

declared the Said Poulson Ought to Recover Against the Petitioner the Damages he had Sustained in the premisses and to Ascertain Which a Writt of Enquiry issued Which was Executed and returned the Same Day. whereby the Said Poulsons Damages besides his Costs were Ascertained at Six hundred Pounds Sterling and Six Thousand four Hundred and fifty one Pounds of Tobacco and upon Which Judgment was the Same day given that Poulson Should recover Against the Appellant as well the Said Hundred Pounds Sterling and Six Thousand Four Hundred and fifty Pounds of Tobacco for his Said Damages as also One Thousand Two hundred and Seventy three pounds of Tobacco for Costs. That Poulson took out a Writt of Attachment on the Said Judgment which was Actually Executed Severall times over on the Appellants Effects in the hands of his Factors there and the Said Poulson also took out a Fieri facias Against the Appellant Whereupon the Petitioners Attorney brought a Writt of Errors Assigning Severall Errors in the Said Judgment Proceedings and Execution Notwithstanding Which Poulson Moved the Court for Condemnation of the Petitioners Effects in the Hands of Thomas Cockey one of his Factors So Attached as aforesaid to Satisfyc Poulson the Said Judgment as also the Costs of the Said Execution which the appellants Attorney Opposed by reason of his having brought the Said Writt of Error but the Court were of opinion Such Writt of Error were no Superseadas to the proceedings Against the Said Cockey on the Said Attachment and therefore Condemned the money and Effects Attached in the Said Cockeyes hands to Satisfy the Said Judgment to Poulson as also the Subsequent Costs Accruing on the Said Attachment. That on Arguing the Petitioners [638] Said Writt of Error on the 7th of May 1723 the Said first Judgment was Affirmed and the Appellant Condemned in One Thousand Eight hundred and Three Pounds of Tobacco for Costs in Error from which this Appeale is brought before your Majesty in Councill And your Petitioner further Complains That Notwithstanding the Said Appeale and Nine hundred pounds Security given thereon the Court in Maryland oblided the Said Cockey to draw a bill of Exchange on the appellant for Six hundred Pounds Sterling as for So Much of the Petitioners Effects Condemned in his hands and to bring Such bill of Exchange into that Court and Which is threatned to be put in Suit And therefore the Appellant prays the Said Judgments and proceedings may be all reversed and Directions given for his full Relief in the premisses And their Lordships having heard Counsell on the behalf of the appellant none appearing for the Respondent Notwithstanding the usual Time for his appearing According to the Rules of this Board Was Expired and Altho the usual Notice Was Affixed on the Exchange of London Do agree humbly to offer it as their Opinion to your Majesty That the Said Judgment of the 20th of September 1720 and the 7th of May 1723 Should be reversed and Sett aside And that the appellant be restored to all he hath Lost by means of the Said Judgment.