

In not answering directly whether he ^{did} not, but saying that he did not like the Secretary of the Com^{rs} what he would do when he came upon the place of executing his Commission because he thought it needless to tell him he would do what was necessary and yet at the same time Mr. Tassell might tell the Secretary he would take the oath on the place of executing the Com^{rs} but because that he did not tell him all that he would do as Record the said Com^{rs} on appoint Deputies in the several parts and he answers he did not tell him what he would do.

Q. In his answer to part of the same Question (vizt) whether he ever informed the Com^{rs} of his Majesty's Customs that he was a Roman Catholic he does not answer whether he did or not do so but answered by saying the Commissioners of the Customs did not require him to make a profession of his faith &c. that he believes it would be looked upon as impertinent in him to go about it before that Board and yet at the same time he might have made such profession.

To the third Question how he came to take upon him the office of Treasurer Com^{rs} in this Service (which is an office of Record) and the office of Revenue Officer as well as officer general of the publick revenue of this Service when he knew his Intention of not taking the oath of Abjuration (sayings) by the Act of Assembly of this Service which has been since enacted therein and he had refused to take and subscribe.

He answers that he took office upon him in the said manner because he was for some years past been trusted with all of them which say in the Propriety's matters to great without being in the least called in Question or any act while the Government was immediately in the Com^{rs} — When at the same time it is known to all the publick officers here that he never was appointed or exercised the office of Treasurer Com^{rs} & Revenue Officer (nor all or the Revenue General of the said Propriety or exercising the Government of this Service) before he obtained the present Commission by which he now claims those offices.

It is further remarked that as to the act of Abjuration which requires all officers here to take the oath of abjuration mentioned in the said Question this time of executing the said Law is in the said Question mistaken & being (as he answers) enacted in the first year of the Reign of his present Majesty he does not take the Law to be any Bars to his executing those offices; & not having been (as he says) under his Majesty's consideration before he was graciously pleased to reconstitute his Lordship, by which option of granted all the Laws of this Province enacted the last sessions are of no Effect tho' they were enacted under the authority of his Majesty's great seal of great Britain, and before any Judicial notice of his Majesty's gracious pleasure to restore the said Propriety to the Government here which does not appear to be before the 1st day of July 1715 before which time the said Laws were enacted under the Com^{rs} and Instructions from the Com^{rs} by which former Laws had been usually made and which were usually deemed to be in force, here till his Majesty's pleasure known to the contrary method does their Offices commence directly from his Majesty's consideration of them but from the time of their being passed here, as to the latter part of his answer (191) to the said Question it is purely a parallel and was in the said Com^{rs}.