Prather also. — At which said second Tuesday of May, being the twelfth day of the said month, in the year of our Lord, one thousand eight hundred and one, to which said day the said Charles Beatty and Charles A Beatty had leave to imparle, and then to answer to the declaration aforesaid of the aforesaid John C Prather in the plea aforesaid, come again into the General Court here, as well the aforesaid John C Prather by his Attorney aforesaid, as the said Charles Beatty and Charles A Beatty by their Attorney aforesaid

And the said Charles Beatty and Charles A Beatty by their Attorney aforesaid, as before defend the force and injury when and so forth; and say that the aforesaid John C Prather his Action aforesaid against them to have or maintain ought not and so forth, because they say, that they the said Charles Beatty and Charles A Beatty did pay unto the aforesaid John C Prather the said sum of One hundred and eighty three pounds twelve shillings and nine pence current money in the Bill obligatory aforesaid mentioned with legal interest thereon according to the form and effect of the said Bill obligatory; and this they are ready to verify; wherefore they pray Judgment if the aforesaid John C Prather his Action aforesaid against them to have or maintain ought and so forth. — And the aforesaid John C Prather by his Attorney aforesaid saith that he by any thing by the said Charles Beatty and Charles Beatty and Charles A Beatty above in pleading alledged from having and maintaining his Action aforesaid against them ought not to be precluded, because he saith that the said Beatty and Charles A Beatty have not paid unto him the aforesaid John C Prather the aforesaid sum of One hundred and eighty three pounds twelve shillings and nine pence current money in the Bill obligatory aforesaid mentioned with the interest thereon in manner and form as the said Charles Beatty and Charles A Beatty above by pleading have alledged, and this he prays may be enquired of by the Country, and the said Charles Beatty and Charles A Beatty in like manner and so forth; Therefore &c a Jury thereon appear before the Court here, on the second Tuesday of October next. by whom and so forth; and who neither and so forth; to recognize and so forth; because as well and so forth; the same day is given to the parties aforesaid then and there and so forth; —

And now at this day, to wit, the said second Tuesday of October, being the thirteenth day of the same month, in the year of our Lord one

thousand eight hundred and one, come again into the General Court here, as well the aforesaid John C Prather by his Attornies aforesaid, as the said Charles Beatty and Charles A. Beatty by their Attorney aforesaid And the said Charles Beatty and Charles A. Beatty by their Attorney aforesaid relinquishing the averment aforesaid, above by them pretended say, that they cannot deny the Action aforesaid of the aforesaid John C. Prather so as aforesaid against them brought, nor but that they owe to the aforesaid John C. Prather the aforesaid sum of One hundred and eighty three pounds twelve shillings and nine pence current money, in such manner and form as the aforesaid John C. Prather above against them hath complained nor but that the aforesaid John C. Prather hath sustained damage by reason of the detention of the debt aforesaid, to the aforesaid sum of Four hundred pounds current money, in like manner and form as the aforesaid John C Prather within against them hath complained, besides his costs and charges by him about his suit in this behalf laid out and expended, and so forth; And hereupon, the aforesaid John C. Prather by his Attorney aforesaid, prays Judgment for his debt aforesaid, so as aforesaid confessed, together with his damages so as aforesaid acknowledged, as also his costs and charges by him about his suit in this behalf laid out and expended, to him to be adjudged and so forth. —

Therefore it is considered by the Court here, that the aforesaid John C. Prather recover against the said Charles Beatty and Charles A Beatty as well the sum of One hundred and eighty three pounds twelve shillings and nine pence current money, his debt aforesaid, in form aforesaid confessed as the sum of of Four hundred pounds current money, his damages aforesaid, acknowledged to be sustained by reason of the detention of of the said debt, as also the quantity of One thousand and ninety six pounds of Tobacco by the Court here unto the aforesaid John C. Prather on his absent, adjudged for his costs and charges by him about his suit in this behalf laid out and expended; and the said Charles Beatty and Charles A Beatty in Mercy, and so forth. —

Memorandum, Judgment was rendered in this cause, on the fourteenth day of October in the year of our Lord, one thousand eight hundred and one, for the sums of One hundred and eighty three pounds twelve shillings and nine pence current money, debt, and Four hundred pounds current money damages and costs of suit, the said damages to be released on payment of interest on the debt from the eleventh day of January one thousand seven hundred & ninety nine, and the plaintiff agrees to stay Execution until the first day of January next. Test. Jno. Grevin Clk.

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