

the presence of M^r Evan Shelby, a Justice of the Peace, Jonathan Hagar, John Rench, and a Number of other Witnesses, I submit it to your Judgment to determine whether the said John Wolgamot cannot be properly suspected of being guilty of the Murder himself, or at least accessory to it by not apprehending the pretended Murderer, when he had him in his Power, and not informing against him the moment he returned to the Settlements. Lib. J. R.
& U. S.
p. 393

I need not observe that unless Satisfaction can be given to the Indians for that Murder it is not only Probable that they will renew the War, but that it will be very difficult if not impossible ever to make another Peace with them, as they would believe us a faithless People, whose Promises they could no longer rely upon.

I have the honour to be with great respect

Sir your most Obedient humble Servant

Henry Bouquet.

It being the Opinion of this Board that the Affair is not Cognizable in any Court of Law in this Province His Excellency was pleased to send the following Letter in Answer thereto.

Annapolis 11th January 1765.

Sir

The Intelligence you communicate to Me by the Letter you were pleased to write from Conegocheague the 20th of last Month gives me great concern. I wish it was in my Power as much as my Inclination to have the Perpetrator of the Crime you mention punished according to his Deserts, but I am told by our Lawyers that if he could be apprehended and it could be made appear by the clearest Evidence that the James Bow you speak of did kill a Friend Indian near Pittsburgh he could not be convicted of Murder in any Court of Law in this Province, that place being without the Limits of Maryland, and that M^r Wolgamot's Behaviour in receiving the Scalp from him cannot be taken Cognizance of or at least punished by any Civil Jurisdiction, Such being the Opinion of our Lawyers I declined taking any Step for his Apprehension or giving any Orders which might alarm Bow until I could advise you of the Doctrine above mentioned so that you may consider whether it would not be more advisable to have him taken by a Party of Men and tried by a Court Martial for the Offence which I suppose must have been committed while he was properly in Service under your Command and he was then no doubt subject to Martial Law, but if you are averse to having him taken and proceeded against in that way an Information