

Wm Smellys
Will

I William Smelly of the County of Isle of Wight do make my Last will and Testament in manner & form following that is to say—
1st I lend the Land & plantation that I now live on with all the Appurtenances to it belonging also the Land that I purchased from Alexander Woodroffe to my son William Smelly till he arrives to the age of Twenty Eight Years and if at that age he hath Wife or Wives lawfully begotten of his body I give the said Land to him and his heirs forever. But if he should die before that age or leave no heir or heirs lawfully begotten of his Body then I give the said Land to my son John Smelly and his heirs forever—
2nd I lend to my son John Smelly till he arrives to the age of Twenty Eight Years the Land that I purchased from Patience Smith also one half of the Land that I purchased from Robert St Crook I mean the part next to and adjoining the said Smiths Land and if he should die before he comes to the age of Twenty Eight Years or leave no heir or heirs then I give the said Land to my son Tho^s Smelly and his heirs forever. But if he should have wife or heirs lawfully begotten then I give said Land to him and his heirs—
3rd I lend to my son Tho^s Smelly till he arrives to the age of Twenty Eight Years the Land that I purchased from Robert St Crook with the half of the other that I purchased from

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and his heirs forever. But if he should die before me
his lawfully begotten of his Body then I give the said Land to my son John
Smelly and his heirs forever — 2nd I lend to my son John Smelly till he
arrives to the age of Twenty Eight Years the Land that I Purchased from
Patience Smith also one half of the Land that I purchased from Robert
at Cook I mean the part next to and adjoining ⁱⁿ the said Smiths Land
and if he should die before he comes to the age of Twenty Eight Years & have
no heir or heirs then I give the said Land to my son Tho^s Smelly and his
heirs forever But if he should have no heir or heirs lawfully begotten then I give
said Land to him and his heirs forever — 3rd I lend to my son Tho^s Smelly till he
arrives to the Age of Twenty Eight Years the Land that I purchased from
Stephen Butler with the other half of the Land that I purchased of him
at Cook and if he should die before he comes to the age of Twenty Eight
Years & have no heir or heirs of his Body then I give the said Land to my son
John Smelly and his heirs forever But if he should have no heir or heirs lawfully
begotten of his Body then I give the said Land to him and his heirs forever — 4th I give
over that in the other my children are dead or to be dead at any

1612
I desire that my son and his heirs forever ^{My} my Will and desire is that all my
children shall continue at the place where I now dwell and for all my Negroes
and personal Estate to be kept together in the care of my son William Smelly until
my Youngest Child come of age then I desire that the said Negroes & personal
Estate be equally divided among them But if my son William Smelly should die
before my Youngest Child come of age then I desire that my Negroes shall be
hired out annually till my Youngest Child come of age & then to be equally
divided as before directed and the personal Estate sold to be sold to the highest
bidder and the Money arising therefrom to be equally divided among all my
Children. ^{My} I desire that none of my Land shall be Rented out Except my
Apple Orchard & Mill and not then without my son William Smelly should
die before a division shall take place among my Children. Lastly I hereby
Constitute and appoint Thomas Smelly Executor of this my last will and
Testament In Witness whereof I have hereunto set my hand & put my seal
this 12th day of December 1800

Signed sealed published & declared
in the presence of

William Smelly (Seal)

Apple Orchard & Mill and not them without my Son William Smelly should
Die before a division shall take place among my Children. Lastly I hereby
Constitute and appoint Thomas Smelly Executor of this my last will and
Testament. In Witness whereof I have hereunto set my hand & put my seal
this 12th day of December 1800

Signed sealed published & declared

in the presence of

Everith Gay

Charles ^{his} Powell

Wm. Inman

William Smelly

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At a Court held for Isle of Wight County the 6th day of April
1801 This Will was presented in Court by Thomas Smelly the Executor therein
named who made oath according to Law & the same being proved by the Oaths of
Everith Gay & Charles Powell two of the Witnesses thereto and Ordered to be Recorded
On the motion of said Executor who together with William Eley his Security entered
into and Acknowledged their bond in the penalty of \$500 Dollars with Sureties as the
Law directs Certificate is granted him for obtaining probate thereof in due form