the Said Robt Smith in his Lifetime nor the Said Renatus & Anthony
after Notice of the protest aft and decease of the Said Robert Smith the
ridiculous Executr of the Last will & testamt of the Said Robert Smith was
Legally Committed) the promise & assumpcon of the Said Robert Smith so
as aforesd in his Lifetime limitted not regarding but fraudulently Deceiving
the Same Benjn & Comp. in Divers wayes Crafftily & subtilly to deceive &
defraud the Said Plaintiffs of Thirty four pounds Sterling together with the damages,
Interests & Costs by the Said Benjn & Comp. Sustained to the Said Benjn &
Comp. the Said Robert Smith in his Lifetime nor the Said Renatus & Anthony
Executor as aft after his decease have not nor Each any or Either of them
Said all the to do & performance to wit the day yeare & place last mentioned
the Said Robert Smith was thereto requested and the Said Renatus &
Anthony after his decease (viz) the first day of May 1707 at Chester
Aforesd & divers other days & times were often thereto required but the
same to Doe to pay the Said Robert Smith in his Lifetime and the Said
Renatus and Anthony after his decease have refused & the Said Renatus
& Anthony do refuse to the damage of the Said Benjn & Comp. Fifty
pounds Sterling and thereof they bring this Suit &c

Pledges Jno Doe & Richd Roe

And the Said Renatus Smith and Anthony Bryd as aft by Wm Gladdon
their attorney Come and defend the force and injury when &c and
pray Leave to imparle thereunto until next Court and they have it and
the same day is given to the plaintiffs also

at which said next Court to wit the 17th day of October Anno Domi
1709 Come again as well the Said Benjamin du Wayn Company by
their attorney aft as the Said Renatus Smith and Anthony Bryd as aft
by their attorney aft & the Said Renatus and Anthony Bryd as aft
by the Said attorney pray further Leave to imparle thereunto until
next Court & they have it and the same day is given to the plaintiffs
also

at which said next Court to wit the 11th day of April Anno Domi 1710 Come
again as well the Said Benjn Way and Company by their attorney
aforesd as the Said Renatus Smith and Anthony Bryd by
their attorney aforesd the said Renatus Smith and Anthony Bryd
pleade and say that the Said Benjn Way and Company have Given no cause of
Action against them the Said Renatus Smith and Anthony Bryd
that they ought not to have Damages thereof they say that the Said
Benjamin Way and Company have given no cause of Action against them
the Said Renatus Smith and Anthony Bryd within Six years next before
the Said Plaintiffs Writ was Purchased & Sued out against them
the Said Renatus Smith and Anthony Bryd in manner and form as the
Said Plaintiffs have Declared against them the Said Renatus Smith
and Anthony Bryd in their Declaration and of this they put themselves
upon the Country &c

July Term 1710

Divers goods and Chattels which were of the Said Robert Smith at the
time of his Decease in their hands to be administred to the value of
the Damages the Said Plaintiffs have sustained by
Reason of the Said Defendants Executorship &c
Whereupon the Jurors the Said Defendants & Jurors to the Said
of Lancaster County where the Said Plaintiffs Suit is
of the Said Plaintiffs Cause of Action Arose being Impanelled
to Serve upon the Said Jury of Inquest appeared to be
duly Sworn or Affirmed before Jno Fisher Esqr one of the
Justices of this County of Chester Court Sitting to be duly
Sworn to Inquire of the Premises & to the Contents of the
Said Writ & the Said Jurors upon their Oaths & Affirmations
do Sevrally Find that the Said Robert Smith in his Lifetime
Died Seized of Divers goods & Chattels which were of the
Said Robert Smith at the time of his Decease in his hands
to be administred to the value of Thirty pounds Sterling
Afterwards the Said Jurors Empanelled & Sworn
as aforesd upon their Oaths & Affirmations do Sevrally Find
that the Said Defendants have Not Administred the
Said Goods & Chattels of the Said Robert Smith
to the value of the Said Plaintiffs Damages
Wherefore it is Considered by the Court that the Said
Plaintiffs do Recover against the Said Defendants
the Said Damages by the Said Jurors in manner and form
aforesd found & assessed & Also their Costs & Charges
by them about their Suit in this behalf Expended
and the Said Defendants in Mercy &c

Wherefore it is Considered by the Court that the Said
Plaintiffs do Recover against the Said Defendants
the Said Damages by the Said Jurors in manner and form
aforesd found & assessed & Also their Costs & Charges
by them about their Suit in this behalf Expended
and the Said Defendants in Mercy &c