

Bertie County NC Will of SWAIN, Stephen - 1713

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Last Will and Testament Stephen SWAIN District of Chowan, NC 1-
24-1712/13

In the name of god amen. I Stephen Swaine of the district of Chowan in the province on NC being sick and weak in body but of sound and perfect mind and memory praised be almighty god for it doe make and constitute this my last will and testament. Revoking disanulling and making void all other wills by me heretofore made. Imprimis. I give and bequeath my soul into the hands of god my Creator hoping at the last day to have full pardon and redemption of all my sinns through the merits of my blessed Savior and redeemer Christ Jesus and as touchings such worldly estate as it hath pleased god to blessed me in this transitory life I give and bequeath the same in manner following my just debts and funeral expenses being firs payd and satisfied by my executors hereafter named.

Item I vie to my son John Swaine all my plantation and tract of land whereon I now live and to his heirs for ever

Item I give to my son James Swaine a tract of land lying in thick nick containing 50 a to him and his heirs forever

Item I give to my son Richd Swaine a tract of land lying at cushy containing 100 a with all the stock thereunto belonginge and to his heirs for ever.

Item I give to my son John Swaine one third of all my personal estate to be delivered to him soon after my decease

Item I give to my dau Elizabeth Spruell one shilling in full of all demands

Item I give to my loving wf Patience Swaine on other third of all my personal estate and to her heirs forever.

Item I give one other third of all my personal estate amongst my children vizt James, Richd, Mary , and Patience Swaine and to their heirs for ever equally to be divided amongst them

I do hereby nominate constitute and appoint my loving wf Patience and my son John Swaine executors of this my last Will and Testament. In witness whereof I have hereunto set my hand and seal this 24th day of Jany Anno Domi 1712

William Charlton to Richd Swain

To all Christian people to whom these presents shall come, I William Charlton of the precinct of Bertie in the province of NC send greetings to our Lord God Everlasting know yee that I William Charlton aforesaid in consideration of the natural love and affection I have and do bear unto Richard Swain and Ann his wf of the precinct and province aforesaid my son and daughter and for other good causes and considerations me the sd William Charlton hereunto moving

Have given granted aliened remised released Enfeoff and confirmed and so by there presents for me my heirs exect and admstr give grant alien remise release Enfeoff and confirm unto sd Richd Swain and Ann his wife and to the heirs of the sd Richd Begotten on the body of the aforesaid Ann and for the default of such issue to the aforesd Richard and his heirs all that Tract of land beginning at a White Oak of southaca Creek no et to a red Oak no wt to a Spanish Oak on Rocquist S. Wt to a red oak: so: et to the first stateion containing 600 a known by the name of the medow tract and now in the tenure of me the sd William Charlton together with all ways water, water courses commons commodity, privilege and appertenances wt soever to the same belonging or appertaining and deeds writings and evidences touching or concerning the same, to have and to hold the aforesaid tract of land premises with their and every of their appurtenances unto the sd Richd Swain and Ann his wife and to the heirs of the sd Richard begotten on the body of the aforesaid Ann and for default of such issue to the aforesd Richard and his heirs forever to their only sole proper use and behoove forever more with out any consideration money or thing to be paid or done therefore unto me the sd William Charlton my heirs excrs or admrs by them the sd Richard Swain and Ann his wife or either of them their or either of their execrs admr or assigns and I the sd Wm. Charlton the aforesaid tract of land and premises with their and every of their appurtenances unto the sd Richard Swain and Ann his wife and to the heirs of the sd Richard begotten on the body of the said Ann and for default of such issue Th. sd Richard and his heirs and all persons wt soever shall and will warrant and forever defend by these presents I witness whereas I have hereunto set my hand an seal this 10th day of May 1726

Wit Luke Mizell, Alex R. Ray

6-6-1726 deed acknowledged before me in dur dorm of law

Last Will and Testament patience Speller, Bertie Precinct, NC 2-3-1738/39

In the name of God amen ye third day of February 1738, I patience Speller of bertie prect in ye county of Albmarl being very sick and weak in body but of perfect mind and memory thanks be given unto god therefore calling unto mind the mortality of my body and knowing the its appointed for all of us once to dye do make and ordain this my last will and testament that is so say principally and first of all I give and recommend my soul into ye hands of god that gave it and my body I recommend to ye earth to be buried in a decent Christian burial at ye desecration of my ex nothing doubting but at ye general resurrection I shall receive ye same again by ye mighty power of god and as touching such worldly estate wherewith it hath pleased god to bless me in this life I give devise and dispose of ye same in ye following manner and form

imprimis I give and bequeath to my son James Swain and his heirs my Mulatto fellow Sam

Item I give and bequeath to my dau Patience Ray and her heirs a mulatto girl named Sary

Item I give and bequeath to my dau Ann Ward and her heirs a mulatto

girl named Beck my chest of drawers

Item I give and bequeath to my son Thomas Speller and his heirs a mulatto boy named Isaac

I likewise desire that if ye Negro wench which is ye mother of ye above mentioned children should ever bare another child that my son Richard swains eldest dau should have it

I give and bequeath to my three grand children Sarah Smithwich, John Smithwick and Elizabeth Smithwick tow cows and calves to each of them

Item I give and bequeath to my son Richard Swains eldest son William Swain a young rone horse called Gackey

I likewise desire that my old Negro wench Sarah should ever live among ye family of my children with whom of them she likes best where she likes best there she may stay longest but never to go out of ye family I likewise constitute make and ordain my son James Swain and my son Thomas Speller my sole executaors of this my last will and testament and I do hereby utterly disallow revoked and disannul all and every other former testaments wills legacies and bequests and executors by me in any ways before named last will and testament In witness whereof I have hereunto sett my hand and seal ye d and ye year above written:

Wit: Charlton Mizell, Philip Ward

Note: Patience speller was the wf of Stephen swain. She md henry speller following Stephen swain's death in 1712/13

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