

in Chief of the lands, Islands, Plantations, Colonies or Territories in America, and being his Ex<sup>ty</sup> John Hart Esq<sup>r</sup> being on the spot is that person and not any Lord Prop<sup>r</sup> or the Lord Guilford who are not in this Province.

To the second Queer (Mr. Cannell's answer is all together in answer of the question whether he told the Secretary to the Com<sup>rs</sup> he would take the Oaths, when he came upon the place where he was to execute the said Commission in not answering directly whether he did or not, but saying that he did not tell the Secretary of the Com<sup>rs</sup> 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. Cannell might tell the Secretary he would take the Oaths on the place of executing the Com<sup>rs</sup> but because that he did not tell him all that he would do as Records the said Com<sup>rs</sup> appointed Deputies in the several parts and he answered he did not tell him what he would do.

2<sup>d</sup> In his answer to part of the same Queer (Mr. Cannell's) whether he ever informed the Com<sup>rs</sup> 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 lookt 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 Queer how he came to take upon him the office of Escheator Gen<sup>l</sup> 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 Oath of Abjuration Enjoyned by the Act of Assembly of this Province which has been since tendered to him and he has refused to take and subscribe.

He answers that he took offices upon him in the Queer mentioned because he has for some years past been trusted with all of them which lay in the Prop<sup>r</sup> of Ancestors to grant without being in the least called in Question on any act while the Government was immediately in the Crown - When at the same time it is known to all the publick officers here that he never was appointed or exercised the offices of Escheator Gen<sup>l</sup> Naval officer General or the Receiver General (of the Lord Prop<sup>r</sup> exercising the Government of this Province) before he obtained the present Commission by which he now claims those offices.

It is further remarked that as to the Act of Assembly which requires all officers here to take the Oath of Abjuration mentioned in the said Queer the time of enacting the said Law is in the said