

Commission is at an End the Governor will be called upon to make a new appointment. In Proceeding to Business at this time, I should act against my own Sentiments, and should have no scruple in laying down my Office to avoid that very disagreeable Situation, if there were not Reasons to apprehend the most inconvenient Consequences to the Governor from my taking that Step, and in those, the utter Subversion of all Orders.

A new Appointment requires the use of Stamp Paper, as much as the Process in the Courts of Law and of Justice. Respect to the person of the Governor should not be preserved, He seems to have a little Power to protect himself, as I have, but if that Respect should be openly, and violently trampled upon, and personal Indignities be offered, the Example, and the Consequences would be much worse in his case than in that of a Subordinate Officer constrained to yield to the Times.

Under these Circumstances I request the Advice and Opinion of this Board, what Part I ought to take? If matters should be pushed to the Extremities apprehended in Regard to the Officers, and there be probable Grounds to expect that upon my Resignation, no Application for the purpose intimated will be made to his Excellency, I shall not hesitate one Moment in Resigning my Office, if it should be thought expedient for me to continue in it, in Order to avert the greater Inconvenience of an Insult to the Person of the Supreme Magistrate, I shall give up all thoughts of Resigning, if the latter course should be advised in the present Distraction, I should still Incline to hold out, as far as can be expected from an Individual, and purpose therefore, if thought fit, that some Gentlemen of this Board may be appointed, with whom, as Emergencies shall arise, I may consult, and with whose Concurrence I may act for my own Justification. —
Annapolis 26. Feb. 1766. Dan. Dulany.

It is the Advice of this Board, that M. Dulany consult with the Gentlemen of the Council who shall be in Town, in concert with whom he will take such Measures as the peculiar Exigency of Affairs upon that Occasion may require.

The following Letter to the Attorney General is Read.

Worcester County 22. Feb. 1766.

Sir
One John Collings of this County is bound over to the Provincial Court or to the next Court of Oyer and Terminer that shall be held for this County, to answer a Charge of Manslaughter, Several of the Witnesses as well for as against the Proprietary are Excessively poor, and would prove very disadvantageous to them to be carried to Annapolis, under these Circumstances I have taken the Liberty of acquainting you therewith, in order that if you think Proper, that he should receive his Tryall in the County, to make Application and use your Influence with his Excellency to Grant a Special Commission for the Trying of the said Collings. Your Favour in the above will be acknowledged by these poor Witnesses as also by Sir

To Edmund Key Esq.

Your most Obedt. Humble Servant
Geo. Hayward.

It is the Opinion of this Board, that M. Key should be directed to write for the Presentment and Indictment, in order that the Council may be able to Judge whether a Special Commission should issue or not.