altho' so to do the aforesaid Hugh Arbuthnot in his lifetime afterwards to wit the thirtieth day of October Anno Dom. seventeen hundred and thirty one and after the Death of the said Hugh Arbuthnot and after the administration aft. to the said Nathaniel Foech James Pearce and John Wood so as aft. Committed to wit the seventeenth day of May Anno Dom. seventeen hundred and thirty three at Prince George County aft. by the said Thomas Loyd have been required have not paid but the said Nath. Foech altogether refused and the said Nath. Foech, James Pearce and John Wood and every of them still doth refuse to the Damage of the said Thomas Loyd three hundred pounds sterling money aft. and those of his bring the suit &c.

Pltfs John Doe v Richard Roe.

which Account mentioned in the aforegoing declaration follows in these words.

1730 Capt: Hugh Arbuthnot Deceased his Estate Dr
to Thomas Loyd.

| | | |
|---|---|---|
| Jany 9 | To 6 Weeks Demurrage on the ship Adventure Burden Crosby Master Waiting in the River of Thames for Arbuthnots Goods Ms at 22 10 p Mth | £ 50 12 6 |
| | To ye pilotage of the said ship from the Downs to London | 3 5 0 |
| October 30 1731 | To Cash paid Samuel Sydenham and John Kipling for Arbuthnots part of hire of the said ship Adventure from the twenty first day of January to the 10th of October being 8 months & 3/4 at £11/5 p month | 98 0 9 |
| | | 152 6 3 |

London May the 2d 1733 Thos Loyd

Errors Excepted

Thos Loyd of London Merchant maketh Oath that there is really and truly due and owing out of or from the estate of Capt Hugh Arbuthnot deceased to him the said Deponent the sum of one hundred and fifty two pounds six shillings and three pence as by the aforewritten Account appears and this Deponent saith that he hath neither directly or indirectly had received or been paid the said sum of one hundred and fifty two pounds six shillings and three pence or any part thereof nor hath gotten or received any other satisfaction or Security or given any release for the same or any part thereof. Thos Loyd

Sworn at London the second day of May one thousand seven hundred and three - Before me John Barber Mayor

I John Eaton Notary Publick dwelling in London duly admitted and sworn do hereby certify and attest that the Right Hon.ble John Barber Esq.r before whom the aforegoing Deposition was made in the presence of me Notary is Lord Mayor of this said City and that to all Depositions before him so made and by him signed full Faith & Credit is and Ought to be given in Justice Court and thereunto I Witness my Notarial Hand and Seal in London this second day of May one thousand seven hundred & thirty three

In Dorum Testim. John Eaton Not. Pub.

A Copy of which Deed, Sheet was made Exent with the writ in the plea aforesaid -

(At)



At which said third Tuesday of October to wit the sixteenth day of the same month Anno Dom. 1733 being the day of the return of the said writ comes the said Thomas Loyd by his attorney aft. and the sheriff of Prince George County to whom the same writ was directed likewise comes and makes return thereof to the Court here thus Indorsed Vizt.

Non Est and Copy left with Geo: Buchanan Sh. Thos Brooke Shff

Whereupon the said Thos. Loyd by his attorney aft. prays that for as much as he has complied with the Law in order to an attachment he may have Judgment against the said Nath. Foech, James Pearce and John Wood ad. of the said Hugh Arbuthnot for his Damages by Occasion of the premisses aforesaid by way of attachment According to Act of Assembly &c. Whereupon for that it seems to the Court here that the said Thos. Loyd hath complied with the Law as below alleged and he having made sufficient proof of his Damages to the Court here

Therefore it is considered by the justices here the day and year last mentioned that the said Thomas Loyd recover against the said Nathaniel Foech James Pearce and John Wood as aforesaid the sum of one hundred and fifty two pounds six shillings and three pence sterling his Damages aft. as aforesaid and all Costs and Charges by the said Thos. Loyd laid out and expended about this Suit by way of Attachment aft. in his hands to be administered the Goods Chattles and Credits of the said Hugh Arbuthnot, According to the direction of the Act of Assembly in such Cases made and provided.

Test Wythe Clerk

DD Toby Sobrey Exor of James Hutching Exor. } v } J G Wm Pye Exor of Edward Harris Exor.
Ejectmt David Hickster & Emanuel Dd Exors } Ejectmt Thos Gould Dedt

In the above actions the Records were sent down to the last assizes and Notice of Tryal given according to the directions of the Act of Assembly &c. But the sheriff has not sent their writs. Whereupon the Defend.ts by their attorneys insists to the Court here that the Pltfs were the cause of the delay of the tryal of them at the assizes & prays that they may have Judgment and Execution ag.t the said Pltfs for their Costs and Charges sustained by Occasion of the delay of the said tryals. all which allegations being made appear to the Court here. It is adjudged by the said Court that the said David Hickster and Emanuel Dd Pltfs recover against the said James Hutchins the Lessor the Sum of pounds of Tobacco. Also it is adjudged by the said Court that the said Thos. Gould recover against the said Edward Harris the Lessor the Sum of pounds of Tobacco which said sums are by the Court here to the said David Hickster Emanuel Dd and Thos. Gould of their assent adjudged for their Costs and Charges sustained by Occasion of the delay aft. and that they have thereof their Executions According to the direction of the Act of Assembly in such Cases made and provided. And thereupon the said Actions are Continued untill next Court.

Test Wythe Clerk