

In the name of God Amen I the undersigned Lewis Smith of the County
and State of Virginia being of Sound Mind and memory do make and publish this
my last Will and Testament in manner and form following to wit: I desire
that my body may be decently buried but my phisical I desire should lie in
the land that came to my beloved wife being in the County of Westmore where
both of us have, should be sold and all my real Estate, Land of the same
I have I have with my beloved wife I have I have during her widowhood the
following Negroes viz: Molly, Eliza, Fido, Esther, and all my
Stock of Cattle, one mare named Lot, one Colt named Lavinia, all my Hogs
also all my Crop of Corn wheat oats and Tobacco also all my household and
Kitchen furniture and Plantation Utensils, also I desire to my beloved wife
I have I have the plantation whereon I now live, I have I have her natural Life
and after her Death I desire the said Plantation to be sold and equally
divided between all my Children. I have I have unto my Son Byrd C. Smith
one loved filly to him and his heirs forever. I have I have to my Daughter
Angelina Smith one bay filly to her and her heirs forever. It is further my
will and desire that Patsy, Laura, James, Edward, William, Benjamin
Marshall and my own little should have a Horse or Money equal to
Byrd and Angelina when they arrive to lawful age or marriage, and the

that my body may be decently buried but my estate I leave that to
the Lord, that came by my will and I desire that the County of Northham, the
North Carolina, should be sold and all my estate both land and of the house
I have with my beloved wife Nancy Smith during her widowhood the
following Negroes viz: Molly, Eliza, Fido, Esther and Abby, a breeding
stock of cattle, one mare named Nell and one Colt named Tabern, all my crops
also all my crop of Corn, wheat, oats and Tobacco also all my household and
Kitchen furniture and plantation utensils, also I wish to give to my wife
Nancy Smith the plantation whereon I now live during her natural life
and after her death I wish the said plantation be sold and equally
divided between all my Children. I wish I give unto my son Byrd C. Smith
one good perry to bark and his heirs forever. I wish I give to my daughter
Angelina Smith one bay perry to her and her heirs forever. It is further my
will and desire that Patsy, Lucien, James, Edward, Matthias, Benjamin
Huswell and Mary Ann Smith should have a Horse or Mares equal to
Byrd and Angelina when they come to lawful age or Marriages, And it is
further my Desire that if my beloved wife Mary should die before me that all my Estate of
Negroes, Stock, household and Kitchen furniture be equally divided between

108 all my children, David, Margaret, Mary, Susan, James, Edward,
Mary Ann, Harriet, Charles, John, William, and to them their heirs and assigns
forever. And lastly I do hereby constitute and appoint my beloved wife
beloved wife Nancy Smith Executrix and my son Benjamin and my
friend James C. Fennell Executors to this my last will and Testament
revoking all others. In Witness whereof I have hereunto set my hand
and affixed my Seal this 31st day of December, 1855. Given
at Raleigh, published and signed in presence of us
Edward Smith (L)

Test: Cash, James C. Fennell

Witness: The Deputies
Greenwich County, Ga. Tax Court 1868. This Will was proved
to said by the oaths of Edward Fennell, Henry W. Johnson, Thomas
William, and others who were ordered to be recorded. And on the petition
of said Smith the Executors therein named who were appointed
the Deputies and together with John Cook and Thomas W. Johnson
he furnished certain bills and acknowledged their hands the payment
of one thousand dollars conditional as the said Deputies Certificate was
granted for obtaining a probate thereof in the said

Test: Cash, James C. Fennell