

of Tobacco his Damages recovered in the plea af^d as the Sume of Twelve hundred and Seventy three pounds of Tobacco Costs of Suit in the Judgment af^d Specified As Also the Sume of Seven Thousand Nine hundred and Seventy Seven pounds of Tobacco Costs Accruing due from the Said Gilbert Powlson on the due prosecution of the writt of Attachment aforesaid etc.

Thereupon Daniel Dulany Esq^r Attorney for the Said Jonathan Forward moves that there may be no Condemnation Against the Said Thomas [611] Cockey on the Attachment af^d because a Writt of Error hath been brought this Court (returnable to the high Court of Appeals) to Correct the Errors as Well in Rendering the Judgment as in Awarding the Execution thereon w^{ch} motion made as af^d by the Said Daniel Dulany is Entered at his request. Whereupon for that it Seems to the Court here that the Writt of Error af^d is no Supersedeas to the proceedings ag^t the Said Thomas Cockey on the Attachment af^d It is Ruled by the Court here that the Said Thomas Cockey appear and plead or that the Sums So as af^d Attached in his hands be Condemned. Thereupon the af^d Daniel Dulany offered his Appearance for the Said Thomas Cockey the Garnishee and prays an Imparlance (Which Motion was made the last Day of the Court to Witt the 22^d day of Aprill 1721 At Which time the Court gave the rule for the Said Thomas Cockey to appear and plead as af^d) But for that it appears to the Court here by the Oath of the Sherriff that the Said Thomas Cockey has had a Copy of the Attachment af^d delivered him a Considerable time before the Court with an Endorsement of Notice thereon that the Plft Expected a tryal this Court and for that the Said Thomas Cockey does not plead nor shew any further Cause to the Contrary of Such Condemnation It is Therefore considered by the Justices here the 22^d day of Aprill Anno Dom 1721 af^d That the Said Sumes of Six hundred pounds Ster^t and thirty Thousand pounds of Tobacco So as af^d Attached in the hands of the Said Thomas Cockey be Condemned in the hands of the Said Thomas Cockey as of the Rights and Creditts of the Said Jon^a Forward to Satisfye unto the Said Gilbert Powlson as Well the Sume of Six hundred Pounds Ster^t and Six Thousand four hundred and fifty one Pounds of Tobacco his Damages recovered in the plea af^d as the Sume of Twelve hundred and Seventy thce pounds of Tobacco Costs of Suit in the Judgment af^d Specified as also the Sum of Seven Thousand Nine hundred and Seventy Seven Pounds of Tobacco Costs of Suit Accruing on the due prosecution of the Writt of Attachment af^d etc. And that he have thereof his Execution Against the Said Thomas Cockey According to Act of Assembly etc. Mem^d The Plf^t by his attorney af^d releases out of the above Judgment what is more than Satisfies his Damages and Costs in the plea af^d etc. Afterw^{ds} To witt the Same Court or Term the af^d Daniel Dulany as Attorney of the Said Jonathan Forward prays an Appeale from the Judgment of this Court So as af^d Rendered to the high Court of Appeales which is granted upon giving Security for the Due prosecution thereof According to Law.