

against it on the condition of its falsity.

That by Sergeant Pengelly's Opinion the matters suggested in that act are not sufficient to incite Mr. Maenemara which matters are these viz^t - Contemning the authority and affronting the persons of the Judges he pleaded before a special Court of Oyer and Terminer to proceed against Criminals for drinking the pretended Health Accidentally causing his Sacred Majesty King George and for giving the City Guard on the supposed birth day of the Pretender.

His (publicly) affronting the Chancellor in the execution of his office, and tho' Ordered by the R^t Hon^{ble} the Lord Proprietor to make his reasonable submission willfully declaring it - His being so turbulent and Insolent a person that the Judges would not sit if he was suffered to plead before them.

His being often suspended on his misdeeds and admitted in his Law promises of amendment - yet still persisting in his like Insolent behaviour &c. as appears more at large by the act and the representation of Magistrates against him.

Yet we find in Moore's Reports page 827 by the opinion of my Lord Chancellor in his Speech to Sir Henry Montague - Chief Justice of the Kings bench in King James the first time - wherein he directs him to admonish, to reprehend and to correct Lawyers that observe not that Decency and Duty that becomes them and that if he finds a threatening way of pleading in any babbling and tumultuous Lawyer he should not only Injoin them Silence but deject them from their practice and Exercise before him if he saw Cause, but still with that care and respect that the Clients Cause should not be prejudiced.

And by other books as well as by the middle paragraph of Sir Edward Northey's Opinion, those matters appear to us to be a sufficient Cause for suspending such a practitioner from his practice anything in the said Sergeant Pengelly's Opinion to the contrary thereof in any wise notwithstanding.

That we do not find this act liable to the imputation of Severity being conformable to the said Lord Chancellors directions as to the substance of it both in suspending the Lawyer, and regarding his Clients Causes (as when the said Maenemara's suspension in the Chancery Court was conformable to Sir Edward Northey's Opinion) but if it were unprecedented as to the manner of passing it, so is the manner of the man it affects.

As to Sir Edward Northey's opinion that the allegations of the act are too General - We humbly offer that it seems to us as if he took the Legislative body of this Province to be a grand Jury,