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as set forth what other persons than said John Boone said of the relationship of said John and Stephen but consenting that the defendant might offer said testimony not offered by the plaintiff if it be admissible as testimony coming from the plaintiffs witness.

The defendants objected to the introduction of the evidence thus offered, insisting on all grounds of objection to the admission thereof but renewed the offer previously made by the defendants as aforesaid to consent to the reading of the whole depositions subject to the right of the parties to ask the Court to instruct the Jury as to the same or any portions thereof and if necessary or proper to direct the Jury to exclude certain parts from their consideration which objection (the plaintiffs declining the said offer of defendants) the Court sustained, whereupon the said plaintiffs excepted and prayed the Court to sign and seal this bill of exceptions which is accordingly done this 28th of March 1866.

D. C. M. Emory (Seal)

Plaintiffs 2d. Bill of Exception

Boones Lessee vs Purnell } At the trial of this cause the Plaintiff having read to the Jury the depositions of Barbara Taylor Ann Granberg, Josiah Hook, John Fishpaw, Joseph Hook, Johnny Hook, John Ellis, Elizabeth Boone, Nicholas Smith, & Chester Brown, under the following agreement

Boones Lessee vs George Gilbach } In the Circuit Court for Baltimore County

It is understood that the following witnesses whose depositions where taken in the Equity cause of Wm Boone & others vs Samuel Boone & others are dead, viz Barbara Taylor, Ann Granberg, Josiah Hook, John

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Fishpaw, John Ellis, Elizabeth Boone, Nicholas Smith, Chester Brown, & Joseph Hook who were examined on the part of the Complainants and Semina Gunnevan, Elizabeth Stevenson, Josiah Bell, Ursula M. Evans, Edward Griffith, Ann Smith, Sarah Bluffford, Henry Brown, Richard Wells, Andrew Bennett & Rachael Stevenson, who were examined on part of defendants and it is hereby agreed that the depositions of the above named deceased witnesses may be read in the trial of this cause without proof of the death of said witnesses subject to such objections as may be made on other grounds as to admissibility.

Geo. Yellott. Solr for plaintiff
C. W. Ridgely }
R. S. Gittings } for Defdts
A. W. Machen }

The defendants under said agreement offered to read the following deposition of Semina Gunnevan

That she is in the seventy fifth year of her age, that she knew John C. R. B. Boone in his life time, that he lived in Baltimore County and died there on the same place where Robert Hamilton one of the defendants now resides, That John C. R. B. Boones wife was deponents aunt by marriage, that his said wife was named Betty Hole before her marriage with said Boone, that said Boone had by his said wife Betty, one daughter alone named Prudence who married Philip Chamberlain of Baltimore County that said Philip and Prudence had three children named, John, Betty, and Prudence Chamberlain the last one Prudence died while a baby, That Betsey Chamberlain married Samuel Boone, Deponent says that she knew Stephen Parlett of Baltimore County and also Eleanor Parlett his sister, deponent did not know the mother of said Stephen and Eleanor personally but heard of her, She heard in the neighborhood