and all of them refusing to comply in a reasonable time after they have arrived at the age of twenty one, say not exceeding twelve months, if in that time it can be done, so that no act of intention to defeat my last will shall be allowed of, and on their refusing to comply with the terms above mentioned, if any such person may be, then to the son of my late nephew J T Mason named Armstead T Mason on the above mentioned terms, and on his refusal to his brother John T Mason, and his refusing to comply with the above mentioned terms, to the male heirs of my nephew A B T Mason lawfully begotten on the above mentioned terms, and their refusal to the male heirs of my niece Mrs Chichester lawfully begotten, on their complying with the above mentioned terms, and their refusal, to the daughter of my nephew John T Mason, named Mary, so on to any daughter he may have or has - I do hereby constitute my nephew John T Mason whole and sole executor of this my last will and testament, with a salary of sixteen hundred dollars per year for life, and my will is that he shall keep the whole of my property in his possession during his life, with full power to employ and pay such persons as he may think proper to assist him in the management of my affairs, and to pay them out of the revenue of my property as - may think necessary and proper: it is my will and desire that my property may not be appraised on my death, and that my household furniture in St Marys and Washington shall continue in each house for the use of my executor when he may have occasion to be at either place in the management of my affairs, and to be supported by the stock and grain as may be necessary, after which to be the property of the person that may have a right to it, as above mentioned - My executor is required to take an oath, that he will justly account for the property that he - have the power of, to be recorded in the office of the clerk of the county of Saint Marys, before a magistrate of the county - My will further is, that what money may arise from the produce of my property shall be appropriated in the first instance to keeping all my houses in proper repairs, by painting, tarring and otherways, as well as building any houses that may be proper, the balance to be put out on interest - he is required in three years to render to the commissary of Saint Marys an account of the money and property in his hands.

Richard Barnes (Seal)

Signed, sealed, published and declared by the Testator, as and for his last will and testament, in the presence of us, who were present at the signing and sealing thereof -

Barnett Riley - Peter Gough
James Thompson, Thos Stone

Saint Marys County Court, the seventh day of May 1844 - Then came John Thompson Mason, and made oath on the Holy Evangels of Almighty God that the aforegoing paper, purporting to be the last will and testament of Richard Barnes together with two other papers, each purporting to be the last will and testament of Richard Barnes, are to the true and whole wills and testaments of the said deceased, that have come to his hand or possession, and that he knows of



no other. Certified per Jeremiah Jordan Reg Wills.

Saint Marys County Sc. The seventh day of May 1844 - Then came Barnett Riley, Peter Gough, James Thompson and John Stone the four subscribing witnesses to the aforegoing last will and testament of Richard Barnes late of St Marys County deceased, and severally made oath on the Holy Evangels of Almighty God that they did see Richard Barnes the testator therein named sign and seal this will, that they heard him publish, pronounce and declare the same to be his last will and testament, that at the time he was so doing he was to the best of their apprehensions of sound and disposing mind memory and understanding, and that they respectively subscribed their names as witnesses to this will, in the presence and at the request of the testator, and in the presence of each other.

Certified per Jeremiah Jordan Reg Wills for St Marys Co.

I hereby certify that the aforegoing is a true copy of the last will and testament of Col Richard Barnes, late of Saint Marys county deceased, which said will was on this day proved, approved and established into the Registry of the Orphans Court in Saint Marys county to be recorded therein. In Testimony whereof I have hereunto set my hand (Seal) and affixed the seal of my office this seventh day of May Anno Dom 1844

Test. Jeremiah Jordan Reg Wills for St Marys County.

State of Maryland, Washington county to wit:

I hereby certify that the aforegoing is truly taken from certified copies of the testaments and last wills of Col Richard Barnes deceased. In Testimony whereof I have hereunto subscribed my name, and affixed the seal of my office this thirteenth day of September (Seal) Anno Dom 1844.

Test. Thomas Belt Reg Wills for Washington County.

The two first of these papers were severally and successively executed at or about the times at which they respectively bear date, the third which is without date, was executed subsequently to the two former, to wit, about the year eighteen hundred and three - The Testator was of sound and disposing mind and memory at the times of the execution of these several testamentary papers, and they were all successively duly made and executed, published and declared, according to the formalities and requisitions of the law. On the death of the testator these several testamentary papers were duly and regularly offered to the proper courts for Probate by John Thompson Mason named therein as sole Executor, and duly and regularly admitted to probate - Letters testamentary thereon being regularly granted to the said John T Mason - That the said John Thomson Mason thereupon duly took possession of all the real estates devised by the said wills, and among the rest of the premises in dispute in this cause, under and by virtue of said testamentary papers - The said John Thompson Mason being so possessed thereof, afterwards to wit, on the twenty fourth day of April in the year of our Lord one thousand eight hundred and fifteen, made and executed in due form of Law, a deed of Indenture to George Mason Chichester for a tract of land, comprehending the premises in question, which deed of Indenture is in the following words and