

In Council Annapolis 6th June 1777

97. We have an Account of the Money advanced, as you desire. We
ought to have given you an Account of it before. We enquired of such as we
thought might probably give us some Account of Mr Robert Waters but cannot
ascertain who he is; Mr Duwall says he believes he was recommended by some
Gentlemen of the Eastern Shore; we shall have an Opportunity next Week of
making an effectual Enquiry and, if necessary, appoint another; but cannot
be justified in displacing an Officer merely because we do not know him.
We have no Power to exempt any Person from Service in the Militia
on any Terms, it is only in the Power of the Legislature; before whom the
Resolution of Congress you mention will be laid for Consideration.
Col. S. Smith. 3 We are &c

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98. Sir. We have no Prospect of being able soon to get the Row Gallies which we
have already commissioned, rigged or manned, we can get neither Lodging or
Hands, and therefore believe nothing better can be done with that at Joppa
than is already done with her; we shall be obliged to you to continue the
Hands to keep her upper Works wet and take care of her. We had no
great Expectation of your acting as a Judge in the General Court; we shall
be at a great Loss to find such as will answer the Public Expectation.
Mr Sprigg accepted the Office of Chancellor, merely for a temporary Purpose
if you had been within Reach, so that the Assembly could have known
whether you would accept of the Seals or not, we believe, if agreeable
to you, you would have been appointed, and we should be glad to know
whether you would act in that Honorable Department. Conway is arrived
from Martinique, Harrison writes that the English have taken & condemned
some French Vessels for having American Produce on Board.
Benj^a Rumfey Esq^r. We are &c

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99. Sir. The inclosed Petition and Protest were presented to us by Capt. Campbell
on Behalf of himself and Partners Owners of the Privateer Schooner Buckskin
Capt. Campbell tells us verbally that, as he has understood, Capt. Pearce of the
Gamecock of Rhode Island acted much in the same Manner by a Continental
Vessel, as he is represented to have done with the Buckskin's Prize, and that
the Reason why he did not procure the Depositions of the two Men, who
were put into the Prize with the Protester William Pool is, their not having
returned, they having, as he believes, engaged in some Service to the Eastward.
No method occurs to us, by which we can put this Matter into a Way of
Examination, and, on the Facts alledged being found to be true, to effect that
Justice which the Public and the Individuals injured are entitled to. The
evil Consequences of such Conduct not being punished, are too certain, and
as Capt. Pearce held his Commission from the Congress, we beg leave to