And thereupon on motion of the aforesaid Philip Scholl by his attorney aforesaid, It is ruled by the Court here, that the said Harman Greathouse answer to the Declaration aforesaid of the aforesaid Philip Scholl in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof; and prays leave of the Court here to Imparle until the second Tuesday of October next, and then to answer to the Declaration aforesaid of the aforesaid Philip Scholl in the plea aforesaid, and to him it is granted, the same day is given to the aforesaid Philip Scholl also.

At which said second Tuesday of October being the ninth day of the same month, in the year of our Lord, one thousand seven hundred and eighty seven, to which said day the said Harman Greathouse had leave to Imparle, come again into the General Court here, as well the aforesaid Philip Scholl by his attorney aforesaid, as the said Harman Greathouse by his attorney aforesaid; and the said Harman Greathouse by his attorney aforesaid (as before) defends the force and injury when and soforth, and prays further leave of the Court here to Imparle, until the second Tuesday of May next and to him it is granted, the same day is given to the aforesaid Philip Scholl also.

At which said second Tuesday of May, being the thirteenth day of the same month, in the year of our Lord, one thousand seven hundred and eighty eight, to which said day the said Harman Greathouse, had further leave to Imparle, and then to answer unto the Declaration aforesaid of the aforesaid Philip Scholl in the plea aforesaid, come again into the General Court here, as well the aforesaid Philip Nicholl by his attorney aforesaid, as the said Harman Greathouse by his attorney aforesaid; and the said Harman Greathouse by his attorney aforesaid (as before) further defends the force and injury when and soforth, and saith that the aforesaid Philip Scholl his action aforesaid against him to have or maintain ought not &c. because he saith that he the said Harman Greathouse did pay unto the aforesaid Philip Scholl the said sum of Money in the condition of the said writing Obligatory mentioned with legal Interest thereon according to the form and effect of the Condition of the said writing Obligatory, and this he is ready to verify, wherefore he prays Judgment if the aforesaid Philip Scholl his action aforesaid against him to have or maintain ought and soforth.

And the aforesaid Philip Scholl by his attorney aforesaid, saith that he by any thing by the said Harman Greathouse above in pleading alleged from having or maintaining his action aforesaid against him ought not to be precluded, because he saith that the said Harman Greathouse hath not paid unto him the aforesaid Philip Scholl the aforesaid sum of money in the condition aforesaid mentioned with the Interest thereon in such manner and form as the said Harman Greathouse above by pleading hath alleged, and this he prays may be enquired of by the Country, and the said Harman Greathouse in like manner and soforth - Therefore let a Jury thereon appear before the Court here, on the second Tuesday of October next, by whom and soforth, and who neither and soforth, to recognize and soforth, because as well and soforth, the same day is given to the said parties then and there and soforth.

And now at this day, to wit, the said second Tuesday of October being the fourteenth day of the same month, in the year of our Lord, one thousand seven hundred and eighty eight, come again into the General Court here, as well the aforesaid Philip Scholl by his attorney aforesaid, as the said Harman Greathouse by his attorney aforesaid; And the said Harman Greathouse by his attorney aforesaid, relinquishing the argument aforesaid, above by him pretended says, that he cannot deny the action aforesaid of the aforesaid Philip Scholl, so as aforesaid against him brought, nor but that he owes to the aforesaid Philip Scholl the aforesaid sum of Seventy two pounds hard and lawful money in manner and form aforesaid so as the aforesaid Philip Scholl above against him hath declared.

Therefore it is considered by the Court here, that the aforesaid Philip Scholl recover against the said Harman Greathouse as well the sum of Seventy two pounds hard and lawful Money his debt aforesaid in form aforesaid confessed, as the Quantity of nine hundred and thirty one pounds and four fifths of a pound of Tobacco by the Court here unto the aforesaid Philip Scholl in his assent adjudged for his damages which he hath sustained as well by reason of the detention of that debt, as for his costs and charges by him about his suit in this behalf laid out and expended - and the said Harman Greathouse in Mercy and soforth.

Memorandum, Judgment rendered in this cause, on the fourth day of November, in the year of our Lord, one thousand seven hundred and eighty eight, for the Penalty and Costs of Suit, and the Plaintiff agrees to release the penalty, upon the payment of Principal, Interest and Costs, Stay Execution until the tenth day of February next; Payments if any to be allowed.

Test. John Grimm Clerk