Evidence the Jury are of Opinion that the Woman Joyce from whom the Petitioner is descended was in England and came from thence, they must find a Verdict for the Plaintiff the petitioner of which Opinion the Court was and so directed the Jury; to which Opinion of the Court the Defendant prayed leave to except; and that the Court may Sign and Seal this Bill of Exceptions which is done according to the Statute in such Case made and provided this third day of June 1799.

Jeremiah Townley Chase (seal)
John Done (seal)

Mahoney vs. Ashton

The Counsel for the Defendant prayed the direction of the Court to the Jury, "that if from the evidence in this cause they are of Opinion that a Woman called Joyce the Ancestor of the Petitioner was a Negro Woman and carried with her Owner claiming her as a Slave from the Island of Barbadoes to England, and afterwards brought into this Country by Lord Baltimore claiming her as a Slave between the Years 1678 and 1681, and that she during her Life was held used and treated as a Slave, and that her issue have been held as Slaves ever since, that then they must find a Verdict for the Defendant, But the Court refused to give the said Direction to the Jury, to which opinion of the Court the Defendant by his Council prayed leave to except according to the Statute in such case made and provided, and that they would sign and Seal this his Bill of Exceptions, which is accordingly done &c.

Jeremiah Townley Chase (seal)
John Done (seal)

And hereupon the said John Ashton by his Attornies aforesaid prays that he may Appeal from the Judgment aforesaid of the Court here to the Judges of the High Court of Appeals; and to bind the same is granted by the Court here on his complying with the directions of the Act of Assembly in such case made and provided, Whereupon the said John Ashton by his Attornies aforesaid exhibiteth to the Court here an Appeal Bond entered into by himself and two sureties, which by the Court here are approved of, the tenor whereof, ensueth in the words and figures following, to wit.

Know all Men by these presents, that we John Ashton, Charles Wallace and John Muir are held and firmly bound unto Charles Mahoney in the Sum of three hundred pounds Current Money of Maryland to be paid to the said Charles Mahoney his Executors or assigns to which payment well and truly to be made and done we bind ourselves our heirs Executors and Administrators jointly and severally firmly by these presents, Sealed with our Seals and dated this fourth day of June 1799.

Whereas the said Charles Mahoney having heretofore filed his Petition in the General Court for the Western Shore of the State of Maryland against the said John Ashton to recover his freedom, upon which said Petition the said Charles Mahoney in the said Court at May Term 1799, obtained Judgment for his Freedom and the costs of the said Petition from which said Judgment the said John Ashton is about to prosecute an Appeal before the Court of Appeals Now the Condition of the above obligation is such that if the above bound John Ashton shall not pursue the directions of the Act of Assembly entitled "An Act for regulating Writs of Error and granting Appeals to

Mackubin so summoned by the Sheriff aforesaid from among the by standers elected at the request of the parties and by command of the Court here are added to the Panel, whose names to the panel aforesaid are annexed according to the form of the Statute in such case made and provided and the Jurors so added together with the other Jurors aforesaid before impanelled being elected, tried, and sworn to say, the truth in the premises above contained, do on their Oath say, that the Petitioner Charles Mahoney is the Son of Nelly who was the Daughter of Mr. Carrolls Sue, who was the daughter of Mr. Digges's Sue, who was the Daughter of a Black Woman named Joyce, formerly held and claimed by Colonel Henry Darnall; That the said Henry Darnall departed this Life in the year seventeen hundred and eleven; and that the said Joyce from whom the petitioner is descended was for many years held and claimed by the said Henry Darnall as his Slave and died in his possession or in the possession of his Representatives at the Woodyard in Prince Georges County; but at what precise period she departed this life is to the Jurors aforesaid unknown, The Jurors aforesaid further say that the Issue of the said Joyce and their descendants were and have been always held and claimed as Slaves by the said Henry Darnall and those claiming under him, and they do not find that either the said Joyce in her life time or any of her Children ever claimed the right of freedom, And the Jurors aforesaid further say that the said Joyce came into this Country with Charles Lord Baltimore son of Cecilius Lord Baltimore from England between the year Sixteen hundred and seventy six and the fifteenth of February sixteen hundred and seventy nine; and if upon the whole matter aforesaid the Court shall be of opinion that the Petitioner is entitled to Freedom then the Jurors aforesaid find the Issue in this Cause for the petitioner; but if the Court upon the matter aforesaid shall be of opinion, that the Petitioner is not entitled to Freedom then the Jurors aforesaid find the Issue aforesaid for the Defendant

Memorandum, Before the Jurors aforesaid withdrew from the Bar of the Court here the Defendant by his Attornies aforesaid filed in Court here the following Bill of Exceptions to wit.

Charles Mahony vs. John Ashton.

The Petitioner to support the Issue on his part offered, to read the deposition of Henry Davis which deposition was agreed to be read in Evidence except in the parts objected to, The Counsel for the Defendant objected to the reading of part of the said Davis's deposition, to wit, in these words, "And he (meaning the said Henry Davis) "has heard his Uncle David Davis (who is deceased) say that it was the report of the "Neighbourhood that if she (meaning Joice) had justice done her she ought to have "been free and this he has heard sundry times from his Uncle when talking the matter "over" the same being incompetent and improper to be read to the Jury. But the Court over ruled the said objection and determined that the aforesaid part of the said deposition should be read to the Jury which was done accordingly, To which opinion of the Court the Defendant by his Counsel prayed leave to except and that this his Bill of Exceptions may be signed Sealed and enrolled pursuant to the