

said Joseph M Brawner died leaving said Judgment in full force and unpaid and the same is still due & owing to your orator as surviving partner aforesaid Your Orator further shews to your Honor that said Joseph M Brawner died leaving no personal property wherewith to satisfy & pay his debts, and that no letters of Administration were ever taken out by any person or granted by the Orphans Court, as said Brawner left nothing wherewith to administer - In tender consideration whereof and for that your Orator is remediless in the premises by the strict rules of the common law & recoverable only in a court of equity where matters of this nature are properly cognizable, To the end thereof that the said Ann Maria Brawner, Genevieve Brawner, and Joseph Brawner may full true, direct & perfect answers make upon oath according to the best of their knowledge & belief to all and singular the charges & matters aforesaid, May it please your Honor to order & decree that said real estate of which said Joseph M Brawner died seized and the owner may be sold by a Trustee to be appointed for that purpose - and that your Orator may have all such other & further relief in the premises as the nature of the case may require & as to your Honor shall seem meet, and may it please your Honor to grant unto your orator the State of Maryland's writ of Subpoena to be directed to the said Ann Maria Brawner, Genevieve Brawner and Joseph Brawner all of Frederick County, thereby commanding them and each of them to be & appear before your Honor in your Honorable Court on a certain day therein to be specified, them and them to answer all & singular the charges & matters aforesaid and to stand to abide & perform such order & decree in the premises as the nature of the case may require & as to your Honor shall seem meet &c

Grayson Eichelberger
Solicitor for Complainants

Exhibit No 1, is in the words & figures following, to wit -

Isaac Baugher, James M Baugher, trading under the name and firm of Isaac Baugher & Co vs Joseph M Brawner.	}	No 7 Originals, In Frederick County Court To Oct Term 1846 - 1846. March 12 th Deft appears in open Court by Atty & confesses Judgment to Narr for 489 ⁹ / ₁₀₀ & 83 ⁹ / ₁₀₀ Cur Mo Debt & \$1000 ⁰⁰ / ₁₀₀ & Costs - Do to be released on payment of St Int from 6 th day of March 1846 til paid Plaintiffs costs \$5 23 ⁵ / ₁₀₀ &
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True Copy



Just Edward Shuren Clerk Circuit Court for Frederick County Md

Exhibit No 2 is in the words & figures following, to wit -

At the request of Joseph Brawner, the following Deed was recorded April 27 1846

This Indenture made this 12th day of February in the year of our Lord, 1846 between William Mort and Catharine Mort wife of the said William Mort of Frederick County in the State of Maryland of the one part, and Joseph Brawner of the County and state aforesaid of the other part Witnesseth, the said William Mort and Catharine Mort for and in consideration of the sum of Eighty seven dollars and fifty cents current money to them in hand paid by the said Joseph Brawner, the receipt whereof is hereby acknowledged, they have granted bargained and sold and by these presents do grant bargain and sell unto the said Joseph Brawner his heirs and assigns, All the following described part or parcel of land reserving and excepting the timber thereon, for his the said Mort's use and benefit - Beginning for the same at the end of 12 1/2 perches on the 2^o line of the lot of Mountain Land as surveyed by William Mooney for Benjamin McHenry, and running with said line North 84 1/2 deg^s west 23 1/2 ps to a stone planted, then with the 3^o line of said survey South 9 1/2 deg^s east 12 ps to a stone planted, then with the 4th line thereof, North 82 1/2 deg^s west 23 3/4 ps into a stone fence, then with the fifth line