

and the act to be a bill of indictment by them found to which he takes
Exceptions for Uncertainty.

But we are humbly of opinion that the allegations in a Law need
not be so particularly and certainly expressed, as in an indictment,
and we hope there is some further dependence to be had on the Justice
of a Legislative than on the proceedings 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 dispence
with old ones as to the manner of doing it.

It is likewise our Humble opinion that when a Council
pleading for Malefactor dares the Court he pleads before to proceed
against them it is not behaving himself with that duty and respect
that ^{St.} Edward Northy mentions.

We are likewise humbly of the opinion that the Courts are the
proper Judges to censure the behaviour of their own officers and it appears
that those Courts wherein Mr. Macnamara practiced condemn'd him.

And as it seems out of a diffidence of their own power, because
of an order of her late Majesty obtained for his pleading, prayed the Legis-
lature 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 an 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 overrated if not so then
the Courts would be 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
Country's Grievances and remove Nuisances (and they have found
him both) if this man must be supported in his practices in despite
of Courts and Country, and that that be thought more reasonable
than to support his Lordships Authority in the f^{or} Sons of his Magis-
trates against him especially, Considering there is no Encouragement
by fees or pensions for those that serve us Judges and that it is a great
burthen to those that do, and that every one that's Qualified will
endeavour to avoid those Stations if they must either tamely
submit to affronts or draw themselves in to tedious and chargeable
Contests by their acting in them, we are not then so happy in our
Constitution as we hoped we had reason to believe for (pardon the
expression) What Impartiality can there be in Judges when if they
oblige not the resenting Council pleading before them they are sure