

for I want Pulson's agent required the name of him  
to which he made the following answer viz<sup>t</sup>

May it please your Honours

I shew in obedience to your Order of this day requiring  
me to give my Reasons in writing why when Mr South  
was had denied Obedience to the Order of the Excellencies  
the late Lords Justices of the 11<sup>th</sup> of August 1720 I did not  
apply to the proper Courts for Process to Oblige the said  
Person to make Restitution or to the Provincial Court  
that the Cause might be there heard pursuant to the  
said Order

I humbly Observe to your Honours that Process  
of Restitution Issues out of a Superior Court upon the  
Reversal of a Judgment given in an Inferior Court  
or out of the... Inferior Court where the Judgment was  
Rendered by Order of the Superior Court that reversed it  
and that on the latter instance is presupposed that the  
Inferior Court had Cognizance of the Cause but erroneously  
Rendered Judgment for the Person against whom brought  
to be given which Error is corrected by the Reversal and  
the Party Injured remedied by having the same Execution  
out of the Inferior Court that brought to have had there  
at first, or which is in Effect the same being restored to what  
<sup>he lost</sup> by an Erroneous Judgment, but when a Judge takes upon  
himself to Proceed judicially in a Cause that he really  
had no Cognizance of (as the Judge of the Admiralty did  
in the Case of Pulson against Forward) gives Judgments  
awards Executions and by so doing puts it into the Power  
of one man to spend and waste another mans estate  
and Substance and those Proceedings are declared