

be had on the Justice of a Legislative than on the Proceedings L. H. J. of Every Inferior Court.

As to the procedure being Contrary to the Common rules of Justice We take it that a legislative Body is not Tyed to Common rules, for that if the thing done be Just, they may make new rules or Dispense with old ones as to the Manner of doing it

It is likewise our humble opinions that when a Council Pleading for malefactors dares the Court he pleads before to proceed against them, it is not behaveing himself with that duty and respect that Sir Edward Northey mentions.

We are likewise humbly of opinion that the Courts are the Proper Judges to censure the behaviour of their Own officers p. 109 and it Appears that those Courts wherein M<sup>r</sup> Macnemara practic'd condemn'd this, And as it Seems out of a diffidence of their own power, because of an order of her late Majesty Obtain'd for his pleading, pray'd the Legislature in aid, many of the members whereof were Judges in those Courts wherein he pleaded and personally privy to his ill Conduct complained of, and were only unwilling to Subject themselves to the weight of his resentments by Suspending him without Any Act We think the legislature could do no less than make a law to Support them in this behalf. If then he ought to have been heard, it ought not to have been Ex Parte, if not so, then the Courts would have been drawn into Contest about that matter of which we think they are Judges. But if this legislature has it not in their power to redress their Countrys grievances and remove Nuisances (and they have found him both) if this man must be Supported in his Practice in Spight of Courts and Countrey, and that that be thought more Reasonable than to Support his Lordships Authority in the persons of his Magistrates against him, Especially considering that there is no Encouragement by fees or pensions for those that Serve as Judges And that it is a great burthen to those that do, and that every one that is Qualifyed will endeavour to avoid those Stations if they must either tamely Submitt to affronts, or draw themselves into tedious and Chargeable contests by their acting in them, We are not then so happy in our Constitution p. 110 as we hop'd we had reason to believe for (pardon the expostulation) what Impartiality can there be in Judges where if they oblige not the resenting Council pleading before them, they are Sure to be Abused or Affronted by him, or become the object of his revenge. Is it not then necessary for the legislature to interpose where the honour of his Lordships Government the Support of his Magistrates in the Administration of Justice and the Peace and Quiet of the Countrey are so nearly