

being confessedly unwarranted by Law, cannot be justified but by the strongest necessity, or the most unquestionable policy.

The near approach of the meeting of the Assembly, who might take regular steps in the business, is an argument against the necessity of an advance at this juncture; and with regard to the policy of the measure, I conceive that the Honor and welfare of the State would be more promoted by appropriating this money to the purchase of Tobacco, which the Assembly at their last session directed to be made for the use of Mess<sup>rs</sup> Vanstaphorst, than by applying it to any internal purpose - Being thus of Opinion that the Advance is inexpedient and impolitic I take this method to testify my disapprobation of it

John Kelly

In Council 13<sup>th</sup> October 1786

It appears from a Certificate under the hand and Seal of William Ritchie Clerk of Frederick County Court, that at a Court held for the said County on the third Tuesday and 15<sup>th</sup> Day of August in the year 1786 James Bannister late of Frederick County labourer was found guilty of dealing with a certain William Donnelly an indentured Servant of Robert Plummers an inhabitant of the State, by buying ten bushels of Bran without leave or licence from his said master and it being represented by six of the Justices of the said County, that it appeared upon the testimony that the said James Bannister did not know at the time of his dealing with him the said William Donnelly that he was a Servant - that the said William Donnelly was a Miller plowd and licenced to act as such by his said Master, and the Defendant was not acquainted personally with him - that it also appeared upon the evidence that the Defendant bought one bushel of Bran of the said Servant. That the fine by Law is 2000<sup>ts</sup> of Tobacco, and in case of meagreness to pay the same, thirty lashes on the Bare back is imposed, and the said Justices having recommended him the said James Bannister as a proper Object of Clemency - It is hereby directed that the said fine of 2000<sup>ts</sup> of Tobacco be remitted

James Bruce

John Kelly

Wm Pace

The Council adjourned till tomorrow morning 11<sup>o</sup> Clock.