

well satisfied that he is an honest man and had no hand in the murder. But as for
the Old Indian they gain any no good of him

10 They are told that his Excellency understands they have had some disputes with
the English about the bounds of their land, & are desirous that if they would sell
any of their lands to the English his Excellency would give his leave and consent thereto
The Emperor agrees thereto and is willing his Excellency telling them and the rest that
what lands they do sell if they do but go to Col. Addison Col. Courts Major Smallwood
or Mr. Barton they will see that they shall have right done them for satisfaction for
thesame

11 They are told that all the matters and proposals that have been made to them
now is the sense of the whole Country for that there are Gentlemen from all Parts of the
Country here besides the Gentlemen of his Majesty's Honourable Council

12 The Young Indian Prisoner is brought and the Emperor and his Great men are told
that in regard they have assured that he is an honest man and are now become his
Security for his good behaviour and that they have promised to apprehend the Anaxo-
fin King they do therefore release him and he was accordingly released

The case about the legality of trying the said Indian by our English laws being put
and debated the House are unanimously of Opinion that the said Indian ought to be
tried by our English laws: so the Conference broke up several Attorneys of the Provincial
Court and other Gentlemen professing the law being sent for up to the Council Board
to consult and advise concerning the trial of the said Indian and English woman
now in custody &c. how they shall be tried and accordingly appeared Mr. Cheseldyn
Mr. Smith Mr. Gouldenough and Mr. Clark Mr. Attorney and Mr. Solicitor General
being not yet come to Town.

They are acquainted that their Advice is required in a case concerning an Indian
and English Woman now in custody upon suspicion of murder what proper me-
thods were best to be taken for trying the said Persons who after some debate thereupon
had / so far that the most proper method will be for a Special Commission of Oyer
and Terminer to issue for the said end and purpose to terminate by the certain prefixed
day and that summons issue for a Grand and Petty Jury to be called &c. according
to the usual Custom and practice of the Provincial Court Ordered thereupon as it is
hereby Ordered that Special Commission issue out of the Secretary's Office for trial of
the said Indian and English Woman constituting and appointing the said Gen-
tlemen that are now in the Commission of the Provincial Court to be Justices and
Commissioners for the said end and purpose and that the Clerk of the Provincial
Court be also therein constituted Clerk for the said special Court and that the said
Court by virtue of the said Commission do meet and sit at the Port of Annapolis on
Monday next by nine of the Clock in the morning and terminate the Wednesday
after at the farthest and that the Venue for the Grand and Petty Jury do immediately
issue out of the Provincial Office for their appearing &c. on the said Monday at the time
and Place prefixed that the Court may then proceed to trial

Saturday July the 4th 1696 The Council again sat & were present as before
Proposed that an Ordinance pass for to Oblige the Justices of the several County Courts
to sit in Court twelve hours in Summer and eight in Winter every day otherwise to
be paid accordingly and that they do keep and exact account of their complying therewith
and of what Justices are present or Absent and that they do not adjourn unless upon
extraordinary Occasions