my said son Charles Ridgely shall die without heirs of his body lawfully begotten, that then and in such case the property both real and personal, hereby devised to him to be equally divided among my several surviving children, to hold by them, and the heirs of their bodies lawfully begotten, share and share alike; but it is my wish and desire, that the heirs of my deceased children if any there be, shall have the proper share of their father or mother; and if it shall happen that all my children should die without heirs of their bodies lawfully begotten, I then give and devise all my said estate both real and personal to my brothers John Ridgely and Edward Ridgely, their heirs and assigns forever equally to be divided between them - Item - I will and desire that my slave Dick may be sold to the best advantage, and that the money arising from his sale, be applied towards the purchase of another coachman or driver for my wife as aforesaid - Item - Whereas it may be for the advantage of my son Charles' estate, that part of his estate called Ridgely's Delight should be rented out, I do hereby authorize and direct my executors hereafter named to rent out the whole or any part of the same, until my said son Charles shall arrive at the age of twenty one years - Item - I give and bequeath unto my said son Charles my gold watch to be delivered to him at the age of eighteen years, until which time it is to be kept by my wife for him - Item - I will and desire and hereby direct my executors, to pay all my just debts and funeral expenses out of the rents of my lands; and if necessary - I desire that fifty acres of the tract of land called Ridgely's Delight, be disposed of for that purpose - but if the said rents and the said fifty acres mentioned to be sold be not sufficient to defray my just debts, I do hereby direct that there be an equal deduction and contribution out of the estates of my wife and several children hereby given and devised to them for that purpose - Item - I do also will and desire my executors to sink and complete a Vault in the north east corner of the family burying ground, sufficient to contain fifty coffins; and do hereby direct my executors to defray the expense of the same out of the profits of my estate at large; and it is my wish that the remains of my children heretofore buried in the family burying ground to be taken up and deposited in the said Vault, in which I request my body may be also deposited - Lastly - I do hereby constitute and appoint my beloved wife Rebecca and my brother John Ridgely, Executors of this my last will and testament hereby revoking all former wills by me made, and ratifying this as my only and last Will - In Testimony whereof I have hereto set my hand and affixed my seal this eleventh day of December in the year seventeen hundred and eighty six -

C. Ridgely son of Jno. (Seal)

Signed sealed published and declared by Charles Ridgely the above named testator, as and for his last will and testament in the presence of us who, at his request and in his presence, have subscribed our names as witnesses thereto and in the presence of each other - this will contains two sheets and eight pages, signed at the bottom of each page by the testator -

H. D. Gough, and Wm. Buchanan, Saml. Sr. Coale, Wm. Lux, A. Ridgely -

Baltimore County, to wit: On the 9th day of January 1787. came Samuel Stringer Coale, and William Lux, two of the subscribing evidences to the aforegoing last Will and testament of Charles

C. Ridgely son of Jno.

Ridgely, son of John, late of said County, deceased, and made oath &c. that they did see the Testator herein 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 of his so doing he was, to the best of their apprehensions, of sound disposing mind, memory and understanding; and that they subscribed their names as witnesses to this will in the presence, and at the request of the Testator, and in the presence of Harry Dorsey Gough, Andrew Buchanan and Henry Ridgely the other subscribing evidences, and of each other - Sworn before me, Register of Wills for the County aforesaid. - William Buchanan -

To all whom these presents shall come or may concern - Know ye that on the 20th day of January, in the year of our Lord 1787 that I Rebecca Ridgely, widow of Charles Ridgely, Son of John late of Baltimore County, deceased, do hereby renounce and refuse to accept the legacies devises and bequest, mentioned, specified and contained in the last will and testament of my said deceased husband bearing date the 11th. day of December 1786, and to claim in place and stead thereof, one third part of my deceased husband's the said Charles Ridgely, son of Jno. his estate both real and personal, as by law I am entitled to after this renunciation made; and I do request that this my refusal and claim be taken and accepted by the Register of Wills as full declaration of my renunciation as aforesaid - Nevertheless retaining my right of administration of my said husband's estate, as his executrix - In witness whereof, I have hereunto set my hand and affixed my seal, the day and year first above mentioned -

Witness - Susanna Goodwin. - Rebecca Ridgely (Seal)

In Testimony that the aforegoing is a true copy taken from Wills Liber W.B. No. 4, folio 111 &c. being one of the records in the office of the Register of Wills for Baltimore County - I hereunto subscribe my name and affix the seal of my office, this first day of January in the year of our Lord, one thousand, eight hundred and thirty three. -

(Seal)

Test, D. M. Perine, Register of Wills for Baltimore County. -

The plaintiff further to support the issue on his part, proved by competent witnesses that Charles Ridgely of John departed this life in December 1786 or January 1787, leaving, at the time of his death, the following children Elizabeth Rachel Rebecca, Mary and Charles Ridgely and that they were Minors at the time of the death of Charles Ridgely of John - The plaintiff further proved by competent witnesses, that Charles Ridgely the son of Charles Ridgely of John, died about the year 1805 intestate unmarried and without issue - that Mary the mother of the Lessor of the plaintiff intermarried with John S. Horne on the 3d. May 1799 aged about 17 years - that she had but one child, Charles R. Horne, who is the Lessor of the plaintiff - that the said Mary Horne died on the 11th December 1819 and that John S. Horne died in the year 1835 - The defendants then, to support the issue on their part, produced and offered in evidence to the Jury, the following records of two cases in the Court of Chancery of Maryland the one on a bill filed by David McMechin, in his life time against Charles Ridgely and the other by William Hammond against the