

Q. What conversation passed on Sunday night.

C. S. J.

A. I was shewed the let<sup>rs</sup> from Sec<sup>y</sup> of State. they were very busy in making copies to send to congress they enjoined me to secrecy.

Q. Who were there.

A. M<sup>r</sup> Buchanan, M<sup>r</sup> Nicholson &c.

Q. What time was it, when you first saw S. P. Inst<sup>ns</sup> drawn up :

A. On Monday ab<sup>t</sup> Dinner. I did not wish to throw my reflections upon the Council by my acquiescence. I imagined Gent<sup>n</sup> of Com<sup>ee</sup> would have apply<sup>d</sup> to C. of S. for Instructions. Upon reflection I'm convinced the Com<sup>ee</sup> had no power to issue such orders:

Examination of Cap<sup>t</sup> Smith :

Q. Had you any part<sup>r</sup> Instrut<sup>s</sup> how to execute the orders from M<sup>r</sup> P.

A. He had some conversation w<sup>t</sup> M<sup>r</sup> P. about the orders some time before he del<sup>d</sup> the Instrut<sup>s</sup>

Q. Did you apprehend the instructions were to be shown to the Co. of S.

A. I did but as I was not admitted in the Co. had not an oppt<sup>y</sup> of showing them. That M<sup>r</sup> Reynolds informed Cap<sup>t</sup> Smith that he was to act according to the orders he had rec<sup>d</sup> he was enjoined to secrecy or would have shewn his orders to the Col.

Q. Had you any Verbal orders from M<sup>r</sup> P. or any one else.

A. I had not.

Q. Did you consult the Dep. from Balt. before you came to the Co.

A. He waited on the deputation very early in the morn<sup>g</sup> they informed him, what the Co. had determined, advised him not to shew his Instrut<sup>s</sup> to the Col. produced a representation of his conduct & promised a copy to the Co :

[Council to Nicholson.]

C. S. C.  
No. 132.

To Capt<sup>n</sup> James Nicholson.

Sir. We consider the Schooner Resolution to be fitted out only as a Tender for the Ship Defence and therefore have given you Directions to put Officers on board out of your own Ship as you may think best for the public Service.

26<sup>th</sup> Apr<sup>l</sup> 1776.