701)
 Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.257 (PC 2/78)
 Smith TOC (*In re The Experience and Susanna*)

Note: Not indexed as an appeal

Samuel Barron (Barons), appeal of

APC v.2 [839] p.377–379 (16 Sept. 1701 – 9 July 1705)
 Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.258, 286 (PC 2/78)
 Register – Anne v.1 (8 March 1702 – 18 Jan. 1704) p.230, 273 (PC 2/79)
 Register – Anne v.2 (20 Jan. 1704 – 29 Sept. 1705) p.316, 397–400 (PC 2/80)
 Smith TOC (*In re The America*)

Note: Not indexed as an appeal

Thomas and Elizabeth Elliot and John and Sarah Earle and Mary Ligham, appeal of

APC v.2 [1057] p. 548 (1 April 1708 – 19 May 1709)
 Register – Anne v.4 (5 March 1708 – 31 May 1710) p.48, 123–124, 312, 317 (PC 2/82)
 Smith TOC (Elliot v Perne)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Depositions – 21 May 1708 and 15 June 1708 (APC v.6 [190] p.68–69)

John and Anne French, appeal of

APC v.2 [1189] p.674 (20 July 1713)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.213 (PC 2/84)

William Codrington v Col. Michael Lambert

APC v.2 [1197] p.676 (10 Jan. 1714 – 28 Feb. 1714)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.302, 340, 344 (PC 2/84)

Valentine and Elizabeth Morris v Thomas and Elizabeth Williams, Edward Byam and John Fry

APC v.2 [1204] p.680–681 (24 May 1714 – 17 June 1715)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.362 (PC 2/84)
 Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.222, 230 (PC 2/85)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 11 May 1715 (APC v.6 [257] p.104)

Note: PC 1 document is labeled ‘Barbados’.

Caesar Rodney v Edward Chester

APC v.2 [1226] p.696 (30 April 1715 – 13 Dec. 1715)
 Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.216, 323, 325 (PC 2/85)

Daniel and Elizabeth Smith v Maine Sweet

APC v.2 [1272] p.721–722 (29 Aug. 1717 – 31 March 1718)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.35, 124, 129 (PC 2/86)
 Note: Also indexed under Leeward Islands and Nevis

William Franklyn (later Ann Franklyn) v Stephen Buraston (Borraston)

APC v.2 [1295] p.741–743 (14 May 1718 – 28 March 1727)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.142, 195, 405, 412
 (PC 2/86)
 Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.310, 319, 331–332 (PC
 2/88)
 Register – George I v.5 (Sept. 1724 – May 1727) p.118, 306, 327, 340 (PC 2/89)
 Smith TOC (Franklyn v Buraston)

Edward Chester v Royal African Company

APC v.2 [1305] p.749–750 (6 Nov. 1718 – 24 March 1721)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.187, 194, 215, 218
 (PC 2/86)
 Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.171 (PC 2/87)
 Smith TOC (Chester v Royal African Co.)

Benjamin Eversden and John Wright v Henry Douglas, Nathaniel Crump *et al*

APC v.2 [1306] p.751 (21 Dec. 1718 – 28 March 1720)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.209, 216, 371, 399–
 400, 401 (PC 2/86)
 Smith TOC (Eversden v Douglass)

**Daniel Mackinnen and William Kennedy v Thomas de Witt, John de Witt,
 and Mary de Witt**

APC v.2 [1326] p.765–766 (25 Aug. 1719 – 28 Feb. 1720)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.307, 381, 386 (PC
 2/86)
 Smith TOC (Mackinnen v DeWitt)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition of appeal and Order of Reference – 25 Aug. 1718/9 (APC v.6 [280]
 p.119)

Committee Report – 25 Feb. 1720 (APC v.6 [293] p.121)

Elinor Tankard v Archibald Cockran and Baptist Looby

APC v.2 [1340] p.785 (26 July 1720 – 14 Dec. 1720)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.454 (PC 2/86)
 Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.76, 81 (PC 2/87)

BARBADOS**Samuel Hanson, appeal of**

APC v.2 [69] p.31 (12 April 1682 – 7 Nov. 1683)

Register – Charles II v. 16 (1 June 1680 – 31 May 1683) p.486, 621, 673 (PC 2/69)

Register – Charles II v. 17 (13 June 1683 – 4 Feb. 1685) p.21, 27, 51, 61–62, 65, 70, 75, 81, 94, 99 (PC 2/70)

CSP VI – no. 469, 915, 1040, 1334, 1368, 1384, 1391, 1407, 1479, 1500, 1667

Smith TOC (Hanson v *Rex*)

Note: Smith provides extensive coverage with more citations to material in the CSP and in the register, plus reference to TNA documents.

Capt. Richard Young and Samuel Hanson, petition of

APC v.2 [169] p.73–74 (21 Jan. 1684 – 21 Oct. 1685)

Register – Charles II v. 17 (13 June 1683 – 4 Feb. 1685) p.293 (PC 2/70)

Register – James II Part I (6 Feb. 1685 – 18 March 1687) p.146 (PC 2/71)

Smith TOC (Young and Hanson, Petition of)

Sir John Wytham (Witham), appeal of

APC v.2 [180] p.80–81 (27 March 1685 – 18 May 1688)

Register – James II Part I (6 Feb. 1685 – 18 March 1687) p.42, 46–51, 151–154, 668 (PC 2/71)

CSP VI no. 1890, 2023

CSP VII no. 94, 95, 439

Smith TOC (Witham v *Rex*) (more extensive coverage)

Note: Not indexed as an appeal

John Goldingham and Ralph Lane, appeal of

APC v.2 [202] p.90 (11 Dec. 1685–6 – 12 March 1686)

Register – James II Part I (6 Feb. 1685 – 18 March 1687) p.174, 222 (PC 2/71)

CSP VII no. 494, 595

Smith TOC (Goldingham and Lane v *Rex*)

Dame Ayliffe Raynsford and William and Diana Stokes v Henry Gorges

APC v.2 [208] p.92 (12 May 1686 – 2 Dec. 1687)

Register – James II Part I (6 Feb. 1685 – 18 March 1687) p.274, 280, 546 (PC 2/71)

CSP VII no. 669, 698, 1546

Smith TOC (Raynsford and Stokes v Gorges)

Richard Scott, appeal of

APC v.2 [217] p.94 (21 Jan. 1686/7 – 4 May 1688)

Register – James II Part I (6 Feb. 1685 – 18 March 1687) p.389, 556, 664 (PC 2/71)

CSP VII no. 1108, 1564, 1739

Smith TOC (Scott v Dyer)

Sir Timothy Thornhill, appeal of

APC v.2 [218] p.95 (11 Feb. 1687 – 25 March 1688)

Register – James II Part I (6 Feb. 1685 – 18 March 1687) p. 398, 551, 555, 621
(PC 2/71)

CSP VII no. 398, 1563, 1652

Smith TOC (Thornhill v *Rex*)

Note: Note indexed as an appeal

Richard Knights v John Hallett

APC v.2 [260] p.109–110 (11 May 1688)

Register – James II Part II (1 April 1687 – 16 Dec. 1688) p.666 (PC 2/72)

Smith TOC (Knight v Hallett)

Note: Possibly related to APC v.2 [900]

Sir John Witham v John Gray

APC v.2 [265] p.113 (6 July 1688 – 21 Jan. 1692)

Register – James II Part II (1 April 1687 – 16 Dec. 1688) p.705 (PC 2/72)

Register – William III v.2 (3 Sept. 1690 – 29 Sept. 1692) p.313 (PC 2/74)

CSP VII no. 2180

CSP VIII no. 2020

Smith TOC (Witham v Gray)

Ralph Lane, appeal of

APC v.2 [302] p.135–136 (11 July 1689 – 15 Aug. 1695)

Register – William III v.1 (14 Feb. 1689 – 21 Aug. 1690) p.177, 243 (PC 2/73)

Register – William III v.3 (1 Oct. 1692 – 29 Nov. 1694) p.50, 295 (PC 2/75)

Register – William III v.4 (2 Dec. 1694 – 23 April 1697) p.179 (PC 2/76)

CSP VIII no. 244, 440

CSP IX no. 726

Smith TOC (Lane, Ralph, appeal of)

Col. John Hallet, appeal of

APC v.2 [506] p.252 (18 May 1693 – 19 Dec. 1695)

Register – William III v.3 (1 Oct. 1692 – 29 Nov. 1694) p.156, 247 (PC 2/75)

Register – William III v.4 (2 Dec. 1694 – 23 April 1697) p.237 (PC 2/76)

CSP IX no. 351, 425, 2176

Smith TOC (Hallett v *Rex*)

Richard Holder and Wylde Clarke v Charles Coates

APC v.2 [586] p.284–285 (14 March 1694/5 – 21 Jan. 1697)

Register – William III v.4 (2 Dec. 1694 – 23 April 1697) p.92, 241, 532, 573 (PC
2/76)

CSP IX no. 1721, 2208

Smith TOC (Holder v Coates)

William Sharpe, appeal of

APC v.2 [595] p.288 (20 June 1695 – 1 Aug. 1695)

Register – William III v.4 (2 Dec. 1694 – 23 April 1697) p.147, 164, 168 (PC

2/76)

CSP IX no. 1984

Smith TOC (Sharpe v Dun)

**Richard Bate, Isaac Hawkins, John Burrow and Christopher Prissick,
executors of Barbara Newton, appeal of**

APC v.2 [599] p.289 (11 July 1695 – 29 Aug. 1695)

Register – William III v.4 (2 Dec. 1694 – 23 April 1697) p.160, 181, 184 (PC

2/76)

CSP IX no. 1954

Smith TOC (Bate v Gibbs)

George Peers v Jonathan Amory (*In re The Turtle*)

APC v.2 [747] p.333–334 (31 May 1699 – 11 September 1701)

Register – William III v.5 (5 May 1697 – 30 March 1700) p.345 (PC 2/77)

William III v.6 (4 April 1700 – 19 February 1702) p.57, 123, 125, 233, 256 (PC

2/78)

Smith TOC (Peers v Amory; *In re The Turtle*)

Note: Margin note is ‘Carolina’.

Robert Chaplain (Chaplin) v Capt. Alexander Cunningham

APC v.2 [749] p.334–336 (22 June 1699 – 5 Nov. 1700)

Register – William III v.5 (5 May 1697 – 30 March 1700) p.349 (PC 2/77)

Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.56, 93–94, 97 (PC

2/78)

CSP XII no. 544

James and Elizabeth Cowes v William Sharpe

APC v.2 [816] p.363–365 (6 March 1701 – 14 Dec. 1704)

Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.167, 183, 187, 191,
195, 227, 231, 240–241, 355 (PC 2/78)

Register – Anne v.2 (20 Jan. 1704 – 29 Sept. 1705) p.61, 77, 90, 173, 207, 219
(PC 2/80)

Smith TOC (Cowes v Sharpe)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 6 Dec. 1704 (APC v.6 [125] p.31)

Thomas Symcocks, appeal of

APC v.2 [837] p.376–377 (21 Aug. 1701 – 27 May 1703)

Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.249, 256, 395 (PC

2/78)

Smith TOC (*In re The Rebecca*)

**John and Katherine Farmer v Elizabeth Bond, John Hallett, John Eginton,
and Francis Bond**

APC v.2 [846] p.381 (18 Dec. 1701/2 – 18 Jan. 1702)

Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.286, 308 (PC 2/78)

Anne Baylie v John and Margaret Holder, William Baylie, Mathias and Thomasin Lake, Nicholas Prideaux, and William Carter

APC v.2 [848] p.382 (1 Jan. 1702 – 29 Jan. 1702)

Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.291, 319 (PC 2/78)

William Battyn, appeal of

APC v.2 [883] p.417 (6 Aug. 1702 – 4 March 1703)

Register – Anne v.1 (8 March 1702 – 18 Jan. 1704) p.196, 332 (PC 2/79)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Appeal and Order of reference of 6 Aug. – 5 Aug. 1702 (APC v.6 [67] p.14)

Committee report and draft of Order of 4 March – 3 March 1703 (APC v.6 [106] p.23)

Richard Knights v John Hallett

APC v.2 [900] p.438 (24 April 1703 – 17 May 1703)

Register – Anne v.1 (8 March 1702 – 18 Jan. 1704) p.368, 386, 392 (PC 2/79)

Note: Possibly related to APC v.2 [260]

Richard Worsham v Henry Applethwaite

APC v.2 [928] p.464 (30 March 1704 – 19 Dec. 1704)

Register – Anne v.2 (20 Jan. 1704 – 29 Sept. 1705) p.93, 119, 123, 229 (PC 2/80)

Smith TOC (Worsham v Applethwaite)

Tobias Frere v William and Elenor Springham

APC v.2 [953] p.482 (14 Dec. 1704–5 – 18 Jan. 1705)

Register – Anne v.2 (20 Jan. 1704 – 29 Sept. 1705) p.220, 257, 264 (PC 2/80)

Elizabeth Burgess and Robert Wright v William Ross (alias Bartholomew Rees)

APC v.2 [969] p.486–487 (26 April 1705 – 5 Feb. 1707)

Register – Anne v.2 (20 Jan. 1704 – 29 Sept. 1705) p.333, 377, 380, 387 (PC 2/80)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.261, 284, 296 (PC 2/81)

Smith TOC (Wright v Ross)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition, Order of reference and Committee report of 13 Dec. – 14 Nov. 1706 (APC v.6 [154] p.49)

Committee Report – 8 Jan. 1707 (APC v.6 [160] p.50)

George Lillington, appeal of

APC v.2 [976] p.492–493 (11 Oct. 1705 – 27 Feb. 1707)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.5, 8, 17–18, 33, 75–76, 254, 283, 298, 312 (PC 2/81)

Smith TOC (Lillington v *Regina*)

Note: See also APC v.2 [1088].

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition and Heads of complaint; Board of Trade representation; further petition;

Order of 29 Nov. – 11 Oct. 1705 (APC v.6 [137] p.39–40)

Petition and Order in Council – 21 Oct. 1706 (APC v.6 [153] p.49)

Committee report, Lillington's petition, affidavits and abstract of proceedings – 8 Jan. 1707 (APC v.6 [158] p.49–50)

Joseph and Mary Mason v George and Mary Brice

APC v.2 [979] p.495 (29 Nov. 1705 – 18 Jan. 1706)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.21, 73, 83 (PC 2/81)

Smith TOC (Mason v Brice)

Edward Chilton, appeal of

APC v.2 [981] p.496 (5 Dec. 1705 – 5 Feb. 1707)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p. 27, 30, 34, 253, 283, 297 (PC 2/81)

Smith TOC (Chilton v *Regina*)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition – 5 Dec. 1705 (APC v.6 [138] p.40)

Committee report with Chilton's petition of 4 Jan. – 8 Jan. 1707 (APC v. [159] p.50)

Richard and Martha Holt and Mary Croft v Edward and Mary Burke

APC v.2 [984] p.496–497 (20 Dec. 1705 – 18 Jan. 1706)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.58, 73, 83 (PC 2/81)

Smith TOC (Holt v Burke)

Thomas Hodges, appeal of

APC v.2 [1010] p.511 (14 Nov. 1706/7)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.259 (PC 2/81)

Mitford Crowe v Ann Ramsey and Rebecca Butler

APC v.2 [1013] p.511–512 (2 Jan. 1707 – 17 April 1707)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.282, 284, 337, 348 (PC 2/81)

Smith TOC (Crow v Ramsey)

Note: See possible relation to APC v.2 [1073], [1080], and [1154].

George Lyte, appeal of

APC v.2 [1014] p.512 (2 Jan. 1707 – 20 March 1707)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.282, 316, 323 (PC 2/81)

Smith TOC (Lyte v *Regina*)

John Egginton v Middleton and Dorothy Chamberlain, John and Elizabeth Nanfan

APC v.2 [1025] p.518 (20 May 1707 – 12 June 1707)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.364, 379, 380, 382 (PC 2/81)

Smith TOC (Egginton v Chamberlain)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 11 June 1707 (APC v.6 [174] p.56)

William Copp v William and Eleanor Rayner

APC v.2 [1064] p.559–560 (20 May 1708 – 11 July 1708)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.96, 101, 124, 134–135 (PC 2/82)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition, Order of reference and Committee report of 30 June – 20 May 1708 (APC v.6 [189] p.68)

Norman Mackaskell v John Robinson and Rebecca Butler

APC v.2 [1073] p.571 (17 Oct. 1708 – 31 March 1709)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.174, 177, 221, 276, 287 (PC 2/82)

Smith TOC (Mackaskell v Robinson)

Note: See possible relation to APC v.2 [1013], [1080], and [1154].

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition and Order of reference of 17 Oct. – 11 Oct. 1708 (APC v.6 [204] p.81)

Committee report – 5 March 1709 (APC v.6 [218] p.93)

Robinson's petition – 14 March 1709 (APC v.6 [218] p.93)

**Manuel Manasses and Butler Gilligan v Mitford and Oriana Crowe
(multiple appeals)**

APC v.2 [1080] p.593–596 (27 Jan. 1709 – 31 March 1718)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.248, 262, 277, 288, 305, 314, 324, 368 (PC 2/82)

Register – Anne v.5 (2 June 1710 – 28 July 1712) p.315, 353, 355, 380–381, 387–388 (PC 2/83)

Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.109, 236, 251–252, 267 (PC 2/84)

Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.104, 125, 128 (PC 2/86)

Smith TOC (Gilligan v Crowe)

Note: See possible relation to APC v.2 [1013], [1073], and [1154].

Arthur Upton v Alexander Skene

APC v.2 [1082] p.596–597 (31 March 1709 – 22 Nov. 1715)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.297, 308–310, 565 (PC 2/82)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.312 (PC 2/85)

William Arnoll, Elizabeth Arnoll, and Matthew Gray, appeal of

APC v.2 [1084] p.598–599 (16 April 1709 – 31 July 1710)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.305, 314, 319, 456 (PC 2/82)

Register – Anne v.5 (2 June 1710 – 29 July 1712) p.22, 45 (PC 2/83)

Smith TOC (Arnoll v Harris) (*Arnoll v Regina*)

George Lillingston, appeal of

APC v.2 [1088] p.601–602 (19 May 1709 – 26 Jan. 1710)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.321, 345–346, 394, 405, 418, 494, 517 (PC 2/82)

Smith TOC (*Lillingston v Regina*)

Note: Not indexed as an appeal but see APC v.2 [976]. Spelling of the name is most likely Lillington.

John and Elizabeth Colleton v Thomas Prideaux

APC v.2 [1096] p.605 (9 June 1709 – 5 Jan. 1710)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.335, 493, 502 (PC 2/82)

Othniel and Mary Haggatt v Joseph Alford and Daniel Alford

APC v.2 [1109] p. 616–617 (24 Oct. 1709 – 15 Dec. 1709)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.455, 487, 490 (PC 2/82)

Smith TOC (*Haggatt v Alford*)

Arthur and Susanna Slingsby, appeal of

APC v.2 [1111] p.619–620 (5 Jan. 1710 – 31 July 1710)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.507 (PC 2/82)

Register – Anne v.5 (2 June 1710 – 28 July 1712) p.23, 46 (PC 2/83)

Smith TOC (*Slingsby v Regina*)

Edmund Sutton v Margaret Sutton

APC v.2 [1128] p.628 (28 Nov. 1710 – 8 March 1712)

Register – Anne v.5 (2 June 1710 – 28 July 1712) p.159, 166, 380, 386 (PC 2/83)

Smith TOC (*Sutton v Sutton*)

Richard and Margaret Husbands v Middleton Chamberlain

APC v.2 [1129] p.628–629 (30 Nov. 1710 – 24 Nov. 1712)

Register – Anne v.5 (2 June 1710 – 28 July 1712) p.247, 331 (PC 2/83)

Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.9, 27, 39, 50 (PC 2/84)

Smith TOC (*Husbands v Chamberlain*)

Jane Lyte, John Mills and John Mills Jr. v Constance Lyte (Shatterden)

APC v.2 [1132] p.633–634 (9 Feb. 1711 – 31 Jan. 1712)

Register – Anne v.5 (2 June 1710 – 28 July 1712) p.189, 367, 376 (PC 2/83)

Smith TOC (*Lyte v Lyte*)

Mitford and Oriana Crow v Mrs. Butler Chamberlain

APC v.2 [1154] p.657 (17 Sept. 1711 – 10 Jan. 1712)

Register – Anne v.5 (2 June 1710 – 28 July 1712) p.315, 368 (PC 2/83)
 Note: See possible relation to APC v.2 [1013], [1073], and [1180].

Edward and Martha Denny v William Cleland

APC v.2 [1157] p.658 (10 Jan. 1712 – 22 Nov. 1715)
 Register – Anne v.5 (2 June 1710 – 28 July 1712) p.362 (PC 2/83)
 Register – Anne v. 6 (18 Aug. 1712 – 31 July 1714) p.320, 336 (PC 2/84)
 Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.312 (PC 2/85)
 Smith TOC (Denny v Cleland)

Robert Stewart and Hugh Agnew v William and Alice Davies

APC v.2 [1159] p.659 (26 Jan. 1712 – 15 April 1713)
 Register – Anne v.5 (2 June 1710 – 18 July 1712) p.371 (PC 2/83)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.82, 90 (PC 2/84)

Nathaniel Rouse and James Aynsworth v John Rouse

APC v.2 [1176] p.668 (20 Oct. 1712 – 24 June 1713)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.36, 185, 196 (PC 2/84)

William Rawlins v Edward Burke

APC v.2 [1179] p.668–669 (24 Nov. 1712 – 24 June 1713)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.48, 112, 194 (PC 2/84)

John Walker and Alexander Walker and their attorneys Thomas and Reynold Alleyne v George and Susannah Nicholas

APC v.2 [1180] p.669 (8 Jan. 1713 – 15 April 1713)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.67, 82, 90 (PC 2/84)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Petition – 5 Jan. 1710 (APC v.6 [230] p.96)

John and Elizabeth Whetstone v John Carter

APC v.2 [1193] p.675–676 (25 Oct. 1713 – 17 June 1715)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.264 (PC 2/84)
 Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.225, 231 (PC 2/85)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 16 June 1715 (APC v.6 [260] p.105)

Henry Grey v Burch Hothersall

APC v.2 [1198] p.677 (10 Jan. 1714 – 10 May 1726)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.303 (PC 2/84)
 Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.249, 257 (PC 2/85)
 Register – George I v.5 (Sept. 1724 – May 1727) p.78, 213, 218 (PC 2/89)
 Smith TOC (Grey v Hathersall)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 19 July 1715 (APC v.6 [264] p.106)

Hannah Peers and John Peers v Samuel Barwick (Berwick)

APC v.2 [1201] p.678–679 (24 May 1714 – 17 Dec. 1716)

Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.362 (PC 2/84)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.191, 197, 350, 433, 472, 481 (PC 2/85)

Smith TOC (Peers v Barwick)

Benjamin Ballard v Hester Burke

APC v.2 [1202] p.679–680 (24 May 1714 – 11 Jan. 1715)

Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.362 (PC 2/84)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.144, 173 (PC 2/85)

Isaac Mendez and Moses Mendez v William Rees Battyn

APC v.2 [1203] p.680 (24 May 1714 – 31 July 1722)

Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.362, 371 (PC 2/84)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.143, 172 (PC 2/85)

Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.2 (PC 2/87)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.78, 81 (PC 2/88)

Smith TOC (Mendez v Battyn)

DOCUMENTATION

Printed cases

Case of the appellants (Isaac and Abraham Mendez v William Rees Battyn) –
British Library – Add Mss 36216 f.8

Margaret Walter and John Walter v George and Susanna Nicholas

APC v.2 [1206] p.681 (24 May 1714)

Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.364 (PC 2/84)

Col. Henry Peers v Frances (Francis) Jones and John Jones

APC v.2 [1207] p.681–682 (3 July 1714 – 18 Jan. 1715)

Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.371 (PC 2/84)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.117, 174, 182 (PC 2/85)

John Gardner (Gardiner), Alexander Walker, Thomas Alleyne and Reynold Alleyne v Michael Tirrell (Tyrrell)

APC v.2 [1213] p.685–687 (25 Oct. 1714 – 10 Aug. 1721)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.105, 248, 495 (PC 2/85)

Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.282, 389, 402, 420
(PC 2/86)

Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.271, 272 (PC 2/87)

Smith TOC (Gardner v Tirrell)

Robert Stewart v William Rees Battyn

APC v.2 [1218] p.691 (5 Jan. 1715 – 20 July 1715)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.154, 248, 257 (PC 2/85)

Smith TOC (Stewart v Battyn)

Bernard and Sarah Cook and Susannah King v Robert Lettice Hooper

APC v.2 [1242] p.704 (8 Nov. 1715 – 27 Aug. 1718)
 Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.309, 326, 335 (PC 2/85)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.131, 162, 169 (PC
 2/86)
 Smith TOC (Cook v Hooper)

**William Heysham, William Roberts, and Thomas Withers v James
 Aynsworth**

APC v.2 [1243] p.704–705 (22 Nov. 1715 – 10 March 1716)
 Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.311, 337, 349 (PC 2/85)

William Heysham (by his attorneys) v Alexander Walker

APC v.2 [1244] p.705 (22 Nov. 1715 – 16 March 1718)
 Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.311 (PC 2/85)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.110, 117 (PC 2/86)

William Fortescue by Thomas Beckles v John Bromley

APC v.2 [1279] p.729 (14 Nov. 1717 – 14 May 1718)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.67, 134, 137 (PC 2/86)

Manuel Manasses Gilligan v William Ramsey

APC v.2 [1290] p.737 (16 March 1718 – 1 Feb. 1721)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.118, 125, 135, 220,
 462 (PC 2/86)
 Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.89, 113, 119 (PC 2/87)
 Smith TOC (Gilligan v Ramsey)

Andrew Cassally, appeal of

APC v.2 [1292] p.738–739 (31 March 1718 – 27 Aug. 1718)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.131, 167, 171 (PC
 2/86)
 Smith TOC (Cassally, Andrew, appeal of)

William Gordan v Governor Lowther

APC v.2 [1310] p.753–755 (6 Feb. 1719 – 20 Dec. 1722)
 Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.219–220, 230, 232,
 280, 391–392 (PC 2/86)
 Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.6, 10 (PC 2/87)
 Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.147, 164, 170 (PC 2/88)
 Smith TOC (Gordan v Lowther)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Attorney General report with Order of reference of 29 Nov., copy of Lowther's
 petition, articles of instructions, copy of Gordon's declaration in his action v G.
 Macmahon, and affidavit of authenticity – 20 Oct. 1722 (APC v.6 [318] p.136)

Bernard Cook, appeal of

APC v.2 [1334] p.775–776 (22 March 1720 – 20 Jan. 1722)

Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.396, 404 (PC 2/86)

Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.439–440, 464 (PC 2/87)

Note: This appeal is irregularly from the Petit Sessions of the Peace.

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Whipping of B. Cook – His petition and order of reference – 22 March 1720
(APC v.6 [294] p.121)

Board of Trade representation – 11 November 1725 (APC v.6 [340] p.155)

BERMUDA

John Hubbard v Capt. James Smailes

APC v.2 [333] p.149–150 (2 Dec. 1689 – 13 Sept. 1716)

Register – William III v.1 (14 Feb. 1689 – 21 Aug. 1690) p. 300, 424 (PC 2/73)

Register – William III v.2 (3 Sept. 1690 – 29 Sept. 1692) p. 244 (PC 2/74)

Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.109, 184 (PC 2/84)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.445 (PC 2/85)

CSP VIII no. 615, 834, 1762

Smith TOC (Hubbard v Smailes)

Note: Not indexed as an appeal. See also APC v.2 [243] regarding a petition of Mary Smailes which references APC v.2 [333].

Isaac Richier v Nicholas Trott

APC v.2 [476] p.236 (24 Nov. 1692 – 14 Sept. 1693)

Register – William III v.3 (1 Oct. 1692 – 29 Nov. 1694) p.32–33, 223 (PC 2/75)

CSP VIII no. 2635–2638

CSP IX no. 553

Smith TOC (Richier v Trott)

Note: Not indexed as an appeal. This may relate to the dispute in APC v.2 [544].

Isaac Richier v Lieut. Governor Goddard

APC v. 2 [544] p.266–267 (1 March 1694 – 21 Dec. 1699)

Register – William III v.3 (1 Oct. 1692 – 29 Nov. 1694) p.365, 377 (PC 2/75)

Register – William III v.4 (2 Dec. 1694 – 23 April 1697) p.93, 241 (PC 2/76)

Register – William III v.5 (5 May 1697 – 30 March 1700) p.368, 393, 396, 404, 444–445 (PC 2/77)

CSP IX no. 991, 2209

CSP X no. 1029

CSP XII no. 934, 992

Smith TOC (Richier v Goddard)

Note: Not indexed as an appeal. This may relate to the dispute in APC v.2 [476].

Samuel Hubbard, appeal of

APC v.2 [603] p.289 (22 Aug. 1695 – 19 Dec. 1695)

Register – William III v.4 (2 Dec. 1694 – 23 April 1697) p.181, 237 (PC 2/76)

CSP IX no. 2017

Martha Johnstowne v William Place**Rhoda Place v Martha Johnstowne**

APC v.2 [750] p.336–337 (29 June 1699 – 6 Sept. 1704)

Register – William III v.5 (5 May 1697 – 30 March 1700) p.352 (PC 2/77)

Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.192, 332 (PC 2/78)

Register – Anne v.2 (20 Jan. 1704 – 29 Sept. 1705) p.173 (PC 2/80)

More Darrell by his guardian Daniel Keel v George Darrell

APC v.2 [757] p.341 (22 Aug. 1699 – 21 Dec. 1699)

Register – William III v.5 (5 May 1697 – 30 March 1700) p.368, 401, 406 (PC 2/77)

Lewis Johnstowne v Thomas and Mary Burton

APC v.2 [794] p.354–355 (20 June 1700 – 13 Dec. 1705)

Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.56, 70, 71, 203, 213, 218 (PC 2/78)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.20, 31, 43 (PC 2/81)

Smith TOC (Johnstowne v Burton)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition – 19 June 1700 (APC v.6 [16] p.6)

Perient Trott, Samuel Trott and John Trott v Gilbert Nelson

APC v.2 [801] p.357–358 (5 Sept. 1700)

Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.81 (PC 2/78)

Edward Jones v Lt. Gov. Benjamin Bennet (Bennett)

APC v.2 [910] p.447–452 (18 Nov. 1703 – 9 Aug. 1726)

Register – Anne v.1 (8 March 1702 – 18 Jan. 1704) p.460 (PC 2/79)

Register – Anne v.2 (20 Jan. 1704 – 29 Sept. 1705) p.98 (PC 2/80)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.165, 428 (PC 2/81)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.156 (PC 2/82)

Register – Anne v.5 (2 June 1710 – 28 July 1712) p.299, 332, 341, 396 (PC 2/83)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.445 (PC 2/85)

Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.118, 166, 297, 298, 299, 300, 351, 362 (PC 2/86)

Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.239, 262, 265 (PC 2/87)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.357, 480, 528, 538, 563, 616–617 (PC 2/88)

Register – George I v.5 (Sept. 1724 – May 1727) p.7, 232–233, 243–244, 273–274 (PC 2/89)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Board of Trade representation – 19 March 1706 (APC v.6 [145] p.41)

Note: Not indexed as an appeal

Thomas Barrow, appeal of

APC v.2 [1032] p.521–522 (23 June 1707 – 2 June 1709)

Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.391, 404, 410, 411 (PC 2/81)

Register – Anne v.4 (5 March 1708 – 31 May 1710) p.324, 327, 330 (PC 2/82)

Smith TOC (*Barrow v Regina*)

Note: See also APC v.2 [1032A] regarding Barrow's right to practice law.

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Complaints of E. Jones... including articles by way of information and complaint (APC v.6 [201 no.71] p.78)

Petition – 2 June 1709 (APC v.6 [222] p.94)

JAMAICA**Capt. Francis Mingham v Thomas Martin**

APC v.2 [6] p.6–7 (30 June 1680 – 9 March 1681)

Register – Charles II v.16 (1 June 1680 – 31 May 1683) p.28, 45, 243, 257, 267 (PC 2/69)

CSP V no. 1459

CSP VI no. 65, 77

Smith TOC (*Mingham v Martin*)

Note: See also the entry for *Mingham v Martin* in the APC v.1 [1038].

Capt. Charles Talbot, appeal of

APC v.2 [225] p.98 (6 May 1687)

Register – James II Part II (1 April 1687 – 16 Dec. 1688) p.456 (PC 2/72)

CSP VII no. 1238

Smith TOC (*In re The Swallow*)

Charles Sadler, appeal of

APC v.2 [269] p.115 (12 Oct. 1688)

Register – James II Part II (1 April 1687 – 16 Dec. 1688) p.748 (PC 2/72)

CSP VII no. 1906

John Towers, appeal of

APC v.2 [341] p.151 (2 Jan. 1689–90)

Register – William III v.1 (14 Feb. 1689 – 21 Aug. 1690) p.325 (PC 2/73)

CSP VIII no. 684

Col. William Ivy, John Towers, Francis Blackmore, Charles Bouchier, James Banister and William Ivy, Jr., appeal of

APC v.2 [342] p.151–152 (2 Jan. 1689–90 – 23 April 1691)

Register – William III v.1 (14 Feb. 1689 – 21 Aug. 1690) p.325 (PC 2/73)

Register – William III v.2 (3 Sept. 1690 – 29 Sept. 1692) p.159 (PC 2/74)

CSP VIII no. 685, 1423

George Elletson, Thomas Ryves and George Reid, appeal of

APC v.2 [426] p.202 (19 Nov. 1691 – 21 Dec. 1691)
 Register – William III v.2 (3 Sept. 1690 – 29 Sept. 1692) p.274, 295 (PC 2/74)
 CSP VIII no. 1909
 Smith TOC (Elletson v Daniell)

Sir Richard White, appeal of

APC v.2 [510] p.253 (3 Aug. 1693 – 5 Oct. 1693)
 Register – William III v.3 (1 Oct. 1692 – 29 Nov. 1694) p.194, 253 (PC 2/75)
 CSP IX no. 490, 600
 Smith TOC (White v de Castillo)

Robert Briscoe v John Hodgings

APC v.2 [1034] p.526–527 (1 July 1707 – 9 Sept. 1707)
 Register – Anne v.3 (11 Oct. 1705 – 29 Feb. 1708) p.400, 402, 409, 410 (PC 2/81)
 Smith TOC (Briscoe v Hodgings)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Petition and Order of Reference – 1 July 1707 (APC v.6 [179] p.59)

Sir Charles Orby and Dame Anne Hopegood v Charles Long

APC v.2 [1067] p.564–567 (1 Aug. 1708 – 20 Feb. 1714)
 Register – Anne v.4 (5 March 1708 – 31 May 1710) p.147, 279–282, 285–287, 301 (PC 2/82)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.292–293, 336 (PC 2/84)
 Smith TOC (Orby v Long)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Petition – 1 Aug. 1708 (APC v.6 [199] p.71)
 Minute of the Council of Jamaica – 28 July 1713 (APC v.6 [249] p.102)

James and Thomazine Russell v John Clarke

APC v.2 [1071] p.570 (18 Aug. 1708 – 13 Oct. 1708)
 Register – Anne v.4 (5 March 1708 – 31 May 1710) p.155–156, 173 (PC 2/82)
 Smith TOC (Russell v Clarke)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Petition and Order of Reference – 18 Aug. 1708 (APC v.6 [202] p.81)

Penelope Knight v John and Mary Marshall and Richard and Susanna Gregory

APC v.2 [1188] p.674 (24 June 1713 – 28 Feb. 1714)
 Register – Anne v.6 (18 Aug. 1712 – 31 July 1714) p.197, 200, 304, 321, 340, 344 (PC 2/84)
 Smith TOC (Knight v Marshall)

William Axtell *et al* v John Clarke

APC v.2 [1249] p.706–707 (10 March 1715–16 – 6 July 1716)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.350, 412, 422 (PC 2/85)
Smith TOC (Axtell v Clarke)

John Halstead and William Gibbons v Robert Needham

APC v.2 [1250] p.707 (10 March 1716 – 8 June 1716)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.350, 413 (PC 2/85)

Smith TOC (Halstead v Needham)

Josiah and Elizabeth Jordan v Thomas and Mary Brayne

APC v.2 [1253] p.708 (28 April 1716 – 10 Jan. 1717)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.382, 486, 487 (PC 2/85)

Thomas and Elizabeth Roose v Francis Roose, Peter Beckford, Mary Fuller and Ann Fuller

APC v.2 [1280] p.730 (14 Nov. 1717 – 6 Aug. 1723)

Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.67, 243, 248 (PC 2/86)

Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.220, 296, 304 (PC 2/87)

William Cockburn v Mr. (first name not provided) Beckford

APC v.2 [1286] p.735 (9 Feb. 1718 – 5 March 1718)

Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.104, 111 (PC 2/86)

Smith TOC (Cockburn v Beckford)

John Morton v John Carver

APC v.2 [1287] p.735–736 (9 Feb. 1718 – 12 March 1718)

Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.104, 114, 118, 131, 224, 230 (PC 2/86)

LEEWARD ISLANDS

Stephen Cabibell, Peter Soulgre (Soulegre) and William Harris, appeal of

APC v.2 [1316] p.760–761 (26 May 1719 – 8 Jan. 1720)

Register – George I v.2 (2 March 1717 – 25 Aug. 1720) p.264, 352, 362 (PC 2/86)

MONTSERRAT

Anthony and Mary Revell v George Lyddell

APC v.2 [1212] p.685 (25 Oct. 1714 – 29 March 1715)

Register – George I v.1 (1 Aug. 1714 – 2 March 1717) p.104, 192, 198 (PC 2/85)

NEVIS

Thomas Cooke, appeal of

APC v.2 [213] p.94 (27 Oct. 1686/7 – 2 July 1687)

Register – James II Part II (1 April 1687 – 16 Dec. 1688) p.330, 466, 475 (PC 2/72)

CSP VII no. 947, 1329

Smith TOC (Cooke v St. Loe)

Anthony Peterson v Christian (Peterson?)

APC v.2 [674] p.312 (15 April 1697 – 4 Aug. 1698)
 Register – William III v.4 (2 Dec. 1694 – 23 April 1697) p. 610 (PC 2/76)
 Register – William III v.5 (5 May 1697 – 30 March 1700) p. 37, 213 (PC 2/77)
 Smith TOC (Peterson v Peterson)

Note: Not indexed as an appeal. The APC does not provide the last name of Anthony Peterson's sister, the respondent, but Joseph Smith names the case Peterson v Peterson.

William Mead, appeal of

William and Mary Shipman and Thomas Harvey, appeal of

APC v.2 [844] p.380 (27 Nov. 1701 – 19 Feb. 1702)
 Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.283, 353 (PC 2/78)
 Smith TOC (Shipman *et al*, appeal of)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Complaints – 13 Feb. 1702 (APC v.6 [50] p.11–12)

William Mead, appeal of

APC v.2 [852] p.384 (18 Jan. 1702 – 18 March 1702)
 Register – William III v.6 (4 April 1700 – 19 Feb. 1702) p.303 (PC 2/78)
 Register – Anne v.1 (8 March 1702 – 18 Jan. 1704) p.41 (PC 2/79)
 Smith TOC (*In re The Swan*)

Note: Not indexed as an appeal

ST. CHRISTOPHER

Peter Van Belle, appeal of

APC v.2 [924] p.459 (9 March 1704 – 6 July 1704)
 Register – Anne v.2 (20 Jan. 1704 – 29 Sept. 1705) p.77, 139 (PC 2/80)
 Smith TOC (Vanbelle, Peter, appeal of)

Note: Also indexed under Leeward Islands and Nevis

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Petition with statement of the case – 9 March 1704 (APC v.6 [119] p.29)

The following items in *APC*, vol. 2, have no apparent final court decision below, though they are indexed as appeals:

Antigua – [60], [204], [402], [567], [1142], [1241], [1303]

Barbados – [115], [145], [172], [206] a request for pardon by mother for her son, [774], [856], [977] a petition for reversal of sequestration of an estate in favor of cash security, [978] a petition against action of Governor in debarring petitioner from leaving the island, [1055], [1087], [1099] petitioner seeks relief from the biased make-up of the Court of Common Pleas, [1163], [1307], [1308] a complaint re arbitrary proceedings of the Governor, [1328], [1333] a petition against action of Committee of Public Accounts requesting the repeal of a law or the stay of proceedings under the law, [1338].

Bermuda – [70], [795], [1097] complaint re excessive fine and bail imposed. Noted in [198] and [201 no.62-64] of the APC v.6 are related miscellaneous documents at the National Archives at Kew for the dispute in [1097].

Jamaica – [164], [165], [184], [187], [188], [189], [199], [205] a petition relating to the suspension from the practice of law, [597], [618], [810], [849] request for King's order to enforce execution of writ, [881] a petition relating to imprisonment under the authority of the Court of Chancery, [1031], [1086] request for pardon, [1138], [1153], [1184], [1192], [1211] issue relates to the confirmation of a Jamaican Act.

Leeward – [845]

Montserrat – [127], [1141]

St. Christopher – [1173], [1281]

APPEALS BY COLONY – Volume 3

ANTIGUA

George and Susanna Forrest v Margaret Martin and Henry Martin Margaret Martin and Henry Martin (later revived by Robert Martin) v Edward Horn Forrest

APC v.3 [12] p.21–22 (9 July 1721 – 7 Nov. 1734)

Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.260, 296 (PC 2/87)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.183, 209 (PC 2/88)

Register – George I v.5 (Sept. 1724 – May 1727) p.283, 293 (PC 2/89)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.143, 147, 532 (PC 2/92)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.20, 30, 34 (PC 2/93)

Smith TOC (Forrest v Martin)

DOCUMENTATION

Printed cases

Case of the appellant (Robert Martin v Edward Horne Forest) – British Library –
Add Mss 36216 f.83

Edward and Mary Mann v James and Rachel Gamble

APC v.3 [23] p.31 (14 Dec. 1721–2 – 29 Nov. 1722)

Register – George I.v.3 (25 Aug. 1720 – 31 May 1722) p.414 (PC 2/87)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.117, 144 (PC 2/88)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition – 14 Dec. 1721 (APC v.6 [305] p.132)

James Parke v Nathaniel Gilbert

APC v.3 [36] p.40 (11 Aug. 1722 – 6 Aug. 1723)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.89, 178, 294, 303 (PC
2/88)

Smith TOC (Parke v Gilbert)

Nathaniel Crump v Henry Martin and Margaret Martin

APC v.3 [41] p.43 (26 Feb. 1723 – 6 Aug. 1723)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.221, 280, 302 (PC 2/88)

Smith TOC (Crump v Martin)

Note: No final decree had issued from Antigua.

Richard Rigby v Edward Chester, William Yeomans *et al*

APC v.3 [52] p.59–60 (23 Oct. 1723 – 24 Dec. 1724)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.346, 566 (PC 2/88)

Register – George I v. 5 (Sept. 1724 – May 1727) p.16, 18, 25 (PC 2/89)

Smith TOC (Rigby v Chester)

Lawford Cole v Matthew Mills

APC v.3 [61] p.65 (6 April 1724 – 4 July 1724)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.493, 495, 528, 534, 562
(PC 2/88)**Rowland Hamilton v William and Sarah Horne *et al***

APC v.3 [77] p.111 (5 Feb. 1725 – 15 Feb. 1728)

Register – George I v.5 (Sept. 1724 – May 1727) p.32, 289, 304, 316 (PC 2/89)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.166, 192, 214–215,
227 (PC 2/90)

Smith TOC (Hamilton v Horne)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition and Order of Reference – 5 Feb. 1725 (APC v.6 [329] p.141)

Committee Report – 20 Jan. 1727

Hamilton's petition and Order of Reference – 2 Nov. 1727

Petition of Horne and Nugent – 14 Dec. 1727 (APC v.6 [362] p.171)

Samuel Proctor and James Barton v Magdalen Bondinot

APC v.3 [87] p.119–120 (6 July 1725 – 15 Aug. 1728)

Register – George I v.5 (Sept. 1724 – May 1727) p.89, 91, 102, 277, 329, 339,
357 (PC 2/89)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.350, 360 (PC 2/90)

Smith TOC (Barton v Bondinot)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 18 Feb. 1727 (APC v.6 [368] p.181)

Committee Report – 26 July 1728 (APC v.6 [396] p.193)

**Edward (sen.) and Ann (Anne) Chester, John Gunthorp, Richard Sherwood,
Catherine, Elizabeth and Mary Paynter v William Paynter, Edward Byam,
Major John Tomlinson and Francis Carlisle****Ann (Anne) Chester, William Paynter (son of John Paynter) and the
executors of John Paynter v John Gunthorp and Catherine Paynter as
executors of William Paynter (sen.) and William Paynter (son of William**

**Paynter, sen.) by William Horne and Francis Burton
Edward Byam, Francis Carlisle, Major John Tomlinson (sen.), Ann (Anne)
Chester and William Paynter, (son of John Paynter) v John Gunthorp,
Catherine Paynter, and William Paynter (son of William Paynter, sen.)**
APC v.3 [90] p.121–123 (14 Oct. 1725 – 6 May 1741)
Register – George I v.5 (Sept. 1724 – May 1727) p.118, 120, 205, 228 (PC 2/89)
Register – George II v.2 (1 June 1729 – 16 June 1732) p.463, 486 (PC 2/91)
Register – George II v.3 (21 July 1732 – 18 July 1734) p.95, 101–103, 105 (PC
2/92)
Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.266, 312, 457, 464 (PC
2/96)
Smith TOC (Chester v Painter)

John Hamilton v (first name not provided) Mugill
APC v.3 [96] p.125 (11 May 1726)
Register – George I v.5 (Sept. 1724 – May 1727) p.219 (PC 2/89)
Note: It is not clear from the APC entry if Mugill is, in fact, the respondent in
this appeal.

**Nathaniel Carpenter v John Parry and the widow and executors of Samuel
Parry**

Nathaniel Carpenter v Henry Lyons, guardian of Amy Parry
APC v.3 [103] p.132–133 (9 Aug. 1726 – 19 Jan. 1732)
Register – George I v.5 (Sept. 1724 – May 1727) p.276, 307, 374–376 (PC 2/89)
Register – George II v.1 (14 June 1727 – 22 May 1729) p.21 (PC 2/90)
Register – George II v.2 (1 June 1729 – 16 June 1732) p.414, 511, 531, 548 (PC
2/91)

DOCUMENTATION

Printed cases

Case of the appellant and respondent (Nathaniel Carpenter v Amy Parry by
Henry Lyons) – British Library – Add Mss 36216 f.53
Privy Council documents in PC 1 at The National Archives at Kew
Petition and Order of Reference – 9 Aug. 1726 (APC v.6 [351] p.163)
Committee Report – 31 May 1727 (APC v.6 [385] p.192)

**Henry Lyons v executors of Henry Lyons, and Nathaniel Crump, Michael
Arnold, Nicholas Lynch, John Teale (the four being the executors of
Jeffrey Lyons), Elizabeth Lyons and Sarah Lyons Executors of Henry
Lyons, Nathaniel Crump, Michael Arnold, Nicholas Lynch, John Teale
(the four being the executors of Jeffrey Lyons), Elizabeth Lyons and Sarah
Lyons v Henry Lyons**

APC v.3 [104] p.133–134 (9 Aug. 1726 – 31 May 1727)
Register – George I v.5 (Sept. 1724 – May 1727) p.297, 320, 354–355, 360, 364
(PC 2/89)
Smith TOC (Lyons v Lyons)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee reports – 11 May 1727 (APC v.6 [379] p.188)

Sir William Codrington v William Byam, Nathaniel Crump, Archibald

Cockrane and Francis Carlisle

APC v.3 [105] p.134 (6 Sept. 1726 – 28 March 1727)

Register – George I v.5 (Sept. 1724 – May 1727) p.279, 306, 326, 338 (PC 2/89)

Smith TOC (Codrington v Byam)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Petition and Order of Reference – 6 Sept. 1726 (APC v.6 [352] p.163)

Note: Possibly related to APC v.3 [307]

Richard Staple v William Glanvill

APC v.3 [113] p.151 (8 Feb. 1727 – 31 May 1727)

Register – George I v.5 (Sept. 1724 – May 1727) p.319, 335, 360, 365 (PC 2/89)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 18 May 1727 (APC v.6 [381] p.190)

James and Margaret Wetherill v Sir William Codrington

APC v.3 [137] p.179 (13 Dec. 1727 – 12 June 1728)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.187, 192, 306, 311 (PC 2/90)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 21 May 1728 (APC v.6 [396] p.193)

William Byam v Nathaniel Gilbert

APC v.3 [141] p.206 (10 Jan. 1727/8 – 15 Feb. 1727/8)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.206, 212, 227 (PC 2/90)

Smith TOC (Byam v Gilbert)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition – 10 Jan. 1728 (APC v.6 [396] p.193)

**Jacob Thibon v unnamed children and representatives of the late John
Pierce**

**Unnamed children and representatives of the late John Pierce v Ann Picard
de la Fente, Catherine Terry, and Arabella Turton, John Gambell, John
Frye and Samuel Frye**

Jacob Thibon v Richard and Ann Rigby and George and Dorothy Barker

APC v.3 [177] p.230–231 (22 May 1729 – 11 July 1734)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.512 (PC 2/90)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.5, 179, 214, 251, 381,

431 (PC 2/91)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.425, 490–492, 518–519
(PC 2/92)

Smith TOC (Thibou v Pierce)

John Dubois v Capt. Toller

APC v.3 [201] p.270–271 (22 Jan. 1730 – 21 July 1732)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.138 (PC 2/91)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.4, 19 (PC 2/92)

Smith TOC (DuBois v Toller)

**Charles Dunbar v William Glanville, William Yeamans, Valentine Morris
and Christopher Stoodley**

APC v.3 [214] p.285 (11 June 1730 – 8 April 1731)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.248, 256, 258, 318,
343–344, 362 (PC 2/91)

Smith TOC (Dunbar v Glanville)

John and Rachel Pare v Henry Palmer

APC v.3 [243] p.344 (1 July 1731 – 21 July 1732)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.415 (PC 2/91)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.4, 5–8, 19 (PC 2/92)

**William Gregson v Frederick and Frances Voguel and Richard Roe (their
lessee)**

APC v.3 [267] p.366 (28 Sept. 1732 – 25 Jan. 1733)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.63, 99, 105 (PC 2/92)

John Toller v John Burke

John Burke v John Toller

APC v.3 [292] p.401–402 (20 Dec. 1733 – 11 April 1734)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.280, 390, 430, 454 (PC
2/92)

Smith TOC (Toller v Burke)

Thomas Morris v Giles and Elizabeth Watkins

APC v.3 [294] p.404–405 (20 Dec. 1733 – 7 Feb. 1734)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.281, 311, 320 (PC 2/92)

Smith TOC (Morris v Watkins)

**Joseph French v Richard and Johanna Sherwood, William Denbow and
Thomas Kerby**

APC v.3 [305] p.416–417 (11 July 1734 – 21 April 1737)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.526 (PC 2/92)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.188–194, 211 (PC 2/94)

**John Burke (George and Elizabeth Burke Crump and John Burke the son
added as later parties) and James Duncan v Robert Weir, Walter Weir,
Francis Weir, William Paynter, Edward Byam, George Thomas, George**

Byam and Thomas Freeman (later adding William Gunthorpe as nephew and heir of William Paynter, deceased)

APC v.3 [306] p.417–418 (11 July 1734 – 17 Dec. 1750)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.526 (PC 2/92)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.290 (PC 2/96)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.128 (PC 2/102)

Sir William Codrington v William Byam, Nathaniel Crump, Archibald Cockran and Francis Carlisle (the four as executors of Samuel Philips), Robert and Rebecca Tint, Dorothy Philips and Elizabeth Philips

APC v.3 [307] p.418 (11 July 1734 – 3 April 1736)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.526 (PC 2/92)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.90, 133–136, 146 (PC 2/93)

Note: Possibly related to APC v.3 [105]

Nathaniel Crump and Nathaniel Gilbert v Valentine Morris and William Yeamans

Valentine Morris and William Yeamans, appeal of

APC v.3 [320] p.430 (24 Oct. 1734 – 21 April 1737)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.21 (PC 2/93)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.21, 165–177, 210 (PC 2/94)

Smith TOC (Crump v Morris)

Charles Dunbar and Richard Roe (his lessee) v John Kerr

APC v.3 [357] p.482 (13 Oct. 1735 – 21 April 1737)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.232 (PC 2/93)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.116, 148–156, 210 (PC 2/94)

William and Mary Smith and Thomas Kirby (Kerby) v Joseph Mathews, James Salmond, Patrick Lynch, John Turnell, Caesar Rodeney, James Read, Paul Fisher, Robert Lone, William Snelgrave, Edward Jones, and Robert Weir

APC v.3 [358] p.482–483 (13 Oct. 1735 – 28 May 1736)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.232, 459–462, 468 (PC 2/93)

Smith TOC (Smith v Mathews)

Wavell Smith v Francis Carlisle

Wavell Smith v Nathaniel Gilbert and John Thomlinson

APC v.3 [378] p.502–504 (21 May 1736 – 26 Oct. 1738)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.457, 503–505, 511 (PC 2/93)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.600 (PC 2/94)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.10 (PC 2/95)

Smith TOC (Smith v *Rex*)

Note: The matter involves an indictment for extortion and may more properly be titled, as by Joseph Smith, as Smith v *Rex*.

Thomas Morris v Giles and Elizabeth Watkins

APC v.3 [387] p.514–515 (24 Nov. 1736 – 12 June 1739)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.21 (PC 2/94)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p. 179, 186, 187–194, 210 (PC 2/95)

Smith TOC (Morris v Watkins)

Charles Dunbar v Henry Lory and Richard Todman

APC v.3 [388] p.515–517 (24 Nov. 1736 – 16 July 1736)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.22 (PC 2/94)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.92, 234, 240–245, 262 (PC 2/96)

Smith TOC (Dunbar v Lory)

Peter Wilcox, Giles Wilcox, Anne Reynolds, Francis and Sarah Hamilton, and Lydia Stephens v Isaac Royal and Richard Roe (his lessee)

APC v.3 [446] p.614–615 (25 July 1738 – 31 July 1738)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.600, 607, 615 (PC 2/94)

Smith TOC (Wilcox v Royal)

Wavel Smith, appeal of

APC v.3 [447] p.615–616 (25 July 1738 – 12 June 1739)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.601, 608–609, 616 (PC 2/94)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.219 (PC 2/95)

Smith TOC (Smith v *Rex*)

Richard and Mary Kirwan and Archibald Hamilton v Samuel and Jane Lyons and Charles and Biss Alexander

Archibald Hamilton, Richard and Mary Kirwan, John Gunthorpe and

Rowland Hamilton v Samuel and Jane Lyons and Charles and Biss

Alexander

APC v.3 [457] p.620–621 (30 Nov. 1738 – 21 Dec. 1738)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.47, 61, 63 (PC 2/95)

Smith TOC (Kirwan v Alexander) (Kirwan v Lyons)

Edward Otto Bayer, Richard Roe, his lessee v Ashton Warner

Edward Otto Bayer v Ashton Warner (later revived against eldest son and executors) and Robert Gray

APC v.3 [461] p.625–627 (16 May 1739 – 7 Feb. 1753)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.196, 262, 506–515, 541 (PC 2/95)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.432 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.208–210, 234, 288,

298–299, 309 (PC 2/103)
Smith TOC (Bayer v Warner)

DOCUMENTATION

Printed cases

Case of appellant – Law Library of Congress

Charles Dunbar v Henry Webb

APC v.3 [474] p.640–644 (6 Sept. 1739 – 10 July 1740)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.343 (PC 2/95)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.92, 141, 142–147, 156
(PC 2/96)

Smith TOC (Dunbar v Webb)

Lucy Chester Park v Charles Dunbar as lessor of the nominal plaintiff John Doe

Lucy Chester Park v Charles Dunbar

APC v.3 [482] p.656 (22 Nov. 1739 – 6 Dec. 1740)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p. 418 (PC 2/95)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.9, 117, 131, 132–134,
156, 226, 229, 256, 268–290, 304 (PC 2/96)

Isaac and Catherine Thibou and Sophia Field v Ashton Warner

APC v.3 [484] p.657 (27 Dec. 1739–40 – 10 March 1740)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.495, 617–632, 660
(PC 2/95)

Harry Webb, Isaac Hobhouse, John Paine, Dominick Trant, Thomas Mead, George French, Peter Lee and Robert Webb v Michael and Catherine Tully, Sarah Lynch, Mary Lynch and Catherine Moineux

APC v.3 [578] p.760–761 (13 Oct. 1743 – 20 March 1746)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.8 (PC 2/98)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.273, 339, 353, 379,
417 (PC 2/99)

James Langford v William Simpson

APC v.3 [593] p.780–781 (9 May 1744 – 20 March 1745)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.315 (PC 2/98)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.381, 397, 417 (PC
2/99)

Elizabeth Langford and James Langford v Jonas Langford, Richard and Mary Oliver, Mathew and Isabella Lovell, James and Mehitabell Nibbs Jr., and John and Elizabeth Blissard

APC v.3 [605] p.799–800 (7 Nov. 1744 – 3 June 1747)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.581–582, 660 (PC 2/98)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.454, 465 (PC 2/99)

Register – George II v.11 (1 Aug. 1746 – 30 April 1748) p.227, 268 (PC 2/100)

BAHAMAS**Michael Bevan, appeal of**

APC v.3 [38] p.41 (27 Oct. 1722 – 15 Feb. 1723)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.124, 178, 204 (PC 2/88)

Smith TOC (Bevan v *Rex*)

John Colebrook, appeal of

APC v.3 [250] p.350 (28 Oct. 1731 – 13 April 1732)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.462, 467, 490, 589, 611, 625 (PC 2/91)

Smith TOC (Colebrook v *Rex*)

James Scott and John Snow, appeal of

APC v.3 [608] p.805 (26 Nov. 1744 – 12 March 1747)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.589 (PC 2/98)

Register – George II v.11 (1 Aug. 1746 – 30 April 1748) p.145, 185 (PC 2/100)

BARBADOS**William Moore v Francis Ford and George Barry**

APC v.3 [95] p.124–125 (18 April 1726 – 8 Feb. 1727)

Register – George I v.5 (Sept. 1724 – May 1727) p.212, 304, 315 (PC 2/89)

Smith TOC (Moore v Ford)

DOCUMENTATION

Printed cases

Case of the respondent – British Library – Add Mss 36216 f.19

Note: This appeal is not printed but in manuscript.

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 20 Jan. 1727 (APC v.6 [364] p.172)

David Hamilton v Edward Sutton, John and Mary Jenkins

APC v.3 [99] p.126 (31 May 1726 – 8 Feb. 1727)

Register – George I v.5 (Sept. 1724 – May 1727) p.230, 308, 315 (PC 2/89)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition and Order of Reference – 31 May 1726 (APC v.6 [347] p.160)

Committee Report – 2 Feb. 1727 (APC v.6 [365] p.172)

Thomas Seawell and Thomas Noel Seawell v Elizabeth Seawell and Benjamin Charnock

APC v.3 [106] p.134–135 (6 Sept. 1726 – 22 May 1729)

Register – George I v.5 (Sept. 1724 – May 1727) p. 279, 298, 370 (PC 2/89)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.216–218, 227–230, 512 (PC 2/90)

Smith TOC (Seawell v Seawell)

William Gordon v Gelasius MacMahon

APC v.3 [111] p.138–139 (29 Nov. 1726 – 8 Feb. 1727)

Register – George I v.5 (Sept 1724 – May 1727) p.289, 292, 315 (PC 2/89)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 14 Dec. 1726 (APC v.6 [360] p.171)

Governor Worsley v Thomas Daverse

APC v.3 [187] p. 252 (26 Sept. 1729)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.52 (PC 2/91)

Smith TOC (Worsley v Daverse)

James Crow v Gelasius and Frances MacMahon and Elizabeth Holdip

APC v.3 [194] p.258–259 (2 Dec. 1729 – 11 June 1730)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.96, 192, 235, 236–237, 244 (PC 2/91)

William Andrews, Samuel Osborn, Thomas Stokes and Richard Morris v Isaac Le Gay and John Wood

William Andrews, Samuel Osborn, and Thomas Stokes v Joseph Young and James Caswell (now replaced by John Ashley)

William Andrews, Samuel Osborn, and Thomas Stokes v Richard Moseley and John Wood

APC v.3 [225] p.307–308 (12 Nov. 1730 – 8 April 1731)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.285, 325, 335, 344, 345–350, 364 (PC 2/91)

Smith TOC (Morris v Wood)

DOCUMENTATION

Printed cases

Case of the appellant (Richard Morris v Isaac LeGay) and respondent – British Library – Add Mss 36216 f.24

John and Jane Bennett v Dr. Henry and Jane Warren

John Bennett, Jonathan Blenman, Abel Alleyne, and Dudley Woodbridge v Dr. Henry and Jane Warren

APC v.3 [269] p.367–368 (30 Nov. 1732 – 26 Nov. 1735)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.76, 87, 110, 117, 121, 123–127, 135 (PC 2/92)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.74, 106, 253, 263 (PC 2/93)

Smith TOC (Bennett v Warren)

Charles Huggins v Robert Warren

APC v.3 [283] p.391–393 (1 Nov. 1733 – 12 Feb. 1735)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.241, 270, 277, 290 (PC 2/92)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.84, 93, 94, 100 (PC 2/93)

Smith TOC (Huggins v Warren)

Oliver Kennedy v Burch and Anne Hothersall

APC v.3 [318] p.428 (24 Oct. 1734)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.21 (PC 2/93)

William Rawlin, appeal of

APC v.3 [385] p.510–511 (13 Oct. 1736 – 20 July 1738)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.2, 31, 56, 215, 223, 565, 568–570, 591 (PC 2/94)

Joseph Gibbs v John Howell

APC v.3 [398] p.551–552 (19 Jan. 1737 – 12 Jan. 1738)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.65, 345, 349–351, 367 (PC 2/94)

Benjamin Charnock v Elliot Saer and George Gascoigne**Elliot Saer v Benjamin Charnock**

APC v.3 [416] p.575–577 (29 Nov. 1737 – 11 March 1752)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.307, 371, 527–528, 558 (PC 2/94)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.45, 105–110, 144 (PC 2/95)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.323, 366 (PC 2/101)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.503, 514–525, 548–549 (PC 2/102)

Smith TOC (Charnock v Saer)

DOCUMENTATION

Printed cases

Case (Saer v Charnock) of appellant and respondent – Law Library of Congress

William Arnoll v Margaret Phillips

APC v.3 [420] p.579–580 (29 Nov. 1737 – 12 June 1740)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.310, 338, 366, 599 (PC 2/94)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.11 (PC 2/95)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.50, 88–89, 96 (PC 2/96)

Susannah Brome and William Brome v Sir Joseph Eyles

APC v.3 [426] p.587–588 (12 Jan. 1738 – 21 March 1744)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.370, 525 (PC 2/94)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.45, 100, 110, 145 (PC 2/95)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.531–532 (PC 2/96)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.18, 19, 26, 115 (PC 2/97)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.236–237, 240–246, 254 (PC 2/98)

Smith TOC (Broome v Eyles)

John and Elizabeth Burke v Martha Lane**Robert and Mary Burnet v Martha Lane****Mary Lane v Martha Lane**

APC v.3 [431] p.592 (23 Jan. 1738 – 22 March 1739)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.393 (PC 2/94)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.5, 10, 18, 44, 120, 121–124, 144 (PC 2/95)

John Jones v William Harrison

APC v.3 [450] p.617–618 (12 Oct. 1738 – 12 June 1739)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.4, 56, 130, 154–158, 211 (PC 2/95)

Smith TOC (Jones v Harrison)

John and Mary Ashley and William Holder by his guardian Edward Brace v Thomas and Elizabeth Applewhaite, William and Alice Christian Gibbes, and Dudley and Anne Woodbridge

APC v.3 [460] p.624–625 (30 April 1739 – 27 Nov. 1740)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.181, 218, 285 (PC 2/95)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.110, 116, 160, 173, 230–234, 261 (PC 2/96)

Smith TOC (Ashley v Applewhaite)

Samuel Palmer v William Sealy**William Sealy v Samuel Palmer**

APC v.3 [483] p.657 (22 Nov. 1739/40 – 27 Nov. 1740)

Register – George II v.6 (1 Oct 1738 – 27 March 1740) p.419 (PC 2/95)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.104, 218, 247, 248–255, 261 (PC 2/96)

Smith TOC (Palmer v Sealy)

John Millington (later adding Richard Smith) v Sir Robert Worsley and John, Lord Carteret

APC v.3 [497] p.677–678 (26 June 1740 – 16 July 1741)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.130, 175, 449, 512, 513, 535 (PC 2/96)

Reynold Alleyne and Richard Salter by Salter's attorney Richard Wiltshire, William Tryon and Thomas Tryon by their attorney James Bruce, William Paterson, Isaac De Peiza, George Maxwell and Abel Alleyne v Mary Alleyne

APC v.3 [520] p.697–698 (18 June 1741 – 31 Dec. 1741)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.503 (PC 2/96)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.8, 15, 34 (PC 2/97)

Patrick and Elizabeth McCabe v Benjamin Charnock

APC v.3 [540] p.721–722 (14 April 1742 – 2 June 1743)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.129, 144, 211, 339, 356–371, 429 (PC 2/97)

Smith TOC (McCabe v Charnoch)

John Price v Mary Warren, Henry Peers and Thomas Applewhaite

APC v.3 [555] p.735–736 (15 Sept. 1742 – 26 Nov. 1751)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.235, 252 (PC 2/97)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.434, 481 (PC 2/99)

Register – George II v.11 (1 Aug. 1746 – 30 April 1748) p.515, 526, 539 (PC 2/100)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.229 (PC 2/101)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.263, 339, 357, 387 (PC 2/102)

Smith TOC (Price v Warren)

Edward Brace (revived in the names of John Brace, Benjamin Charnock, Samuel Brace, Joseph Terrill, Edward Brace the younger, and Samuel Game) v John and Elizabeth Lyte, Tobias and Arabella Frere

APC v.3 [558] p.740–741 (14 Oct. 1742 – 11 April 1745)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.242, 338 (PC 2/97)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.597, 624, 662–673 (PC 2/98)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.44 (PC 2/99)

Henry Grey v Burch Hothersall

APC v.3 [577] p.760 (13 Oct. 1743 – 26 Oct. 1743)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.8, 33 (PC 2/98)

Smith TOC (Grey v Hathersall)

BERMUDA

Samuel Eveleigh v Thomas Brook

APC v.3 [70] p.84–87 (23 July 1724 – 25 July 1728)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.573, 605, 612–613 (PC 2/88)

Register – George I v.5 (Sept. 1724 – May 1727) p. 7, 57, 73, 88, 93, 96, 219, 240, 244, 245, 246, 262, 305, 354, 361 (PC 2/89)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.226, 340, 345 (PC 2/90)

Smith TOC (Everleigh v Brook)

Note: Not indexed as an appeal

Thomas Gates *et al*, appeal of

APC v.3 [157] p.202 (26 Sept. 1728 – 1 Feb. 1729)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.374, 408, 431 (PC 2/90)

Smith TOC (*In re The Fisher*)

JAMAICA**Edward Pratter v John Chaplin, junior**

APC v.3 [7] p.18–19 (26 Feb. 1721 – 4 March 1722)

Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.153, 496, 510 (PC 2/87)

Stephen Brown, appeal of

APC v.3 [55] p. 60–62 (14 Nov. 1723 – 10 May 1726)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.356, 469, 475 (PC 2/88)

Register – George I v.5 (Sept. 1724 – May 1727) p.2, 14, 17, 26, 202, 216, 218 (PC 2/89)

Smith TOC (Brown v *Rex*)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Order of Reference – 14 Nov. 1723 (APC v.6 [321] p.139)

Daniel Axtell v Peter and John Bonfils

APC v.3 [80] p.115–116 (3 March 1725 – 9 Aug. 1726)

Register – George I v.5 (Sept. 1724 – May 1727) p.36, 81, 83, 92, 103, 212, 262, 275 (PC 2/89)

Smith TOC (Axtell v Bonfils)

John Doe (lessee in ejectment of Barrow Harris) v Thomas Barrett**Thomas Barrett in behalf of Peter Miller v Barrow Harris**

APC v.3 [120] p.156–157 (13 May 1727 – 5 July 1727)

Register – George I v.5 (Sept. 1724 – May 1727) p.359 (PC 2/89)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.37 (PC 2/90)

Smith TOC (Doe *ex dem.* Harris v Barrett)

John Charnock et al v Dorothy Lloyd

APC v.3 [131] p.172 (2 Oct. 1727)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.132 (PC 2/90)

Samuel and Ann Page v Thomas Samms

APC v.3 [134] p.177 (13 Nov. 1727 – 19 Nov. 1729)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.182 (PC 2/90)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.74, 80 (PC 2/91)

Solomon de Paz, David Bravo and Benjamin Bravo v David Gabuy (Gabay) and Isaac Gabuy (Gabay)

APC v.3 [202] p.271 (2 Feb. 1730 – 16 March 1730)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.159, 191, 214 (PC 2/91)

Smith TOC (DePaz v Gabay)

Thomas Alden, John and Judith Standish, Alexander and Anne Geikie,**Edward and Elizabeth Brown v Charles Chaplin**

APC v.3 [261] p.359 (13 April 1732 – 13 June 1732)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.621, 627, 651, 661, 667

(PC 2/91)

Smith TOC (Alden v Chaplin)

**Edward Pratter, James Rigby and Edward Manning v Richard Basnett,
John Tymms and Edmond Hyde**

APC v.3 [275] p.381 (29 March 1733 – 19 July 1733)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.139, 141, 143, 181–
183, 195 (PC 2/92)

DOCUMENTATION

Printed cases

Case of appellant – Law Library of Congress

**Thomas Garbrand, by Mathias Philip and William Perrin, and Edward
Pratter v Robert Strachan**

APC v.3 [282] p.391 (19 July 1733 – 3 April 1735)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.200, 201, 221, 242, 248
(PC 2/92)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.41, 84, 91, 93, 95, 104,
143 (PC 2/93)

Smith TOC (Garbrand v Strachan)

John Humphrey v Samuel and Mary Smith

APC v.3 [291] p.401 (20 Dec. 1733 – 3 April 1735)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.280 (PC 2/92)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.84, 126, 127–131, 146
(PC 2/93)

DOCUMENTATION

Printed cases

Case of the appellant – British Library – Add Mss 36216 f.81

Charles Price and Sarah Price v Ann Price

APC v.3 [324] p.449–450 (19 Dec. 1734 – 23 July 1736)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.51, 500, 506 (PC 2/93)

Smith TOC (Price v Price)

**John Lewis, Samuel Collett, Richard Fenton and John Barker v Samuel and
Anne Smith and John Vassall**

APC v.3 [355] p.481 (13 Oct. 1735 – 21 April 1737)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.231, 384, 506 (PC
2/93)

Register – George II v. 5 (1 Oct. 1736 – 4 Sept. 1738) p.5–10, 15–20, 214 (PC
2/94)

Smith TOC (Lewis v Smith)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 37216 f.90

Lewis Williams v Robert Saunders

APC v.3 [356] p.482 (13 Oct. 1735 – 19 Jan. 1737)
 Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.231, 506 (PC 2/93)
 Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.27–31, 54 (PC 2/94)

Stephen Browne v John Burke and his wife

APC v.3 [418] p.578–579 (29 Nov. 1737 – 12 June 1739)
 Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.308, 490, 491, 525, 526
 (PC 2/94)
 Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.27, 167, 177, 211 (PC
 2/95)
 Smith TOC (Brown v Bourke)

Dorothy Stout and Mathias Philip v James Stout

APC v.3 [419] p.579 (29 Nov. 1737 – 27 Dec. 1739)
 Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.309 (PC 2/94)
 Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.422–424, 491 (PC
 2/95)
 Smith TOC (Stout v Stout)

DOCUMENTATION

Printed cases

Case of appellant and respondent – Law Library of Congress

John Doe upon the demise of Lewis, John and William Williams v Lewis

Williams by Elizabeth Williams

APC v.3 [452] p.618 (17 Nov. 1738 – 12 June 1739)
 Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.28, 149, 161–162, 212
 (PC 2/95)
 Smith TOC (Williams v Williams)

Jacob Mendez Guttirez v William and Sarah Forbes (3 appeals)

APC v.3 [475] p.644 (27 Sept. 1739 – 12 June 1749)
 Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.350 (PC 2/95)
 Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.93, 105–107, 122 (PC
 2/97)
 Register – George II v.10 (1 March 1745 – 31 July 1746) p.214 (PC 2/99)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.262 (PC 2/101)
 Smith TOC (Guttirez v Forbes)

Patrick Welsh (revived by James Welsh, Andrew Snow, John Lee, Ignatius

**Duany, and Dominic Verdon) v Edward Manning, John Ducomyn,
 Anthony Danvers, Samuel Spencer, William Groves, John Cockran,
 George Skene and Isaac Cardell**

APC v.3 [506] p.685–686 (23 Oct. 1740 – 5 May 1743)
 Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.227 (PC 2/96)
 Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.409 (PC 2/97)
 Smith TOC (Welsh v Manning)

Bathsua Beckford v William Beckford

APC v.3 [521] p.698 (18 June 1741)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.504 (PC 2/96)

Edward Manning v Mathew Concannen

APC v.3 [526] p.703 (19 Nov. 1741)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.13, 110, 118 (PC 2/97)

Smith TOC (Manning v Concannen)

**Dennis Kelly v Ann Norris (revived against John Lewis, John Butler,
William and Dorothea Wright)**

APC v.3 [534] p.717–718 (2 Feb. 1742 – 16 Dec. 1742)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.73–74, 80, 127, 189,
195, 196, 206–208, 274–275 (PC 2/97)

**Rev. Calvin Galpine v Mary Clarke and Fernley (Ferney) Clarke
Mary Clarke and Fernley (Ferney) Clarke**

APC v.3 [541] p.722–723 (6 May 1742 – 3 May 1746)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.130, 145, 394–398,
425 (PC 2/97)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.660 (PC 2/98)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.465, 470–475 (PC
2/99)

**Charles and Dorothy Brown v Edmund Hyde and Robert and Jane
Hamilton**

Edmund Hyde v Charles and Dorothy Brown

APC v.3 [547] p.727–728 (17 May 1742 – 17 Jan. 1750)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.144–145, 404–407,
426 (PC 2/97)

Register – George II v.11 (1 Aug. 1746 – 30 April 1748) p.110 (PC 2/100)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.205, 371, 385–395,
428 (PC 2/101)

Andrew Arcedeckne v James and Jane Blackwood

APC v.3 [550] p.729 (29 July 1742 – 12 July 1743)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.205, 464, 468–472,
489 (PC 2/97)

**Mathias Philp v Alexander and Jane Crawford and Thomas and Mary
French**

APC v.3 [556] p.736–738 (15 Sept. 1743 – 20 Dec. 1743)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.236–237, 263, 264–
265, 275–276, 280, 297, 330, 431–442, 460–461 (PC 2/97)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.85 (PC 2/98)

Smith TOC (Philip v Crawford)

Anna Shanks Hassall v Robert Foster

APC v.3 [562] p.743 (16 Dec. 1742/3 – 3 Nov. 1743)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.281, 385 (PC 2/97)
 Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.25–27, 34 (PC 2/98)

Henry Bradley (revived with Lydia Bradley as party), John Gray and Benjamin Maynard v Thomas Bontein

APC v.3 [566] p.747–748 (23 March 1743 – 11 Jan. 1749)
 Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.352 (PC 2/97)
 Register – George II v.11 (1 Aug. 1746 – 30 April 1748) p.456 (PC 2/100)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.127–128, 138 (PC 2/101)
 Smith TOC (Bradley v Bontein)

John Bennett (later his widow Mary), John Gray and Benjamin Maynard v Thomas (the first name provided in [566] of APC v.2) Bontein

APC v.3 [567] p.748 (23 March 1743 – 11 Jan. 1749)
 Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.352–353 (PC 2/97)
 Register – George II v.11 (1 Aug. 1746 – 30 April 1748) p.456 (PC 2/100)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.125–127, 138 (PC 2/101)
 Smith TOC (Bennett v Bontein)

Mathew and Shirley Concannen v Anne Ellis, John Ellis, William Beckford Ellis, George Ellis, William Beckford, Richard Beckford and Dorothy Nedham

APC v.3 [583] p.769 (13 Dec. 1743/4)
 Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.74 (PC 2/98)

Abraham Richardson v William, Richard and Julinus Beckford

APC v.3 [586] p.772 (2 Feb. 1744 – 16 March 1749)
 Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.169, 392 (PC 2/98)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.203, 218 (PC 2/101)
 Smith TOC (Richardson v Beckford)

William Nedham and Charles Price v Dennis Kelly, Peter Beckford, Richard Mill, Mary Kelly, Henry Kelly and John Patten

APC v.3 [588] p.775–776 (21 March 1744)
 Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.259–260 (PC 2/98)

Robert Hamilton, Jane, Frances, Margaret and Eleanor Hamilton v Abraham Richardson

Abraham Richardson v Robert Hamilton, Jane, Frances, Margaret and Eleanor Hamilton

APC v.3 [594] p.781–782 (9 May 1744 – 16 March 1749)
 Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.316 (PC 2/98)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.168–180, 217 (PC 2/101)
 Smith TOC (Hamilton v Richardson) (Richardson v Hamilton)

**Abraham Richardson and Charles and Dorothy Browne v Edmund Hyde,
Rose Fuller and Robert and Jane Hamilton**

APC v.3 [603] p.798 (18 Sept. 1744 – 16 March 1749)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.533 (PC 2/98)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.203, 218 (PC 2/101)

Abraham Richardson v Thomas Edlyne

APC v.3 [606] p.800 (7 Nov. 1744)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.582 (PC 2/98)

Andrew Arcedeckne v Joshua Crosby

APC v.3 [613] p.809 (8 Feb. 1745 – 23 May 1745)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.662 (PC 2/98)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.104 (PC 2/99)

MONTSERRAT

Bartholomew and Margaret Lynch v David Gallway

APC v.3 [146] p.190–191 (21 March 1728 – 1 Feb. 1729)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.261, 407, 430 (PC 2/90)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 4 Dec. 1727 (APC v.6 [396] p.193)

NEVIS

Margaret Cressey v John and Mary Fausset

APC v.3 [67] p.71–72 (4 July 1724 – 7 Nov. 1724)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.565, 594 (PC 2/88)

Register – George I v.5 (Sept. 1724 – May 1727) p.6, 13 (PC 2/89)

Philip and Ann De Witt v Edward and Ann Abbott

APC v.3 [218] p.287–288 (9 July 1730 – 25 Nov. 1731)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.261, 466–467, 480 (PC 2/91)

Tobias Wall v Edward Jessup

APC v.3 [488] p.669–670 (31 Jan. 1740 – 10 July 1740)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.547 (PC 2/95)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.141, 147–150, 157 (PC 2/96)

Smith TOC (Wall v Jessup)

John Woodley v James Gordon and William Wells

APC v.3 [505] p.685 (23 Oct. 1740 – 21 May 1741)

Register – George II v.7 (1 April 1740 – 7 Aug. 1741) p.226, 248, 311, 466, 479 (PC 2/96)

Smith TOC (Woodley v Gordon)

ST. CHRISTOPHER

Catherine, Benjamin, and Daniel Lambert by Peter Thomas and William Woodley v John Spooner

APC v.3 [8] p.19 (28 April 1721 – 11 Aug. 1721)

Register – George I v.3 (25 Aug. 1720 – 31 May 1722) p.191, 276 (PC 2/87)

William Fry v Hermanus Trebeck

APC v.3 [72] p. 87–88 (22 Aug. 1724 – 29 Jan. 1726)

Register – George I v.4 (1 June 1722 – 25 Aug. 1724) p.616 (PC 2/88)

Register – George I v.5 (Sept. 1724 – May 1727) p.81, 134, 166 (PC 2/89)

Sarah Meynell v William Byam

APC v.3 [76] p.111 (18 Jan. 1725 – 29 Jan. 1726)

Register – George I v.5 (Sept. 1724 – May 1727) p.30, 33, 134–135, 166 (PC 2/89)

Charles and Jennet Paine, Nathaniel and Christian Paine, Margaret MacArthur v Anne De Witt, Dorothy Bontinan and Elizabeth Guithen

APC v.3 [135] p.178 (13 Nov. 1727 – 26 June 1729)

Register – George II v.1 (14 June 1727 – 22 May 1729) p.182, 185, 189, 206, 218 (PC 2/90)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.8, 11 (PC 2/91)

Smith TOC (Paine v Bontineau) (Paine v Dewitt)

Peter de la Motte v Richard Baker

APC v.3 [183] p.248 (17 July 1729 – 23 Dec. 1731)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.29, 38, 48, 52, 62, 486, 509, 519 (PC 2/91)

Sir William Codrington v Benjamin and Ann Markham

APC v.3 [259] p.357–359 (19 Jan. 1732 – 11 April 1734)

Register – George II v.2 (1 June 1729 – 16 June 1732) p.554 (PC 2/91)

Register – George II v.3 (21 July 1732 – 18 July 1734) p.8, 87, 93–95, 96, 162, 391, 420–423, 454 (PC 2/92)

Benjamin Estridge and William Estridge v Rev. John Tittle

Rev. John Tittle v Benjamin Estridge and William Estridge

APC v.3 [382] p.508 (8 July 1736 – 17 May 1742)

Register – George II v.4 (1 Aug. 1734 – 23 Sept. 1736) p.484 (PC 2/93)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.23, 41, 45, 56, 270, 379 (PC 2/94)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.111, 121–125, 136 (PC 2/97)

Smith TOC (Estridge v Tittle)

Michael Arnold v Gilbert Fleming, Mary Symonds and Thomas Bowry

APC v.3 [389] p.517–518 (24 Nov. 1736 – 19 May 1737)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.22, 194, 195–202, 227 (PC 2/94)

**Augustus Boyd and John Denn v Anthony Johnson, William Machan,
Richard Emery, William Hart, Joseph King, John Johnson, Isaac Thomas,
Christopher Dean and Anne Cameron**

APC v.3 [417] p.577–578 (29 Nov. 1737 – 20 July 1738)

Register – George II v.5 (1 Oct. 1736 – 4 Sept. 1738) p.308, 524, 558, 559–563,
592 (PC 2/94)

Smith TOC (Boyde v Johnson)

DOCUMENTATION

Printed cases

Case of the appellant (August Boyde v John Johnson) – Law Library of Congress

William and Elizabeth Ottley and Margaret Willett v John Denn

APC v.3 [453] p.618–619 (30 Nov. 1738 – 17 Oct. 1739)

Register – George II v.6 (1 Oct. 1738 – 27 March 1740) p.45, 362 (PC 2/95)

James Bunyard v James Losack

APC v.3 [564] p.743–744 (19 Jan. 1742/3 – 5 March 1746)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.298, 328, 513 (PC
2/97)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.9, 33 (PC 2/98)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.147, 380 (PC 2/99)

Smith TOC (Bunyard v Losack)

William and Elizabeth Ottley and Margaret Willet v Martin Blake

APC v.3 [570] p.749–750 (25 April 1743 – 21 Feb. 1746)

Register – George II v.8 (22 Oct. 1741 – 29 Sept. 1743) p.391 (PC 2/97)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.274, 317, 326, 329,
337 (PC 2/99)

Rev. John Tittle v John White

APC v.3 [609] p.805–806 (27 Dec. 1744 – 11 April 1745)

Register – George II v.9 (1 Oct. 1743 – 27 Feb. 1745) p.605 (PC 2/98)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.3–6, 56 (PC 2/99)

Smith TOC (Tittle v White)

**ITEM WITH NO APPARENT FINAL COURT DECISION BELOW,
THOUGH INDEXED IN THE APC AS AN APPEAL**

Volume 3

St. Christopher – [153]

APPEALS BY COLONY – Volume 4

ANTIGUA

William Nibbs (later Robert Nibbs) v Giles Blizard by Stephen Blizard

APC v.4 [50] p.40 (17 Nov. 1746 – 11 March 1752)

Register – George II v.11 (1 Aug. 1746 – 30 April 1748) p.140 (PC 2/100)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.511 (PC 2/101)

Register – George II. v.13 (1 May 1750 – 30 March 1752) p.525, 533–535, 549
(PC 2/102)

Benjamin King, appeal of

APC v.4 [108] p.82 (2 May 1749)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.244 (PC 2/101)

Note: Petition is for a writ of error and an appeal if necessary.

John and Eleanor Dunbar, Elizabeth Watkins and Ann Watkins (the Watkins by Jonas Langford and William Mackinen) v Thomas Shephard (later Thomas Shephard [the son], Thomas Warner, Daniel Warner, Richard Bingham, Robert Shephard, Richard Boddicott and Stephen Mignian [Minion], George White) and Rachel Shephard

APC v.4 [109] p.82–83 (2 May 1749 – 7 March 1753)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.245 (PC 2/101)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.153, 281, 337–338, 344 (PC 2/103)

Smith TOC (Dunbar v Shephard)

DOCUMENTATION

Printed cases

Case of respondent – Law Library of Congress

John and Elinor Dunbar, William and Elizabeth Gunthorpe, and Ann Watkins by her guardians, Stephen Blizzard, Jonas Langford, William Mackinen, Robert Christian, and John Watkins v Ashton Warner (later deceased; revived by Henry Webb), Daniel Warner, De la Court Walsh, Margaret Watkins, John Watkins, Christopher and Jane Baldwin (Baldwyn), and Mary Watkins by her guardian Richard Lee

APC v.4 [161] p.149–150 (14 Jan. 1752 – 7 March 1753)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.432, 493 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.117, 129, 130, 255, 301, 322, 329, 330–331, 344 (PC 2/103)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36217 f.34

Case of appellant and respondent – Law Library of Congress

John Turnbull v Rev. William Topham

APC v.4 [165] p.152 (14 Jan. 1752 – 13 Feb. 1752)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.437, 480–483, 496
(PC 2/102)

Gedney Clarke and Richard Gosling v Richard Smith

APC v.4 [170] p.158 (11 March 1752 – 10 May 1753)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.304, 551 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.353, 355–356, 408
(PC 2/103)

Smith TOC (Clarke and Gosling v Smith)

DOCUMENTATION

Printed cases

Case of appellant and respondent with appendix – Law Library of Congress

Note: The APC margin note for this appeal is Antigua; the lower court was in Antigua; the litigants live in Barbados, as reflected on the printed case.

Richard Kirwan v Charles and Bisse Alexander, Samuel and Jane Lyons, Rowland Hamilton, John Gunthorpe, Ashton Warner, William Byam, William Yeamans, Rowland and Sarah Oliver, William Denbow, Byam Denbow by William Denbow

APC v.4 [174] p.162–163 (14 April 1752 – 9 Jan. 1755)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.36, 545 (PC 2/103)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.260–264, 282 (PC 2/104)

DOCUMENTATION

Printed cases

Case of appellant and respondent – Law Library of Congress

Robert Davis v William Warner

APC v.4 [337] p.353–356 (8 July 1757 – 11 Aug 1757)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.555 (PC 2/105)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.69, 190, 191–194, 222 (PC 2/106)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.394, 414, 427 (PC 2/108)

Smith TOC (Davis v Warner)

DOCUMENTATION

Printed cases

Case of appellant and respondent – Law Library of Congress

Robert Ritchie v John Dearman Nanton

APC v.4 [368] p.396–397 (21 Nov. 1758 – 29 March 1759)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.285, 332, 389, 403–405, 454 (PC 2/106)

Smith TOC (Ritchie v Nanton)

Peter Prudden in behalf of the owners v John Halliday

APC v.4 [464] p.502 (3 Dec. 1761)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.606 (PC 2/108)

John Harvey v Christopher Ceely, Alexander and Elizabeth Harvey,

Rebecca Darcy, Anthony Brown, Allan Evanson and Nathaniel Evanson

APC v.4 [492] p.550 (15 Dec. 1762 – 21 Dec. 1763)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.432, 436 (PC 2/109)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.184, 190, 195 (PC 2/110)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew
Committee Report – 19 Dec. 1763 (APC v.6 [579] p.359–360)

Victor McNelly v Thomas Knowler

William Woodbridge v Thomas Knowler

Joseph Guinand and Henry Guinand v Thomas Knowler

Anthony Columbier v Thomas Knowler

APC v.4 [599] p.715–716 (19 March 1765 – 13 Feb. 1767)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.162, 270, 245–246, 270
(PC 2/111)

Register – George III v.5 (Aug. 1766 – Jan. 1768) p.132–138, 167–169 (PC
2/112)

Smith TOC (McNelly v Knowler; Guinand v Knowler)

DOCUMENTATION

Printed cases

Four printed cases of the appellants with appendixes and respondent's printed case with manuscript "Observations" – British Library – Add Mss 36220 f.80
Note: The case was first tried in the Vice-Admiralty Court in Antigua; the ship was seized in Dominique, as is reflected on the printed case.

Robert Fulton, appeal of

APC v.4 [616] p.728–729 (10 July 1765)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.264–266, 291–294,
311–313 (PC 2/111)

Note: Vice-Admiralty Court action is required before any appeal.

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Four petitions and four committee reports of 17 July – 10 July 1765 (APC v.6
[666] p.403)

John Payne v William Abdy

APC v.4 [618] p.729 (1 Aug. 1765 – 26 June 1767)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.320, 323, 343 (PC
2/111)

Register – George III v.5 (Aug. 1766 – Jan. 1768) p.326–328, 358 (PC 2/112)

Smith TOC (Payne v Abdy)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36220 f.142

Case of appellant – Columbia University. Diamond Law Library

Privy Council documents in PC 1 in The National Archives at Kew
Committee Report – 10 June 1767 (APC v.6 [761] p.453)

BAHAMAS**Edward Scott v John Brown as Attorney General**

APC v.4 [648] p.758 (28 May 1766)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.637 (PC 2/111)

John Bryant v Samuel Gambier, James Bradford, John Brown and Samuel Gambier

APC v.4 [658] p.768 (2 July 1766 – 11 July 1766)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.688, 694, 706 (PC 2/111)

Register – George III v.5 (Aug. 1766 – Jan. 1768) p.5, 22 (PC 2/112)

BARBADOS**George Hannay v James Lyndall**

APC v.4 [80] p. 61 (22 March 1748 – 17 June 1751)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.623 (PC 2/100)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.227, 235, 238–239, 248 (PC 2/102)

Gedney Clarke v Stephen Wolfenden, John Brichinsa and Thomas Liddel

APC v.4 [171] p.158–159 (11 March 1752 – 7 Feb. 1753)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.552 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.210, 254, 282–285, 307 (PC 2/103)

George Hogshard v John and Hannah Fuller and Anthony Lynch

APC v.4 [183] p.172 (6 Aug. 1752)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.182 (PC 2/103)

William Kennedy v John Gay and Christian Alleyne and Thomas Nicholas

APC v.4 [203] p.198 (7 Feb. 1753)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.315 (PC 2/103)

John and Margaret Stone v Peter Chapman

APC v.4 [222] p.226–227 (28 Nov. 1753 – 23 Jan. 1755)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.524 (PC 2/103)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.203, 295–296, 303 (PC 2/104)

Smith TOC (Stone v Chapman)

DOCUMENTATION

Printed cases

Case of appellant – Law Library of Congress

John and Sarah Pratt and Elizabeth Eyles v William Broome and Susannah Broome

APC v.4 [259] p.284 (29 Jan. 1755 – 24 June 1755)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.308, 438, 456 (PC 2/104)

Alexander Graeme, James Shepherd and Henry Dowell, appeal of

APC v.4 [301] p.325 (27 Jan. 1756)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.15

Note: Described as an appeal from an order of the President and Council regarding a land grant. Indexed as an appeal but not clear if there is a respondent as such or just an objection to the President's grant.

Samuel Adams, George Greeme, Elizabeth Maxwell, Thomas and Elizabeth Inch v William Sturge

William Sturge v Samuel Adams, George Greeme, Elizabeth Maxwell, Thomas and Elizabeth Inch

John Gibbons v Thomas Maxwell, Robert Bishop and Samuel Adams

APC v.4 [310] p.334 (10 April 1756 – 1 April 1758)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.158, 159, 541, 548, 554–555, 570 (PC 2/105)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.46–47, 93 (PC 2/106)

Smith TOC (Adams v Sturge)

DOCUMENTATION

Printed cases

Case of appellant – British Library – Add Mss 36217 f.172

Case of appellant and respondent – Law Library of Congress

Gedney Clarke v Richard Oswald, Alexander Oswald, Michael Herries and Company, and Ralph Sampson

APC v.4 [402] p.427 (10 Aug. 1759 – 5 April 1760)

Register – George II v.18 (2 May 1759 – 10 July 1760) p.111, 310, 329 (PC 2/107)

George Augustus Selwyn v John Murray

APC v.4 [429] p.462 (11 July 1760 – 16 Feb. 1761)

Register – George II v.18 (2 May 1759 – 10 July 1760) p.450 (PC 2/107)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.78, 196, 203 (PC 2/108)

DOCUMENTATION

Printed cases

Case of appellant – British Library – Add Mss 36218 f.90

John and Margaret Stone v Joseph and Elizabeth Maynard**Jonas Maynard v John and Margaret Stone**

APC v.4 [459] p.494 (12 Oct. 1761 – 12 April 1762)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.558, 568 (PC 2/108)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.75, 120, 170, 153, 175, 201 (PC 2/109)

Smith TOC (Stone v Maynard; Maynard v Stone)

DOCUMENTATION

Printed cases

Case of appellant and respondent (Stone v Maynard) – British Library – Add Mss 36218 f.166

William Nash v Gedney Clarke

APC v.4 [486] p.548 (14 Aug. 1762 – 21 Dec. 1763)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.343, 536 (PC 2/109)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.181, 194 (PC 2/110)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 15 Dec. 1763 (APC v.6 [579] p.359)

Thomas and Alice Suleven v Dr. Reynold Skeete

APC v.4 [518] p.568 (31 Aug. 1763 – 26 July 1765)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.89, 607 (PC 2/110)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.276, 305 (PC 2/111)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36219 f.140

Note: Respondent's printed case notes appellant as Thomas Sullivan. There is also a copy of the respondent's case in manuscript.

Benjamin Charnock v Mary Sober and Dowding Thornhill Bonnett

APC v.4 [574] p.688 (1 Aug. 1764 – 26 July 1765)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.592 (PC 2/110)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.258, 289, 310 (PC 2/111)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 17 July 1765 (APC v.6 [667] p.403)

John Carter v Katherine Sims

APC v.4 [585] p.695 (15 Jan. 1765 – 14 April 1769)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.70, 162 (PC 2/111)

Register – George III v.6 (Jan. 1768 – April 1769) p.476–477, 536 (PC 2/113)

Smith TOC (Carter v Sims)

DOCUMENTATION

Printed cases

Case of appellant with appendix and respondent with appendix – British Library – Add Mss 36220 f.183

Case of appellant with appendix and respondent with appendix – Columbia University. Diamond Law Library

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 11 March 1769 (APC v.6 [812] p.470)

Francis Grant v William Singleton and Samuel Welch

APC v.4 [654] p.767 (18 June 1766 – 26 June 1767)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.681 (PC 2/111)

Register – George III v. 5 (Aug. 1766 – Jan. 1768) p.323–326, 358 (PC 2/112)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36220 f.135

Case of respondent – Columbia University. Diamond Law Library

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 10 June 1767 (APC v.6 [761] p.453–454)

BERMUDA

Lawrence Furlong v Thomas Smith and John Slater

APC v.4 [657] p.768 (2 July 1766 – 5 Aug. 1766)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.687, 695, 705 (PC 2/111)

Register – George III v. 5 (Aug. 1766 – Jan. 1768) p.5, 21, 338 (PC 2/112)

Smith TOC (Furlong v Smith)

GRENADA

John Lymburner and Magnus Brash v Richard Burke

Stephen Moore and Hugh Finlay v Richard Burke

APC v.4 [633] p.741 (22 Nov. 1765 – 3 Dec. 1766)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.424, 452 (PC 2/111)

Register – George III v. 5 (Aug. 1766 – Jan. 1768) p.105–107, 114–115 (PC 2/112)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee report (Lymburner v Burke; Moore v Burke) – Dec. 1766 (APC v.6 [731] p.440)

JAMAICA

(See interesting note at APC v.4 [283] p.309–311 regarding the practice of the Court of Chancery in that island.)

Ballard Beckford v Edward Manning

APC v.4 [8] p.8–9 (18 June 1745)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.121 (PC 2/99)

Andrew Arcedeckne v Daniel Monro and Mathias Philp (later William Perrin, Charles Burnett and Mark Hall for Mathias Phips)

APC v.4 [30] p.23 (23 July 1746 – 3 Dec. 1751)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.503, 534 (PC 2/99)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.369, 405 (PC /102)

Isaac Gale v Alexander Strachan, Edward Wilson, Richard Basnett and the Attorney General

APC v.4 [41] p.35–36 (17 Nov. 1746 – 29 March 1750)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.41 (PC 2/100)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.204, 299, 340–348,

528 (PC 2/101)

Smith TOC (Gale v Strachan)

**Sarah Williams, James Barclay and John Lewis v Norwood and Bonilla
Witter and Benjamin and Hannah Blake**

APC v.4 [42] p.36 (17 Nov. 1746 – 8 Sept. 1747)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.42, 331, 344, 345,
362–365, 383 (PC 2/100)

Note: Family affair also in APC v.4 [142], [583] and APC v.5 [355]

Anna Hassall v John Morse

APC v.4 [58] p.42–43 (3 June 1747 – 28 June 1749)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.279, 460, 467 (PC
2/100)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.212, 255–258, 287
(PC 2/101)

Smith TOC (Hassall v Morse)

**Richard and Milborough Cargill v Edward Hodgins, Gibbons Hodgins, John
Speke and Elizabeth Sutton**

John Speke and Elizabeth Sutton v Richard and Milborough Cargill

APC v.4 [68] p.50–51 (8 Sept. 1747 – 28 June 1750)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.386 (PC 2/100)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.204, 245–246, 247,
248 (PC 2/101)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.35, 39 (PC 2/102)

William Orgill v William Thomas and Thomas Croose

APC v.4 [69] p.51 (2 Oct. 1747 – 10 Feb. 1748)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.345, 405, 528, 540
(PC 2/100)

Smith TOC (Orgill v Thomas)

**Philip Wilkinson and Daniel Ayrault v Moses Mendez, Abraham Musquitta,
Mary Edgar, Patrick Yeamans and Arthur Hassall**

APC v.4 [77] p.58–59 (19 Feb. 1748 – 30 April 1751)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.548 (PC 2/100)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.103, 104, 119, 126,
208 (PC 2/102)

Smith TOC (Wilkinson v Mendez)

Francis Hals v Benjamin and Elizabeth Hume

APC v.4 [81] p.62 (22 March 1748)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.623 (PC 2/100)

**William Thomas, Thomas Croose (replaced by Richard Lewing), Mathias
Philp, Charles Price, and Thomas Walters v John Dickons and Alexander
and Mary Sutherland**

APC v.4 [87] p.67–68 (30 June 1748 – 26 Nov. 1751)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.59 (PC 2/101)
 Register – George II v.13 (1 May 1750 – 30 March 1752) p.282, 338, 351, 363,
 364–369, 388 (PC 2/102)

Sarah Elletson v David and Mary Dehany

APC v.4 [88] p.68 (30 June 1748 – 8 July 1757)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.59 (PC 2/101)
 Register – George II v.13 (1 May 1750 – 30 March 1752) p.247 (PC 2/102)
 Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.521, 546, 551 (PC
 2/105)

Samuel Jackson v David Olyphant

APC v.4 [90] p.68–69 (4 Aug. 1748 – 7 Feb. 1753)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.82 (PC 2/101)
 Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.254, 285–287, 308
 (PC 2/103)

DOCUMENTATION

Printed cases

Case of appellant – Law Library of Congress

**James Barclay and John Knight v Frances Rigby and Robert Penny as
 Attorney General**

James Barclay v Robert Penny as Attorney General

APC v.4 [92] p.69 (13 Oct. 1748 – 14 April 1752)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.99 (PC 2/101)
 Register – George II v.13 (1 May 1750 – 30 March 1752) p.64, 535 (PC 2/102)
 Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.6–12, 30 (PC 2/103)
 Smith TOC (Barclay v *Rex*)

Alexander McFarlane v Robert Penny as Attorney General

APC v.4 [96] p.72 (15 Nov. 1748)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.114 (PC 2/101)

Collin Campbell v (first name not provided) Bucknor

APC v.4 [102] p.76 (16 Feb. 1749)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.187 (PC 2/101)
 Note: It is not clear from the APC entry if Bucknor is, in fact, the respondent in
 this appeal.

William and Mary Goleborn v Daniel Axtell

APC v.4 [104] p.81 (16 March 1749)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.230 (PC 2/101)

Robert Thackeray v Richard Farrill

APC v.4 [110] p.83 (2 May 1749)
 Register – George II v.12 (1 May 1748 – 29 March 1750) p.246 (PC 2/101)

William Beckford Ellis by his guardians Rose Fuller and Richard Beckford

v Richard Halked

APC v.4 [115] p.91–92 (5 Oct. 1749 – 20 Dec. 1752)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.318, 323 (PC 2/101)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.210, 212–214, 260
(PC 2/103)

John Garrioche v James and Mary Uniacke and Cardiffe Targart

APC v.4 [122] p.96–97 (17 Jan. 1750 – 22 Jan. 1754)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.436, 465–467 (PC
2/101)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.531, 544 (PC 2/103)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.19 (PC 2/104)

DOCUMENTATION

Printed cases

Case of appellant and respondent – Law Library of Congress

Edmund Duany v Dr. Robert Dallas

APC v.4 [127] p.99 (11 April 1750 – 20 Dec. 1752)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.549 (PC 2/101)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.419 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.161, 165, 205–207,
259 (PC 2/103)

Catherine Crymble and Roger Crymble, appeal of

APC v.4 [135] p.107 (16 Aug. 1750)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.77 (PC 2/102)

Smith TOC (Crymble v Doe *ex dem.* Crymble)

Norwood and Bonella Witter and Benjamin (jun.) and Hannah Blake v John Doe (on the demise of John Sharpe, William Perrin, and Thomas Vaughan)

APC v.4 [142] p.110–111 (6 Dec. 1750 – 20 Dec. 1752)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.113 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.215, 218–233, 260
(PC 2/103)

Note: Family affair also in APC v.4 [42], [583] and APC v.5 [355]

DOCUMENTATION

Printed cases

Case of respondent – Law Library of Congress

James Barclay v Humphrey Morley

APC v.4 [143] p.111 (30 April 1751 – 14 April 1752)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.219, 504 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.12–16, 31 (PC 2/103)

John Bonner v Charles Price**Charles Price v John Bonner (3 appeals)**

APC v.4 [144] p.111–112 (30 April 1751 – 30 June 1757)

- Register – George II v.13 (1 May 1750 – 30 March 1752) p.219 (PC 2/102)
 Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.80, 84–90, 109 (PC 2/103)
 Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.380, 442, 464, 468, 492 (PC 2/104)
 Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.186, 252, 526–530, 540 (PC 2/105)
 Smith TOC (Price v Bonner)

DOCUMENTATION

Printed cases

Case (Price v Bonner) of appellant and respondent with appendixes – Law Library of Congress

John Pusey v Edmund Pusey (2 appeals)

- APC v.4 [151] p.130 (9 Aug. 1751 – 31 Oct. 1751)
 Register – George II v.13 (1 May 1750 – 30 March 1752) p.286, 291, 332–333, 352–353 (PC 2/102)
 Smith TOC (Pusey v Pusey)

David Lord Olyphant v Edward Manning

- APC v.4 [152] p.130 (9 Aug. 1751 – 10 May 1753)
 Register – George II v.13 (1 May 1750 – 30 March 1752) p.289 (PC 2/102)
 Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.292, 359, 370–375, 409 (PC 2/103)
 Smith TOC (Olyphant v Manning)

John Patten (revived by Richard Beckford), Forster March, Stephen Richard Redwood and Francis Hamilton v Esther Nunes and later also William Aikenhead

- APC v.4 [154] p.131 (26 Sept. 1751 – 6 Aug. 1754)
 Register – George II v.13 (1 May 1750 – 30 March 1752) p.305 (PC 2/102)
 Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.357, 365 (PC 2/103)
 Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.41, 45, 182–199, 219 (PC 2/104)
 Smith TOC (Beckford v Nunez and Aikenhead)

DOCUMENTATION

Printed cases

Case of appellant and respondent for both respondents – Law Library of Congress
 Note: Printed case bears Richard Beckford's name as appellant.

James Crean v Thomas and Elizabeth Biggs

- APC v.4 [157] p.141–142 (31 Oct. 1751 – 11 July 1760)
 Register – George II v.13 (1 May 1750 – 30 March 1752) p.356 (PC 2/102)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.303, 430, 431–434, 442 (PC 2/107)

William Perrin, Mark Hall, Charles Burnett and Charles Spencer v Thomas

Crowder, James Barclay, Samuel Johnston, John and Mary Wilmore, Alexander Greig, William Gale, Robert Sawyers, Thomas Reid, Isaac Lamego, Daniel Mendes Da Costa, Aaron Baruh Lousada, Abigail Brandon, Abraham Gonsales, Jacob Gonsales, Samuel Seagrave, Clement Hoy, Judith De Castro, Moses Lamera, Aaron Lamera, John Glen, John and Catherine Hussey, John Morse, Mary Macey, and Caleb Foyster

APC v.4 [163] p.151 (14 Jan. 1752 – 30 June 1752)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.433 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.154 (PC 2/103)

Alexander McFarlane v Attorney General

William Thomas v Attorney General (4 appeals)

Patrick Yeamans v Attorney General (2 appeals)

Anna Hassall v Attorney General

APC v. 4 [164] p.151–152 (14 Jan. 1752 – 13 Feb. 1752)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.434–437, 474–480, 498–502 (PC 2/102)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee reports (appeals of Thomas and Yeamans) – 8 Feb. 1752 (APC v.6 [492] p.311)

John Spooner (revived by Charles Spooner) v John Cossley, Judith Burrows and Cossley Hall

APC v.4 [169] p.157–158 (23 Jan. 1752 – 1 April 1758)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.468 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.158 (PC 2/103)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.259 (PC 2/105)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.38, 47, 49–53, 93 (PC 2/106)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36217 f.208

Case of appellant and respondent – Law Library of Congress

James Lawrence v William Tayler and John Wilson

APC v.4 [179] p.165–166 (28 May 1752 – 20 Dec. 1752)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.113, 235, 237–240, 260 (PC 2/103)

Smith TOC (Lawrence v Wilson and Taylor)

DOCUMENTATION

Printed cases

Case of respondent – Law Library of Congress

Note: Printed case is entitled James Lawrence v John Wilson and William Taylor.

John Bontin v James Innes

APC v.4 [197] p.191–194 (25 Jan. 1753 – 28 July 1758)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.297, 328–329, 346
(PC 2/103)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.175, 205, 276 (PC
2/104)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.49, 85, 86, 95 (PC
2/105)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.75, 190, 194–198, 222
(PC 2/106)

Smith TOC (Boutin v Innes)

Thomas Bontein v Governor Trelawny

APC v.4 [218] p.223 (31 July 1753 – 22 Jan. 1754)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.459, 546 (PC 2/103)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.19 (PC 2/104)

Smith TOC (Bontein v Trelawny)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36217 f.25

**Ezekiel Dickinson and Caleb Dickinson v John Doe on the demise of
Alexander McFarlane**

APC v.4 [226] p.231–232 (11 Dec. 1753 – 6 Aug. 1754)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.543 (PC 2/103)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.204, 207–208, 219 (PC
2/104)

Smith TOC (Dickinson v Doe *ex dem.* McFarlane)

Note: Possibly related to APC v.4 [478]

Edmund Hyde v Robert and Dorothy Greenlees**Edmund Hyde v Dorothy Greenlees**

APC v.4 [232] p.243–244 (28 March 1754 – 7 July 1756)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.102, 108, 122, 125,
157, 370, 379 (PC 2/104)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.55, 135, 210–218, 246
(PC 2/105)

Zachary Bayly v George Smith

APC v.4 [237] p.255–256 (29 May 1754 – 2 March 1756)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.135, 155, 306, 445 (PC
2/104)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.39, 48–49, 84 (PC
2/105)

Smith TOC (Bayly v Smith)

DOCUMENTATION

Printed cases

Case of appellant and respondent – Law Library of Congress

**Samuel Gordon and William and Elizabeth Thomas v Anna Margareta Hill
(2 appeals)**

APC v.4 [260] p.284–285 (29 Jan. 1755 – 13 Aug. 1756)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.210, 309, 349, 373 (PC 2/104)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.55, 254–256, 266 (PC 2/105)

Smith TOC (Gordon v Hill)

DOCUMENTATION

Printed cases

Case of appellant – Law Library of Congress

**William Foster (revived by James and Martha Spagg) v Augustine Dupouy
Margaret Blancau and Dominic Laraldi, appeal of**

APC v.4 [275] p.295–296 (26 April 1755 – 28 July 1758)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.379, 442 (PC 2/104)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.15, 406 (PC 2/105)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.59, 163, 173–178, 221
(PC 2/106)

Smith TOC (Foster v Dupouy)

Note: See also APC v.4 [471]

DOCUMENTATION

Printed cases

Case (Margaret Blancau and Dominick Larralde v Robert Foster, James Spagg and Martha his wife, executors of William Foster, and Augustine Dupouy) of appellant (Blancau) – British Library – Add Mss 36217 f.210

Case (Margaret Blancau *et al* v Augustine Dupouy *et al*) of the respondent – Law Library of Congress

Case (Foster v Dupouy) of respondent – British Library – Add Mss 36217 f.212

Case (Foster v Dupouy) of respondent – Law Library of Congress

Case (Spagg v Dupouy) of appellant – British Library – Add Mss 36217 f.216

Note: Variant spellings throughout for names of parties

Thomas Pinnock, appeal of

APC v.4 [282] p.309 (22 July 1755)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.468 (PC 2/104)

William Perrin v Richard Beckford and Richard Lewing

APC v.4 [292] p.320–321 (28 Nov. 1755 – 9 July 1756)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.542 (PC 2/104)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.258, 260 (PC 2/105)

James Barclay v Daniel Monro

APC v.4 [300] p.324–325 (27 Jan. 1756 – 26 March 1757)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.15, 459, 462, 465, 469
(PC 2/105)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36217 f.132

Andrew Arcedeckne v Thomas Hall

APC v.4 [316] p.340 (7 July 1756 – 24 Feb. 1758)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.253, 279, 296, 297 (PC 2/105)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.28, 39 (PC 2/106)

Smith TOC (Arcedeckne v Hall)

DOCUMENTATION

Printed cases

Case of appellant and manuscript petition of appeal and proceedings under seal from Jamaica – British Library – Add Mss 36217 f.185

Case of appellant and respondent – Law Library of Congress

Joseph Williams v Hannah Beecher

APC v.4 [319] p.342–343 (13 Aug. 1756 – 26 March 1757)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.263, 273, 459, 461–462, 468 (PC 2/105)

Smith TOC (Williams v Beecher)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36217 f.123

Case of appellant and respondent – Law Library of Congress

Note: On respondent's printed case, the respondent is William Jenkins and Hannah his wife, late Hannah Beecher.

**Mary Baillie v Thomas Cussans and John Cussans by Henry Morgan
Byndloss and Thomas Byndloss as their guardians and Matthew Gregory
and Patrick Taylors**

APC v.4 [320] p.343 (13 Aug. 1756)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.273 (PC 2/105)

**Thomas Powell v Elizabeth Hughes, Walter Hughes, Charles Hughes, and
Jennet, Catherine, Joan and Mary Hughes, children of Stephen Hughes
Thomas Powell v Elizabeth Hughes, Walter Hughes, Charles Hughes, and
Jennet, Catherine, Joan and Mary Hughes, children of Stephen Hughes,
and Catherine Hughes, widow of Stephen Hughes**

APC v.4 [321] p.343–344 (13 Aug. 1756 – 8 June 1757)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.274, 279, 466, 479,
504–506, 516 (PC 2/105)

Smith TOC (Powell v Hughes)

DOCUMENTATION

Printed cases

Case of appellant and respondent plus appendix of accounts – British Library –
Add Mss 36217 f.139

Case of respondent with appendix – Law Library of Congress

Zachary Bayly v Gifford Rodon

APC v.4 [339] p.358 (9 Aug. 1757 – 24 Feb. 1758)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.291, 571 (PC 2/105)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.29, 40 (PC 2/106)

Smith TOC (Bayly v Rodon)

Edmund Hyde v Daniel Monro, James Barclary, Thomas Crowder and Samuel Gordon

APC v.4 [356] p.388 (16 June 1758 – 3 March 1759)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.171, 379, 380, 396 (PC 2/106)

John and Hannah Vanhorne v John Montgomery and Dennis Montgomery, William and Elizabeth Hall, and James and Margaret Campsey

APC v.4 [357] p.388 (16 June 1758 – 24 July 1759)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.172 (PC 2/106)

Register – George II v.18 (2 May 1759 – 10 July 1760) p.68, 79 (PC 2/107)

Alexander Graham v William Perrin

APC v.4 [358] p.388 (16 June 1758)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.172 (PC 2/106)

Amy Cross v Thomas Nicholas Swigle

APC v.4 [361] p.393 (28 July 1758)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.226–227 (PC 2/106)

John Bell v William Perrin, Charles Spencer and Mark Hall

APC v.4 [365] p.395 (6 Nov. 1758 – 29 March 1759)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.270, 405, 437–439, 454 (PC 2/106)

DOCUMENTATION

Printed cases

Case of appellant and respondent with supplementary manuscript material –
British Library – Add Mss 36218 f.17

John M'Leod and William Patrick Brown v Susannah Elletson and Thomas Hope Elletson

APC v.4 [367] p.396 (21 Nov. 1758 – 16 May 1765)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.285 (PC 2/106)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.199 (PC 2/111)

William Perrin (later by his widow Frances Perrin) v Samuel Malcher and George Hinde

APC v.4 [370] p.398 (11 Dec. 1758 – 3 Aug. 1762)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.294, 402 (PC 2/106)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.285, 299, 324 (PC 2/109)

Smith TOC (Perrin v Malcher)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 15 July 1762 (APC v.6 [539] p.339)

Hannah Blake v Alexander Paterson

APC v.4 [372] p.400 (19 Jan. 1759 – 29 March 1759)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.260, 329, 389, 402, 453 (PC 2/106)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.11

Zachary Bayly and Nathaniel Bayly v Peter Furnell

APC v.4 [373] p.400–401 (25 Jan. 1759 – 2 July 1761)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.337 (PC 2/106)

Register – George II v.18 (2 May 1759 – 10 July 1760) p.192, 335 (PC 2/107)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.362, 407–409, 425 (PC 2/108)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.113

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 27 June 1761 (APC v.6 [518] p.332)

Thomas Peters (later also Thomas Hercey Barritt and Thomas Biggs) v John Bourke et al

Sir John Molesworth and Thomas Peters v Thomas Fearon

APC v.4 [385] p.413–414 (11 April 1759 – 26 July 1765)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.471 (PC 2/106)

Register – George II v.18 (2 May 1759 – 10 July 1760) p.131, 493 (PC 2/107)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.187 (PC 2/108)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.176–187, 202 (PC 2/109)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.169, 298, 305 (PC 2/111)

Smith TOC (Peters v Bourke)

DOCUMENTATION

Printed cases

Case (Thomas Peters v John Bourke) of appellant and respondent – Add Mss 36218 f.161 and Add Mss 36219 f.261

Case (Sir John Molesworth and Thomas Peters v Thomas Fearon) of appellant

and respondent – British Library – Add Mss 36218 f.154
Privy Council documents in PC 1 in The National Archives at Kew
 Committee Report – 18 July 1765 (APC v.6 [667] p.403)

Francis Delap v Samuel Lindsey

APC v.4 [391] p.419 (25 April 1759 – 2 July 1761)
 Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.490 (PC 2/106)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.132 (PC 2/107)
 Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.362, 396–402, 425
 (PC 2/108)
 Smith TOC (Delap v Lindsey)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.121

Zachary Bayly v Rev. John Poole, Theodore Stone and Francis Birbeck

APC v.4 [392] p.419–420 (26 April 1759 – 11 July 1760)
 Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.497 (PC 2/106)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.334, 418–422, 442 (PC
 2/107)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.40

John Weatherby, John Stephens and Diederich Jacobi v Andrew Rait

APC v.4 [395] p.421 (15 May 1759 – 28 Jan. 1761)
 Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.275, 513 (PC 2/106)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.430 (PC 2/107)
 Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.155, 178 (PC 2/108)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.86

Jasper Hall, John and Lucy Evans v Benjamin Tanner

APC v.4 [398] p.423 (24 May 1759)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.8 (PC 2/107)

Samuel Adams v John Nimbhard and William Orgill

APC v.4 [399] p.423 (11 July 1759 – 11 July 1760)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.24, 61, 418, 422–425,
 443 (PC 2/107)

Smith TOC (Adams v Nimbhard)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.64

Note: Respondent's name on his printed case is Nembhard.

Zachary Bayly v Isaac Gale and John Gale and Mary Samms

APC v.4 [401] p.426–427 (10 Aug. 1759 – 15 Dec. 1759)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.110, 215, 217 (PC
 2/107)

Smith TOC (Bayly v Gale)

**Dr. Samuel Ranshin (later revived by Thomas Harper) v David and Elinor
 Dove**

APC v.4 [403] p.427–428 (29 Aug. 1759 – 2 July 1761)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.132 (PC 2/107)
 Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.361, 362, 402–407,
 424 (PC 2/108)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.105

William Beckford, Julinus Beckford and Rose Fuller v Robert Halked, sen.

APC v.4 [405] p.431–432 (12 Sept. 1759 – 11 July 1760)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.48, 145, 418, 426–430,
 442 (PC 2/107)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.72

Colin M'Kenzie v Dally Jackson Woodhouse by Peter Woodhouse

APC v.4 [408] p.436–437 (9 Nov. 1759 – 3 Aug. 1764)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.23, 193, 335 (PC
 2/107)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.568–570, 593 (PC
 2/110)

Smith TOC (McKenzie v Woodhouse)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36219 f.110

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 27 July 1764 (APC v.6 [618] p.371)

**Richard Cross v Michael Atkins, John Curtis, Mark Davis and the Attorney
 General**

APC v.4 [420] p.447–448 (2 May 1760 – 21 Dec. 1763)
 Register – George II v.18 (2 May 1759 – 10 July 1760) p.185, 361 (PC 2/107)
 Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.333, 418 (PC 2/108)
 Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.184, 186–190, 194 (PC
 2/110)

Smith TOC (Cross v Atkins; Cross v Davis)

DOCUMENTATION

Printed cases

Case of appellant and respondent with supplementary manuscript “Observations”
– British Library – Add Mss 36218 f.209

Note: In *Richard Crosse v Michael Atkins*, the respondent on the respondent’s printed case is the Attorney General of Jamaica.

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 19 Dec. 1763 (APC v.6 [579] p.359–360)

Duke of Argyll and Earl of Ilay, Andrew Fletcher (Lord Milton), John Gregory and Matthew Gregory v William, Earl of Home, and his wife Elizabeth, Countess of Home

APC v.4 [428] p.462 (11 July 1760)

Register – George II v.18 (2 May 1759 – 10 July 1760) p.450, 503 (PC 2/107)

Edmund Hyde v Foster March

APC v.4 [435] p.465–466 (16 Jan. 1761 – 2 July 1761)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.70, 149, 411, 412–413, 424 (PC 2/108)

Smith TOC (Hyde v March)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.92

Robert Mantle v Charles Le Conte

Charles Le Conte v Robert Mantle

APC v.4 [438] p.468–471 (28 Jan. 1761 – 5 April 1762)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.70, 149, 411, 412–413, 424 (PC 2/108)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.121–123, 167 (PC 2/109)

John Harvey v Jasper Hall

APC v.4 [439] p.471–472 (28 Jan. 1761 – 20 March 1761)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.186, 244, 257 (PC 2/108)

Vincente Abendana and Don Francisco Xavier da Costa on behalf of himself and Juan Antonio de la Sierra and Andres Sesey, appeal of

APC v.4 [440] p.472 (28 Jan. 1761 – 12 April 1762)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.186 (PC 2/108)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.135, 174, 200 (PC 2/109)

Zachary Bayly v Thomas Jackson (2 appeals)

APC v.4 [441] p.472–473 (28 Jan. 1761 – 26 July 1765)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.187 (PC 2/108)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.136, 173, 200 (PC 2/109)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.472, 586, 600 (PC

2/110)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.10, 132, 272, 302 (PC 2/111)

Smith TOC (Bayly v Jackson)

DOCUMENTATION

Printed cases

Case of appellant – British Library – Add Mss 36218 f.207

Case of appellant and respondent with manuscript “Observations” – British Library – Add Mss 36219 f.154

Privy Council documents in PC 1 in The National Archives at Kew

Petition of Z. Bayly – 6 June 1764 (APC v.6 [612] p.369)

Committee Report – 27 July 1764 (APC v.6 [618] p.371)

Committee Report – 16 July 1765 (APC v.6 [667] p.403)

Dr. John Burn v Julia Cole

APC v.4 [447] p.484 (17 March 1761 – 12 April 1762)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.248, 360 (PC 2/108)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.172, 200 (PC 2/109)

Smith TOC (Burn v Cole)

DOCUMENTATION

Printed cases

Case of appellant – British Library – Add Mss 36218 f.144

William Perrin v Theophilact and Florence Blechynden

APC v.4 [455] p.490 (25 June 1761 – 2 July 1761)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.395, 420, 427 (PC 2/108)

Smith TOC (Perrin v Blechynden)

Richard Bradburne v John McAnuff

APC v.4 [458] p.493–494 (22 July 1761 – 3 Aug. 1762)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.443 (PC 2/108)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.246, 300, 324 (PC 2/109)

Smith TOC (Bradburne v McAnuff)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 15 July 1762 (APC v.6 [539] p.339)

Helen Sinclair v Samuel and Sibella Elizabeth Shiffner and George Papley

APC v.4 [470] p.526–527 (15 Feb. 1762 – 12 April 1762)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.74, 136, 174, 201 (PC 2/109)

Augustin(e) Dupouy v Dominic Laraldi and Margaret Blancau

Margaret Blancau and Dominic Laraldi v Augustin(e) Dupouy

APC v.4 [471] p.527 (15 Feb. 1762 – 3 Aug. 1764)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.74, 265 (PC 2/109)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.36, 574–578, 589–590, 598, 599 (PC 2/110)

Note: See also APC v.4 [275]

DOCUMENTATION

Printed cases

Case (Dupouy v Laraldi and Blancau) of appellant and respondent – British Library – Add Mss 36219 f.94

Note: Various spellings Dupouy/Dupoy, Laraldi/Larralde, and Blancau/Blancau
Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 27 and 28 July 1764 (APC v.6 [618] p.371)

Walter McFarlane and Dr. William McFarlane v Ezekiel Dickinson and Caleb Dickinson in the name of John Doe

APC v.4 [478] p.536 (12 April 1762 – 3 Aug. 1764)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.203 (PC 2/109)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.585, 600 (PC 2/110)

Note: Possibly related to APC v.4 [226]

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 27 July 1764 (APC v.6 [618] p.371)

Peter and Gibbons Serjeant v Francis Gale

APC v.4 [501] p.557 (23 Feb. 1763 – 20 July 1763)

Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.505 (PC 2/109)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.48, 55 (PC 2/110)

Note: Zachary Bayly also possibly an appellant

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 9 July 1763 (APC v.6 [564] p.357)

Zachary Bayly v Attorney General of Jamaica

APC v.4 [530] p.612–613 (19 Dec. 1763 – 26 July 1765)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.190, 471 (PC 2/110)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.286, 304 (PC 2/111)

Smith TOC (Bayly v Attorney General of Jamaica)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36219 f.256

Privy Council documents in PC 1 in The National Archives at Kew

Petition of Z. Bayly – 6 June 1764 (APC v.6 [612] p.369)

Committee Report – 17 July 1765 (APC v.6 [667] p.403)

Zachary Bayly v John Harvie (later deceased) and Alexander Harvie

APC v.4 [557] p.672 (30 June 1764 – 21 May 1765)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.486 (PC 2/110)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.185, 197, 204 (PC 2/111)

Smith TOC (Baylie v Harvey)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Petition of A. Harvie – 5 May 1765 (APC v.6 [649] p.395)

Mark Hall, Charles Spencer, Malcolm Laing, William Philp Perrin by Malcolm Laing as next friend v George and Christian Anderson *et al*

APC v.4 [558] p.672–673 (5 July 1764 – 26 July 1765)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.491 (PC 2/110)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.83, 273–274, 303 (PC 2/111)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36219 f.210

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 16 July 1765 (APC v.6 [667] p.403)

William Beckford v Samuel Jeake

APC v.4 [564] p.682–683 (11 July 1764 – 26 July 1765)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.509 (PC 2/110)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.66, 285–286, 304 (PC 2/111)

Smith TOC (Beckford v Jeake)

DOCUMENTATION

Printed cases

Case of appellant and respondent with printed appendix to the appellant's case and much supplementary material in manuscript – British Library – Add Mss 36219 f.168

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 17 July 1765 (APC v.6 [667] p.403)

Henry Israel, jun. v William Donaldson

APC v.4 [575] p.688–689 (3 Aug. 1764 – 26 July 1765)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.604 (PC 2/110)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.68, 274, 303 (PC 2/111)

Smith TOC (Israel v Innes [Donaldson])

DOCUMENTATION

Printed cases

Case of appellant (also in manuscript) and respondent with a printed appendix to the respondent's case – British Library – Add Mss 36219 f.217

Note: Appellant's printed case is entitled Henry Israel v His Majesty's Advocate General at the relation of William Donaldson, Collector of the Customs for the

island of Jamaica. Respondent's printed case records parties as Henry Israel Junior v James Innes, his Majesty's Advocate General for Jamaica.

Privy Council documents in PC 1 in The National Archives at Kew
Committee Report – 16 July 1765 (APC v.6 [667] p.403)

John Doe, lessee of William Perrin and Thomas Vaughan v Norwood Witter
John Doe, lessee of William Perrin and Thomas Vaughan v Hannah Blake
APC v.4 [583] p.694–695 (12 Dec. 1764 – 17 July 1765)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.52, 283–284, 739–741
(PC 2/111)

Smith TOC (Perrin v Witter; Perrin v Blake)

Note: Family affair also in APC v.4 [42], [142] and APC v.5 [355]

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36219 f.236

Note: Respondent's printed case entitles the appeal William Perrin and Thomas Vaughan v Hannah Blake.

Privy Council documents in PC 1 in The National Archives at Kew
Committee Report -17 July 1765 (APC v.6 [667] p.403)

George and Mary Bonyng v John Pusey

APC v.4 [593] p.704 (22 Feb. 1765 – 26 July 1765)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.72, 120, 277, 309 (PC 2/111)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Appearance entered and Order of Reference – 23 Jan. 1765 and 22 Feb. 1765
(APC v.6 [628] p.384)

Committee Report – 16 July 1765 (APC v.6 [667] p.403)

Zachary Bayly v James Ord and James Prevost

APC v.4 [608] p.724 (21 May 1765 – 26 July 1765)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.205, 287, 304 (PC 2/111)

Smith TOC (Bayly v Ord)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36219 f.244

Privy Council documents in PC 1 in The National Archives at Kew

Bayly's petition and appeal – 21 May 1765 (APC v.6 [652] p.396)

Committee Report – 17 July 1765 (APC v.6 [667] p.403)

**Augustine Merida and Jacob Bravo v Governor Lyttelton, James Innes as
Advocate General and Robert Graham**

APC v.4 [617] p.729 (26 July 1765 – 6 Sept. 1765)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.315, 324, 343 (PC

2/111)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 14 Aug. 1765 (APC v.6 [667] p.403)

Nicholas Bourke v Matthew Gregory and Foster March

APC v.4 [630] p.740 (18 Oct. 1765)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.384, 399 (PC 2/111)

MONTSERRAT

Anthony Hodges v Anthony Fox in the name of John Dean

APC v.4 [10] p.9 (18 Sept. 1745)

Register – George II v.10 (1 March 1745 – 31 July 1746) p.215 (PC 2/99)

Patrick Roch v Rev. Edward Gaillard

APC v.4 [52] p.41 (3 April 1747 – 14 May 1747)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.199, 225 (PC 2/100)

Samuel Lowman, appeal of

APC v.4 [95] p.72 (15 Nov. 1748)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.113 (PC 2/101)

Thomas Dubery and William Irish v Henry M'David

APC v.4 [539] p.652 (17 Feb. 1764)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.268, 418, 434 (PC 2/110)

NEVIS

Lucas Rodriguez v John Scholes

APC v.4 [219] p.223–226 (10 Aug. 1753 – 3 Sept. 1756)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.490 (PC 2/103)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.257, 276–279, 296 (PC 2/105)

Andrew Denn, Richard Denn, and John Denn v Horatio Herbert

APC v.4 [406] p.432 (9 Nov. 1759 – 11 July 1760)

Register – George II v.18 (2 May 1759 – 10 July 1760) p.189, 197, 430, 434–435, 444 (PC 2/107)

Smith TOC (Denn v Herbert)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.78

Note: Respondent's printed case records appellants as John Cort, John Denn on behalf of himself, and Andrew Denn and Richard Denn, owners of the schooner called the *Nelly*.

David Chollet v Alexander Mackay

APC v.4 [437] p.466–468 (28 Jan. 1761 – 5 April 1762)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.185 (PC 2/108)
 Register – George III v.2 (1 Jan. 1762 – 30 April 1763) p.125–127, 167 (PC
 2/109)

Smith TOC (Chollet v Mackey)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36218 f.133

George Webbe, jun. and John Richardson Herbert v John Bourke

APC v.4 [572] p.687–688 (20 July 1764 – 3 Aug. 1764)

Register – George III v.3 (1 May 1763 – 30 Sept. 1764) p.559, 585, 599 (PC
 2/110)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee Report – 27 July 1764 (APC v.6 [618] p.371)

ST. CHRISTOPHER

Henry Brouncker v Ashton Warner

APC v.4 [22] p.15 (27 March 1746 – 5 June 1746)

Register – George II v. 10 (1 March 1745 – 31 July 1746) p.444, 504 (PC 2/99)

**Edward Brownett on behalf of Thomas Ottley, John Douglas and William
 Buckley, appeal of**

APC v.4 [44] p.37 (17 Nov. 1746 – 28 June 1750)

Register – George II v.11 (1 August 1746 – 30 April 1748) p.44 (PC 2/100)

Register – George II v.12 (1 May 1748 – 29 March 1750) p.206 (PC 2/101)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.36, 39 (PC 2/102)

**John Mills, Matthew Mills and Richard Roe v William Ottley and Margaret
 Willett**

APC v.4 [138] p.108 (4 Oct. 1750 – 20 Dec. 1752)

Register – George II v.13 (1 May 1750 – 30 March 1752) p.87 (PC 2/102)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.244–245, 262 (PC
 2/103)

Smith TOC (Mills v Ottley)

Thomas Young v Nicholas Dunbabbinn

APC v.4 [196] p.190–191 (25 Jan. 1753 – 7 March 1753)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.297, 326–328, 345
 (PC 2/103)

Smith TOC (Young v Dunbobbin)

Note: Petition is for a writ of error and an appeal if necessary.

Wavel Smith and Savile Cust v William Buckley

APC v.4 [204] p.198–199 (7 Feb. 1753 – 7 March 1753)

Register – George II v.14 (1 April 1752 – 31 Dec. 1753) p.315, 324–326, 345
 (PC 2/103)

Smith TOC (Smith v Buckley)

Note: Not indexed as an appeal. Petition is for a writ of error and an appeal if necessary. The margin note for this action is Leeward Islands but it can safely be attributed to St. Christopher.

John Mills by Thomas Mills as attorney, Peter Mathew Mills by Cornelia Mills, Peter Soulegre, Thomas Mills and John Mills as his four guardians, John Mills, Cornelia Mills, Peter Soulegre, Thomas Mills and Richard Goodright v George Bryan

APC v.4 [246] p.263–264 (21 June 1754 – 25 Feb. 1755)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.175, 259, 332–333, 348 (PC 2/104)

DOCUMENTATION

Printed cases

Case of appellant and respondent – Law Library of Congress

William and Elizabeth Wells v Richard Wilson and Anthony Wharton

APC v.4 [250] p.270 (6 Aug. 1754 – 4 Feb. 1757)

Register – George II v.15 (1 Jan. 1754 – 31 Dec. 1755) p.230, 426–427 (PC 2/104)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.399–401, 415 (PC 2/105)

Smith TOC (Wells v Wilson)

DOCUMENTATION

Printed cases

Case of appellant (with the will of Nicholas Taylor as appendix) and respondent with manuscript supplementation – British Library – Add Mss 36217 f.103

Case of appellant and respondent; one copy of relevant will – Law Library of Congress

Jackson Brown v Henry Sharpe, George Maxwell, Henry Lascelles, Lord and Lady Cranstoun, William Cranstoun and Brown Cranstoun, the latter two by Henry Sharpe as next friend, Anthony and Elizabeth Hodges, Jeremiah Hodges and Anthony Hodges

APC v.4 [322] p.344 (13 Aug. 1756 – 8 June 8, 1757)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.274, 329, 497–504, 515 (PC 2/105)

DOCUMENTATION

Printed cases

Case of appellant and respondent – British Library – Add Mss 36217 f.152

Case of appellant and respondent – Law Library of Congress

Rev. John Tittle v William Coleman

APC v.4 [334] p.351 (13 May 1757 – 8 June 1757)

Register – George II v.16 (1 Jan. 1756 – 31 Dec. 1757) p.495, 521 (PC 2/105)

Thomas Joyner v Stephen Payne

APC v.4 [363] p.394 (3 Oct. 1758)

Register – George II v.17 (1 Jan. 1758 – 21 May 1759) p.256, 258 (PC 2/106)

John Willet v Alexander Home

APC v.4 [419] p.447 (29 March 1760)

Register – George II v.18 (2 May 1759 – 10 July 1760) p.323 (PC 2/107)

Note: Related to APC v.4 [436]

Benjamin Herriott and John Willett v Alexander Home

APC v.4 [436] p.466 (16 Jan. – 2 July 1761)

Register – George III v.1 (25 Oct. 1760 – 31 Dec. 1761) p.149, 362, 409, 426
(PC 2/108)

Note: Related to APC v.4 [419]

John Barker v Anthony Somersall

John McPherson v Anthony Somersall

APC v.4 [581] p.693 (12 Dec. 1764 – 26 July 1765)

Register – George III v.4 (1 Oct. 1764 – 27 Aug. 1766) p.50–51, 95, 275–276,
306 (PC 2/111)

DOCUMENTATION

Privy Council documents in PC 1 in The National Archives at Kew

Committee reports – 16 July 1765 (APC v.6 [667] p.403)

APPEALS BY COLONY – Volume 5

ANTIGUA

Thomas Coursey and William Kirkpatrick v Thomas Underwood

APC v.5 [93] p.174 (23 Nov. 1768 – 27 April 1770)

Register – George III v.6 (Jan. 1768 – April 1769) p.376, 403, 440 (PC 2/113)

Register – George III v.7 (May 1769 – Dec. 1770) p.331, 357 (PC 2/114)

DOCUMENTATION

Printed cases

Case of the appellant – Columbia University. Diamond Law Library

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 6 April 1770 (APC v.6 [840] p.484)

Alexander Willock and Arthur Morson v David Williams and Clinton Williams

APC v.5 [214] p.331 (15 Jan. 1772 – 31 Dec. 1773)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.41, 42 (PC 2/116)

Register – George III v.10 (Jan. 1773 – April 1774) p.374, 391 (PC 2/117)

Samuel Redhead v Philip Hicks and Tryphena Ronan

APC v.5 [352] p.454 (16 April 1777 – 16 Feb. 1781)

Register – George III v.13 (June 1776 – May 1777) p.456 (PC 2/120)

Register – George III v.14 (June 1777 – March 1778) p.40 (PC 2/121)

Register – George III v.19 (Jan. 1781 – Sept. 1781) p.87–89, 126 (PC 2/126)

Joseph Holt v George Savage et al

APC v.5 [395] p.501 (16 March 1781 – 31 July 1782)

Register – George III v.19 (Jan. 1781 – Sept. 1781) p.211 (PC 2/126)

Register – George III v.20 (Oct. 1781 – Sept. 1782) p.216, 460–463, 467 (PC 2/127)

John Otto Bayer v Rowland Otto Bayer

APC v.5 [417] p.516–517 (15 Feb. 1782 – 30 April 1783)

Register – George III v.20 (Oct. 1781 – Sept. 1782) p.173, 319 (PC 2/127)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.230–233, 250 (PC 2/128)

BAHAMAS**Robert Alexander v Robert Sterling and Ralph Dundass**

APC v.5 [162] p.281 (1 Nov. 1770 – 31 Dec. 1773)

Register – George III v.7 (May 1769 – Dec. 1770) p.543, 550, 555, 658, 675 (PC 2/114)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p. 25, 467 (PC 2/116)

Register – George III v.10 (Jan. 1773 – April 1774) p.87, 382, 392 (PC 2/117)

Smith TOC (Alexander v Stirling)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Admission of appeal – 7 Nov. 1770 (APC v.6 [840] p.484)

BARBADOS**Capt. Thomas Taylor v William Nash**

APC v.5 [27] p.55–56 (27 March 1767 – 26 June 1767)

Register – George III v.5 (Aug. 1766 – Jan. 1768) p.88, 193, 329, 360 (PC 2/112)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 10 June 1767 (APC v.6 [761] p.453–454)

Robert Lucas v James Straker, Thomas Ostrehan and Alexander Stevenson

APC v.5 [285] p.391 (2 Feb. 1774 – 6 Feb. 1775)

Register – George III v.10 (Jan. 1773 – April 1774) p.437, 468 (PC 2/117)

Register – George III v.11 (May 1774 – May 1775) p.150, 363–369, 397 (PC 2/118)

James and Mary Simmons v Walter and Rebecca Caddell

APC v.5 [324] p.421 (3 Nov. 1775 – 30 April 1777)

Register – George III v.12 (June 1775 – May 1776) p.113, 180 (PC 2/119)

Register – George III v.13 (June 1776 – May 1777) p.436–440, 474 (PC 2/120)

(first name not provided) Maycock v Samuel Husbands

APC v.5 [335] p.443 (10 May 1776)

Register – George III v.12 (June 1775 – May 1776) p.560 (PC 2/119)

Thomas Maxwell Adams v Margaret Graeme

APC v.5 [431] p.526 (24 Feb. 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.196, 203 (PC 2/128)

DOMINICA

Robert Malloun v Francis Mashart

Francis Mashart v Robert Malloun

APC v.5 [154] p.246 (6 June 1770 – 8 July 1772)

Register – George III v.7 (May 1769 – Dec. 1770) p.404, 442 (PC 2/114)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.82, 260 (PC 2/115)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.331–335, 368 (PC 2/116)

Smith TOC (Malloun v Mashart)

John Fordyce, Andrew Grant and William Trotter v James Morson

APC v.5 [269] p.382–383 (29 Oct. 1773 – 23 Jan. 1775)

Register – George III v.10 (Jan. 1773 – April 1774) p.328, 456 (PC 2/117)

Register – George III v.11 (May 1774 – May 1775) p.349–351, 373 (PC 2/118)

EAST FLORIDA

**William Scheviz, Henry Benskin Lightfoot, John Taylor and William Scott,
appeal of**

APC v.5 [449] p.547 (12 Dec. 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.595 (PC 2/128)

GRENADA

David Inglis v Richard Burke

APC v.5 [6] p.17 (15 Oct. 1766 – 26 June 1767)

Register – George III v.5 (Aug. 1766 – Jan. 1768) p.63, 88, 328, 359 (PC 2/112)

DOCUMENTATION

Printed cases

Case of the appellant and the respondent with appendix of the respondent –
British Library – Add Mss 36220 f.148

Case of the respondent with appendix – Columbia University. Diamond Law
Library

**Michael Scott and Maria Martha Victoria Cornette de St. Cyr his wife v
James Brebner and Ninian Home**

APC v.5 [149] p.241 (27 April 1770 – 19 July 1771)

Register – George III v.7 (May 1769 – Dec. 1770) p.363 (PC 2/114)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.299–304, 339 (PC 2/115)

Smith TOC (Scott v Brebner and Home)

DOCUMENTATION

Printed cases

Case of the appellant – Columbia University. Diamond Law Library

**Charles Philip Clozier, Francois Clozier Decosteaux, Louis Francois de
Chantenille, Nicholas Francois de Buret, Charles Francois Da Raniel,
Claude Passe Lamelirie and Mary Charlotte Clozier his wife, and Jean
Francois de Vernon v Paul Antoine Dufaur**

APC v.5 [172] p.288–289 (9 Dec. 1770 – 29 April 1772)
 Register – George III v.7 (May 1769 – Dec. 1770) p.658 (PC 2/114)
 Register – George III v.8 (Jan. 1771 – Dec. 1771) p.85 (PC 2/115)
 Register – George III v.9 (Jan. 1772 – Dec. 1772) p.44–46, 192 (PC 2/116)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 20 Jan. 1772 (APC v.6 [874] p.507)

Lewis Le Jeune and Louise Victoire de Flavigny his wife v Andrew Irwin

APC v.5 [173] p.289 (9 Dec. 1770 – 9 Jan. 1771)
 Register – George III v.7 (May 1769 – Dec. 1770) p.659, 691 (PC 2/114)
 Register – George III v.8 (Jan. 1771 – Dec. 1771) p.20 (PC 2/115)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 20 Dec. 1770 (APC v.6 [840] p.484)

GUIANA**Charles Abraham Du Pasquier v Jean Cornelis Vanden Fleuvel (Heuvel?)**

APC v.5 [413] p.515–516 (2 Jan. 1782 – 1 Feb. 1782)
 Register – George III v.20 (Oct. 1781 – Sept. 1782) p.115, 139–141, 149–150
 (PC 2/127)

JAMAICA**George Bonner v William and Jane Greig**

APC v.5 [13] p.23–24 (7 Nov. 1766 – 15 July 1768)
 Register – George III v.5 (Aug. 1766 – Jan. 1768) p.78, 331 (PC 2/112)
 Register – George III v.6 (Jan. 1768 – April 1769) p.232, 247 (PC 2/113)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Order of Reference – 7 Nov. 1766 (APC v.6 [731] p.440)
 Committee Report – 7 July 1768 (APC v.6 [793] p.464)

Jasper Hall v Malcolm Laing

APC v.5 [26] p.52–55 (27 March 1767 – 15 July 1768)
 Register – George III v.5 (Aug. 1766 – Jan. 1768) p.192, 521 (PC 2/112)
 Register – George III v.6 (Jan. 1768 – April 1769) p. 233–238, 248 (PC 2/113)
 Smith TOC (Hall v Laing)

DOCUMENTATION

Printed cases

Case of the appellant and the respondent with supplementary manuscript material
 – British Library – Add Mss 36220 f.163

Privy Council documents in PC 1 at The National Archives at Kew
 Order of Reference – 27 March 1767 (APC v.6 [745] p.444)
 Committee Report – 7 July 1768 (APC v.6 [793] p.464)

Hutchison Mure and Dugald Malcolm v Thomas Fogerty

APC v.5 [37] p.109 (26 June 1767 – 14 April 1769)
 Register – George III v.5 (Aug. 1766 – Jan. 1768) p.369 (PC 2/112)
 Register – George III v.6 (Jan. 1768 – April 1769) p.492, 540 (PC 2/113)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 13 March 1769 (APC v.6 [812] p.470)

John Watson and Samuel Gregory v Lettice Laird**Lettice Laird v John Watson and Samuel Gregory**

APC v.5 [38] p.109–110 (26 June 1767 – 30 April 1777)
 Register – George III v.5 (Aug. 1766 – Jan. 1768) p.369, 393 (PC 2/112)
 Register – George III v.7 (May 1769 – Dec. 1770) p.296, 355 (PC 2/114)
 Register – George III v.12 (June 1775 – May 1776) p.77, 462 (PC 2/119)
 Register – George III v.13 (June 1776 – May 1777) p.422, 478 (PC 2/120)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee report (Watson and Gregory v Laird) – 2 April 1770 (APC v.6 [840] p.484)

Edward Woollery, William Woollery, John Woollery and Robert Woollery v David and Elizabeth Bernard (revived with Charles Bernard)**Aaron Baruch Lousada (revived with Rachel Baruch Lousada, Benjamin Dias Fernandes and Jacob Feurtado) v Edward Woollery, William Woollery, John Woollery and Robert Woollery****James Dunn v Edward Woollery, William Woollery, John Woollery and Robert Woollery**

APC v.5 [49] p.118 (6 Nov. 1767 – 9 Feb. 1770)
 Register – George III v.5 (Aug. 1766 – Jan. 1768) p.507 (PC 2/112)
 Register – George III v.6 (Jan. 1768 – April 1769) p.63, 76, 105, 162, 228, 482–483 (PC 2/113)
 Register – George III v.7 (May 1769 – Dec. 1770) p.220–221, 227–228 (PC 2/114)

Smith TOC (Woollery v Lousada)

DOCUMENTATION

Printed cases

Case of the respondent (Lousada v Woollery) – Columbia University. Diamond Law Library

Privy Council documents in PC 1 at The National Archives at Kew
 Committee report (Lousada v Woollery and Dunn v Woollery) – 30 Jan. 1770 (APC v.6 [828] p.473)

Samuel Adams v Henry Stanyford, George Garrett, and John Stevens

APC v.5 [58] p.123 (5 Feb. 1768 – 5 Jan. 1770)
 Register – George III v.6 (Jan. 1768 – April 1769) p.52 (PC 2/113)
 Register – George III v.7 (May 1769 – Dec. 1770) p.118, 182, 200 (PC 2/114)

John Millward, James Lewis and Thomas Penoyre v John and Grace Lindsay

APC v.5 [73] p.151 (29 June 1768 – 14 April 1769)

Register – George III v.6 (Jan. 1768 – April 1769) p.225, 244, 501–502, 538 (PC 2/113)

Smith TOC (Millward v Lindsay)

DOCUMENTATION

Printed cases

Case of the appellant and the respondent – British Library – Add Mss 36220 f.210

Case of the respondent – Columbia University. Diamond Law Library

Note: Respondent's printed case gives name of the respondent as the Reverend John Lindsay.

William Morris v Charles Kelsal

APC v.5 [78] p.156 (5 Aug. 1768 – 11 Jan. 1769)

Register – George III v.6 (Jan. 1768 – April 1769) p.265, 399, 422 (PC 2/113)

William Pusey v Sir Simon Clarke

George Bonyng v John Edwards and wife

APC v.5 [87] p.171 (7 Oct. 1768 – 31 Dec. 1773)

Register – George III v.6 (Jan. 1768 – April 1769) p.348, 497 (PC 2/113)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.380, 450, 491 (PC 2/116)

Register – George III v.10 (Jan. 1773 – April 1774) p.373, 391 (PC 2/117)

Smith TOC (Pusey v Clarke)

DOCUMENTATION

Printed cases

Case of the appellant (Pusey) and the respondent (Clark) – British Library – Add Mss 36220 f.210

Note: Respondent's printed case gives name of appellant as John Pusey.

Privy Council documents in PC 1 at The National Archives at Kew

Committee report (Pusey v Clark) – 14 March 1769 (APC v.6 [812] p.470)

Jacob Carrillo Saldana v Arthur Forrest

APC v.5 [89] p.172 (26 Oct. 1768 – 15 June 1770)

Register – George III v.6 (Jan. 1768 – April 1769) p.360 (PC 2/113)

Register – George III v.7 (May 1769 – Dec. 1770) p.172, 408, 418 (PC 2/114)

George, William, Thomas and John Reid by their guardian Thomas Reid v Thomas Bourke

George, Thomas, and John Reid v Thomas Bourke

APC v.5 [92] p.174 (23 Nov. 1768 – 13 June 1777)

Register – George III v.6 (Jan. 1768 – April 1769) p.376 (PC 2/113)

Register – George III v.7 (May 1769 – Dec. 1770) p.330, 358 (PC 2/114)

Register – George III v.13 (June 1776 – May 1777) p.168, 514–517 (PC 2/120)

Register – George III v.14 (June 1777 – March 1778) p.13 (PC 2/121)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 6 April 1770 (APC v.6 [840] p.484)

Committee Report – 27 May 1777 (APC v.6 [959] p.572–573)

Peter Furnell v John Ashburne

APC v.5 [94] p.174–175 (23 Nov. 1768 – 14 April 1769)

Register – George III v.6 (Jan. 1768 – April 1769) p.377, 404, 481–482, 541 (PC 2/113)

DOCUMENTATION

Printed cases

Case of the appellant with appendix – Columbia University. Diamond Law Library

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 11 March 1769 (APC v.6 [812] p.470)

Hutchison Mure and James Kerr v John and Rosa Palmer

Hutchison Mure and James Kerr v Norwood Witter *et al*

John and Rosa Palmer v Hutchison Mure *et al*

APC v.5 [100] p.179–180 (11 Jan. 1769 – 13 Sept. 1774)

Register – George III v.6 (Jan. 1768 – April 1769) p.355, 423, 513–517, 541 (PC 2/113)

Register – George III v.7 (May 1769 – Dec. 1770) p.447, 693 (PC 2/114)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.353–356, 364 (PC 2/115)

Register – George III v.11 (May 1774 – May 1775) p.211 (PC 2/118)

DOCUMENTATION

Printed cases

Case of the appellant (Mure) and the respondent (Palmer) – Columbia University. Diamond Law Library

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report (Mure and Kerr v Palmer) – 15 March 1769 (APC v.6 [812] p.470)

Committee Report (Mure and Kerr v Palmer) – 20 July 1771 (APC v.6 [868] p.504–505)

David and Mary Cunningham v James Reid

APC v.5 [102] p.182 (27 Jan. 1769 – 14 April 1769)

Register – George III v.6 (Jan. 1768 – April 1769) p.247, 432, 497, 540 (PC 2/113)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 14 March 1769 (APC v.6 [812] p.470)

Thomas Rennalls v Isaac Tripier

APC v.5 [105] p.186 (20 Feb. 1769 – 14 April 1769)

Register – George III v.6 (Jan. 1768 – April 1769) p.461, 495, 533, 544 (PC 2/113)

Smith TOC (Rennalls v Tripier)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 10 April 1769 (APC v.6 [812] p.470)

Mary Hardyman and James Hardyman v Grace Goodin

APC v.5 [111] p.192 (14 April 1769 – 9 Feb. 1770)

Register – George III v.6 (Jan. 1768 – April 1769) p.548 (PC 2/113)

Register – George III v.7 (May 1769 – Dec. 1770) p.222, 226 (PC 2/114)

DOCUMENTATION

Printed cases

Case of the respondent – Columbia University. Diamond Law Library

Note: Respondent's printed case names the respondent as George Goodin.

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 30 Jan. 1770 (APC v.6 [828] p.473)

George and Jane Cussans Richards and Thomas Cussans v William Miles, John Miles, Philip Miles and Samuel Alpress

APC v.5 [127] p.214 (25 Oct. 1769 – 19 July 1771)

Register – George III v.7 (May 1769 – Dec. 1770) p.117 (PC 2/114)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.316–321, 341 (PC 2/115)

DOCUMENTATION

Printed cases

Case of the respondent – Columbia University. Diamond Law Library

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 9 July 1771 (APC v.6 [868] p.504–505)

Richard Holden and John Jones v Robert Duff and John Herdman

APC v.5 [129] p.215 (1 Nov. 1769)

Register – George III v.7 (May 1769 – Dec. 1770) p.126 (PC 2/114)

Esther Swete, Francis Baxter, Charles Gardiner, Robert Richards v Thomas and Helen Beach and Janet Sadler

APC v.7 [132] p.217 (29 Nov. 1769 – 19 July 1771)

Register – George III v.7 (May 1769 – Dec. 1770) p.155, 259 (PC 2/114)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.304–314, 340 (PC 2/115)

Edward Gardiner v Ann Bennett, George Rosewell Bennett, John Williams, Edward Manning, and William Pullen (with George Paplay, Benjamin Hume and Charles Spencer later also)

George Rosewell Bennett v Edward Gardiner

APC v.5 [141] p.236 (9 Feb. 1770 – 30 April 1777)

Register – George III v.7 (May 1769 – Dec. 1770) p.210, 231, 686 (PC 2/114)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.19 (PC 2/115)

Register – George III v.11 (May 1774 – May 1775) p.518 (PC 2/118)

Register – George III v.12 (June 1775 – May 1776) p.308, 392 (PC 2/119)
 Register – George III v.13 (June 1776 – May 1777) p.412–417, 475 (PC 2/120)
 Smith TOC (Bennett v Gardiner)

William McFarlane and Thomas Priddie v Thomas Hersey Barritt

APC v.5 [142] p.236–237 (14 Feb. 1770 – 9 Jan. 1771)
 Register – George III v.7 (May 1769 – Dec. 1770) p.255, 687–688 (PC 2/114)
 Register – George III v.8 (Jan. 1771 – Dec. 1771) p.20 (PC 2/115)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 20 Dec. 1770 (APC v.6 [840] p.484)

**Thomas Gray, William Lloyd, James Borton and James Powell v Sarah,
 Thomas, Samuel, Anthony, Edward and Lettice Shreyer, and Joseph and
 Mary Shreyer Williams**

APC v.5 [147] p.239–240 (5 April 1770 – 19 July 1771)
 Register – George III v.7 (May 1769 – Dec. 1770) p.328 (PC 2/114)
 Register – George III v.8 (Jan. 1771 – Dec. 1771) p.330–332, 343 (PC 2/115)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 11 July 1771 (APC v.6 [868] p.504–505)

**James Macqueen, John Macqueen, Euphine Macqueen, John Hanbury
 Taylor, George Richards and Walter Grant v Simon Taylor and John
 Taylor**

**Gilbert and Ann Mathison, John Kinlock, William Harris, Charles Mitchell,
 William Mitchell and George Hanbury Mitchell v Simon Taylor and John
 Taylor**

Simon Taylor v Roger Hope Elletson, James Ord and Peter Prevost

APC v.5 [148] p.240–241 (27 April 1770 – 31 Dec. 1773)
 Register – George III v.7 (May 1769 – Dec. 1770) p.362, 433 (PC 2/114)
 Register – George III v.8 (Jan. 1771 – Dec. 1771) p.321–325, 341 (PC 2/115)
 Register – George III v.9 (Jan. 1772 – Dec. 1772) p.40, 68, 74, 178, 511 (PC
 2/116)
 Register – George III v.10 (Jan. 1773 – April 1774) p.374–376, 396 (PC 2/117)

DOCUMENTATION

Printed cases

Case of the respondent (James Macqueen v Simon Taylor) – Columbia
 University. Diamond Law Library

Privy Council documents in PC 1 at The National Archives at Kew

Committee report (Macqueen v Taylor) – 9 July 1771 (APC v.6 [868] p.504–
 505)

**David Rieusset, Leeson Blackwood, Thomas Thomas and Yvon Thomas v
 Dr. Thomas and Sarah Cockburn**

APC v.5 [153] p.245–246 (6 June 1770 – 15 June 1770)

Register – George III v.7 (May 1769 – Dec. 1770) p.111, 402, 410, 420 (PC 2/114)

James Hardyman and Mary Hardyman v Richard James Lawrence, James Lawrence, Thomas Hibbert Montague, James Bernard and Charles Bernard

Richard James Lawrence, James Lawrence, Thomas Hibbert Montague, James Bernard and Charles Bernard v James Hardyman and Mary Hardyman

James Hardyman, appeal of

APC v.5 [159] p.276–277 (27 July 1770 – 8 Oct. 1773)

Register – George III v.7 (May 1769 – Dec. 1770) p.469, 472, 486 (PC 2/114)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.338 (PC 2/116)

Register – George III v.10 (Jan. 1773 – April 1774) p.318 (PC 2/117)

Jane Stone v Robert Wadham Spragge and James Trower

Robert Wadham Spragge and James Trower v Jane Stone

APC v.5 [175] p.290–291 (21 Dec. 1770 – 31 March 1773)

Register – George III v.7 (May 1769 – Dec. 1770) p.701 (PC 2/114)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.45, 67, 327–330, 342 (PC 2/115)

Register – George III v.10 (Jan. 1773 – April 1774) p.110–116, 126 (PC 2/117)

Smith TOC (Stone v Spragge)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee report (Spragge v Stone) – 27 March 1773 (APC v.6 [907] p.539)

Jeremiah Meyler and Charles Hall v Arnold Nesbitt and Moses Franks

APC v.5 [179] p.293 (28 March 1771 – 14 June 1771)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.131, 262, 275 (PC 2/115)

Jasper Hall v Alexander Hood and Bryan Edwards (2 appeals)

Nicholas Bourke, Jasper Hall, Henry Livingston, Philip Livingston, and Charles Dawes, jun. v Alexander Hood *et al* (2 appeals)

Patrick Lynch, appeal of

Jasper Hall, appeal of (2 appeals)

John Armistead, appeal of

Elizabeth Bourke, John and Thomas Bourke, Charles Palmer, Jasper Hall, William Patrick Browne, Richard Welch, Robert Cooper Lee and James McCabe v Alexander Hood, Bryan Edwards and John Woolfreys

APC v.5 [185] p.296–298 (15 May 1771 – 1 July 1778)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.47, 188–189, 263, 275–276 (PC 2/115)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.99, 475 (PC 2/116)

Register – George III v.10 (Jan. 1773 – April 1774) p.320, 466–467 (PC 2/117)

Register – George III v.11 (May 1774 – May 1775) p.23, 149, 172, 506 (PC

2/118)

Register – George III v.12 (June 1775 – May 1776) p.512 (PC 2/119)

Register – George III v.13 (June 1776 – May 1777) p.456–458, 519–523 (PC 2/120)

Register – George III v.14 (June 1777 – March 1778) p.14–15 (PC 2/121)

Register – George III v.15 (April 1778 – Sept. 1778) p. 237–244, 263–265 (PC 2/122)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee reports (Hall v Hood and Edwards) – 26 June 1778 (APC v.6 [973] p.575)

Elizabeth Jones and Luke Lightfoot v Jasper Hall

Elizabeth Jones and Luke Lightfoot v Jasper Hall and John Reid

APC v.5 [204] p.321–322 (27 June 1771 – 1 July 1778)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.290, 403 (PC 2/115)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.119, 125 (PC 2/116)

Register – George III v.13 (June 1776 – May 1777) p.373, 464 (PC 2/120)

Register – George III v.14 (June 1777 – March 1778) p.409 (PC 2/121)

Register – George III v.15 (April 1778 – Sept. 1778) p.228–236, 263 (PC 2/122)

Smith TOC (Jones v Hall)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee report (Jones and Lightfoot v Hall) – 26 June 1778 (APC v.6 [973] p.575)

William Beckford and Peter Beckford v Alexander Ross, John Nixon and Marmaduke Hilton

APC v.5 [205] p.322 (27 June 1771 – 15 Jan. 1772)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.290, 332 (PC 2/115)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.20, 37 (PC 2/116)

John Vernon, John Pigot and Richard Drakeford, appeal of

APC v.5 [211] p.329 (29 Nov. 1771 – 31 Dec. 1773)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.464, 466 (PC 2/115)

Register – George III v.10 (Jan. 1773 – April 1774) p.372, 390 (PC 2/117)

Thomas Crowder v Nicholas Bourke, Jasper Hall, Lucius and Fanny Tucker

APC v.5 [215] p.331 (3 Feb. 1772 – 31 March 1773)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.63 (PC 2/116)

Register – George III v.10 (Jan. 1773 – April 1774) p.116–118, 126 (PC 2/117)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 27 March 1773 (APC v.6 [907] p.539)

Mary Ballard Beckford, infant, by Donald Campbell v Sarah, Thomas, Samuel, Anthony and Edward Shreyer

APC v.5 [216] p.331 (28 Feb. 1772)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.96 (PC 2/116)

Keylock Rusden, William Reynolds, Thomas Gowland, William Smith *et al* v Daniel Maclean

APC v.5 [217] p.331–332 (28 Feb. 1772 – 30 April 1777)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.96 (PC 2/116)

Register – George III v.13 (June 1776 – May 1777) p.410–411, 472 (PC 2/120)

James Stirling and William Anderson v Richard Welsh, Attorney General, on behalf of Robert Poultney

APC v.5 [219] p.332 (16 March 1772 – 31 Dec. 1773)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.112 (PC 2/116)

Register – George III v.10 (Jan. 1773 – April 1774) p.381, 393 (PC 2/117)

James Ord and James Prevost (revived replacing James with John Ord) v Don Pedro Joachin de Rotaldi and Esprit Barrall

APC v.5 [237] p.355–356 (8 July 1772 – 31 Dec. 1773)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p. 371, 510 (PC 2/116)

Register – George III v.10 (Jan. 1773 – April 1774) p.95, 380, 392 (PC 2/117)

Samuel Smith v John Cargill, Thomas Cargill, Robert Cargill and John McDonald

APC v.5 [252] p.368 (6 May 1773 – 4 Aug. 1773)

Register – George III v.10 (Jan. 1773 – April 1774) p.189, 261, 265 (PC 2/117)

Abraham Solomons v Sarah Israel

APC v.5 [261] p.378 (28 July 1773 – 20 May 1774)

Register – George III v.10 (Jan. 1773 – April 1774) p.257 (PC 2/117)

Register – George III v.11 (May 1774 – May 1775) p.46–48, 77 (PC 2/118)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 12 May 1774 (APC v.6 [928] p.555)

Thomas Cussans v Richard Cargill, John Cargill, Thomas Cargill and John Macdonald

APC v.5 [262] p.378 (28 July 1773 – 6 July 1773)

Register – George III v.10 (Jan. 1773 – April 1774) p.258, 321 (PC 2/117)

Register – George III v.11 (May 1774 – May 1775) p.140, 169 (PC 2/118)

James Borton and William Beckford Ellis, infant, by his guardian James Borton v Angus Campbell

APC v.5 [279] p.389–390 (10 Dec. 1773 – 23 Jan. 1775)

Register – George III v.10 (Jan. 1773 – April 1774) p.351 (PC 2/117)

Register – George III v.11 (May 1774 – May 1775) p.337–349, 373 (PC 2/118)

Sir Simon Clarke v John and Mary Reid

APC v.5 [282] p.390 (2 Feb. 1774 – 6 Feb. 1775)

Register – George III v.10 (Jan. 1773 – April 1774) p.435, 456 (PC 2/117)

Register – George III v.11 (May 1774 – May 1775) p.391, 398 (PC 2/118)

William Harvey, Walter and Ann Harvey Farquhar, Thomas and Milborough Harvey McLean, Elizabeth Harvey, Thomas and Elizabeth Harvey, infants, by their guardian, William Harvey v Daniel Lascelles

APC v.5 [283] p.391 (2 Feb. 1774 – 21 May 1776)

Register – George III v.10 (Jan. 1773 – April 1774) p.436 (PC 2/117)

Register – George III v.12 (June 1775 – May 1776) p.564, 581 (PC 2/119)

John and Rosa Palmer v Barlow Trecothick

APC v.5 [284] p.391 (2 Feb. 1774 – 6 July 1774)

Register – George III v.10 (Jan. 1773 – April 1774) p.436 (PC 2/117)

Register – George III v.11 (May 1774 – May 1775) p.150, 172 (PC 2/118)

Smith TOC (Palmer v Trecothick)

Nathaniel Philips, Philip Pinnock and Susannah Hyde v Sir Edward Hughes

APC v.5 [302] p.400 (6 July 1774 – 23 Jan. 1775)

Register – George III v.11 (May 1774 – May 1775) p.185, 351, 375 (PC 2/118)

Stephen Attlay v Sarah Tiplar

APC v.5 [303] p.400 (22 July 1774 – 31 May 1776)

Register – George III v.11 (May 1774 – May 1775) p.191, 211 (PC 2/118)

Register – George III v.12 (June 1775 – May 1776) p.564, 580 (PC 2/119)

Samuel Williams Haughton and Margaret Bonella Haughton v Hannah Blake

APC v.5 [310] p.404–405 (23 Jan. 1775 – 30 April 1777)

Register – George III v.11 (May 1774 – May 1775) p.377, 435 (PC 2/118)

Register – George III v.13 (June 1776 – May 1777) p.417–419, 472 (PC 2/120)

Sir Richard Bickerton v Jasper Hall and George Paplay

Jasper Hall v Sir Richard Bickerton

APC v.5 [321] p.416 (12 July 1775 – 30 April 1777)

Register – George III v.12 (June 1775 – May 1776) p.69, 309 (PC 2/119)

Register – George III v.13 (June 1776 – May 1777) p.419–421, 473 (PC 2/120)

Smith TOC (Bickerton v Hall)

Tristram and Dorothy Ratcliffe and Mary Read, an infant, by her guardian v Richard Huggins Read

APC v.5 [343] p.448–449 (25 Oct. 1776 – 30 April 1777)

Register – George III v.13 (June 1776 – May 1777) p.168, 423, 477 (PC 2/120)

James Rowe v William Harvie

APC v.5 [344] p.449 (17 Feb. 1777 – 16 June 1779)

Register – George III v.13 (June 1776 – May 1777) p.329, 464 (PC 2/120)

Register – George III v.16 (Oct. 1778 – June 1779) p.492–494, 532 (PC 2/123)

Smith TOC (Rowe v Harvey)

Mary Hiscutt and Dr. William Mann v Fortunatus Dwarrris (revived by Hiscutt and Isaac Lascells Winn)

APC v.5 [345] p.449 (17 Feb. 1777 – 13 March 1782)
 Register – George III v.13 (June 1776 – May 1777) p.330, 424–426, 477 (PC 2/120)
 Register – George III v.20 (Oct. 1781 – Sept. 1782) p.96, 215, 231 (PC 2/127)
 Smith TOC (Hiscutt v Divarris)

Robert Watts v Frances Elizabeth Watts by Adam Hobkirk

APC v.5 [351] p.454 (16 April 1777 – 13 June 1777)
 Register – George III v.13 (June 1776 – May 1777) p.455, 523 (PC 2/120)
 Register – George III v.14 (June 1777 – March 1778) p.15 (PC 2/121)

William Jackson and Richard Thomas v John Lamond

APC v.5 [353] p.454–455 (13 June 1777 – 16 June 1779)
 Register – George III v.14 (June 1777 – March 1778) p.23, 119 (PC 2/121)
 Register – George III v.16 (Oct. 1778 – June 1779) p.489–492, 531 (PC 2/123)
 Smith TOC (Lamond v Jackson)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 3 June 1779 (APC v.6 [984] p.576)

William Perrin and Thomas Vaughan v Hannah Blake

William Perrin and Thomas Vaughan v Norwood Witter

APC v.5 [355] p.455 (4 July 1777)
 Register – George III v.14 (June 1777 – March 1778) p.71–106, 129–130 (PC 2/121)

Note: See also APC v.4 [42], [142] and [583] where the names are given as William Perrin, Thomas Vaughan, Hannah Blake and Norwood Witter. The first names of the parties are not provided in [355] of APC v.5.

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee report (Perrin and Vaughan v Blake) – 29 Nov. 1777 (APC v.6 [959] p.572–573)

Peter Serjeant v Thomas Hibbert

APC v.5 [356] p.455–456 (13 Aug. 1777 – 20 Feb. 1778)
 Register – George III v.14 (June 1777 – March 1778) p.206, 368–370, 529 (PC 2/121)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 29 Nov. 1777 (APC v.6 [959] p.572–573)

**John and Mary Roberts v Milbee Johnson, Francis Boyce, Edward Chaplin,
 Stephen Charles Craford and Elizabeth Truxton**

APC v.5 [357] p.456 (13 Aug. 1777 – 16 June 1779)
 Register – George III v.14 (June 1777 – March 1778) p.206, 402 (PC 2/121)
 Register – George III v.16 (Oct. 1778 – June 1779) p.494, 533 (PC 2/123)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
Committee Report – 3 June 1779 (APC v.6 [984] p.576)

Rev. Dr. John and Grace Lindsay v Dr. Charles Wake and William Mathew Burt

Humphrey Sturt and William Beckford v Dr. Charles Wake, William Mathew Burt and William Beckford

APC v.5 [367] p.472 (19 March 1779 – 18 May 1781)

Register – George III v.16 (Oct. 1778 – June 1779) p.326 (PC 2/123)

Register – George III v.17 (July 1779 – Feb. 1780) p.61, 542, 571 (PC 2/124)

Register – George III v.19 (Jan. 1781 – Sept. 1781) p.76–84, 345 (PC 2/126)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Petition of appeal – 18 Feb. 1779 (APC v.6 [978] p.575)

Order of Reference – 19 March 1779 (APC v.6 [978] p.575)

Draft of Report – undated (APC v.6 [978] p.575)

Order – 18 May 1781 (APC v.6 [1010] p.589)

Note: Documents in v.6 are entitled Lindsay v Gibbons. Sir John Gibbons is mentioned in the APC v.5 [367] but not as a party.

John Gardner Kemeys, James Clitherow, Paul Feilde and Joseph Banks v Dame Ann Clark, Richard Brissett and Benjamin Lyon

APC v.5 [369] p.472–473 (29 March 1779 – 13 March 1782)

Register – George III v.16 (Oct. 1778 – June 1779) p.378, 395 (PC 2/123)

Register – George III v.20 (Oct. 1781 – Sept. 1782) p.202–206, 229 (PC 2/127)

James Hardyman v Thomas Harrison, Attorney General

APC v.5 [373] p.477 (28 July 1779 – 18 May 1781)

Register – George III v.17 (July 1779 – Feb. 1780) p.61, 545 (PC 2/124)

Register – George III v.19 (Jan. 1781 – Sept. 1781) p.315–318, 346 (PC 2/126)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 18 May 1781 (APC v.6 [1010] p.589)

Thomas Harrison, Attorney General v Thomas Barker

APC v.5 [377] p.478–479 (2 Feb. 1780 – 30 April 1783)

Register – George III v.17 (July 1779 – Feb. 1780) p.521 (PC 2/124)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.225–230, 249 (PC 2/128)

John Parkinson v Thomas Parkinson, John Myrie, George Robert Goodin and Thomas Harrison, Attorney General

John Parkinson, John Myrie and George Robert Goodin v Thomas Harrison, Attorney General

APC v.5 [378] p.479 (20 March 1780 – 30 April 1783)

Register – George III v.18 (March 1780 – Dec. 1780) p.36, 50 (PC 2/125)

Register – George III v.20 (Oct. 1781 – Sept. 1782) p.306 (PC 2/127)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.235–242, 249–250 (PC

2/128)

Jasper Hall and Philip Livingston v Attorney General

APC v.5 [383] p.484 (18 Aug. 1780)

Register – George III v.18 (March 1780 – Dec. 1780) p.352 (PC 2/125)

George and Grace Pinnock v Mary Dickson, an infant

APC v.5 [411] p.515 (9 Nov. 1781)

Register – George III v.20 (Oct. 1781 – Sept. 1782) p.37, 68 (PC 2/127)

Thomas Harrison, Attorney General v James Elford

APC v.5 [412] p.515 (16 Nov. 1781 – 31 July 1782)

Register – George III v.20 (Oct. 1781 – Sept. 1782) p.46, 68, 443–446, 466 (PC 2/127)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 11 July 1782 (APC v.6 [1020] p.596)

William and Joan Jackson v James and Johanna Wildman

APC v.5 [414] p.516 (4 Jan. 1782 – 31 July 1782)

Register – George III v.20 (Oct. 1781 – Sept. 1782) p.121, 135, 362, 439–443, 465 (PC 2/127)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 11 July 1782 (APC v.6 [1020] p.596)

Elizabeth Edlyne v Robert Bontine

APC v.5 [423] p.521–522 (26 June 1782 – 31 Jan. 1783)

Register – George III v.20 (Oct. 1781 – Sept. 1782) p.419 (PC 2/127)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.148, 166 (PC 2/128)

Samuel Hurlock v Duncan Davidson

APC v.5 [428] p.525–526 (4 Dec. 1782 – 5 Nov. 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.92, 144, 535–537, 541 (PC 2/128)

James, Duke of Chandos, and Anna Eliza, Duchess of Chandos v Walrond and Mary Fearon

APC v.5 [433] p.527 (5 March 1783 – 25 July 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.202, 258, 360–377, 386 (PC 2/128)

Alexander and Mary Forbes, Alexander McRae and James Lewis v Samuel Gregory, John Watson, and Thomas Hibbert

APC v.5 [440] p.542 (2 July 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.314, 319 (PC 2/128)

Sir Charles Price v Abel Smith, Rene Payne and Robert Smith

APC v.5 [442] p.542–543 (8 Aug. 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.426, 439 (PC 2/128)

Thomas Cargill v William Beckford

APC v.5 [447] p.547 (22 Oct. 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.246, 521 (PC 2/128)

John Mead v Robert McGhie

APC v.5 [448] p.547 (22 Oct. 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.522 (PC 2/128)

MONTSERRAT**Walter Tullideph v Bethia Symes, John and Elizabeth Symes, Thomas Dorsett, William French, Alexander Willcock, and Walter Skerrett**

APC v.5 [25] p.52 (27 March 1767 – 14 April 1769)

Register – George III v.5 (Aug. 1766 – Jan. 1768) p.192, 337 (PC 2/112)

Register – George III v.6 (Jan. 1768 – April 1769) p.489–492, 536 (PC 2/113)

DOCUMENTATION

Printed cases

Case of the appellant and the respondent – British Library – Add Mss 36220 f.193

Case of the appellant – Columbia University. Diamond Law Library

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 13 March 1769 (APC v.6 [812] p.470)

George Scandret and William Anderton v Michael White and Harry Webb

APC v.5 [131] p.216–217 (29 Nov. 1769 – 19 July 1771)

Register – George III v.7 (May 1769 – Dec. 1770) p.155, 411 (PC 2/114)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.29, 314–315, 342 (PC 2/115)

DOCUMENTATION

Printed cases

Case of the respondent – Columbia University. Diamond Law Library

Privy Council documents in PC 1 at The National Archives at Kew

Committee Report – 9 July 1771 (APC v.6 [868] p.504–505)

Felix Doran, John Kirwan, William Irish, Charles Molineux and Charles O’Gara v Richard Farrill

APC v.5 [163] p.281 (9 Nov. 1770)

Register – George III v.7 (May 1769 – Dec. 1770) p.558 (PC 2/114)

Michael Brislane, appeal of

APC v.5 [181] p.293–295 (1 May 1771 – 6 May 1773)

Register – George III v.8 (Jan. 1771 – Dec. 1771) p.175 (PC 2/115)

Register – George III v.10 (Jan. 1773 – April 1774) p.119–121, 187, 191 (PC 2/117)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew

Committee report and minute on the appeal – 27 March 1773 (APC v.6 [907] p.539)

Thomas Hakey, Peter Cazalet, Charles Dalbiac and Peter Robert Luard v James Schaw, William Musgrave, William Irish, Charles Molineux and Crisp Molineux

APC v.5 [443] p.543 (8 Aug. 1783 – 30 Oct. 1783)

Register – George III v.21 (Oct. 1782 – Dec. 1783) p.426, 537 (PC 2/128)

NEVIS

Matthew Craymer v John Bertrand

APC v.5 [371] p.473–475 (3 June 1779 – 16 Feb. 1781)

Register – George III v.16 (Oct. 1778 – June 1779) p.501 (PC 2/123)

Register – George III v.19 (Jan. 1781 – Sept. 1781) p.84–86, 126 (PC 2/126)

ST. CHRISTOPHER

William Coleman v Thomas Truman, Abednego and Jane Matthew *et al*

APC v.5 [54] p.121 (12 Dec. 1767 – 14 April 1769)

Register – George III v.5 (Aug. 1766 – Jan. 1768) p.530 (PC 2/112)

Register – George III v.6 (Jan. 1768 – April 1769) p.106, 178, 195, 496, 537 (PC 2/113)

Note: The appellant in a cross-appeal is not named.

DOCUMENTATION

Printed cases

Case of the appellant and the respondent – British Library – Add Mss 36220 f.199

Note: Respondent's printed case gives name as Trueman.

Privy Council documents in PC 1 at The National Archives at Kew

Committee report on appeal and cross-appeal – 14 March 1769 (APC v.6 [812] p.470)

Robert Mitchell and George Scott v John Tasker

APC v.5 [90] p.172–173 (26 Oct. 1768 – 8 July 1772)

Register – George III v.6 (Jan. 1768 – April 1769) p.360, 495, 543 (PC 2/113)

Register – George III v.7 (May 1769 – Dec. 1770) p.12, 14, 694 (PC 2/114)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.329–331, 367 (PC 2/116)

Smith TOC (Mitchell v Tasker)

John Gardiner v James St. John

APC v.5 [160] p.277–280 (14 Sept. 1770 – 30 June 1775)

Register – George III v.7 (May 1769 – Dec. 1770) p.485, 627, 605, 626 (PC 2/114)

Register – George III v.9 (Jan. 1772 – Dec. 1772) p.132–136, 171–173, 266, 292, 315 (PC 2/116)

Register – George III v.11 (May 1774 – May 1775) p.476 (PC 2/118)

Register – George III v.12 (June 1775 – May 1776) p.31, 56 (PC 2/119)

Register – George III v.13 (June 1776 – May 1777) p.140, 428 (PC 2/120)

William Mathew Burt, appeal of

APC v.5 [350] p.453–454 (16 April 1777 – 4 July 1777)
 Register – George III v.13 (June 1776 – May 1777) p.454 (PC 2/120)
 Register – George III v.14 (June 1777 – March 1778) p.110, 131 (PC 2/121)

Henry Cruger, sen. v William Garnier

APC v.5 [354] p.455 (13 June 1777 – 5 Feb. 1781)
 Register – George III v.14 (June 1777 – March 1778) p.23, 109, 131 (PC 2/121)
 Register – George III v.15 (April 1778 – Sept. 1778) p.265 (PC 2/122)
 Register – George III v.16 (Oct. 1778 – June 1779) p. 498 (PC 2/123)
 Register – George III v.19 (Jan. 1781 – Sept. 1781) p.74–76, 95 (PC 2/126)

William Pyle and Lucas Berners v Henry Bennett

APC v.5 [376] p.478 (5 Jan. 1780 – 18 May 1781)
 Register – George III v.17 (July 1779 – Feb. 1780) p.489, 546 (PC 2/124)
 Register – George III v.19 (Jan. 1781 – Sept. 1781) p.90, 322–324, 347 (PC 2/126)

DOCUMENTATION

Privy Council documents in PC 1 at The National Archives at Kew
 Committee Report – 12 May 1781 (APC v.6 [1010] p.589)

ST. VINCENT

Harry Smith v Richard Ottley

APC v.5 [128] p.214–215 (25 Oct. 1769)
 Register – George III v.7 (May 1769 – Dec. 1770) p.77, 96, 118 (PC 2/114)
 Smith TOC (Smith v Ottley)

TOBAGO

Peter Franklyn, appeal of

APC v.5 [427] p.525 (30 Oct. 1782)
 Register – George III v. 21 (Oct. 1782 – Dec. 1783) p.47 (PC 2/128)

TORTOLA

Jacob Schwartzkopff v Henry Mears

APC v.5 [387] p.488 (9 Dec. 1780 – 30 May 1781)
 Register – George III v.18 (March 1780 – Dec. 1780) p.463 (PC 2/125)
 Register – George III v.19 (Jan. 1781 – Sept. 1781) p.378 (PC 2/126)

WEST FLORIDA

Samuel Thomas and Phillips Comyn v John Campbell

APC v.5 [264] p.378–379 (4 Aug. 1773 – 23 Jan. 1775)
 Register – George III v.10 (Jan. 1773 – April 1774) p.240, 266, 377, 396 (PC 2/117)
 Register George III v.11 (May 1774 – May 1775) p.318, 353–358, 374, 442 (PC 2/118)
 Smith TOC (Thomas and Comyn v Campbell)

Elias Durnford v Alexander Macullagh

APC v.5 [370] p.473 (21 April 1779 – 3 June 1779)
 Register – George III v.16 (Oct. 1778 – June 1779) p.409, 499 (PC 2/123)

Useful Lists

Brief List of Printed Cases from Caribbean Colonies Found in Three Collections

The following cases are found in the Hardwicke Papers at the British Library, the Sir George Lee collection at Law Library of Congress, and the William Samuel Johnson collection at Diamond Law Library at Columbia University.

The Hardwicke cases appear here in the order in which they appear in the bound volumes of Additional Manuscripts. Call numbers for Hardwicke materials indicate the first page on which the printed cases begin. Hardwicke Papers cases have been transcribed for the Division of Manuscripts at the Library of Congress. The Lee collection at the Law Library of Congress also contains printed cases related to James Barclay that are not listed here. The location of Columbia University materials is indicated as follows: Treasure – Johnson 1770m and 2nd Fl. Microfilm Cabinet.

ANTIGUA

British Library

- Nathaniel Carpenter v Amy Parry by Henry Lyons – Jan. 14, 1731 – appellant and respondent – Add Mss 36216 f.53
- Robert Martin v Edward Horne Forest – Nov. 5, 1734 – appellant – Add Mss 36216 f.83
- John Dunbar v Harry Webb, present Attorney General of the Leeward Islands – Feb. 6 or 10, 1753 – appellant and respondent – Add Mss 36217 f.34
- John Payne v William Abdy – June 10, 1767 – appellant and respondent – Add Mss 36220 f.142

Law Library of Congress

- Edward Otto Bayar v Thomas Warner – 1753 – appellant
- John Dunbar v Thomas Shepard *et ux* – 1753 – respondent
- John Dunbar v Harry Webb – 1753 – appellant and respondent
- Richard Kirwan v Charles Alexander – 1754 – appellant and respondent
- Robert Davis v William Warner – 1758 – appellant and respondent

Diamond Law Library. Columbia University

- John Payne v William Abdy – 1767 – appellant
- Thomas Coursey v Thomas Underwood – 1769 – appellant

BARBADOS

British Library

- Isaac and Abraham Mendez v William Rees Battyn by Edward Jordan – July

- 25, 1722 – appellant – Add Mss – 36216 f.8
- William Moore v Francis Ford – July 4, 1726 – respondent – This appeal is not printed but in manuscript. – Add Mss 36216 f.19
 - Richard Morris v Isaac LeGay – March 18, 1730 – appellant and respondent – Add Mss 36216 f.24
 - Samuel Adams v William Sturge – July 8, 1757 – appellant – Add Mss 36217 f.172
 - George Augustus Selwyn v John Murray – Feb. 5, 1761 – appellant – Add Mss 36218 f.90
 - John Stone v Joseph Maynard – 1762 – appellant and respondent – Add Mss 36218 f.166
 - Thomas Suleven v Reynold Skeete – 1764 – appellant and respondent (Respondent’s printed case notes appellant as Thomas Sullivan.) and also a copy of the respondent’s case in manuscript – Add Mss 36219 f.140
 - Francis Grant v William Singleton – June 10, 1767 – appellant and respondent – Add Mss 36220 f.135
 - John Carter v Catherine Sims – Jan. 30, 1769 – appellant with appendix and respondent with appendix (Respondent’s printed case spells Katherine with a K.) – Add Mss 36220 f.183

Law Library of Congress

- Elliot Saer v Benjamin Charnock – 1752 – appellant and respondent
- Gedney Clarke v Richard Smith – 1753 – appellant and respondent and appendix (2 copies of the materials of the respondent)
- John Stone *et ux* v Peter Chapman – 1755 – appellant (2 copies)
- Samuel Adams v William Sturge – 1757 – appellant and respondent

Diamond Law Library. Columbia University

- John Carter v Katherine Sims – 176_ – appellant with appendix and respondent with appendix
- Francis Grant v William Singleton – 1767 – respondent (2 copies)

DOMINIQUE

British Library

- Anthony Colombier v Thomas Knowler; William Woodbridge v Thomas Knowler; Joseph and Henry Guinand v Thomas Knowler; Victor McNelly v Thomas Knowler – 1766 – 4 printed cases of the appellants with appendixes and respondent’s printed case with manuscript “Observations” (Respondent’s printed case reads Anthony Colombier, Victor McNelly, Joseph and Henry Guinand and William Woodbridge v Thomas Knowler) – Add Mss 36220 f.80 (The case was first tried in the Vice-Admiralty Court in Antigua; the ship was seized in Dominique, as is reflected on the printed case.)

GRENADA

British Library

- David Inglis v Richard Burke – June 1767 – appellant and respondent with appendix of respondent – Add Mss 36220 f.148

Diamond Law Library. Columbia University

- David Inglis v Richard Burke – 1767 – respondent with appendix
- Michael Scott *et ux* v James Brebner – 1770 – appellant

JAMAICA

British Library

- John Humphrey v Samuel Smith – March 27, 1734 – appellant – Add Mss 36216 f.81
- John Lewis v Samuel Smith – Nov. 1736 – appellant and respondent – Add Mss 37216 f.90
- Thomas Bontein v Edward Trelawny – 1753 – appellant and respondent – Add Mss 36217 f.25
- Joseph Williams v Hannah Beecher – March 22, 1757 – appellant and respondent (On respondent's printed case, the respondent is William Jenkins and Hannah his wife, late Hannah Beecher.) – Add Mss 36217 f.123
- James Barclay v Daniel Munro – March 25, 1757 – appellant and respondent (Spelling is Monro on respondent's printed case.) – Add Mss 36217 f.132
- Thomas Powell v Elizabeth Hughes – appellant and respondent plus appendix of accounts – April 1, 1757 – Add Mss 36217 f.139
- Andrew Arcedeckne v Thomas Hall – appellant – Feb. 9, 1758 (and manuscript petition of appeal and proceedings under seal from Jamaica) – Add Mss 36217 f.185
- John Spooner v John Cossley – appellant and respondent – March 6, 1758 – Add Mss 36217 f.208
- The controversy at Add Mss 36217 f.210 and following (June 22, 1758) includes three printed cases with variant spellings, as indicated:
 The first is Margaret Blancan and Dominick Larralde v Robert Foster, James Spagg and Martha his wife, executors of William Foster, and Augustine Dupouy [and] James Spagg and Martha his wife v Augustin Dupouy, together on one printed case – the case of the appellant (Blancan) – f.210
 The second printed case is William Foster v Augustine Dupoy – case of the respondent. Foster died after the case was printed, but the case was revived. – f.212
 The third printed case is that of the appellant in Spagg v Dupouy. Spagg was the executor for Foster. – f.216
- Hannah Blake v Alexander Paterson – March 8, 1759 – appellant and

- respondent – Add Mss 36218 f.11
- John Bell v William Perrin – March 15, 1759 – appellant and respondent with supplementary manuscript material – Add Mss 36218 f.17
 - Zachery Bayly v Rev. John Poole – July 7, 1760 – appellant and respondent – Add Mss 36218 f.40
 - Samuel Adams v John Nimbhard – 1760 – appellant and respondent (Respondent’s name on his printed case is Nembhard.) – Add Mss 36218 f.64
 - William Beckford v Robert Halked – 1760 – appellant and respondent – Add Mss 36218 f.72
 - Joseph Weatherby v Andrew Raitt – appellant and respondent – Jan. 20, 1761 (Date on respondent’s case is 1760.) – Add Mss 36218 f.86
 - Edmund Hyde v Foster March – 1761 – appellant and respondent – Add Mss 36218 f.92
 - Samuel Ranshin v David Dove – 1760 or 1761 – appellant and respondent – Add Mss 36218 f.105
 - Zachary Bayly v Peter Furnell – 1761 – appellant and respondent – Add Mss 36218 f.113
 - Francis Delap v Samuel Lindsey – June 29, 1761 – appellant and respondent – Add Mss 36218 f.121
 - John Burn v Julia Cole – March 16, 1762 – appellant – Add Mss 36218 f.144
 - Sir John Molesworth v Thomas Fearon – April 6, 1762 – appellant and respondent – Add Mss 36218 f.154
 - Thomas Peters v John Bourke – April 6, 1762 – appellant and respondent (Respondent’s name is spelled Burke in the respondent’s printed case.) – Add Mss 36218 f.161
 - Zachary Bayly v Thomas Jackson – 1762 – appellant – Add Mss 36218 f.207
 - Richard Crosse v Michael Atkins – 1763 – appellant and respondent (Respondent is the Attorney General of Jamaica on the respondent’s printed case.) with supplementary manuscript “Observations” – Add Mss 36218 f.209
 - Augustine Dupoy v Dominick Lalarde and Margaret Blancau – 1764 – appellant (2 copies) and respondent – Add Mss 36219 f.94
 - Collin McKenzie v Dally Jackson Woodhouse – July 1764 – appellant and respondent – Add Mss 36219 f.110
 - Zachary Bayly v Thomas Jackson – 1765 – appellant and respondent (Note also the 1762 action: Yorke is on the first action alone and in 1765 he is joined by DeGrey. The printed cases begin the same. They have not been compared throughout to determine their relationship. There are also manuscript “Observations.”) – Add Mss 36219 f.154
 - William Beckford v Samuel Jeake – 1765 – appellant and respondent with

printed appendix to the appellant's case and much supplementary manuscript material – Add Mss 36219 f.168

- Mark Hall v George Anderson – July 1765 – appellant and respondent – Add Mss 36219 f.210
- Henry Israel v His Majesty's Advocate General at the relation of William Donaldson, Collector of the Customs – 1765 – appellant (also in manuscript) and respondent with a printed appendix to the respondent's case (Respondent's printed case records parties as Henry Israel Junior v James Innes, his Majesty's Advocate General for Jamaica.) – Add Mss 36219 f.217
- John Doe on the demise of William Perrin and Thomas Vaughan v Hannah Blake – 1765 – appellant and respondent (Respondent's printed case lists the parties as William Perrin and Thomas Vaughan v Hannah Blake.) – Add Mss 36219 f.236
- Zachary Bayly v James Ord – appellant and respondent – Add Mss 36219 f.244
- Zachary Bayly v the Attorney General of Jamaica – 1765 – appellant and respondent – Add Mss 36219 f.256
- Thomas Peters v John Bourke – April 6, 1762/1765 – appellant (2 copies) and respondent (Respondent's name is spelled Burke on the respondent's printed case.) - Add Mss 36219 f.261
- Jasper Hall v Malcolm Laing – 1767 – appellant and respondent with supplementary manuscript material – Add Mss 36220 f.163
- William Pusey v Sir Simon Clarke – March 1769 – appellant and respondent (Respondent's printed case gives name of appellant as John Pusey.) – Add Mss 36220 f.205
- John Millward v John Lindsay – Jan. 30, 1769 – appellant and respondent (Respondent's printed case gives name of respondent as the Reverend John Lindsay.) – Add Mss 36220 f.210

Law Library of Congress

- Edward Pratter v Richard Basnett – 1733 – appellant
- Dorothy Stout v James Stout – 1739 – appellant and respondent
- Norwood Witter v John Doe the lessee of John Sharpe, William Perrin and Thomas Vaughan – 1752 – respondent
- James Lawrence v John Wilson – 1752 – respondent
- Samuel Jackson v David Olyphant – 1753 – appellant
- John Garrioche v James Uniacke - 1753 – appellant and respondent (2 copies of each)
- Richard Beckford v Esther Nunes and William Aikenhead – 1754 – appellant and respondent for both respondents

Zachary Bayly v George Smith – 1756 – appellant and respondent

- Samuel Gordon v Anna Margareta Hill – 1756 – appellant
- Charles Price v John Bonner – 1757 – appellant and respondent (may have appendix)
- Joseph Williams v Hannah Beecher – 1757 – appellant and respondent
- Thomas Powell v Elizabeth Hughes – 1757 – respondent (may have appendix)
- Andrew Arcedeckne v Thomas Hall – 1758 – appellant and respondent
- John Spooner v John Cosley – 1758 – appellant and respondent
- Margaret Blancau v Augustine Dupoy – 1758 – respondent
- William Foster v Augustine Dupoy – 1758 – respondent

Diamond Law Library. Columbia University

- Mary Hardyman v George Goodin – 17__ – respondent
- John Millward v Rev. John Lindsay *et ux* – 176_ – respondent
- Aaron Baruch Lousada v Edward Woolery – 1769 – respondent
- Peter Furnell v John Ashburne – 1769 – appellant with appendix
- Hutchison Mure v John Palmer *et ux* – no date – appellant, and – 1769 – respondent
- James Mackqueen v Simon Taylor – 177_ – respondent
- George Richards v Samuel Alpress – 1771 – respondent

MONTSERRAT

British Library

- Walter Tullideph v Bethia Symes – July 1768 – appellant and respondent – Add Mss 36220 f.193

Diamond Law Library. Columbia University

- William Tullideph v Bethia Symes – 1768 – appellant
- George Scandret v Michael White – 1771 or 1770 – respondent

NEVIS

British Library

- Andrew Denn v Horatio Herbert, Deputy Collector of the Customs – 1760 – appellant and respondent (Respondent's printed case records appellants as John Cort; John Denn on behalf of himself; and Andrew Denn and Richard Denn, owners of the schooner called the *Nelly*.) – Add Mss 36218 f.78
- David Chollett v Alexander Mackay – March 16, 1762 – appellant and respondent – Add Mss 36218 f.133

ST. CHRISTOPHER

British Library

- William Wells v Richard Wilson – Jan. 11, 1757 – appellant (with the will of Nicholas Taylor as appendix) and respondent with manuscript supplementation

– Add Mss 36217 f.103

- Jackson Browne v Henry Sharpe – May 19, 1757 – appellant and respondent – Add Mss 36217 f.152
- William Coleman v Thomas Truman and between Thomas Truman v William Coleman – 1768 – appellant (Coleman) and respondent (Truman) (Respondent’s printed case gives name as Trueman.) Add Mss 36220 f.199

Law Library of Congress

- August Boyde v John Johnson – 1738 – appellant
- John Mills v George Bryan – 1755 – appellant and respondent
- William Wells *et ux* v Richard Wilson – 1756 – appellant and respondent (3 copies of appellant; 2 copies of respondent; one copy of relevant will)
- Jackson Browne v Henry Sharpe – 1757 – appellant and respondent

