

On 8th May, 1776, * "This Congress (Provincial, of Colony of N. Y.) being informed that General Washington has ordered Lieutenant-Colonel Livingston to repair to the Highlands, are of opinion that they would not discharge their duty to the Continent, and might incur blame if Colo. Nicoll should be continued there in service.

"*Resolved*, therefore, That Colonel Nicoll be relieved from further service at present at the fortifications, as soon as Lieutenant-Colonel Livingston shall have arrived there, and be ready to receive the command.

"That the thanks of this Congress be and hereby are given to Colonel Nicoll for his faithful service, and his strict attention to the public interest since he has been in the command at the said fortifications."

A copy† of the above was forwarded to Colonel Nicoll by John McKesson, Secretary of the Provincial Congress.

On‡ 19th May, 1776, Lieut.-Col. Henry B. Livingston writes from Fort Constitution to Mr. John McKesson (Secretary of the Convention), New York, that "Colonel Nicoll does not think my orders from General Washington nor your letter to him, a sufficient reason for leaving the command of these forts in my hands. I have made no dispute about the matter, but have issued all necessary orders in his name, having first (as I thought it most prudent) obtained his approbation of them."

* Journal N. Y. Pro. Cong., 1842, Vol. I., 1775-76-77, p. 435.

† Now at Washington's Head Quarters, Newburgh, N. Y.

‡ Journal N. Y. Provincial Congress, 1842, Vol. II., 1775-76-77, p. 145.

History of West Point and U. S. Military Academy, by E. C. Boynton, 1863, p. 28.