June Term 1811.

replied no it was now too late, that he wished his wife and the children to have all the rest of his property and said God almighty bless them with it for he should never get over his present sickness that perhaps he should not live till morning; meaning the children of his wife Samuel Pancoast and Joseph Pancoast to whom the said Brayfield was then Gardian both of whom then living with the said Brayfield and wife he the said Brayfield further said that in case his wife had rather that Davis should have the colt that was at Nagons then the two mares above described that he was willing his wife should have her choice and give Davis which she pleased - said Samuel Brayfield repeated what is above stated two or three times over and called the said Mrs Hurley by name and told her in the presence of Nelly Davis and Margaret Taylor aforesaid not to forget what he then told her all which we the undersigned distinctly heard and understood during this time Mrs Brayfield was laying on a bed sick in the same room (being the dwelling house of the said Brayfield) and hearing what had passed got out of her bed and came to the bed of the said Brayfield in great distress said Brayfield then said several words to Mrs Brayfield to console her and among other things said he hoped God would take care and provide for her — During all which time the said Samuel Brayfield was perfectly composed and of sound disposing mind memory and understanding, In Witness of the truth whereof we the said Susannah Hurley, Nelly Davis and Margaret Taylor do hereunto subscribe our names this 28th day of April 1807

Test Henry Howser
Ig. Davis.

Susannah her X mark Hurley
Eleanor S. Davis
Margaret her X mark Taylor

On the thirteenth day of May 1807 Ignatius Davis of said County appeared in Court and filed the following writing purporting to be the release of Reubin Davis — in the following words & figures, to wit.

Know all men by these presents that I Reubin Davis do hereby release unto John Brayfield and his sister Milley (be her name by marriage what it may) or to whomsoever upon my releasement of interest may be legally entitled to the property bequeathed to me by Samuel Brayfield deceased by his nuncupative will all my right claim and interest in or to the property so bequeathed as aforesaid to me and I do hereby renounce and quit claim to all right title and interest that I may or might have in the will and bequest aforesaid or the property therein mentioned. Witness my hand and seal this 28. day of April 1807

Signed Sealed and deliv.
in presence of.....
Henry Howser.....
Ig. Davis.....

Reubin Davis (Seal)

On the back of the foregoing release is the following probate, to wit

(Orphans)

June Term 1811.

Orphans Court May 13. 1807. then Ignatius Davis made oath that he saw Reubin Davis sign and seal and heard him acknowledge the within released to be his act and deed agreeably to the purport and meaning thereof.

Test. Rich.d Butler Regr.

Whereupon the said Court on the day and year last mentioned ordered a citation to issue for Carry Howser, Sarah Brayfield & Mary Brayfield sisters of the half blood to Samuel Brayfield deceased which was directed to the sheriff of Allegany County — And also one other citation to issue for Jane Brayfield (widow of Samuel Brayfield) deceased, John Brayfield and Milly Blair brother & sister of the whole blood to the said deceased, which was directed to the sheriff of Frederick County which citations were issued and are in form following, to wit.

State of Maryland to the sheriff of Allegany County Greeting, we command you to cite and summon Carry Howser, Sarah Brayfield & Mary Brayfield that all excuses and delays set apart they be and appear before the justices of our Orphans Court to be held at the Court house in Frederick Town on the second tuesday of June next to contest if they please the nuncupative will of Samuel Brayfield late of Frederick County deceased whereof fail not and have you then and there this writ Witness John Schley Esq. chief Justice of our said Court this 13th day of May 1807.

Issued 13th day 1807.

Rich.d Butler Regr.

At which said second tuesday in June eighteen hundred and seven being the day of the return of the foregoing citation the sheriff of Allegany County to whom the same was directed makes return thereof to the orphans Court aforesaid thus indorsed, to wit.

A. E. W. Bruce Shff.

State of Maryland To the sheriff of Frederick County Greeting we command you to cite and summon Jane Brayfield, John Brayfield & Milly Blair that all excuses and delays set apart they be and appear before the Judges of our Orphans Court to be held at the Court house in Frederick Town on the second tuesday of June next to contest if they please the nuncupative will of Samuel Brayfield late of Frederick County, deceased, whereof fail not and have you then and there this writ Witness John Schley Esq. chief Justice of our said Court this 13th day of May 1807.

Issued 13th day 1807.

Rich.d Butler Regr.

At which said second tuesday in June eighteen hundred and seven being the day of the return of the foregoing citation the sheriff of Frederick County to whom the same directed makes return thereof to the orphans Court aforesaid thus indorsed, to wit.

Sum.d Jane
N. Found rest
George Creager V. Shff

(On)