

With either the S<sup>d</sup> Cockey or the S<sup>d</sup> Moale to defeat him of his Effects nor that the S<sup>d</sup> Moale is insufficient but that if he hath misapplyed any of them he may make him Answer for his So doing and referr him as well as the S<sup>d</sup> Cockey to Seek Justice ag<sup>t</sup> this Defendant in Case they have any due from him who may Charge this defendant by Action at Law for So much received to their use if he has received any thing from them Unjustly but Instead of Charging this Defendant with the Effects of the S<sup>d</sup> Powlson So as to Subject them to the Complainants writt of Restitution only Charges him with the Effects of the Complainant which he Shews no right to Against him nor that Ever this Defendant had any of his Effects and for that Whole Scop of the Bill is manifestly grounded upon Suppositions that money or goods recovered by Judgments and taken in Execution may not be used While a Writt of Error is depending or Untill the Judgments be past possibility of reversall and that the Bills of Exchange drawn and Endorst According to the Custom of Merchants May not be Negotiated because they Were paid to Satisfye a Judgment w<sup>th</sup> was Lyable to be reverst or that Such bills if Negotiated must be returned by the Last Endorsee because they were drawn to pay a Judgment which is afterw<sup>ds</sup> reverst Which Suppositions are Contrary to the Law of the Land the Mercantile Law of Nations and Absurdities in reason for all Which Causes this Defendant Doth Demurr in Law upon the Insufficiency of the S<sup>d</sup> Bill of Complaint and doth humbly demand Judgment of this Hon<sup>r</sup>ble Court if he this Defendant Shall be Compelled to Make any further or other answer thereunto And if this Defendant Shall be Compelled to make any other answer to the S<sup>d</sup> Bill of Complaint then and not otherwise [694] (all advantages of Exceptions to all and every the incertainties and Insufficiencies of the Said Bill of Complaint to this Defendant now and all Times hereafter Served and Reserved) This Defendant for answer unto the Said bill of Complaint Sayth That this Defendant believes there was a Judgment at Law recovered against the Complainant by the Said Gilbert Powlson in the Provinciall Court of this Province wherein the Damages were assest by a Jury to the Sum of Six Hundred pound Sterling and Six Thousand four Hundred and fifty one Pounds of Tobacco besides Costs of Suit w<sup>ch</sup> was about September Seventeen hundred and Twenty but this Defendant Conceives the S<sup>d</sup> Judgment to have been Obtained upon a Just right and good foundation and According to the Practice of this Province That on the 17<sup>th</sup> of December 1724 a Certain George Plater Delivered this Defendant a paper Signed by his Honour Charles Calvert Esq<sup>r</sup> (who then was and yet is Governour of this Province) as a true Copy of an Order of his Majesty in Councill made the 4<sup>th</sup> of July 1724 which Copy this Defendant believes to be Agreeable in Substance with that Set forth in the Complainants bill which the S<sup>d</sup> Plater told this Defendant he was Ordered by the Governour to deliver him but being Askd by this Defendant Said he Could not tell to What End the Same Was So delivered That this defendant believes the Judgments in the S<sup>d</sup> order men-