

Gentlemen of the Upper House of Assembly.

In consequence of the Address you were pleased to present to me last Tuesday, together with the Report of a Committee of both Houses I sent his Lordship's Attorney General a Bond for the Sum 1000. Sterling that was executed and delivered to me the 14<sup>th</sup>. March 1755. by Henry Darnall, John Darnall, and Charles Carroll Esquires, conditioned for the said Henry Darnall's due Execution of the Naval Office of Patuxent District requiring him at the same time to take proper Steps in Order to recover for the Use of the Publick the Money which it is apprehended the said Henry Darnall has not accounted for and paid as he ought to have done: In Answer to my Letter the Attorney General now informs me, that he hath received from John Darnall and Charles Carroll Esquires Bills of Exchange for the Sum of £1000. Sterling being the Penalty of the abovementioned Bond, and he desires my Order for the Disposal of the said Bills. I should Gentlemen be glad of your Advice on this Matter that I may give the Attorney General an Answer, and also to know what farther Steps you think ought to be taken in Order to recover the Money which M<sup>r</sup>. Darnall may still owe on Account of Duties received by him as Naval Officer of Patuxent, for the Use of the Country.

Hon. Sharpe.

the 30<sup>th</sup> of April 1761.

To his Excellency Moratio Sharpe Esquire Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the Upper House of Assembly.

May it please your Excellency

We are much obliged to your Excellency for the Measure you have been pleased to take in consequence of our Address relative to the Naval Officer of Patuxent: We think that the Bills received of John Darnall and Charles Carroll Esquires may be properly delivered to the Commissioners of the Loan Office with Instructions for their Remittance of them to the Trustees in London.

As the Penalty of the Bond given by the Naval Officer has been paid by his Sureties we presume that no further Demand can be made of them; and as to the Naval Officer himself the most proper Method which occurs to us to proceed in against him, in Order to obtain Justice to the Public in respect of the Money which he may still owe, is by Bill in Equity in the Name of the Lord Proprietary, and also for a ne exeat Provincia and an Injunction to stop any Money which may be due and owing to him in the Hands of any other.

Benja. Tasker, President.