(132) Almighty God Severally depose and Say that they saw Matthew Howard the Testator within Named sign and Seal the within Written Will and heard him publish 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 knowledge and apprehension of sound and Disposing mind and Memory and that they Severally Subscribed their Respective Names as Evidences to the Same Will in the presence of the Same Testator and at his Request

Sworn before

Sidebotham

Ja Calder Deputy Comsry
Kt Coty

Exd.

Maryland ss. In the Name of God Amen I John Cunningh-ame of Charles County being sick and Weak of Body but of sound and Disposing mind and Memory thanks to Almighty God for the same and as it is Appointed for all men once to Dye I do make and ordain this my Last Will and Testament that is to Say

Imprimis I Recommend my Soul to Almighty God who gave it me and my Body to the Earth to be decently Interred at the Direction of my Executrix hereafter Named and my worldly Estate wherewith God hath been pleased to Allow me I Dispose of in the following Manner Viz.t

Item My Will and Desire is that all my Just Debts be fully Satisfied and Paid.

Item Whereas I have a Right in Reversion (to One Moyety a half part of) the Land and houses in Temple Penny in Sterling shire in Scotland possess.d by Mary Band Widow of my dec.d father William Cunninghame) after the Decease of the said Mary Band and Whereas I have been Treating by letters which the said Mary Band for my Right to the said Lands and houses now my Will and Desire is that if the said Mary Band shall send it to her Obligation to pay my Bills drawn at forty days Sight for thirty five or forty pounds Sterling In Consideration thereof my Executrix shall make and Confirm by Deed Legally Executed all my Right and Title to the said Land and Premises to the said Mary Band her heirs and Assigns for Ever and in Case of any failure be made by the said Mary Band in purchasing the said Land then I devise my Execu-trix to Dispose of the Same in the best Manner she can and the Money arising thereby to be Apply.d towards paying of what Money debts I owe.

Item My Will and Desire is and I do give and Bequeath all the Negroes I am possessed of being Seven in Number together with their future Increase to be Equally Divided between my loving Wife Mary Cunning-ham and my daughter Elizabeth Cunninghame and this Division to be

(133) Made at my Wifes decease or at the Marriage of my daughter which shall first happen which said Negroes I give to my said Wife and Child in man-ner aforesd. and to their heirs and Assigns for Ever

Item I give and bequeath all the Remainder of my personal Estate Consisting of what Nature or Sort Soever to be also Equally divided between my said Wife and Child according to the Value thereof at the Appraisement of my Estate to be de-livered to my said Child at the Decease of my Wife or at the Intermarriage of my said Child which shall first happen as aforesd.

Lastly I Constitute Nominate and Appoint my said Loving Wife Mary Cunning-hame my whole and sole Executrix of this my Last Will and Testament hereby Revoking and making Null and Void all former or Other Wills or Wills heretofore made In Witness whereof I have hereunto set my hand & Seal this Eighteenth day of January 1749

Signed Sealed published and declared to be his Last Will and Testament in presence of us

John Cunninghame (Seal)

Elizabeth Hanson
Clem.t Theobalds
Mary Harvie

A Codicil

Charles County ss. Whereas by the Within testament the Intention of me the Testator may not be so Clearly Expressed as is necess-ary for the disposal of that part of my Estate bequeath.d to my daughter Elizabeth Cunninghame in case she should die before her Marriage and to the Intent that no dispute may Arise Concerning the said Bequest I do hereby declare and Pronounce that it is my Will and devise that if it should so happen that the said Elizabeth Cunninghame should die before she is Married that then in such Case what is by the said Testament bequeath.d to her should go to and be the Property of my Loving Wife Mary Cunninghame and to her Assi-gns for Ever In Witness whereof I have to this Codicil as Well as to the testament above mentioned put my hand and Seal this 27th Day of March 1750

Signed Sealed & delivered in presence of us the Above Mentioned Witnesses in Manner and form as was the above Will

John Cunninghame (Seal)

Elizabeth Hanson
Clem.t Theobalds
Mary Harvie

On the Back of the Aforegoing Will was thus Written ss.

Charles County ss. On the first of September 1750 came Elizabeth Hanson Clem.t Theobalds and Mary Harvie Subscribing Witnesses to the Within Will and Codicil and made Oath On the holy Evangelist of Almighty God that they Saw John Cunninghame the Testator Sign and Seal the Same and heard him publish and declare the same to be his Last Will and Testament that at the Time of his so Doing he was to the