

In Council Annapolis 30th May 1777. —

We received yours of the 26th Inst. and are of Opinion that there is no need of a Commission issuing to the Clerk; there does not occur, in the Constitution & Form of Government, any Expression from which it can be inferred that a Commission is necessary, but that Part which says "the Clerk shall hold his Commission during good Behaviour". The Word Commission there, we think, must be understood in the same sense as Office, which it has with regard to the Chancellor.

We do not see how the Commissioners can go on with the Nomination of a Person; it seems as if they were restricted to the Times mentioned in the Act for the Execution of this Part of it, yet should we have sent up a Commission as you desired, though it might have been the Ground of Dispute for querulous People, but that the Assembly is to meet the 11th June, when it will be necessary to act in some Cases not very unlike this, and this may then with Convenience be put on such a Footing as to prevent any Dispute.

Col^o Aquila Hall }
Barford Oct 4 — }

We are &c.

In Council Annapolis 30th May 1777. —

Sir.

We are obliged by the Trouble you have taken to furnish us with the Size of the Barracks and the Account for printing the Continental Money but you ~~have~~ have not been quite so particular in your Description of the Barracks as we wished; how many Men to a Room, and how are their Beds contrived, some Account of the Officers Barracks. We inclose you Copies of the Resolutions sent us by the President of the Congress and the Letter we received from the Marine Committee, by which you will see that the Resolution of the Congress for the Discharge of the Men, was not furnished to us. Capt. Nicholson is now down here, his Ship is off Annapolis. he shewed us a Copy with which he was served the Resolution for the Discharge of the Men was omitted and Nicholson says he had no Direction from the Marine Committee to discharge any; we wish these short Papers & short Orders may have happened without Design. We never had any Intercourse with Mr Lewis, since he took Charge of our Letter to Nicholson, after his reading it before we sealed it, nor with Nicholson, till this Day, after his Letter, which we inclosed to the Marine Committee. Our Letter to Nicholson and that to the Committee contain our Sentiments much better than Mr Lewis collected them. This has been a very disagreeable Business. Nicholson alledges, and Mr Lewis seems to confirm, that Nicholson advised with the Marine Committee on the Subject of pressing before he did it, and that the Committee rather approved it; Nicholson has promised now to discharge such of the impressed Men he has upwards of 30) ~~at present~~ willing to go with him and a Magistrate goes on board this afternoon to see them. We received a Letter to day from Capt. Teare, who has lately got to the much Trust; there is but one Officer of his Company a Prisoner. We have ~~no~~ ~~any~~ ~~mistaken~~ about the Desertion of the Company