

Respondent by his own shewing appears to be for the said
Henry Seville. Infants & Road before any application
made to your Honours so that the whole matter contained
in the said Representation is as this Respondent is advi-
sed clearly out of the before recited Proviso and consequent-
ly this Respondent is unable to the said Philip see
only by due course of Law

And the Respondent further sheweth that the said
Representation is a Complaint in the Nature of an Origin-
al Suit Charging the Respondent with withholding from
the said Philip something that he claims as his right
which the Respondent is advised is altogether improper
for your Honours consideration in the first Instance
not being more viable by your Honours than any other
Suit or Controversy whatsoever and that your Honours
cannot as this Respondent is advised apply the proper
and only Remedy which the Law hath given the said
Philip if he has any just Claim against the Respon-
dent which is to award him damages which only can
be assessed by a Jury

The Respondent further humbly shews your Ho-
nours that by the 29th Chapter of Magna^{Charta} no man is to
be taken or imprisoned or deposed of his Freehold or Li-
berties or Free Customs or Outlawed or Exiled or otherwise
destroyed or condemned but by lawful Judgment of his
Peers or by the Law of the Land

That by a Statute made the 25th of Edward the Third
Chapter 4 it is enacted that from thenceforth none shall
be taken by Suggestion or Petition to the King or his Council