tried and determined in case the said Judgment of the County Court shall be affirmed then the above obligation to be in full force & virtue

Signed sealed and delivered — Henry Oneall (seal)
in the presence of — William Lodge (seal)
Honore Martin Th.s Turner — Alex.r Adams (seal)

In arguing and trying the issue aforesaid before the Court and Jury aforesaid the following Bills of exceptions were taken viz.t

Joseph Ward vs. Henry Oneall. The defendant moved the Court for the following directions, that to intitle the plaintiff to recover in the present case it is incumbent on the plaintiff to shew that the lands for a partition of which the summons in this case issued were granted by the proprietary or the State antecedent to the --- commencement of the suit and that the plaintiff not having shewn that there was a grant for the said lands ought not to recover in this case, but the Court being of opinion that it was not absolutely necessary to shew a grant from the proprietary or State if the plaintiff could prove a twenty years possession refused to give the direction as prayed, to which opinion the defendant prayed leave to except and that the Court would sign & seal this exception according to the Statute which is accordingly done this twenty fourth day of July one thousand seven hundred and eighty nine

Edward Burgess (seal) An.r Campbell (seal) Jos. Wilson (seal)

Joseph Ward vs Henry Oneall The plaintiff in this case offered to read in evidence to the Jury the Depositions in the words following to wit. Anne Arundel county State of Maryland ss. Came to my house this first day of November 1787 between the hours of one and two O clock (P.M) Mr. Benj.a Carr resident of Ann Arundel and then and there made oath before me one of the Justices for s.d County on the Holy Evangelist of Almighty God, that being at the wedding of Mr. Joseph Ward late of Montgomery County deceased and Anne Mary his wife he then and there saw Benj.a son of said Joseph and Anna Mary a stout boy and that the present Joseph Ward was born the first to s.d Joseph deceased and Anna Mary his wife after marriage and further saith not, Sworn before me Thos. Tounge

Anne Arundel County State of Maryland ss. Came to my house the first day of November 1787. between the hours of one and two (P.M) Mrs. Elizabeth Ward resident of Ann Arundel county and then and there made oath before me one of the Justices for said County on the Holy Evangelist of Almighty God that Mr Benjamin Ward her late husband, on his return from Mr. Joseph Wards late of Montgomery County deceased informed her of his the said Joseph then marriage with

Anna Mary Deuell (now Osborn) and that to her own knowledge Benjamin son of s.d Joseph deceased and Anna Mary was born before the time of s.d marriage and moreover that the present Joseph Ward is their first born in the state of wedlock and further saith not

Sworn to before me — Tho.s Tongue

taken under a rule of Court under the notice in the words following to wit Mr. Henry Oneall, take notice that I intend to take the Depositions of Mr Benjamin Carr, John Norris and Elizabeth Ward now of Ann Arundel County on the first day of November 1787 at 4 O clock at the house of Mr. Thomas Tongue in Ann Arundel County. I am yours, Joseph Ward

to which the Defendants Counsel objected, because the Depositions were certified and returned by the Magistrate to have been taken by him after the time expressed in the notice for taking them, but the Court were of opinion that the Depositions were properly taken, and admitted them to be read, to which opinion the defendants Council prayed leave to except and that the Court would sign and seal the same according to the Statute

Edward Burgess (seal) An.r Campbell (seal) Jos. Wilson (seal)

Joseph Ward vs Henry Oneall, The plaintiff in this cause to prove the marriage of Joseph Ward senior with Anna Maria Ward the mother of the plaintiff in the words following to wit. Saint Mary's county Leonard Town October the eighteenth one thousand seven hundred and eighty seven Came Anny Mary Osbourne formerly Anna Mary Ward widow of Joseph Ward late of Montgomery County deceased and made oath on the Holy Evangels of Almighty God that she the Deponent many years ago lived and cohabited with the said Joseph Ward & married in Ann Arundel County by whom she had children, that some time after about thirty one or thirty two years ago she was lawfully married to the said Joseph Ward and continued his wife untill some time in seventeen hundred and eighty one, when the said Joseph Ward died in Montgomery County aforesaid. and the Deponent doth further depose that before her -- marriage with the said Joseph Ward she had a son who is called Benjamin Ward and who now lives in Montgomery county aforesaid and the deponent doth further depose that during the said intermarriage she had several children by the said Joseph Ward the eldest male issue whereof is Joseph Ward son of the said deceased now resident near the mouth of Seneca in Montgomery county aforesaid, and the said Deponent doth further depose that the said Joseph Ward now of Seneca was born in lawfull wedlock and is the eldest legitimate son and heir at law of the aforesaid Joseph Ward deceased) and further saith not the above Deposition sworn to at the house of Robert Grenell in Leonard Town at one O clock in the afternoon before Zach.a Forrest to prove her

(marriage