day December of the said last will and testament of the said Robert Smith
the said Jn. Lord County Court the Justices of the said Court Conclude so
to be the Father of the two Court Books the following Record out
Lord County Jn the Records of the said County concerning other things

It is also Contained out

After Court held for Lord County at the Court House in the Town
and Port of Boston in Lincoln County the Twenty Third
Day of June and Entered the Twenty Third the Twenty Fourth and Twenty
fifth Day of the said Month in the Fourth year of the Reign of our
Sovereign Lady Anne of the Grace of God of England Scotland France and
Ireland Queen Defender of the Faith &c Anno Dni 1705 before the Right
Worshipful Thomas Hutchinson and appointed out

Present { Edward Tilley Esq. / Wm. Clarke / Jno. Leverett / Nathl. Stephens }

Benjamin Way Esqr. — Complained in Court to the Worship of the Court
Ebenezer Smith Gentleman — Twenty fifth Day of Month in the
Executor of Robert Smith late — Fourth year of the Reign of our Sovereign
Lady Anne &c that the said Robert Smith also
Gentleman Day Gentleman late of the said will and
Testament of Robert Smith late of Suffolk County deceased
Devised if Likely should be found in his Dwelling House there
Upon the said Benjamin Way Esqr. the Executor
aforesaid to Pay unto the said Ebenezer Smith
all the rest and Residue of his Estate Real and Personal
to arrive unto Benjamin Way Esqr. of London Merchant
upon the said Ebenezer Smith and that the said Robert Smith
all round said was Kept on the Twenty Third Day of June in the year aforesaid
the Day of Return of said writ Came Edward Tilley Esq. of the County
and made return thereof in Writing under his hand on the Back
of the said Writ

On Bond Day filed within said writ filed and a Copy thereof
Lodged therewith according to Act of Assembly in the Case made and
Provided

Whereupon the said Benjamin Way Esqr. Executor
of Robert Smith will and Testament of Robert Smith Late Party
Deceased was attached to answer unto Benjamin Way Esqr. of London Merchant
of a Plea of Debt upon his Bond — And whereupon the said Benjamin Way
the Executor Plaintiff by Mr. Anthony Checkley his Attorney moved the Court
Judgment in the said Case and Prayed the Twenty fifth Day of June Anno Domini 1706
at a Private place the said Court known by the Name of Boston Town in Lincoln
County of Suffolk in the Jurisdiction of the said Court Bring Suit against the said
Jurisdiction the said Benjamin Way Esqr. Twenty Pounds and Six Dollars Money and Three
Shillings the said Benjamin Way Esqr. Twenty Pounds and Six Dollars Money and Three
Shillings Debt Due to the said Plaintiff by Virtue of a Bill of Exchange
Drawn by the said Robert Smith Deceased Dated the Twenty Second
Day of Likely should be found in his Dwelling House the said Robert Smith
to Pay unto the said Benjamin Way Esqr. Executor aforesaid or Order
upon the said Robert Smith Deceased Dated the Twenty Second Day of