

April 18 and proper Officer is to be put on Board and there to remain until  
 Liber No. 78 the Goods are landed and the Vessel departs. The Goods as soon as  
 p. 134 they are landed must be examined and delivered to your Officer  
 in the Presence of one of our Officers, none of the Persons on Board  
 are to go on Shore or correspond or have any Intercourse with the  
 Inhabitants, no letters or Papers are to be delivered to any of the  
 Officers or Soldiers of the late Convention without previously deliver-  
 ing them to the Lieutenant of Montgomery County, who will  
 transmit them to us. No letters or Papers are to be received by any  
 of the Persons on Board. The Flag from any Person on Shore we  
 shall direct John Murdock Esq<sup>r</sup> Lieutenant of Montgomery County  
 to furnish such a Guard under a proper Officer as he may deem  
 sufficient to escort the Goods from George Town to Frederick Town.

Ibid.

[Council to Col Samuel Smith.]

Yours of the 14<sup>th</sup>, 16<sup>th</sup>, and 17<sup>th</sup> are received; enclosed you have  
 such Commissions as can be granted with any Propriety. The Govern-  
 or and Council can suspend a Militia Officer for a Month and the  
 Governor may remove or suspend any Militia Officer in Pursuance  
 of the Judgement of a Court Martial; these are the only Powers that  
 relate to the Suspension or Removal of Militia Officers vested in the  
 Executive by the Form of Government which evinces the Impropriety  
 of suspending Caleb Shields and commissioning another in his Place  
 prior to the Sentence of a Court Martial adjudging him unfit to hold  
 his Commission and removing him. From your Representation we  
 submit to you the Propriety of having him tried under the 5<sup>th</sup> Article  
 of the 13 Section of the Act passed March Session 1778 Chapter 14.  
 You mention your having seized and secured Cromwells Papers, we  
 request you to send them immediately for Examination. It gives us  
 Pleasure to hear you have such a good Battalion of Men and would  
 most chearfully order the Guard of Regulars you request to the  
 Fort, but it is not in our Power they are so much wanted to the South-  
 ward. We highly approve of the Spirit of the Gentlemen in the  
 Forest and would supply the Articles required could we do it with any  
 Propriety, the Law is express that the Troops shall furnish them-  
 selves, were we at Liberty we have not the Means as there are none  
 of the Articles in our Magazines nor have any Money to purchase  
 them. We cannot take the Schooner Rover upon any other Terms  
 than already communicated to you In yours of the 19<sup>th</sup> you request  
 Commissions may issue to Jacob Brown as first Lieutenant, John  
 Hamilton Second Lieutenant, and William Johnson Ensign, and in  
 yours of the 16<sup>th</sup> you recommend John George Hamilton as first  
 Lieutenant, Jacob Brown as second Lieutenant and Samuel Burtis  
 as Ensign to Cap<sup>t</sup> Brittingham Dickensons Company, you will let us  
 know who you'll have commissioned and the Commissions shall be  
 accordingly sent except the Commission to supersead Caleb Shields.

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