June Term 1811.

On which said second tuesday & ninth day of June eighteen hundred and seven the said Jane Brayfield appeared in Court and did not object to the probate of the nuncupative will of said Samuel Brayfield deceased being taken.

Whereupon the said Court ordered the Register to take probate of the said nuncupative will of said Samuel Brayfield and to record the same together with the probate thereon taken as aforesaid in the following words and figures, to wit.

On Friday the 25th April 1807. Samuel Brayfield departed this life — on the Wednesday night before his death (about eight o'clock) being the 22d April 1807. he the said Brayfield (then in his last sickness) called on Susanna Hurley in the presence of Kelly Davis and Margaret Taylor and said he was thinking of Reubin Davis that Davis was a poor cripple that he wished Davis in case of his death to have the two mares he then had from him to plow some land let to the said Davis by said Brayfield which said Brayfield called the sorrel mare and Francis and said that he wished said Davis to pay no rent for the ground let to him as aforesaid the present year — Mrs Hurley then told said Brayfield he had better make a will (meaning a written will) said Brayfield 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 Sancoast and Joseph Sancoast 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 Ragons 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 Kelly 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 Brayfields) and hearing what had passed got out of her bed and came to the bed of the said Brayfield in a 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, Kelly Davis and Margaret Taylor do hereunto subscribe our names this 28th day of April 1807.

Test. Henry Hooker
Js. Davis.

Susanna her mark Hurley
Eleanor P. Davis
Margaret her mark Taylor

June Terme 1811.

On the back of the foregoing instrument of writing was the following probate, to wit. June 9th 1807. then appeared before the orphans Court of Frederick County Susannah Hurley, Eleanor P. Davis and Margaret Taylor subscribing witnesses to the foregoing nuncupative will of Samuel Brayfield of said County deceased and made oath on the holy Evangely of almighty God, that the facts stated in said will are true, that the words were uttered by Samuel Brayfield deceased in his last sickness at his own dwelling where he resides for a number of years before his death, that he was at the time of sound and disposing mind memory and understanding.

Test Rich.d Butler Regr

And whereas on the aforesaid ninth day of June 1807. the orphans court aforesaid directed the register to grant letters of administration with a copy of the nuncupative will annexed of said Samuel Brayfield to Jane Brayfield widow of said deceased which were granted on the same day — and are as follows, to wit.

Maryland sc. The State of Maryland To all persons to whom these presents shall come Greeting. Know ye that the nuncupative will of Samuel Brayfield of Frederick County deceased hath in due form of law been proved and recorded in the office of the register of wills for Frederick County a copy which is to these presents annexed and administration of all the goods chattles and credits of the deceased is hereby granted and committed unto Jane Brayfield administratrix with a copy of the aforesaid will annexed witness John Ashby Esqr chief Justice of the orphans court of Frederick County this 9th day of June 1807.

Test Richard Butler Regr wills Fred.k County

And Whereas on the fifteenth day of June eighteen hundred and seven Jane Brayfield widow of the said Samuel Brayfield deceased filed in the office of the Register of wills aforesaid the following renunciation, to wit.

I Jane Brayfield widow of Samuel Brayfield late of Frederick County dec.d do hereby renounce and quit all claim to any bequest or devise made to me by the last will of my husband exhibited & proved according to law and I elect to take in lieu thereof my legal share of the Estate of my said husband. Jane Brayfield

15th June 1807.

And Whereas at an orphans Court held under an adjournment on the seventeenth day of May one thousand eight hundred & eight the said John Brayfield by Roger Nelson and Richard Brooke his attorneys came into court and filed the following petition, to wit.

To the worshipful the Justices of the orphans court of Frederick County —

The petition of John Brayfield of the state of Kentucky humbly represents. That on or about the months of April in the year of our Lord eighteen hundred and seven Samuel

(Brayfield)