

main in full force.

John Lockhart Seal
Planning Kasper Seal

Bath county January Court 1820

The within bond was acknowledged in
Court and ordered to be recorded.

Teste Geo L Francis Co. D

For the name of Geo. Amos, I David, Swinn of the
County of Bath in the State of Virginia being advanced
in Years, but of Sound Mind and disposing Memory,
and calling to mind the uncertainty of human Life and
the numerous inconveniences which might arise from my
aging intestate have thought proper to make this my last
Will and Testament hereby revoking and annulling all
former Wills by me made. I'mprimis I direct my
Executors herein after named as soon as may be after
my decease to pay my funeral expences and all my just
Debts. Item I give and bequeath to my Son David Swinn
all the Lands I purchased of John and Thomas Peltas
wherein I now live (including the Mountain tract) to
him and his Heirs forever, but as my death may hap-
pen before my said Son David Swinn arrives at lawful
age, in case of such an event It is my Will and desire that
the Property before devised be managed by my Executors
or ruled out, at their discretion, until my said Son arrives
at full age, and the proceeds thereof be applied at their
discretion to the Support and Maintenance of such of
my Daughters as may then be unmarried and to the
Maintenance and Education of my said Son David
Item I give and bequeath also to my Son David Swinn
and his Heirs forever one thousand pounds in Money
which I hereby direct my Executors to pay over to him

when he shall arrive at the age of twenty one Years. I
also give and bequeath to my said Son David and his Heirs
forever my Rifle Gun, my Desk and Book Case, my four
Tables, all my Chairs, my Bed and furniture and
three Chests, all which property I direct my Executors to have
good care taken of and delivered over to my said Son at his
arriving, &c. as aforesaid. Item I give and bequeath
to my Grandson David Kincaid, Son of Thomas Kincaid
the Lands allotted to him by Adam Lightner and James
Campbell, lying on the Waters of Jacksons River in the Coun-
ty of Bath being the same Land whereon the said Thomas
Kincaid now lives, to him and his Heirs and assigns forever,
but it is my Will and desire that the said Thomas Kincaid
and his Wife Sally and the longest liver of them shall have
the right and privilege to live on and enjoy the whole of said
Land during their natural Lives, upon Condition they contin-
ue to reside on the same, but if they should at any time remove
from said Land then the benefit intended them by this devise
shall cease and terminate and from the date of such removal
the rents and profits & the right to use and occupy the Land a-
foresaid shall vest in my said Grandson David Kincaid.
Item I give and bequeath to my Son Robert Swinn and his
present Wife and the longest liver of them the right during
their natural Lives to live on and enjoy the Lands on Jackson
River allotted them for their Son David by Adam Lightner
and James Campbell, and after the death of the longest liver
of the said Robert and Wife I give and bequeath the same
to David Swinn my Grandson and Son of said Robert & Wife
to him his Heirs and assigns forever. Item I give and bequeath
to my Son John Swinn and his present Wife and the longest
liver of them the right to live on and enjoy the Lands allotted
them for their Son David by Adam Lightner and James
Campbell, on Jacksons River and after the death of the

lives of the said John & Wife I give and bequeath
the said Land to my Grandson David, Summ (Son of the
said John) to him and his Heirs and assigns forever.
Item. I give and bequeath to my said Grandsons, David
Kincaid, David Summ, (Son of Robert) and David
Summ (Son of John) all my Lands in the big and little
Valley, on the Waters of Millons Mill. run in the County
of Bath, to be equally divided between them, to them their
Heirs and assigns forever. Item. I give and bequeath
to my Daughter Isabella and her heirs forever. One
Negro Girl named Agnes and her future increase.
Item. I give and bequeath to my Daughter Marg-
aret and her heirs forever, One Negro Girl named Betty and
her future increase. Item. I give and bequeath to my Daugh-
ter Rachel and her heirs forever, One Negro Girl named
Jane and her future increase. Item. I give and
bequeath to my Daughter Susan and her heirs forever
One Negro Girl named Violet and her future increase.
Item. I give and bequeath to my Son in Law Robert
Lockridge and Polly his Wife and their Heirs forever
Two Dollars to be paid them by my Executors in full for
their portions of my Estate. Item. I give and bequeath
to my Son James Summ One hundred pounds in Money
to him and his heirs forever to be paid him by my Exors.
soon after my decease. Item. To my Sons Robert Summ
and John Summ I give and bequeath the Sum of two
dollars Cash to them and their Heirs forever. To Thomas
Kincaid and Sally his Wife the Sum of two Dollars.
To James Wiley and Nancy his Wife two dollars. To John Black
and Jane his Wife the Sum of two Dollars. And to Samuel
Summ and Elizabeth his Wife the Sum of two Dollars. which
said several Legacies I hereby direct my Executors to pay as soon
as may be after my decease. It is my Will and Desire that
my Exors herein after named soon after my decease take
into possession the Slaves Isaac and Hannah which I bequeath

that
Robert Summ a negro named Ned I bequeath to Thomas Kincaid
and a Negro Woman named Raffney I bequeath to John
Black, who to said several Slaves were bound to be returned when
ever demanded. Item. I give and bequeath to my Daughter
Rachel one feather Bed and furniture, also the Sum of Sixty
pounds in Money to her and her heirs forever. Item. I give and
bequeath to my Daughter Susan one feather Bed and furni-
ture, also the Sum of Sixty pounds in Money to her and her heirs
forever. Item. It is my Will and Desire that my Exors as soon
as they shall have paid my funeral expences and just & lawful
Satisfy all the Legacies herein before made, do proceed to ascertain
the amount of all the residue of my Estate of every kind whatsoever
including my Slaves not herein before devised, my debts, Money,
Stock &c. - which residue when so ascertained, I desire shall be
divided into seven equal parts. - One seventh thereof I give and
bequeath to my Daughter Isabella her Heirs and assigns forever.
I give and bequeath one other seventh part thereof to my Daugh-
ter Margaret her Heirs and assigns forever. - I give and be-
queath one other seventh part thereof to my Daughter Rachel
her Heirs and assigns forever. I give and bequeath one other
seventh part thereof to my Daughter Susan her heirs and af-
signs forever. - I give and bequeath one other seventh part there-
of to be equally divided among the Children of my Daughter
Elizabeth living and to be paid over to them by my Executors
as they come of age respectively but it is my Will and Desire
meaning that out of this seventh part shall be deducted
the amount of Bonds due and owing to me from Samuel Sum-
m the Husband of my said Daughter Elizabeth. I give and
bequeath one other seventh part thereof to be equally divided
among the Children of my Daughter Jane Black and to be
paid over to them by my Exors as they come of age respec-
tively and the remaining one seventh part of the said resid-
uum I give and bequeath to the Children of my Daughter

Wiley my her Husband James Wiley to be equally divided between them, to them and their heirs forever and to be paid over to them by my Exors as they respectively become of age. Item. It is my Will and desire, that if any of my Sons or Daughters, Sons in Law, or Daughters in Law or any of my said Children shall be dissatisfied with the Disposition I have made herein of my Property, and shall attempt to set aside this writing as my true last Will & Testament they shall be excluded from all benefit of any portion of my Estate whatever and every devise herein made to such person in such case shall be null and void. Lastly, I appoint William Hogshead my Son in Law, my Son James Swinn, and my friend Otha Maide Executors of this my last Will & Testament, hereby repeating the same to be such, and ratifying and revoking all former Wills by me made

In Testimony whereof I have hereunto subscribed my Name and affixed my Seal this 18 day of April 1820 and have caused the same to be witnessed in my presence

The above writing was signed }
 Sealed and declared to be the last } David T. Swinn Seal
 Will & Testament of David Swinn }
 in our presence by him and at }
 his request and in his presence }
 we subscribed the same as Wit- }
 nesses

John Stewart
 James Hicklin
 John Carlisle
 Martin Coyer

Bath County January Court 1822

This last Will and Testament of David Swinn dec'd was presented in Court and proved by the Bath of John Stewart John Carlisle and Martin Coyer Subscribing Witnesses thereto and ordered to be recorded

Test Chs. S. Francis

Know all Men by these presents that we Robt. Swinn and Polly Swinn John Swinn and Peggy Swinn lawful Wives of Robt and John Swinn of the County of Bath and State of Virginia having rec'd. and taken in possession the Land in the said County which by the Direction of our Father David Swinn was allotted to us by Alexander Campbell & Adam Lightner do hereby declare ourselves well satisfied with the said allotment we also affirm that we our heirs Executors and Adminrs. relinquish all Claim or Claims now and hereafter against our Father David Swinn's Estate him and his heirs forever we our heirs & also solemnly declare never to give nor advise no person or persons to ~~and~~ to set upon our father David Swinn's Estate him ^{his} heirs forever but we solemnly agree that we and our heirs shall and will be well satisfied with our father David Swinn's last Will and Testament for the due and faithful performance of this covenant we our heirs Executors and Adminrs. bind ourselves in the penal sum of ten thousand dollars each party - In Witness whereof we have hereunto set our Names and Seals this tenth day of August 1819.

Test
 Robt. Coyer
 Wm. Hogsett

Robert Swinn Seal
 Mary Swinn Seal
 John Swinn Seal
 Peggy Swinn Seal

Bath County January Court 1822.

This Obligation executed by Robert Swinn and Polly his Wife John Swinn and Peggy his Wife was proved in Court by William Hogsett and on Motion of the Executors