April Term 1868

Defendants 2nd Prayer.

That if they find that previously to the intercourse between the said John C. R. B. Boone and Betsy the mother of the said Stephen and Eleanor, of which the said Stephen and Eleanor were the fruit, the said Betsy was married to one Parlett and that the said Parlett was not then dead, but in life, and that he survived the time when the marriage of the said Boone and Betsy Parlett is alleged and claimed on the part of the plaintiff to have taken place, then even if the Jury should find a marriage in fact between the said Boone and Betsy, in the lifetime of her said former husband, Parlett, such marriage would be invalid and void

And the Court granted the said first second, third seventh, ninth, tenth, eleventh, twelfth, and thirteenth prayers of the plaintiff, which were conceded by the defendant, and the said two prayers of the defendant, the fourteenth prayer of the plaintiff was withdrawn and the court refused the said fourth fifth sixth, eighth, fifteenth, sixteenth, seventeenth and eighteenth prayers of the plaintiff to the granting of which said prayers of the defendant and each refusal of the said prayers of the plaintiff the plaintiff excepted and prayed the court to sign and seal this his 6th bill of exceptions which is done accordingly this 6th day of April A. D. 1866

D. C. M. Emory (Seal)

And afterwards towit on the ninth day of April in the year eighteen hundred and sixty six the said William Boones et al Lessees by their Attorney aforesaid, files into Court here the following prayer for appeal, to wit

William Boones et al Lessees vs William M. Purnell	In the Circuit Court for Baltimore County

April Term 1868

The Plaintiffs in the above case pray an appeal to the Court of Appeals

G. Yellott

Atty for Plaintiffs

and to them it is granted

It is thereupon ordered by the Court here, that a transcript of the record and proceedings in the plea aforesaid, with all things thereto relating be transmitted to the Court of Appeals of the State of Maryland, and the same are hereby transmitted accordingly

Test. John C. Longnecker Clerk.

In testimony that the aforegoing is a full and true transcript taken from the record of proceedings in the Circuit Court for Baltimore County, in the herein entitled cause, as far forth as process has been therein had.

(Seal) I hereto set my hand and affix the seal of the Circuit Court for Baltimore County aforesaid, on this Seventeenth day of October in the year of our Lord one thousand eight hundred and sixty six

John C. Longnecker

Clerk Circuit Court for Baltimore County

And now come into the Court of Appeals here, as well the said Wm Boon and others lessee by Messrs Yellott and Boarman their Attorneys, as the said Wm M. Purnell by Messrs Brachen & Gettings and Purnell his Attorneys and thereupon, on motion of the said Wm M. Purnell by his Attorneys aforesaid, it is ruled by the Court here, that the said Wm Boon and others lessee assign the errors in the Record of Proceedings aforesaid, or in the giving the judgment aforesaid, so as aforesaid