said prov. Court and his associates Justices of the same Court for their Costs
and Charges by them about their prosecution of their Certiorari writt of Error against
the said Benj. Way and Comp. in that behalf laid out and expended in the
reversing of the Certiorari Judgment obtained in Kent County Court by the said Benj.
Way and Comp. against the said Renatus Smith & Anthony Joy late of
where of the said Benj. Way and Comp. are convict as the Record &
proceeds thereof Rem. in our said prov. Court manifestly appears —
together with all such Costs as to the said Renatus Smith and Anthony
Joy Esqrs. as aforesaid shall accrue upon the due prosecution of their our writt
of attachment and that by good & lawfull men of your Bailywick you
make known unto the person or persons in whose hands you make the
same attachment that he or they be and appear before the Justices
of our said prov. Court at the day and place aforesaid then & there shew cause if any
he or they have why the same goods Chattells Rights or Credits
so attached shall not be condemned in his or their hands according to
Law for and towards satisfaction of the Costs above specified and how
you shall execute this writt that you make known unto our said
Justices of our said prov. Court at the same day & place before said
and at your peril and have you then & there this writt witnesse
Wm. Holland Esq. Chief Justice of our said prov. Court the 17 day
of October in the 8 year of our Reigne Anno Domi 1709

(Wladen) JBeale Clk

And lay this attachment
hands of Wm Harris Esq.

also said second Tuesday of April with the 11 day of the same
month Anno Domi 1710 being the day of the return of the said
writt Come the said Kent & Smith & Anthony Esqrs. as aforesaid & make Return
and the said third long hereof the same was received as aforesaid & the said to Certify to
thereof to this Court hereto annexed in those words viz. that the said Rights & Credits of the within
the Justices within written that of the Rights & Credits of the within
Maundes Benjamin Way Comp. I have attached in my hands of Wm
Harris of Kent County Esq. to the value within specified to satisfy unto
the within mentioned Renatus Smith and Anthony Joy the within
mentioned two thousand two hundred & fourteen pounds of Tob. Costs
Charges therein specified & that by Joseph Hales Jno. Rogers good & lawfull
men of my bailywick I have made known unto the said Wm Harris that I
be & appear at the day & place within contained before the Justices within
written to shew cause if any he have why the same should not be condemned
and as this writt requires Mich. Hynson Shff

And thereupon the said Wm Harris Gad. of the said Benj. Way & Comp. by
Thomas Ford his attorney Comes & prays Leave to imparle unto until next Court and he hath leave —
Ordered & given to the plaintiffs also — at the said next Court to wit the
same day viz. 11th Day of July Anno Domi 1710 Come again as well the said Renatus Smith
and Anthony Joy Esqrs. as also the said Wm Harris Gad. as aforesaid by
their attorneys & the said Wm Harris Gad. as aforesaid by his attorney prays further
Leave to imparle thereunto until next Court and he hath leave & the same day
is given to the plaintiffs also — at the said next Court to wit the 10 day of Nov.
Anno Domi 1710 Come again as well the said Renatus Smith & Anthony Esqrs. as aforesaid
the said Wm Harris Gad. as aforesaid by his attorney & the said
and Anthony Joy Condemned & the plaintiffs as aforesaid attached against
him the said Wm they thought not to have because he saith that he hath
not nor at the time of the laying of the attachment in his hands had nor at any time since hath had any of the goods
Chattells

October Court 1710

Chattells rights or Credits of the said Benj. Way & Comp. in his hands and they
he is ready to verify wherefore he prays Judgment if the said Renatus Smith & Anthony Joy
of the said Writ so as aforesaid attached against him ought to have but the said
Renatus Smith and Anthony Joy as the solemnly called & demanded not to the same
Gatt. as any further prosecute against the said Wm Harris Gad. as aforesaid
therefore it is considered by the Justices here the 10th Day of Nov. aforesaid that the
said Renatus Smith and Anthony Joy take nothing by their writt aforesaid and that
the said Wm Harris Gad. as aforesaid go hence without day and also it is considered
by the Justices here that the said Wm Harris recover against the said Renatus
Smith and Anthony Joy the sum of
648 Tob. by the Court here adjudged unto him for his Costs and Charges in this behalf
laid out & expended &c.

Renatus Smith & Anthony Joy Esqrs. of Robert Smith Esq. } Memd. the plaintiffs by their attorney
laid out their Writ of Error & writt attachment the
Tenor of it follows in those words viz.

Wm Harris Gad. Benj. Way & Comp. } Mary land ss. Anno Regni the Grace of God of
Great Britt. and France and Ireland Queen
defender of the Faith &c. to the Sheriff of Kent County Greeting we
Command you that you attach any the goods Chattells Rights or Credits
of Benj. Way and Comp. of London Merchants if they shall be found in
your Bailywick to the value of fourteen pounds of Tob. and what on
you have the same so attached or any part thereof the same in your
Custody safe keep so that you have the same before the Justices of our prov.
Court to be held at Annapolis the second Tuesday of April next to answer
and there to be condemned according to Law to satisfy unto Renatus Smith
and Anthony Joy Gentlemen Esqrs. of the Last will & Testament of Robt.
Smith late of Kent County deceased the sum of two thousand two
hundred & fourteen pounds of Tob. recovered against the said Benj.
Way & Comp. the first day of April in the Eight year of our Reigne
of Anno Domi one thousand seven hundred and nine before the Hon.
Wm Holland Esq. Chief Justice of our said prov. Court and his associate
Justices of the same Court for their Costs & Charges by them about their
prosecution of their Certiorari writt of Error against the said Benj. Way &
Comp. in that behalf laid out & expended in the Reversing of the
Judgment obtained in Kent County Court by the said Benj. Way &
Comp. against the said Renatus Smith and Anthony Joy Esqrs. as
where of the said Benj. Way & Comp. are convict as the Record & proceeds
thereof Rem. in our said prov. Court manifestly appears together with
all such Costs as to the said Renatus Smith and Anthony Joy Esqrs. as aforesaid
accrue upon the due prosecution of their our writt of attachment &c.
that by good and lawfull men of your Bailywick you make known
unto the person or persons in whose hands you in the same attach-
ment that he or they be and appear before the Justices of our
said prov. Court at the day and place aforesaid then & there shew cause if any he or
they have why the same goods Chattells Rights or Credits so attached
shall not be condemned in his or their hands according to Law for
towards satisfaction of the Costs above specified and how you shall ex-
ecute this writt that you make known unto our said prov. Court
Justices at the same day and place before said and at your peril and have
you then & there this writt witness Wm Holland Esq. Chief Justice of our said
prov. Court the 14th Day of Oct. in the 8th year of our Reigne Anno
Domi 1709.

(Wladen) JBeale Clk
(Att)

Md. Lay this attachment
hands of Wm Harris Esq.