

Customs officer he came to present his Emphaticall relating to the new office and to have his security for accepting thereof approved that he would hold the office appointed by Law when he came upon the place where he was to execute the said Emphaticall and whether he ever informed the Emphaticall of his Majesty's Customs that he was a Roman Catholic or not.

ANSWER That he did not tell the Secretary of the Emphaticall what he would do when he came upon the place of executing his Emphaticall because he thought it need us to tell he would do what was necessary the granting of the Emphaticall and the acceptance thereof must be supposed to be in the execution attended with all necessary and Required Qualifications and that there is no oath required by the Statute in the first Queere mentioned but what he is ready and willing to take and knows it is requisite he should take an oath for the true and punctual discharge of his office which he is ready to do. That the Emphaticall of his Majesty's Customs did not require him to make a profession of his faith and that he believes it would be look upon as an Importment in him to get about it before that he had

Q. 3. How came he to take upon him the office of Exchequer General in this Province (which is an office of record) and the office of Traveller's office as well as receive general of the publick revenue of this Province when he knew his Intention of not taking the oath of administration required to be taken and subscribed by all persons within that Province holding or enjoying any office or place of trust within the same as by the tenor of a certain Act of the Assembly of this Province made in the 2<sup>d</sup> year of his late Majesty's reigne Entituled an Act for repealing a Clause in an Act of Assembly Intituled an Act for Establishment of Religion Worship in this Province and also for appointing the oaths of Administration to be taken in this Province which is now in full force) and unrepaled and which said oaths has been since taken from which he has refused to take and subscribe.

The said Mr. Cassale is desired to Informe his Emphaticall and this howd who are the present Supervisors General of this Province and who are to be the Deputy Surveyors.

ANSWER That he took the office upon him in the Queere mentioned because he has for some yeares past been Intitled with all of them which lay in the Proprietarys directors to grant without being in the least called in Question on any Act while the Governmt was immediately in the Crown and since his Majesty's Justice has returned the Lord Propriety to his Majesty's Right of governing this Province he thinks himself safe in leaving his Lordships in all the offices specified in the Queere till his Lordships please to be known Concerning the acts of Assembly taken notice of which was never objected to by the late Queere and as I conceive stands repealed by an Act made in the first yeare of his present Majesty which requires to take the oaths of Administration but that act having not been under his Majesty's Consideration before he was graciously pleased to visitate his Lordships