

August 21 in any Class, But was kept back till the last of the Clases being drawn, to supply any deficiency that might happen in drawing the first Clases. I had Findley struck out of the Class and one Jacob Vermillion put in, and the class drawn again, the lot fell on Nicho^s Watters & W^m Vermillion as I was informed that Waters was a young single man who had some dependance, I appointed him as the person to go, without any peique or partiality, as I dont know that I ever saw or heard of the young man before. There was a Case of nearly the same kind hapened in Clasing the Upper Battalion, in Class N^o 13 Tho^s Devin Williams was Drafted with a man who was an indented servant, Over Age & a Cripple, this I knew nothing of till a few days before the Drafts were to appear at Marlbro. Williams complained that he had not an Equal chance with other men unless the Class was drafted over again, as the person drafted against him was Exempt by Law in more instances then one; As I thought his complaint reasonable, I told him I would have the Class drawn over again for one man in the place of the person who was Exempt by law, But that he must stand as one of the Drafts himself. I Accordingly had that Class drawn again, the lot fell on Isaac Walker a young single man, Had the lot fallen on a marryed man, Williams would have been appointed as the person to go, being the most able man in the Class.

But as it was a fixt rule with me where a marryed and single man was drafted in the same Class to send the single man. I therefore appointed Walker as the person to go into service. The Difference Between those two Clases is this the Draft in the Upper Battalion was made some time before the Error was Discovered, that of the Middle Battalion was discovered at the time of Drafting, which I endeavoured to rectifie before I went any farther on. In the first Clases this spring I drew 3 of them over again owing to Neglect of the officers in returning men on there rolls that were not fit for duty, one of those men as well as M^r Walker refuses to go into Service as they were not drafted the first time; I find there are various opinions with respect to the Legallity of drafting the second time, As to my own part I always thought it unreasonable that the State shuld loose a man by the Negligence of the officers in returning men unfit for Service. If I am wrong I shuld be Glad to be set right; I have Ever Endeavoured to do Everything in my power for the good of the American cause, and shall While I am able, continue to do so, But really people differ so mutch in opinion, Especially in matters that concern themselves & their own connection, in which they are very apt to ingrose to themselves the sole right of judging, that a man had almost as well be a pack horse, as a Leiu^t of a County. I this day had the petition of Basil Shaw put into my hands, he was Drafted against another Marryed man who had a Wife and Children. & has been out in the service of his country, and is a very in-