

tioned were reverst as therein Set forth by default in the S^d Powlson for want of appearance and Defence and upon false Allegations on the behalf of the S^d Forward and not Setting forth the Truth on behalf of the Said Powlson in the Said Forwards petition of appeale w^{ch} falsities alledged and truths Concealed this Defendant Conceives are not Materiall for this Defendant particularly to Shew but thinks they Will appear by Compareing the S^d Powlsons answer with Said Forward his Bill in Chancery resting in this Court with the Said Forwards Petition to his Majesty in Councill That this Defendant was Employed by the S^d Powlson as his Attorney at Law and of Councill with him in the Severall Suits betwixt himself and the Complainant this Defendant being and long before and Since an Attorney upon Oath and allowed to plead as Councill in the Severall Courts where the proceedings in the Bill are mentioned to have been within this province and thereby became Acquainted with the Chief Transactions that past the Courts here but for better Certainty in any thing this Defendant Shall relate Concerning them prays Leave to referr to the proceedings themselves as Lodged in the Respective Courts or to Copys thereof to be produced if required. That to the best of this Defendants remembrance This Defendant as Attorney of S^d Powlson Ordered out an Attachment in Execution of the af^d Judgment According to the Act of Assembly in Such Case made which makes it Lawfull to Take out Such Attachment instead of any other Execution on any Judgment obtained haveing a Clause of Scire facias therein to warn the Garnishee w^{ch} Attachment was laid in the hands of Thomas Cockey and Condemnation in the S^d Cockeys hands Adjudged to the S^d Powlson but this Defendant believes the Complainant Exceeds the truth in alledging that the S^d Attachment was more than once Executed or that was any other Execution of the S^d Judgment ever Executed Against the S^d Forward [695] or his Effects Except the S^d Attachment in the S^d Cockeys hands or that there was any other Condemnation thereon Save that one Against the S^d Cockey for the Sums of the Judgments and Costs of Suit. That this Defendant hopes where the Complainant in his Bill Mentioned that his Agent Cockey pretending the proceedings mentioned in the Reports of the Lords of the Committee to pevent the Immediate Seizure of the Complainants Goods was forced and Oblidged to Draw the bills of Exchange there mentioned would not be Understood that any proceedings were then pending before their Lordships. For that no Appeale was prayed from that Judgment till Long after that this Defendant knows of nor was the S^d Bill drawn to prevent Immediate Seizure of the Complainants Goods (unless the S^d Cockey were Such) for that the S^d Cockey was taken upon a Capis ad Satisfaciendum on the S^d Judgment of Condemnation Against him According to the Directions of the Said Act Which allows Ca sa's in Such Cases, that the S^d Cockey Continued Some days in Execution thereupon untill Application was made to Coll^o W^m Holland then Chancellor to Set aside Vacate or Otherwise defeat the S^d Execution or