and daily do more and more withdraw themselves to the damage of them the said Catharine and Edward in the sum of five hundred pounds current money and therefore they bring suit and so forth.

Pledges and so forth { John Doe and Richard Roe

M. I. Stone for the Plaintiff

And which are now depending in this court as Witnesses to support the Issues on the behalf of the said William Waters, and the said William proved that the said Catharine Garner, Ann Garner and William Garner were summoned to appear as Witnesses for, and on behalf of the said William Waters before the impetration of the writs against them and it was proved, on oath that Edward Boarman one of the Plaintiffs in this cause said, that he had sued the Garners to prevent their being Witnesses, and this Declaration was made when he was inlivened with spirituous liquor, but capable of Judging, and the said Edward Boarman and Catharine his wife by their council offered to prove to the court here that the said Catharine Garner and Ann Garner were guilty of speaking and publishing the words as charged and stated in the Declarations against them, but the Court here refused to admit such Testimony before them, and Admitted the said Catharine Garner, Ann Garner and William Garner to be sworn and give evidence to the Jurors generally in the cause as well as to both Issues on behalf of the said William Waters to which the council for the plaintiff excepts and prays the Court here to sign seal this his Bill of exceptions which is accordingly done.

Dan: Jenifer (seal)
Rich Barnes (seal)
Geo: Lee (seal)
Henry Barnes (seal)

In the trial of this cause, Ann Gardiner wife to William Gardiner the same Ann Gardiner mentioned in Another Bill of exceptions tendered and signed by the Court on behalf of the Plaintiffs, was produced as a Witness on the behalf of the Defendant whereupon the Council for the Plaintiffs prayed that the said Ann Gardiner might be sworn upon the Voirdire and thereupon the said Ann was sworn a true Answer to make to all such questions as should be asked her by the Court, and thereafter the Court put and propounded the following Questions to the said Ann, — Mrs Garner you know that this is an action of slander brought by Edward Boarman and Catharine his wife against William Waters, will you gain or loose one shillings in the event of the cause, and the said Ann upon her oath aforesaid answered that, she did not know she would, and thereupon the council for the Plaintiffs prayed the Court to permit, or that the Court would propound other questions to the said Ann, that the said Ann might answer more pointedly as to the interest she might have in the event of the said cause, but the Court refused to propound or suffer to be propounded any other Questions to the said Ann upon her oath aforesaid, and ordered the said Ann to be sworn generally to give evidence to the Jury, 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)
Richd Barnes (seal)
Geo: Lee (seal)
Henry Barnes (seal)

And the Jurors aforesaid upon their oath do say that the said William is not guilty in manner

manner and form as the said Edward and Catharine his wife above in declaring suppose, whereupon the said William by his Attorney aforesaid prays Judgment of and upon the Verdict of the Jurors aforesaid in form aforesaid found for him to be given,

Therefore it is considered by the Court here that the said Edward Boarman and Catharine his wife take nothing by their writ aforesaid, but be in mercy for their false Clamour and that the names of their pledges be sought for &c. and that the said William go thereof without day &c.

And it is also considered that the said William do recover against the said Edward Boarman and Catharine his wife all his the said Williams legal costs and charges by him about his defence in this behalf laid out and expended, and that the said Edward Boarman and Catharine his wife be in mercy &c.

And the said Edward Boarman and Catharine his wife comes into Court by their Attorney aforesaid, and pray leave to appeal (under the Bills of Exceptions aforesaid) to the General Court, and produces to the Court here the following Bond to wit —

Maryland, Charles County to wit, Know all Men by these presents that we Edward Boarman, John Neale and William Francis Neale all of Charles County and State of Maryland are held and firmly bound unto William Waters of the same County and State in the full and just sum of five hundred pounds current money to be paid to the said William Waters his certain Attorney his heirs executors administrators or assigns to the which payment well and truly to be made and done we bind ourselves our heirs executors and administrators jointly and severally for the whole and in the whole firmly by these presents sealed with our seals and dated this twenty ninth day of February Anno Domini one thousand seven hundred and eighty eight. Whereas the above named Edward Boarman and Catharine his wife are about to appeal to the General Court for the Western Shore, from a Judgment obtained by the said William Waters against them the said Edward Boarman and Catharine his wife in an Action of slander in Charles County Court at September Term last. Now the Condition of the above obligation is such that if the above bound Edward Boarman and Catharine his wife shall not pursue the directions of an Act of Assembly intituled an Act for regulating writs of Error and granting appeals from and to the Courts of common Law within this province, and prosecute the said appeal with effect at the next ensuing General Court to be held for the Western Shore at Annapolis on the second Tuesday of May next, and also satisfy and pay to the said William Waters his executors administrators or assigns in case the said Judgment shall be affirmed as well all and singular the damages and costs adjudged by Charles County Court as also all costs and damages that shall be awarded by the General Court, then this obligation to be void else to be and remain in full force and virtue in Law.

Edwd Boarman (seal)
John Neale (seal)
Wm Francis Neale (seal)

Signed sealed and Delivered in the presence of —
Inc Gwinn, Thos Harris Junr

The Bond aforesaid was read to the Court, and the securities therein mentioned adjudged good. Therefore ordered by the Court here that the proceedings be transmitted to the General Court and they are accordingly transmitted.

Maryland, Charles County, Sct. In Testimony that the aforegoing proceedings are truly copied from the Records of Charles County. I have hereunto set my hand and affixed the public seal of my office this 15th day of April Anno Domini 1788. John Gwinn Clk C. C. Court.

(Seal of Charles County Court.)

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