

To the Honourable the high Court of Appeals the Answer of Philemon Lecompt and Mary his Wife the Daughter and heir to William Seward Deced the Son and heir of George Seward to the Petition and Appeale of Levin Hicks and Thomas Hicks

These Respondents not Confessing or Acknowledgeing the Matters Alledged in the Said Petition of Appeale to be true as in the Said Petition Set forth further then the Sundry proceedings to w^{ch} the Said Petition refers do evince the Same to Which Said Severall Proceedings here ready in Court to be produced these Respondents referr and Referring to themselves all Advantages of Exception to the undue qualification of the Appellants for their prosecuting their Said Appeale Against these Respondents and all other Advantages Saved and reserved Say that the truth of the allegations of the Bill in Chancery mentioned in the Applicants Petition and by these Respondents prayed to be referred to hath been as these Defendants Conceive fully proved and yet appeae [sic] to be unquestionably true by Matter of Record in this Honble Court already lodged or ready to be produced and these Respondents further Shew and hope to prove by the Record and proceedings of both houses of Assembly to Which ready to be produced these Respondents pray Leave to referr that the whole truth of the Severall Tracts in these Respondents favour and the Justice and Equity of their Cause have been fully proved to the Satisfaction of both Houses of Assembly in this Province where the Said Thomas Smithson of Talbot County was himself a Member and made all the Opposition in his power to Make who yet past An Act in favour of their Right which Act as these Def^{ts} hope to prove was Dissented to by the then Governour for no other reason but that the Case might be Remedied In Chancery Without the making a Law on purpose for it That these Respondents and their Ancestors have been held out of their Rights this many years by pretext of Irregularity in their Applications or other Subtile Surmises of the Petitioners and their ancestors tho all the Judicatures it ever yet Came before have Adjudged their Right Unquestionable And therefore as the Case hath been referred from his Lordship to his proper Court of Judicature for remedy which Court was the Chancery and Which Chancery hath applyed the remedy these Respondents hope there Will not (after So great delay almost to the utter ruine of these Respondents) be any further Occasion given to Say that these Respondents for So many years together have had a Right but not a Remedy under his Lordships Government These Respondents have heard and hope to prove that the Said [667] Davis in the Petition mentioned if he had any Right (which these Defendants are well Assured the Said Hicks the Elder denyed he had) yet that he intirely declined Intermedling therewith relying wholly on the Said Hicks's fate in the Case who was Sometime a Provintial Judge and of Capacity and Interest far Superior to That of Said Davis and on Whose Managment the Said Davis wholly relyed And these Respondents further Say that they are advised if the