

Wednesday March 24th 1707

Lib. C. B.
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The Councill Sate present as Yesterday with the Assistance of M^r Iustice Lloyd.

His Excy was pleased to Inquire if Col^o Smithson had made any Answer to the letter wrote to him from this Board at the last Councill or was come over in order to give the Board the Satisfaction required, And was Answered that he had not wrote any Answer thereto or come over. himself thô Speedy Notice had been given him by the had of the honble Colonel Coursey. M^r Cheseldyn and M^r Young being made acquainted with the proceedings and resolution at the two last Councils in Relation to M^r Smithsons bayling Thomas Macnemara express'd their Approbation thereof and then the following Letter was Read Viz'

Honrd S^r

I comunicated Yours to me by Col^o Coursey to his Excy and the Councill who seemed to Expect since your health permitted not your comeing over to the Councill that you would have in writing given them some Satisfaccōn to the Question in their Letter but missing that and the Chancery Court having sat to which the Sherriff and Serjeant at Armes made Returnes of the Sev^{ll} habeas Corpus and Liberata's The Board have Unanimously resolved that your proceedings thereon have been irregular & illegall Wherefore His Excellency Expects you by the first Conveniency to Transmitt him in writing what you think fitt to say in Vindication of those proceedings the Councill being to sitt again on Tuesday the 23^d of March next

I am S^r Your humble Servant
W Bladen Cl Concl.

His Excy was pleased to Express himself that he could not but resent M^r Smithsons proceedings which were not only in disrespect to himself but this Board the Smithson refusing and delaying to Offer the reasonable Satisfaction required either by writing or comeing over himself after so long and patient Expectance thereof (tho no ways prevented) And therefore desired the Advice of the Board what Course should be taken with him Whereupon the whole board Unanimously Resolved and advised his Excy that as well for his Misbehaviour in his Office as willfull and unmannerly Contempt of the direction sent him from this Board to offer what he had to say in Justification of his Proceedings (which he has wholly neglected and refused) He be removed from his Office and a Supersedeas sent to