

and thereby instead of making it bear Date in 1753.. the Time when the Certificate was wrote, giving it a Date in 1752: The Effect of this antedating would have been (had it not been discovered) that the Account would have been legal Evidence, by appearing to have been proved in Time, tho' in Fact had the Certificate been dated upon the Day and Year when given it could not have been given in Evidence. Lib. J. R.
& U. S.

2^{dly} It appeared in Evidence that Col: Bayard certified as a Magistrate the Acknowledgment of two Deeds taken to himself in which he was a Party, and that the same were recorded by his Order, but it did not appear to us that the Effect mentioned in the Remonstrance did actually happen.

3^{dly} The Charge of Col: Bayards' having upon a summary Trial ordered a Freeman to be whip'd for a Felony appeared to us to be without Foundation.

4^{thly} It appeared in Evidence that Col: Bayard being desirous to be appointed Guardian to an Orphan, solicited a Magistrate in a private Way for his Countenance when the Matter should come before him judicially. it further appeared by the Testimony of one Witness that after the Court was adjourned and Proclamation had been made thereof, and when all the other Magistrates had left the Court, except Col^s Veazey and Bayard, or Col^s Veazey Bayard and one other Magistrate, the Deputy Clerk was ordered by the said Magistrates to make an Entry upon the Proceedings of the Court that Col: Bayard was appointed Guardian to the Orphan. this was also proved by the Clerk of the County Court, except as to the Circumstance of the Adjournments having been first proclaimed of which he was doubtful it also appeared by the Clerks' Proceedings that the Adjournment had been entered before the Appointment and that it had been afterwards struck out, and again entred after the Appointment; it further appeared that upon Complaint being made of this Proceeding by a Magistrate of the Court to Col: Veazey he promised to speak to Col. Bayard to have it rectified and that the Entry of the Appointment was afterwards struck out accordingly by the private Order of the said Col^s Veazey and Bayard. p. 237

We beg Leave to observe to your Excellency that the Conduct of the Magistrates in ordering the Entry of the Appointment to be struck out privately leaves no Room to doubt but that their Behaviour had been before irregular, or if there could be supposed to be a proper Authority to make the Entry of the Appointment at first, Col^s Veazey and Bayard had no Authority to order it afterwards to be struck out in a private Manner.