

as the Magistrates could be supposed to have had a sufficient opportunity of justifying their conduct in the Instances to which the Evidence was applied under this Article.

Upon the whole it is the Opinion of this Board, that Col. Bayard has in many Instances misbehaved in his Office, and that J. Henry in the Instances mentioned under the 4<sup>th</sup> and 5<sup>th</sup> Articles, did not behave with the Discretion and Impartiality a Magistrate ought to observe in the Execution of his Office, and that particularly in the Matter mentioned under the 4<sup>th</sup> Head, his Misbehaviour seems to have proceeded from a very partial Regard to Col. Bayard. But with due Reference it is submitted to your Excellency.

Samuel Chamberlaine, Benjamin Tasker, ju<sup>r</sup>. Rich<sup>d</sup>. Lee, W<sup>m</sup>. Goldborough, Rob<sup>t</sup>. Jenkins Henry, Daniel Dulany.

15<sup>th</sup> April 1758.

At a Council held at the City of Annapolis on Friday the 21<sup>st</sup> Day of April in the seventh Year of his Majesty's Dominion Annoque Domini 1758.

Present

His Excellency Horatio Sharpe Esq. Governour.

(The Honourable)

- |   |                          |   |                                   |
|---|--------------------------|---|-----------------------------------|
| } | Col. Charles Hammond     | } | Benedict Calvert Esq.             |
|   | Samuel Chamberlaine Esq. |   | Col. Rob <sup>t</sup> . J. Henry. |
|   | Col. Edward Lloyd        |   | Col. William Goldborough          |
|   | Col. Benjamin Tasker     |   | Daniel Dulany Esq.                |
|   | Richard Lee Esq.         |   |                                   |

His Excellency is pleased to lay before this Board the following Letters which being read are ordered to be entered.

We

Williamsburgh March 25<sup>th</sup> 1758.

Your Excellency's Letter of the 25<sup>th</sup> of February with the Depositions taken on Col. Bayard's Complaint came to my Hands four Days ago. The Council being convened on W<sup>m</sup>. Secretary Gills Letter of December 30<sup>th</sup>. Had yours before them they were willing to have justice done to Col. Bayard but apprehended considerable Difficulties to get it done in time for a Trial in your Provincial Court on the