navigate the same as such during her voyage or voyages to or from Bourdeaux, or any other Port in the Kingdom of France, or to and from any other Port or place where he the said Custis should be ordered by the aforesaid Hugh, William, Charles and John, or by either of them, and to take care of the said last mentioned vessel and of all Cargoes and goods delivered to him as such Master, or put on board the same vessel for carriage from place to place, for wages hire or reward to be therefor payable and paid by them the said Hugh William, Charles and John to the said Custis, as such Master of the same Vessel, towit at the County aforesaid - And whereas afterwards towit on the twenty seventh day of August in the year last aforesaid, at the County aforesaid (they the said Hugh, William, Charles and John then and there being owners of the said last mentioned vessel, and the said Custis then and there being Master thereof and in their services as such) he the said Custis Hellum, as Captain and Master of the same vessel did receive and take on board the same vessel from them the said Hugh, William, Charles and John in his life time (by the name of Hugh M'Bryde and Phillipshill & Company) and by their order, other sixty four hogsheads of Tobacco of the said Hugh William, Charles and John of the value of two hundred Thousand pounds current money Gold and silver, and other fifteen hundred and fifty hogshead Staves also of them the said Hugh, William, Charles and John of the value of fifty thousand pounds current Gold and silver money to be carried and conveyed by the said Custis by their order in the same last mentioned vessel to Bourdeaux in the Kingdom of France, and there to be delivered by him to a certain Robert Craig for them the said Hugh William, Charles and John, And altho' the said Custis Hellum on the same twenty seventh day of August in the year last aforesaid at the County aforesaid did receive and take on board the same Vessel as master thereof from them the said Hugh, William, Charles and John in his life time (by the name aforesaid) other sixty four Hogsheads of tobacco and other fifteen hundred and fifty hogshead Staves of them as aforesaid (which same Tobacco and Staves the said Custis was then and there ordered by the said Hugh William, Charles and John to carry and convey in the same Vessel to Bourdeaux in France and to deliver the same there to the said Robert Craig as aforesaid) and although the said Custis afterwards on the same day and year did set sail and depart with the said Vessel and the said Tobacco and Staves last aforesaid from this State of Maryland and did proceed with the same to sea, yet the said Custis not regarding the duty of his

employment so badly, carelessly, negligently and improvidently behaved himself in his said employment and took such little and such bad care of the same vessel last aforesaid and the same Tobacco and Staves last aforesaid so by him received as aforesaid that the said Custis did not carry, transport and convey in the same vessel last aforesaid or otherwise the said sixty four Hogsheads of Tobacco and the staves last aforesaid, or any part thereof, to Bourdeaux in France and did not deliver the same Tobacco and Staves last aforesaid or any part thereof to the said Robert Craig at Bourdeaux or elsewhere (altho' often requested so to do) but the said Custis Hellum on the contrary thereof afterwards to wit on the thirtieth day of September in the year aforesaid by and through his own mere neglect and default and by and through his carelessness mismanagement and improvidence did suffer and cause the said vessel last aforesaid and the same sixty four hogsheads of Tobacco and Staves last aforesaid and every part thereof, while the same were and continued in his profession, care and custody for such carriage as aforesaid and while he continued Captain and Master of the same vessel as aforesaid to be taken at sea (towit at Dorchester County aforesaid) by the Enemies of this State and the united States of America towit by an English Privateer called the Surprize the Captain and Company whereof were at the time of such capture subjects of the king of Great Britain, who then was and still is at open war with this State and the United States of America, whereby the said Hugh, William, Charles and John in his life time and the said Hugh, William and Charles since the death of the said John have totally lost, and been deprived of the same Vessel last aforesaid, and the same sixty four Hogsheads of Tobacco and Staves last aforesaid and of every part thereof - And also Whereas the said Custis Hellum afterwards towit on the twenty seventh day of August in the year seventeen hundred and seventy eight at Dorchester County aforesaid undertook upon himself to be captain, Master or commander of a certain other boat or vessel called a Schooner then and there belonging to them the said Hugh M'Bryde, William M'Bryde, Charles Philipshill and the said John Craig in his life time (who is now deceased, and whom the said Hugh, William and Charles have survived) and as Master thereof to take good care of the same Vessel, and carefully diligently and faithfully to navigate her from this State of Maryland to Bourdeaux in France, And whereas the said Custis afterwards the same day and year aforesaid at the County aforesaid did receive and take on board the same last mentioned vessel (as master thereof) from them the said Hugh, William, Charles and John (by the name of Hugh M'Bryde and