ings to his aged mother in her helpless and infirm condition whether by parties inimical to him & this proceeding or by any Juror who went by himself to inform her or to converse with her on the subject was in his opinion wholly unnecessary & agonizing to his said Mother. That no right was withheld from her on said Trial or Inquest, but she appeared from beginning to end by Counsel, who cross examined all the witnesses & produced on her behalf all witnesses deemed necessary & after the testimony was closed the question at issue was argued by able Counsel in her behalf & yet the result of such free & full investigation has been that thirteen out of sixteen Jurors empannelled at the close of the evidence have returned the Inquisition under their signatures as more fully thereby appears your respondent further saith that if the Jury adjourned over before finally agreeing to the Inquisition returned by them it was because the Jury were induced to believe that they had a right to adjourn & resume their session to consider of their finding, from the remark made by one of the Counsel who signed said said petition & which remark was made in reply to the question of Respondent to Counsel whether in case the Jury could not agree they might be allowed to adjourn for dinner to which question the said Counsel so signing said petition remarked publicly to the Jurors that they could do just as they pleased" your Petitioner further showeth that said Doctor Machenzie whose affidavit is appended to said Petition was examined before the Jury in behalf of said Martha S. Browne & testified to his belief that she was of sound mind, but the Jury preferred other testimony before them including that of Dr. Bondy a most accomplished Physician who testified that he did not consider her competent from the effects of old age & disease to manage her affairs or make a contract with understanding. your Respondent therefore denies all and every irregularity in said proceedings as well as the allegation that his said Mother is of sound mind and he states to your Honor that it was with a painful sense of his filial obligations that he came to the conclusion to institute these proceedings with a view to protect that mother whose confidence he always had until within the last few months he found that her mind was so feeble from age & disease that she was wholly unfit to manage her affairs & was as helpless against those who were attempting to control her person and property as a small child would be, that because of his opposition to these controlling influences & his determination to prevent the wasting of her estate & the disposition put by acts which she did not recollect though witnessed by her signature your petitioner after much hesitation and doubt felt compelled to institute these proceedings & he feels justified by the verdict of thirteen Jurors in the course he has pursued your respondent submits the

whole matter to such decision by honor as may be right & proper and as in duty will ever pray.

R. T. Brent for Respondent

Baltimore City to wit: Before the subscriber a Justice of the peace in & for Baltimore City personally appeared C. C. Browne the above or within respondent & made oath on the Holy Evangely of Almighty God that the facts as stated in the aforegoing answer are true to the best of his knowledge & belief sworn to this 9th July 1862

Filed 9th July 1862 Sworn before Edwd S. Peters J.P.

In the Circuit Court for Baltimore City In the matter of Martha S. Browne — July the 25th 1862 on the foregoing proceedings and agreement of the Counsel of the respective parties filed in the cause it is ordered that Robert T. Brent and Eugene Cummiskey be and they are hereby appointed receivers with power and authority to take charge and possession of the property goods, money effects and papers belonging to the said Martha S. Browne and to collect the outstanding debts due to the said Martha S. Browne and all interest due and to become due. And the said Charles C. Browne one the petitioner in this case and Mary E. Browne are hereby required to yield up and deliver to the said Robert T. Brent and Eugene Cummiskey the property books, money, papers and effects of the said Martha S. Browne subject nevertheless to the future order of this Court. And it is further ordered that before the said Robert T. Brent and Eugene Cummiskey proceed to act as receivers by virtue of this order, they give bond to the State of Maryland in the penalty of five thousand dollars with a surety or sureties to be approved by the Court and conditioned for the faithful performance of the trust reposed in them by this order, or which may be reposed in them by any future decree or order in the premises.

Wm George Krebs.

Seal Place

In testimony that the aforegoing is truly copied I hereto set my hand as clerk and affix the seal of the Circuit Court for Baltimore City this 24th day of November A.D. 1863

T. Thomas Adams Clerk

And on the day and year aforesaid to wit, the Thirtieth day of November in the year eighteen hundred and sixty three, also comes here into the said Orphans Court a certain Mary E. Browne, Thomas S. Wilson and Ellen E. M. Willson his wife and Charles T. B. Mitchell by T. Parkin Scott Esquire their attorney and exhibits and files in Court here their answer to the Petition or Caveat heretofore exhibited and filed, and which said answer as aforesaid is in the words and figures following to wit: