

“ AT THE COUNCIL CHAMBER, WHITEHALL.

The 9th of February, 1809.

By The Right Honourable the Lords of the Committee of Council for hearing Appeals from Plantations.

Present: Master of the Rolls, Sir William Scott, Sir Evan Nepean, Bart., Mr. Dundas.*

Committee report on the appeal of John Gray, Esq., against William Willcocks, Esq.

YOUR MAJESTY having been pleased by Your Order in Council of the 16th November last to refer unto this Committee the humble Petition and Appeal of John Gray, Esquire, of Upper Canada, against William Willcocks, Esquire, setting forth, that the said William Willcocks being indebted to the Appellant in the sum of

* The Master of the Rolls was Sir William Grant, a Scotsman, educated at Aberdeen. Born in 1752, he was called to the Bar at Lincoln's Inn in 1774; next year he emigrated to Quebec, where he commanded a body of volunteers during the siege by Arnold and Montgomery. He was created Attorney-General of Canada in 1776, but returned to England in 1779. There he became somewhat prominent in Parliament: he was appointed Solicitor-General and knighted in 1799, member of the Privy Council and Master of the Rolls in 1801. This office he continued to fill till 1817, when he resigned, dying in 1832. Powell tells us that it was his belief, that Grant's return to England made an opportunity for a lawyer in Quebec that induced him (Powell) to come to Canada in 1779, although he had not yet been called to the Bar.

Sir William Scott, afterwards Lord Stowell, was an elder brother of Lord Eldon. Born in 1745, he became an advocate at Doctor's Commons in 1779, and was called to the Bar the following year; he was knighted and created King's Advocate-General in 1788, and in 1798 made Judge of the Admiralty, and sworn of the Privy Council. In 1821, he was created a Peer: resigning his judgeship in 1828, he survived till 1836.

Sir Evan Nepean was the well-known Secretary of the Admiralty, "a hard-working official." Born in 1751, he became successively a clerk in the navy, a purser, secretary to an Admiral, and Under-Secretary of State, Commissioner of the Privy Seal, Under-Secretary of War and Secretary of the Admiralty. Created a Baronet in 1802, he became Chief Secretary for Ireland in 1804, and the same year a Lord of the Admiralty. At the time of this judgment he does not seem to have held any office of emolument.

Mr. Dundas was not the first Viscount Melville, Henry Dundas, the well-known friend of Pitt, but his only son, who became the second Viscount Melville. Born in 1771, he became a member of the Ministry formed by the Duke of Portland, and was sworn of the Privy Council in 1807. He continued in active political life, much of the time in office, till 1830, and died in 1851.