the others he did not know. To the 4th he answers he did not know Mary nor did he ever hear she was descended from a white Woman. To the 5th He answers that he has not heard that there was such a woman in the family of Anthony Neale; he has heard but he does not know from whom that Bennet Neale before mentioned had said that there was a mulatto woman in the family of his brother Edward of the name of Jenny. To the 6th He answers that he has not heard so but from the Petitioners. To the 7th he answers he knows nothing of their right to freedom but has heard from them only of their right. and further saith not.

Sworn before J Bullen — James Neale.

The deposition of William Simms of Charles County aged eighty three years or thereabouts being sworn on the Holy Evangels of Almighty God, deposeth and saith, that when he was a lad he knew a woman by the name of Betty Short and he has seen her twice or oftener at his fathers who then lived near Tachiah Swamp in Charles County; that the said Betty Short was a white Woman and it was generally understood was not a Country born woman, but from what Country she came he has forgot; he remembers very well to have seen her playing at ball at his fathers with some Girls and boys that she would catch the ball in her Apron and what makes the deponent recollect her more strongly, he remembers that in taking hold of her Apron to catch the ball she pulled up her Petticoat with her Apron and he saw above her knees and he remembers to have seen her at old Nathaniel Suite's or at Justinian Burche's or at both those places.

Being asked how old she appeared to be at that time, answers he cannot say, it has been so long ago, but she was a woman and he thinks was about thirty or forty years old, and he remembers to have heard it said that she lived with a Mr Neale in Eel Neck in Charles County. Being asked if he knew any of her Children answers, he did not, but has heard it said in the Neighbourhood that she had two or three Children. Being asked whether her name was Short or Shorter, answers, they used to call her Betty Short, and he does not remember that she was called Shorter and she did not appear to have any stain of the Mulatto in her

William his W mark Simmes

Sworn to this 9th day of October 1792 before the Subscriber one of the Justices of Anne Arundel County. Allen Dwyer.

To be read in evidence at the trial. Philip B Key. Ly Duvall

Charles County to wit. On the twenty sixth day of April in the year seventeen hundred and ninety four the following depositions were made and sworn to before the subscriber one of the Justices of the peace for Charles County aforesaid in pursuance of the above order from the General Court in the presence of the Plaintiff and Defendant after due notice having been given to the Plaintiff by the Defendant John Lancaster Senior of Charles County aged sixty two years or thereabouts being first sworn on the Holy Evangels of Almighty God, deposeth and saith that he well knows Negro Clem the Petitioner that he is the son as he this Deponent has always been informed of a Negro woman named Jane who was formerly the slave of Mrs Mary Ann Boarman, but now the property of Mrs Eleanor Bradford, that he this deponent also knew Nell the Mother of Jane who was when this deponent first knew her the slave of Mary Neale the Widow of Raphael Neale of Charles County, that he also knew Patt the Mother of Nell and that she Patt was given to Captain John Lancaster the father of this deponent by the said Raphael Neale when he the said Capt. John Lancaster married the daughter of the said Raphael Neale as this deponent has been informed, and that the said Negro Patt was the slave of said Capt. John Lancaster when she died: that he this deponent never heard that Patt or any of her descendants called themselves Shorter or had any claim to their freedom until the Butlers first petitioned for their freedom, when he heard, he believes, from some Negroes, that the Children of Patt were as much intitled to their freedom as the Butlers.

Being interrogated by the defendant James Neale. 1st Do you recollect the Colour or Complexion of the before mentioned Patt? this Deponent answers that he does and that she was a dark Mulatto. 2nd Was Patt always held and considered as a Slave? answers, she was. 3d How long has it been sence the death of Patt? answers about fifty years. 4th How old was Patt when she died? answers He does not know but thinks she must have been verry old. Being asked by the Petitioner Clement did you know the Mother of Patt? this deponent answers that he did not and further this deponent saith not.

John Lancaster Senr.

Taken and sworn to before me Benjamin Lancaster (seal)