was at the house of Samuel Brayfield the wednesday morning before he died he the said Brayfield was then in his senses. —

June 16th 1808. Whereupon all and singular the premises being by the Court here seen heard and fully understood and mature deliberation being had — It is adjudged by the said Court, that the will purporting to be the nuncupative will of Samuel Brayfield deceased, ought not to prevail and that the letters granted as aforesaid are revoked.

Test. Richard Butler Regr

From which Judgment the said Jane Brayfield by Roger B. Taney Esquire her attorney prays an appeal to the Judges of the next Court of appeals to be held at annapolis on the third monday of June instant which appeal is allowed by the orphans Court aforesaid. —

And the Court direct the proceedings thereof together with a copy of Samuel Brayfields nuncupative will &c. be transmitted to the Judges of said Court of appeals accordingly.

In Testimony whereof I have hereunto set my hand and affixed the seal of said Office this eighteenth day of June one thousand eight hundred and eight.

Seals place

Test Richard Butler Regr
Wills Fredk County

Apl. Costs $13-74
Deflts Costs 15-42.

And now came into the Court of appeals here as well the said Jane Brayfield administratrix as aforesaid by Arthur Shaaff and Roger Brooke Taney her attorney, as the said John Brayfield by Richard Brooke his attorney and thereupon on motion of the said John Brayfield by his attorney aforesaid it is ruled by the Court here that the said Jane Brayfield administratrix as aforesaid assign the error in the record of proceedings of the Decree aforesaid brought before the Court here for correcting errors supposed to be therein or Judgment by the Court here will be entered against her in default thereof and the said Jane Brayfield administratrix aforesaid by her attorney aforesaid says that in the record of proceedings aforesaid as also in rendering the decree aforesaid it is manifestly erred in this that is to say, that by the record of proceedings aforesaid it appears that the decree aforesaid in form aforesaid given was that the will purporting to be the nuncupative will of Samuel Brayfield deceased ought not to prevail and that the letters of administration granted to her the said Jane Brayfield be revoked when by the law of the land that decree ought to have been that the said will ought to prevail and that the letters in form aforesaid granted to her the said Jane Brayfield be confirmed ratified therefore in this it is manifestly erred and she prays that the decree aforesaid for this and other errors in the record of proceedings aforesaid being may be revoked annulled and held for naught, and that she the said Jane Brayfield administratrix as aforesaid, to all which she by occasion of the decree (aforesaid)

hath lost may be restored &c. —

And she prays that said John Brayfield may rejoin to the errors aforesaid and setforth. And thereupon it is ruled by the Court here that the said John Brayfield join in the errors by the said Jane Brayfield administratrix as aforesaid above assigned in the record of proceedings of the decree aforesaid or Judgment by the Court here will be rendered against him in default thereof. And the said John Brayfield by his attorney aforesaid prays that a day may be given him to join in the errors by the said Jane Brayfield administratrix as aforesaid above assigned in the record of proceedings aforesaid until the third monday in December next and to him it is granted, the same day is also given to the said Jane Brayfield administratrix as aforesaid.

At which said third monday in December being the nineteenth day of the said month in the year of our Lord one thousand eight hundred and eight which said day was given to the said Jane Brayfield to join in the errors aforesaid by the said Jane Brayfield administratrix as aforesaid above assigned come again into the court of appeals here the parties aforesaid by their attornies aforesaid and the said John Brayfield by his attorney aforesaid says that neither in the record of proceedings aforesaid, nor in rendering the decree aforesaid it is in any wise erred and he prays that the court of appeals here may proceed to examine as well the record of proceedings aforesaid as the matters aforesaid above assigned for error, and the decree aforesaid in form aforesaid given may be in all things affirmed, and setforth, but because the Court of appeals here are not advised what judgment to give of and upon the the premises, a day is therefore given to the parties aforesaid, before the Court here until the third monday in June next, to hear their Judgment of and upon the premises for that the Court now here thereof are not advised and setforth.

At which said third monday in June being the nineteenth day of the said month in the year of our Lord one thousand eight hundred and nine come again into the Court of appeals here, the parties aforesaid by their attornies aforesaid, but because the Court here are not yet advised what judgment to give of and upon the premises, a day is therefore further given to the parties aforesaid with the consent of the said parties by their attornies aforesaid before the court here until the third monday in December next to hear their Judgment of and upon the premises, for that the court now here thereof as yet are not advised and setforth.

At which said third monday in December being the eighteenth day of the said month in the year of our Lord one thousand eight hundred and nine, come again into the Court of appeals here the parties aforesaid by their attornies aforesaid, but because the Court here are not yet advised what judgment to give of and upon the premises, a day is therefore further given to the parties aforesaid, with the consent of the said parties by their attornies aforesaid, before the court here until the third monday in June next, to hear their judgment of and upon the premises, for that the Court now here as yet are not thereof advised and setforth.

(At)