

Resolute Obstinacy - In the second paragraph thereof he alleges the General Insiminations contained in the preamble are in themselves groundless and that his greatest Enemies have not been able to prove any undue or unfair practice against him.

Upon which State Mr. Hungeford gives his opinion that the act seems to be arbitrary and unjust and that it ought to be examined into, and if it proves as represented (to wit, groundless and that no undue or unfair practice could ever be proved against him) then ought to be some redress.

Serjeant Penzance that the passing the act without hearing Mr. Maenemara is contrary to the Common Rules of Justice and a Denial of the Subjects Right, that the Nature of the act being unprecedented and severe ought to be reexamined and Depended to if it appear unjust as is Represented and that the Matters suggested against Mr. Maenemara are not of themselves sufficient to incapacitate him.

Mr. Edwards (Notley) - That Mr. Maenemara ought to have been heard and that the allegations of the act are too General and that he being of Council for Malefactors the Council behaving himself with duty and respect to the Courts is not to be objected against him, but that if a Practitioner behave himself disrespectfully or Insolently to any Court in Court such Court hath power to record the words which make the offence and to suspend the offender from practice in such Court and if the offender be ordered to submit to be Court and beg pardon for his offence and he refuse soe to doe or the offence be extraordinary or rejected the Court may deprive the offender of his practice in that Court and if such records be made in severall Courts or if he be convicted of offences against the Courts and he Refuse to submit or be generally Insolent and Misbehaving himself to the Courts of Justice and his offences are multiplied it will be just and reasonable for the assembly on hearing such offender or giving him opportunity of being heard and having satisfaction of his guilt for the quiet administration of Justice and the supporting of the Courts by act of assembly to make him Incapable to practice any more within that Court or Island.

On which we remark that if that act had appeared groundless and the allegations therein as far as represented by the State of the Case we should agree with the opinions of those Learned Council that the act ought to have been depended too, but as it appeared otherwise to us who know the facts and the contrary did not appear to them, we take that their opinion in that point were in favour of the Law which were only given