537) and Henry my Two Brothers so on the provisor they as they come to age do assign & Sett over by Deed of Gift all their Right Title & Interest as they or their heirs have or Ever may have of the Said Negro Woman Unto Rachell Atkworth to She her Heirs & Assignes forever on which provisor I give & bequeath unto my Two Brothers Samuel Atworth & Henry Atworth my Two Hundred Acres of Land that Lies on the North Side of Kewastico Creek in Somerset County to be Equally divided between them to their Heirs & assigns for Ever but in Case that the Said Samuel & the Said Henry One or both of them Shall refuse to assign their Right of the Negro woman as aforesd to Rachell Atworth who is to have possesion of the Said Negro woman as soon as her Time is out that I hired her for to Richard Atworth on Such Refusall or Delay I give & bequeath the aforesd Two hundred Acres of Land to Rachell Atworth & the Negro Woman to She her Heirs & assigns for Ever & as for what few Debts that is Due to mee & of what I owe if they Will not pay & receive them without Administration then I leave my said Sister Rachell whole & Sole executrix of this my Last Will & Testament also I give & bequeath all the remaining part of my Estate to my Said Sister Rachell Atworth Excepting my Bed & what furniture Belongs to it which I give & bequeath to them that Buries mee Quitting of any funerall Charge ~~that~~ coming into my Estate

John Atworth (Seal)

Witnesses
Wm Piper
Mary her X Piper Marke
Temperance Train

I do hear take of my Seale & declare this to be my Last will & Testament

on the Back of the aforegoing Will was Written Sts
Jno Atworth was Born the 4th of June 1704

September the 1: 1726 Then Came William Piper Mary Piper & Temperance Train Subscribing Evidences to the within Will who made Oath Upon the Holy Evangelists of Almighty God that they See the within Named John Atworth the Testator Sign & Seal the within Instrument as his Last Will & Testament & that they heard him Publish & declare the Same

So

538) so to be & that at the Time of his So Doing he was of Sound disposing mind & Memory to the Best of their Knowledge Sworn before me the Day & Year above written

Jno Tunstall Depty Comm. of Somt County

I the within Rachell Atworth do like & stand to the whole within written will Excepting my being Executrix of which I do hear give up all my Right & Title to any Person herein Concerned my Reason is because I have Searched & took Diligent paines & I find the Debts owing to the Estate & the Debts Due from the Estate is of no Value & I cannot find as much besides the Land as will pay the Administration Charges that would have Insued

Given from Under my hand & Seale this 8th of September Anno 1726

in the Presents of
Wm Piper
Mary her Piper mark
Temperance Train

Rachel her + Atworth Mark (Seal)

6½ Sides

December the 4th 1709 I Robert Atkins being very Weak in Body but in perfect Memory, Desireth to dispose of what Estate he hath & first of All I commit my Soule to God & all my Estate I doth Give to James Hardys Two youngest Sons to wit James & John Hardys the particulers are as followeth. I doth Reckon there is five Hogsheads of Tobacco at Mr James Withrelys on Hogshead at Mr Henry Atkworths of Five Hundred Twelve Barrells of Indian Corn at Mr Withrelys of Sold and also on Bed: ticking Cost 27 Shillings of Capt Gal on Ruge Cost 9 Shillings at Mr Withrelys in my Chest.

Robert his ||| Atkens Mark (Seal)

Witnesses
James Burnet
Thomas his C Colman Mark
David Smith

On the Back of the foregoing Will was Thus written Sts

October 9: 12: 1726 Then came James Burnett Subscribing Evidence to the within Will who made Oath Upon the Holy Evangelist of Almighty God that he See the within Named Robert Atkins the Testator Sign & Seale the within Instrument as his Last Will & Testament & that he heard him Publish the Same So to be & that at the Time of his So doing he was of Sound disposing mind & memory to the best of his Knowledge Sworn before me the Day & Year above Written

Jno Tunstall Depty Comm. of Somt County

1½ Side