

I Josiah Smith of the Borough of Norfolk in the Dominion of Virg^a
Merchant being in a low State in health of Body, but of sound Mind
and Memory, do make this my last Will and Testament in manner following
That is to say in the first place, recommending my Soul to Almighty God
who gave it, and my Body to be interred at the discretion of my Executors
hereafter named, and that my funeral Expenses & just debts may with all con-
venient speed be paid after my decease. My Will and desire is that what
Goods I shall have in my Store by me, at the time of my decease, may be
sold by whole Sale, or retail'd at the discretion of my Executors at the
lowest Advance, Then my Will and desire is, That all Bonds, Bills, Notes of
Hand and Book debts payable to me my heirs Executors &c be all received
by my Executors and be paid by them in discharge of my debts, if whatever
Deficiency there may be, of Goods in my Store, Bonds, Bills, Notes of hand
and Book debts in paying my debts, then my Will & desire is that what shall
remain of a Tract or parcell of Land unsold at my decease, laying & being
on the main Road near the Borough of Norfolk, containing at first by a
Survey and plan of the same fifty six Acres be ~~Laid~~ off into Lots or
half Acres, and be sold at the discretion of my Executors, as a further
discharge towards the payment of my debts, and if what I have before
enumerated, be not sufficient to pay my debts, Then my Will & desire is

enumerates, are not sufficient to pay my debts. Then my will & desire is
that my two Tenements on the land I bought of Thomas Scott & Martha
his wife, wherein Rich^d. Taylor and Nath^l. Tice now dwell in, be sold sepe-
rately according to the dividing line of Garden Pails, between the said
Tenements by my Executors hereafter named, and whatever shall remain
more of my Goods, Bonds, Bills, Notes of hand and Book debts, and the afore-
mentioned fifty six Acres of Land, and last mentioned two Tenements
over and above paying my debts, I give and bequeath the same to be equally
divided between my dear son John Smith and my dear daughter Sarah Smith
to them and their heirs. Item, I give and bequeath to my said son John
Smith my store house and the Shoemaker Shop adjoining on the Land
I bought of Thomas Scott and Martha his wife. Item, I give and
bequeath unto my said son John all my land known and called the old
glebe, and my two Windmills with all other Buildings thereon and all
utensils to carry on the Bakers Business to him and his heirs lawfully
begotten of his Body forever, and for want of such heirs of his Body,
I give and bequeath the said land, my two Windmills with all other
Buildings thereon to my daughter Sarah Smith to her and her heirs law-
fully begotten of her Body forever, and for want of such heirs of her Body,
I give and bequeath the said Land and my two Windmills with all the

more of my Goods, Bonds, Bills, Notes of hand and Book debts, and the afore-
mentioned fifty six Acres of Land, and last mentioned two Tenements
over and above paying my debts. I give and bequeath the same to be equally
divided between my dear son John Smith and my dear daughter Sarah Smith
to them and their heirs. Item, I give and bequeath to my said son John
Smith my store house and the Shoemaker Shop adjoining on the Land
I bought of Thomas Scott and Martha his wife. Item, I give and
bequeath unto my said son John all my land known and called the old
Glebe, and my two Windmills with all other Buildings thereon and all
utensils to carry on the Bakers Business to him and his heirs lawfully
begotten of his Body forever, and for want of such heirs of his Body,
I give and bequeath the said Land, my two Windmills with all other
Buildings thereon to my daughter Sarah Smith to her and her heirs law-
fully begotten of her Body forever, and for want of such heirs of her Body,
I give and bequeath the said Land my two Windmills with all other
Buildings thereon to my kinsman Aldred Smith now in Virginia
to him and his heirs lawfully begotten of his Body forever, for want
of such heirs of his Body, I give and bequeath the said Land my two Wind

Windmills with all other Buildings thereon to the Vestry of the Parish to them and their Successors forever. That is to say in trust, solely for the use of the Poor in the Borough of Norfolk and Tanners Creek Precinct as it is to be divided in a separate Parish.

Item I give and bequeath unto my said Son John Smith my Negro Men York, Carolina, Joel, Hazard, my Negro Women Sarah, Dinah Phillida and Cesar to him and his Heirs. Likewise give him my three family Pieces, the Pictures of his Grandfathers and my two Ring Seals. Item, I give and bequeath unto my said Daughter Sarah Smith my Negroes Ball and her Son Stephen, and Negro Boy James the Son of Phillida, to her and her heirs, Likewise give ^{her} my family broad piece of Gold and Silver Tea Cannister.

Item I give and bequeath unto my friend Frances Leonard sixty pounds Current Money for her Services, and from the date of my Will six pounds a year. If she shall be living with me at the time of my decease, as I leave no Account against her.

Item I give and bequeath unto my Son John all my land laying on Paradise Creek in the Southern Branch to him and his heirs.

I give and bequeath unto my son John all my land laying on Paradise
Creek in the Southern Branch to him and his heirs.

Item I give and bequeath unto my said son John and unto my said Daughter
Sarah all my Plate and household furniture, and whatever else I have
not mentioned or bequeathed of my Estate, my Will and desire is, that it
shall at my decease, be Either sold, or equally divided between them, as they shall
agree between themselves to them and their Heirs.

Lastly I do nominate and appoint my dear son John Smith and my loving
Friend Joseph Hutchings to be Executors of this my last Will and Testament.
In Witness whereof, I have to this Will contained in two sides of one sheet of
Paper, and all of my own writing set my hand and seal this fourth day
of October 1761.

Josiah Smith

Jan'y Court 1761. The above Will proved &c as per Order Book.

James

John Smith