

Sir

Council Chamber
Philadelphia June 5th 1829

I have received your the 26th letter relative to the
appointment of Major of the 41st Regiment of Militia and observed
its contents.

I take pleasure in affording you all the information I
possess in relation to that appointment.

Some time in the winter a communication was received
from Colo Hitchcock stating that he recommended you the 26th of March
and recommending the promotion of Major in Hitchcock's place and
yourself as Major and that you had the description
Commission with the Regiment. A few days after you received it
appeared that the 26th was mistaken and that Captain William
Hutchens was your senior in commission. Major in Hitchcock was
promoted, as recommended and Colo Hitchcock written and informed
the appearance of your Record and that the Executive had refused
the appointment of Major for further information. Very shortly
afterwards a letter was received from Captain Hutchens claiming
his right to promotion and enclosing a new
commission and enclosing a printed statement of the bounds of his
Company dated September 1826 with the Colo's name to
it. Captain Hutchens was informed and informed that the Colo
had recommended your promotion to the Major and stated you
to be the older in military Commission.

A few days before the appointment of the Executive
in March a second letter upon the subject was received from the
Colo by which it appeared that he had not received the Commission
from Colo Alimony in the information that I had written to
him relative to your and Captain Hutchens rank. About the
same time another letter was received from Captain Hutchens asserting
his claim to promotion and enclosing a certificate from Colo Alimony
stating that he had been recognized as an officer by the Colo and that
he had diligently and faithfully discharged the duties of Captain by the
Colo's order and that he was worthy of promotion. Under these
circumstances Captain Hutchens received the appointment of
Major.

The Executive certainly had no other wish upon the subject
than to give the commission to the person who had the best claim thereon
and the evidence before them I am sure you will allow was in
Captain Hutchens favour. If injustice has been done you it
was assuredly not intention in the part of the Executive.

Capt. John B. Pearce
Baltimore

Very respectfully
Yours Obedient
H. C. C. C.