

Answers That he did not tell the Secretary of the Com^{rs} what he would do when he came upon the place of executing his Com^{rs} because he thought it needless to tell he would do what was necessary the granting of the Commission 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 Statutes in the first Queer 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 Com^{rs} of his Majesty's Customs did not require him to make a profession of his Faith and that he believes it would be lookt upon as Impertinent in him to go about it before that board.

Q. 3^o. How came he to take upon him the office of Register & General in this Province (which is an office of record) and the office of Naval Officer as well as Receiver General of the publick revenue of this Province when he knew his intention of not taking the oaths of Allegiance - Injoyned to be taken and subscribed by all persons within this 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^o Year of her late Majesty's reign & Entituled an Act for repealing a clause in an Act of Assembly & Intituled an Act for Establishment of religious Worship in this Province and also for appointing the Oaths of Allegiance to be taken in this Province which is now in full force and unrepealed and which said Oath has been since tendered to him which he has refused to take and subscribe.

The said Mr. Canoll is desired to Informe his Ex^{ty} and this board who are the present Surveyors General of this Province and who are to be the Deputy Surveyors.

Answers. That he took the office upon him in the Queer mentioned because he has for some years past been intrusted with all of them which lay in the Proprietarys Ancestors to grant without being in the least called in Question on any Act while the Government was Immediately in the Crown and since his Majesty's Justice has restored the Lord Prop^{ty} to his Hereditary Right of governing this Province he thinks himself safe in serving his Lordship in all the offices specified in the Queer till his Lordships Pleasure be known concerning the acts of Assembly taken notice of which was never assented to by the late Queen and as I conceive stands repealed by an Act made in the first Year of his present Majesty which requires to take the oath of Allegiance but that Act having not been under his Majesty's