

ever saved the said John saith that the said papers and the matter there-
 in contained is not any ordinary and just way of impeaching nor is
 it prosecuted to this honourable House in such form and manner it is
 usual in matters of this kind to be observed & prosecuted, and that it is
 prosecuted merely by the malice of the said Robert Morris who is no
 member of this Province but a Foreigner and Stranger though he
 boldly makes use of the name of all the Commons of this Province
 where he cannot make it appear that he had ever their assents or
 consent therunto. Also he saith that the matters in the said papers
 contained are principally examinable before the justices of the provin-
 cial Court the said John being an attorney sworn there, and the whole
 matter charged in these papers ag^t him is for matters pretended by
 him done in the course of his practice there which said justices have the
 full & sole power of hearing correcting & punishing the said misdemeanours
 (if any be) committed by their ministers under them upon complaint
 of any person against them of any fault by them committed, where the
 said Robert Morris as the said J^r. Morecroft humbly conceiveth ought
 to make his complaint, and where the said J^r. Morecroft is censur-
 able and punishable, nevertheless if this hon^{ble} House think fit
 and do so require that the said J^r. Morecroft ought & must answer
 those rude & indigested papers so preferred as an impeachment. Then the
 said J^r. Morecroft for an answer therunto saith—

That true it is that there is a suit depending in the provincial
 Court between the said J^r. Morecroft pl^t and the said Rob^t. Morris
 Defend^t for scandalous words by the said Robert spoke against the
 said J^r. Morecroft which words are alledged to be spoke at the Lord
 Proprietary's House in Wild street in the City of S^t. Marys in the
 County of S^t. Marys as he humbly conceiveth it is lawful for him
 to do without any dishonour to our Sovereign Lord the King, it being
 an usual course in practice so to do in like cases to which the Def^t
 if he pleases may Demurr or after Verdict (if any be in it) move in
 arrest of Judgment or bring his writ of Error at his discretion—

That the said J^r. Morecroft hath not exacted any Fees beyond
 the Law and Customs of this Province for he saith that before the
 settlement of the Court & since all persons did & were left to agree
 with their attorneys at what Rates they could in which he the
 J^r. Morecroft hath done no more than what was done & practiced
 by others both before & since his coming into this Province
 And further saith that it is a prerogative invested absolutely in the
 Lord Proprietary to appoint constitute & settle Courts of Judicature
 within this Province who accordingly did constitute the provincial
 Court by the name of the justices of the provincial Court & did constitute