

Lib. H. D. His Exec<sup>ncy</sup> Demand Whether Sr Edmd Androse did take the Oath of Trade &c<sup>a</sup> His Exce<sup>ncy</sup> Demands to know whether his Exce<sup>ncy</sup> Sr Edmond Androse did ever take the Oath of Trade & Navigation after his Assuming this Govern<sup>t</sup> upon him and it was Answered that M<sup>r</sup> Lewellin was Clerk at Sr Edmonds Arrivall who was thereupon Sent for and Accordingly Appeared of whom his Exec<sup>ncy</sup> was pleased to demand what Oathes were taken by Sr Edmond Androse upon his taking the Govern<sup>t</sup> who does say that he tooke the Usual Oaths Appointed by Act of Parliam<sup>t</sup> to be taken instead of the Oaths of Allegiance and Supremacy as also the Oath of Com<sup>d</sup> in Cheife an Oath formerly Accustomed to be taken by the Governors of this Province

Adjourne till the Afternoon

Post Meridiem

Councill Again Sate and were present as before except Coll Jowles, Coll Greenberry Coll Addison & M<sup>r</sup> Brookes.

Attorney's Opinion relateing to Sr Edmonds Assuming this Govern<sup>t</sup> M<sup>r</sup> Robert Smith speaker of the House of Assem- bly M<sup>r</sup> Attorney Gen<sup>l</sup> M<sup>r</sup> Chesseldyn M<sup>r</sup> Clarke M<sup>r</sup> Boothby and M<sup>r</sup> Carvile by order of his Exce<sup>ncy</sup> Sr Edmond Androse his takeing this Govern<sup>t</sup> upon him was legall or noe And thereupon was produced & read the S<sup>d</sup> Sr Edmond Androse Com<sup>is</sup>ion and proclama- tion remaining upon Record in the Journatl of the Councill and Afterwards read a clause in his Exec<sup>ncy</sup> Coll Nicholsons Com<sup>is</sup>ion relateing to the constitution of the Govern<sup>t</sup> in case of the Death or absence of the S<sup>d</sup> Coll ffrancis Nichol- son from America, all w<sup>ch</sup> being Maturely considered and Debated they Severally and Respectively declare and are of Opinion that the S<sup>d</sup> Sr Edmond Androse did illegally assume this Govern<sup>t</sup> And therefore by consequence all Acts of State and other Matters passed Acted and done by Virtue of his S<sup>d</sup> Com<sup>is</sup>ion are vicious and Erroneous and for prevention of the ill consequences that thereby may ensue they doe humbly Represent that it is absolutely necessary that a Law be pro- cured to pass for the S<sup>d</sup> End & purpose