

In the name of God Amen I Daniel Smith of
the County of Amelia, being in perfect sense and good memory
do make this my last Will in Manner following.

I do give to my beloved Wife Sarah all my Land & Timber
of Land & Timber being three hundred Acres to the inheritance
or life, to have her to pay my Debt, provided that she accept
due to me do not discharge the same but in case my debts
due to me will satisfy and pay my Debt, at all times

up and from being paid then I do give my said Wife Sarah the
above mentioned Land during her natural life and after
her decease give the said three hundred Acres of Land to be
equally divided between my three sons, John, James &
Benjamin to them & to their heirs forever.

I do give to my son John the sum of £100 the value of
my said Land & Timber & all my wearing clothes

I do give to my Daughter Deborah all my said Land &
Timber which is now called her own

I do give to my Daughter Sarah all my said Land &
Timber

I do give to my Wife Sarah all my said Land &
Timber with their increase, until my son John James or

Benjamin shall come to the full age or until my
said son John, Sarah, Deborah & Benjamin shall come to the full

age or marry and then either or each of them, as they come to
age or marry, as is above mentioned to have an equal division

of the Negro which shall then be & also I do give to my said Wife
Sarah all my stock of horses & cattle & my household

goods of what kind so ever except such as is before given to
my son John, my Daughter Deborah & Sarah, until my son John

... and I do hereby in charge to the same but in case my ...
... and ...
... from being so ... and ...
... mentioned and during ... life or after ...
... for because ... the said ...
... equally to be ... between my three sons, John, James ...
... Bennett to them & to their heirs forever.

I do give to my son John and Mary ...
... having ...
... I do give to my daughter ...

... which is now called ...

I do give to my daughter Sarah ...

I do give to my wife Sarah, all my ...

at this time with their increase, until my sons John James or
Bennett shall come ... to Lawfull age or until my

daughter Ellinah, Sarah, Judith & Peggy shall come to Lawfull
age or marry and then either or each of them, as they come to

age or marry, as is above mentioned to have an Equal Division
of the Negro which shall then be ... also I do give to my said Wife

Sarah all my stocks of horses Cattle ...
... of what kind I ever except such as is before given to

my son John, and Daughters Ellinah & Sarah, until my sons John
James & Bennett come to Lawfull age or until my Daughter

Ellinah, Sarah, Judith & Peggy shall come to Lawfull age or
marry, and then to have an Equal Division, or to have an Equal

Proportion of the appraisment as to them shall seem best; ...
I also do appoint my Wife Sarah Executrix & my son John

Executor of this my last Will and Testament as Witnesses my hand
and Seal this seventh day of January One Thousand seven

hundred sixty one.

Amelia County Wills 1734-1761
www.virginiapioneers.net

signed, sealed, published and delivered in presence of

Doctor H. H. H. (seal)
mark

Ben. Hays

John Roberts

Henry Anderson

James Cooper

A Court held for Amelia County the 26th Day of February 1761
this Will was proved by the Oaths of John Roberts and Henry Anderson
being the Witnesses thereto sworn to by the Executrix herein
named and she gave the said and on the Motion of the said
Executrix who entered into and acknowledged Bond with Thomas
Anderson, notaries and James Anderson her securities to the
said Court she petitioned and was granted her for obtaining a Probate

cert

Hyaffin & Co. by (seal)
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