

in his Right of Govern^t nor ever appointed to by his Lordship he does not think it a Bar to him from executing his Lordship's Commission which when he received it did not enter into his thoughts, that his Lordship's Governour would require more of him then his Governours under the Crown ever did for these 25 years past during which time he has had the Honours to serve his Lordship and the people of this Service without reproach and he believes that his faithful Services and the Justice of his accounts with his Lordship's Ancestors was the only Incentive his Lordship had to Commit the receipt of the Revenue of this Service rather to his care than to others who perhaps were not so well known in the Family. So what is desired he answers that his Lordship has not yet appointed any Surveyor's Gentle's Incongruity there can be no Deputy Surveyor, but his Lordship and the Lord Guildford his Guardian have sent in 12 Gent^{les} for Surveyors with Directions to grant them to Protestants in such Quantities when his Lordship's Surveyor's places were usually executed by Protestants while the Governour was in the Crown and that upon the death or Just cause of removal of any such Surveyors or any other officer or officers in offices usually held by Protestants none should be put in their Rooms but Protestants, but none of the said Gent^{les} are as yet placed because Mr Walter Dye and Mr Henry Lawrence who have the Distribution of the said Gent^{les} having met with some difficulties appointment therein from the Governour as they say for which reason his Lordship and the people of this Service suffer much Detrimment and the Law Office is in great thereby shutt up for the issuing Warrants for taking up Land without Surveyors to execute them which he but a charge to no purpose.

Charles Carroll.

Observations on Mr Carrolls answers to four Queres put to him on the 19th July 1716.
To the first Quere Mr Caroll after answering that he said nothing to their Lordships about the acts of the 12th and 15th of King Charles the second in the Queres specified adds he was very well satisfied that there was nothing in them that would hinder the Lord Prop^{ty} as hereditary Governour of Maryland from Granting the Commission.

An objection thereto It is plain by his Majesty's Royal instructions under his hand and Sealing signet the Governour John Frost by name is Assigned to take care of and appoint the naval officers in this Province; and it cannot be understood by the Act of the 15th of King Charles that the Secretary Governour who has never been in the Province being wholly absent in Great Britain and appointing such officers or take the oath in the act mentioned but the Governours or Gent^{les} in Chief of the lands Islands Plantations Townes or Fortifications in America and specially his Ex^{ty} John Frost Esq^r being on the spot is that person and not my Lord Prop^{ty} or the Lord Guildford who are not in this Province.

To the second Quere Mr Carrolls answer is altogether decisive of the Question whether he thoth the Secretary to the Gen^l he would take the oath when he came upon the place where he was to execute the said Commission.