to the said James that if he should not declare against the said Henry by the day aforesaid, that Judgment should be rendered against him by default. The same day was given to the said Henry there and so forth. Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties and their Attorneys aforesaid, and by order of the Court here, thereon was further continued until the second Tuesday of April then next following. At which said second Tuesday of April seventeen hundred and eighty nine, came again the parties aforesaid, by their Attorneys aforesaid, and the said James by his Attorney aforesaid, declared against the said Henry in manner and form following. Maryland, Queen Anns County, to wit: Henry Conway late of Queen Anns County Gentleman was attached to answer unto James Hindman, Adm. with the Will of the said Richard Bennett Lloyd annexed of all and singular the Goods and Chattels, Rights and Credits of Richard Bennett Lloyd Esquire late of Talbot County deceased of a plea of Trespass upon the case and so forth — And whereupon the same James Hindman by Gustavus Scott his Attorney, complains that whereas, the same Henry Conway in the lifetime of the same Richard Bennett Lloyd, to wit, on the first day of April in the year of our Lord seventeen hundred and eighty four at the County aforesaid, was proprietor and owner of a certain Vessel called a Schooner boat, and thereof was possessed, and being so, he the same Richard Bennett Lloyd in his lifetime then and there having and being possessed of a certain Quantity of good, sound and merchantable Wheat, and desiring and intending to send, convey and transport the same Wheat from Wye river in the County aforesaid to the Town of Baltimore in the State aforesaid, did then and at the County aforesaid in his lifetime, hire, employ and engage the same Henry Conway, at the special Instance and Request of him the same Henry Conway, to take on board the same Vessel, and carry and convey and transport therein from Wye river aforesaid to Baltimore Town aforesaid, and at the same Town to deliver in good condition and order for the use of him the same Richard Bennett Lloyd, the Quantity of six hundred and fifty Bushels of good, sound and merchantable Wheat, belonging to him the same Richard Bennett Lloyd in his lifetime, of the Value of seven shillings and six pence current money of Maryland for each Bushel of Wheat for and in consideration of the hire, wages and reward of four pence current money as aforesaid for each Bushel of Wheat aforesaid, to be paid by him the same Richard Bennett Lloyd to him the same Henry Conway; therefore upon the delivery of the same Wheat in manner aforesaid at the Town aforesaid: and the same Henry Conway in the lifetime of the same Richard Bennett Lloyd, to wit, on the second day of April in the year of our Lord seventeen hundred eighty and four at the said River in the County aforesaid did receive and take on board the Vessell aforesaid the aforesaid Quantity of six hundred and fifty bushels of good, sound and merchantable Wheat belonging to the same Richard Bennett Lloyd of the Value aforesaid, and the said Vessel did then sail and depart from the said River with the Wheat aforesaid therein

and did proceed towards the Town aforesaid, yet the aforesaid Quantity of Wheat or any part thereof, was not carried, conveyed or transported in the same Vessel, or in any other Vessel or by any other means to the aforesaid Town of Baltimore and was not there delivered for the use of him the said Richard Bennett Lloyd, altho the same Henry Conway has been often required so to do the same, but on the tenth day of April in the year of our Lord seventeen hundred eighty and four, in the lifetime of the said Richard Bennett Lloyd, at the County aforesaid, by reason of the careless, negligent and unskilful management and conduct of him the same Henry Conway and of his Skipper and hands and sailors belonging to his said Vessel, which sailed as aforesaid, in and during her passage and voyage aforesaid, from Wye River aforesaid to Baltimore Town aforesaid, the said Vessel of him the same Henry Conway was greatly injured and damaged and the Wheat aforesaid of him the same Richard Bennett Lloyd and every part thereof, so taken on board as aforesaid, was so injured and damaged to be entirely unmerchantable and unfit for use, whereby the same Richard Bennett Lloyd in his lifetime then and there totally lost and was deprived of the same six hundred and fifty bushels of Wheat and every part thereof; and the same James Hindman since the death of the same Richard Bennett Lloyd, has totally lost and deprived of the said six hundred and fifty bushels of Wheat and every part thereof — And whereas the same Henry Conway in the lifetime of the same Richard Bennett Lloyd, to wit, on the first day of April in the year of our Lord seventeen hundred and eighty four, at the County aforesaid was proprietor and owner of one other Vessel called a Schooner boat and thereof was possessed, and being so, he the same Richard Bennett Lloyd in his lifetime, then and there having and being possessed of one other Quantity of good, sound and merchantable Wheat, and desiring & intending to send, convey and transport the same last mentioned Wheat from Wye in the County aforesaid to the said Town of Baltimore in the State aforesaid and to have the same last mentioned Wheat there delivered to a certain Charles Robinson (which said Charles Robinson was then an Agent, and as such was then retained and employed by him the same Richard Bennett Lloyd in his service in the said Town of Baltimore) did then at the County aforesaid in his lifetime, hire, employ and engage the same Henry Conway, at the like special and request of him the same Henry Conway, to take on board the same last mentioned Vessel, and carry, convey and transport therein from Wye River aforesaid to Baltimore Town aforesaid, and at the same Town to deliver to the said Charles Robinson in good Condition and order, for the use of him the same Richard Bennett Lloyd one other Quantity of six hundred and fifty bushels of good, sound and merchantable Wheat belonging to him the same Richard Bennett Lloyd, of the Value of seven shillings and six pence current money of Maryland for each bushel of Wheat last aforesaid, for and in consideration of the hire, wages and reward of four pence current money as aforesaid for each bushel of the last mentioned Wheat, to be paid by him the same Richard Bennett Lloyd to him the same Henry Conway therefore after the delivery of the same last mentioned Wheat