said, related, aputed and with a loud voice proclaimed these false, feigned scandalous and opprobrious English words following of and concerning the said Catharine in the presence and hearing of many reputable people and Citizens of the said State to wit, that she the said Catharine was with child, that it was worse than Lucas's affair, for that it was by a Negro man of the said Edward called Abraham meaning that the said Catharine had Carnal knowledge of, and was got with Child by the said Negro man named Abraham the slave of the said Edward, by reason of the speaking which said false, feigned scandalous and opprobrious words by the said William of and concerning the said Catharine, she the said Catharine is not only brought into the great scandal and infamy of whoredom, Adultery and incontinency among very many respectable Citizens of the said State, but the domestic happiness of the said Catharine with her said Husband Edward has been injured and greatly disturbed, and many honest and reputable people and Citizens of the said State who before the speaking and publishing the said false feigned and scandalous words used greatly to desire the company and society of the said Catharine, have since totally withdrawn themselves from all conversation and intercourse with her the said Catharine and from her company have altogether abstained as a lewd unchaste Woman, and daily more and more do withdraw themselves to the damage of them the said Edward and Catharine in the sum of one thousand pounds current money, and therefore they bring suit and so forth

T. Stone for the Plaintiffs — Pledges and so forth — John Doe and Richard Roe

And the said William Waters by his Attorney aforesaid as before defends the force and injury when &c. and saith that the said Edward and Catharine his wife their Action aforesaid against him the said William to have or maintain ought not, because he saith that he is not guilty of the premises in manner and form as the said Edward and Catharine his wife above against him complains, and this the said William is ready to verify wherefore he prays Judgment if the said Edward and Catharine his wife their Action aforesaid against him the said William to have and maintain ought and so forth.

And the said William by his Attorney aforesaid further saith, with leave of the Court here, that if he the said William did speak the words above mentioned of and concerning her the said Catharine he the said William was well justifiable in so speaking because he saith the words so spoken are true, and this the said William is ready to verify wherefore he prays Judgment if the said Edward & Catharine his wife their Action aforesaid to have or maintain ought and so forth, ~~and the said Edward and Catharine~~

And the said Edward and Catharine his wife by their Attorney aforesaid, as to the first plea of the said William above pleaded, saith that any thing therein contained to preclude them the said Edward and Catharine his wife from their Action aforesaid ought not, because they say that the said William is guilty in manner & form as they the said Edward and Catharine his wife above in declaring complains, and of this they put themselves on the Country and the said William also.

And the said Edward and Catharine his wife, as to the second plea of the said William above pleaded, say that any thing therein contained to preclude them the said Edward and Catharine his wife from their Action aforesaid ought not because they say that the said William was not justified in speaking the words above mentioned in manner & form as the said Edward & Catharine his wife above in declaring suppose, and of this they put themselves

themselves on the Country and the said William also.

Therefore it was commanded the Sheriff that he cause to come here immediately twelve &c. who neither &c. to recognize &c. because as well &c.

And afterwards to wit the same Monday before the second tuesday in September aforesaid the Juror aforesaid by the Sheriff aforesaid thereto impannelled being called come that is to say William McPherson Junior, Horatio Middleton, Samuell Hanson McPherson, Robert Rogers, Samuel Tubman, Hezekiah Garner, Lawson Luckett, William Jones, Benjamin Benson, Leonard Wood, Josias Smoot and Benjamin Davis Junior who to speak the truth in the premises being duly elected tryed and sworn, and the said Edward and Catharine his wife by their Attorney aforesaid in the course of the trial of this cause produces to and prays the Court here to sign the following Bills of Exceptions to wit

In the tryal of this cause the Deposition hereto annexed was produced on behalf of the Plaintiffs, and the Plaintiffs proved that the same was taken before and in the hand writing and signed by Joshua Sanders since deceased then a Magestrate of Charles County that William Waters the Defendant was present at the taking of the said Deposition and cross-examined the Deponent, and that Edward Boarman the Deponent was at the time of taking the said Deposition in bad health and that he occationally rode out, and the illness of which he was then afflicted, was continued and that he died of the same Malady in the December following, and that the said Deposition was lodged with the Clerk of Charles County on the 23d. of November instant with directions to him to Record the same Deposition, and the Plaintiffs offered to read the same Deposition in evidence to the Jury but the Court here rejected the said evidence, and would not permit the Deposition to be read in evidence to the Jury, because it was not proved to the Court that any notice was given to the Defendant agreeable to the directions of the Act of Assembly of 1779. and because the Court indulged the Plaintiffs to give Vive Voce testimony in support of the Deposition, in which they in the opinion of the Court failed, as to the proof of notice, to which the council for the Plaintiffs excepts and prays the Court here to sign and seal this his Bill of Exceptions which is accordingly done.

Dan: Jenifer (seal)
Geo: Lee (seal)
John Morton (seal)

In the tryal of this cause the Council for the Defendant produced certain Catharine Garner Ann Garner and William Garner, who are Defendants in certain Actions of slander brought by the Plaintiffs against them as appears by the Declarations in the same Actions.

Charles County to wit. Henry Garner and Catharine his wife late of Charles County were attached to answer unto Edward Boarman Junior and Catharine his wife of a plea of Trespass on the case and so forth. And whereupon the said Edward Boarman Junior and Catharine his wife by Michael Jenifer Stone their Attorney complain that whereas the said Catharine for a long time past, the wife of the said Edward is a good true pious chaste and Virtuous Citizen of Maryland, and as a good true pious chaste and Virtuous Citizen of Maryland from the time of her Birth hitherto hath behaved and demeaned herself and continued and was known and reputed to be of good and chaste reputation and Virtuous behaviour among her friends, neighbours and other honest Citizens of the State and from all and all manner of whoredom, adultery, fornication and incontinency and from any suspicion