

Lib. J. R. Servants, and am now in confinement for it, My Orders are  
& U. S. to apply to your Excellency in such a Case, and hope you  
will fall on some Measures for my Enlargement, as the  
Service has already suffered by my Confinement.

I am with the greatest Respect your Excellencys most de-  
voted hble Servant

Robert Sterling

The Governours Compliments to M<sup>r</sup> Dulany, and shall be  
much obliged to him for his Opinion on and Answers to the  
following questions:

1: Whether a Servant indented bonâ fide has a Right to  
inlist in his Majesty's Service?

2: Whether a military Officer inlisting such Servant know-  
ing him, or not knowing him to be such, is in either, and  
which Case liable to an Action?

3: Whether the Governour, as Governour can discharge  
such Action?

Annapolis March 22<sup>d</sup> 1756.

As to the first Quere I conceive that a Servant indented  
bonâ fide can't deprive his Master of his Property in him by  
enlisting in his Majesty's Service.

As to the second Quere, I conceive that an Officer enlisting  
such Servant as aforesaid and knowing him to be such, may  
be liable to the Action of the Master, but if an Officer should  
enlist such Servant without knowing him to be such, I think  
he would not be liable to an Action for inlisting such Servant,  
unless after Notice of the Masters Right or property in such  
Servant the Officer should detain the servant against the Will  
and Consent of his Master.

As to the third Quere I am of opinion that the Governor  
can't legally discharge a civil Action brought by a private  
Person in defence of his Property:

Dan<sup>l</sup> Dulany  
22: Mar. 1756

p. 91 The Governor's Compliments to M<sup>r</sup> Dorsey and shall be  
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Whether a military Officer inlisting such Servant knowing  
or not knowing him to be such is in either and which Case  
liable to an Action?