

C. P. Whereupon his Excellency Observes, that the Address in the said Letter mentioned, being an Address from the Assembly of this Province and he no ways Concerned therein, the Assembly must Answer for themselves And for which he is no ways Responsible.

His Excellency is Pleased further to Observe, that as to that part which relates to M^r Birchfields being Obstructed by Col^o Hart, He never did Obstruct M^r Birchfield in the Execution of his Office under the Comissioners of the Customes, And that he was Always Aiding and Assisting to the Officers of the Customes in this Province in the Discharge of their Duties as by Law he was Required As to the Recovering the mony & Effects due to his Majesty in this Province, he is no ways Concerned in that matter, but as Judge in Equity, Which Trust he Discharged According to the Dictates of his Conscience, and the best of his Capacity; for which he is only Answerable to God and the King And that he has ever had it in his Memory, when he gave a Decree, to do Impartial Justice, according to the Strict Letter & Tenor of his Oath without Fear, Favour, or Affection

Upon the whole his Excellency Says this Charge is so Generall, he is Incapable of giving a particular Answer to it, but upon his Arrivall in England he shall Shew that that Gentleman Cou'd have no Motives to make such Complaints against him, Unless he thereby Intended to Suppress him, the better to Countenance his Factious, Popish, Favourites, And shall Likewise shew, what Personall Offers of Friendship that Gentleman has made him, If he wou'd give way to the Illegall & Insolent Proceedings of his Minions, And that he never gave that Gentleman Advice or Council in Relation to the Officers of the Customes but what he was Authorized to by his Majestys Royall Instructions Under his Sign Manuell & Privy Seale, which he thinks so farr from being a Crime, That he thought it his Indispensable Duty

That he Cannot but Observe (how little Regard soever their Lordships may have to his person) he is Sorry to see such a Slurr put upon his Character without ever Enquiring into Particulars, or that his Conduct shou'd be so Condemned without an Opportunity of Defence And Such a President he thinks may be of Dangerous Consequence to whomever succeeds him in this Government.

In Testimony that the aforegoing is a true Copy from the Council Records of Maryland, the Seale of the Governour & Council is hereto Affixed

p John Beard
Cl Council