

Let all coming } I Robert Smith of the State and
County a fore said being weak
in body, but of sound & disposing Mind and
Memory, do make this my last will and
Testament. In the first place, I Commit my soul
in to the hands of Almighty God not doubting
but that he will save it through the Merits of
& sufferings of our Lord Jesus Christ. My body
I desired to be buried in such manner as my
Executors here in after appointed shall think
proper. With regard to my worldly estate, my
will & desire is that it be disposed of as follows.

In the first place, I give & bequeath to my
beloved Wife Susanna the youngest Child of Rachel
(My Negro Woman) known by the name of Berry, during
her life time and at her death to be equally
divided among my four sons Wm Smith,
Nathaniel A. Smith, James M. Smith and
Robert W. Smith. Also give & bequeath to
my said Wife Susanna, three hundred dollars
in cash, of Money that may remain of my
estate, after paying all just demands against
my said estate, My Carriage, the horse I usually
used to the said, our Cow & Calf, one sow
& Pigs, My loom, our Biddle, one saddle, & all
the property she brought with her when I married
her; what she may have made since that time
and our year provisions for her self and
Stoves - also one fourth part of Table & Kitchen furniture;
Secondly. I give & bequeath to my son William R
Smith the three Negroes to wit. Jerry, Judy, Miles

of My Stock of horses, with the right of choice,
 Thirdly. I give & bequeath to My Son James M. Smith
 a Negro Woman by the Name of Peggy & her
 two Children which he now has in his
 possession.

Fourthly. I give & bequeath to My Son Nathaniel
 N. Smith a Negro Woman by the Name of
 Rachel and two of her Children to wit Adaline
 and Joseph. Adaline I desire to be given to
 My said Son Nathaniel, eldest Son Robert
 when he arrives at the age of twenty one
 years I also give to My Son Nathaniel N.
 My two large Victrolas.

Fifthly. I give & bequeath to My Son Robert
 H. Smith the Plantation on which he did
 live in Rutherford County in the State of
 North Carolina. Also one Negro Woman by
 the Name of Ginny and her two Children,
 which he now has in his possession.

Sixthly. I give & bequeath to My Grand Son William
 B. Smith the second Son of My Son Robert
 H. Smith who is now living with me the
 Youngest Child of My old blind Maids a
 good Bridle, Saddle, and a good suit of
 clothes and fifty dollars in cash also a
 liberal English Education. The expense of which
 Education to be paid out of the balance of
 My Estate now in my hands. Provided
 that My said Grand Son William B. Smith
 do remain with me during My life time
 or until he arrives to the age of twenty one
 years.

I desire that all the money that I may
have or have of My death not be thrown
away in the foregoing part, of this
(My will) to be equally divided between My
four sons William B. Smith, James M. Smith,
Nathaniel A. Smith and Robert W. Smith.
Also all valuable paper of My estate to be
collected and equally divided between
My four sons William B. Smith, James M.
(Smith), Nathaniel A. Smith and Robert W.
Smith.

Intest. I desire that each of My sons keep the
share mentioned hereover in their families
as long as they live.

Intest. I give to My Aged Negro Woman Nancy
promise to live with her & her son of My sons
whom she My self & I employ upon such
work that she take care of her & treat her
well during her life.

Intest. I desire that the balance of My Book my
son in America be paid of to be equally divided
between My children.

Intest. I as here by substituted and appoint
My wife and affectionate son William
B. Smith and Robert W. Smith Executors
of this My last will and Testament

Witness My hand and seal this 7th November 1850
Attest J. C. Benson
Jackson. Wm. Johnston
William Johnston
Robert Smith

and Robert H. Smith two Negro Men to wit
Peter and Lewis to be divided between them
as they may agree upon, with out making a
Sale of them; as I desire the Negroes to be
kept in their Families, But that the one
that takes Lewis to give the other one, one
hundred and fifty dollars in Cash, as I
think that there is that difference in the
Value of the two Negro Men, I further desire
that Lewis should be near to his Wife in
circumstances will admit;

Eightly, I give & bequeath to My son William V.
Smith one Bed and furniture with the right of
choice of four Beds.

Ninethly, I give & bequeath to My son Samuel
Smith one Bed & furniture with the right
of second choice of four.

Tenthly, I give & bequeath to My son Nathaniel
Smith one Bed and furniture with the right
of third choice of four.

Eleventhly, I give & bequeath to My son Robert H. Smith
one Bed and furniture with the right-
fourth & last choice of four, all of My Will

Twelfthly, I desire that all the remaining part of
My Estate, not here in otherwise disposed of
(excepting the remainder of My Bonds) to be sold
and the proceeds, after paying all lawful
debts against My said Estate, and reasonable
expenses to My Executors for their services &
other necessary expenses in executing the
My last will; to be equally divided between
My four sons William V. Smith, James V.
Smith, Nathaniel V. Smith and Robert H. Smith.

Continued.

Last Will & Testament of
Robert Smith

Circuit Court of Ordinary March Term 1849

Whereas at the ~~last~~ last September Term of this Court Robert St Smith Executor on the last Will and Testament of Robert Smith deceased did petition this Court for Letters dismising from his said trust as Executor and obtained a Rule nisi calling upon all persons concerned to show cause if any they have why said Executor should not be dismissed and fully discharged from his said Executor ship and it appearing to the Court the said Rule nisi had been published once a Month for Six Months previous to this Term of the Court in one of the publick gazettes of this State to wit the Constitutionalists and it appearing that no objection has been filed and upon an examination into his the said Executors acting and doing in the premises it appears that he has fully fairly & honestly administered the said Estate Trust by his annual returns & vouchers produced to said Court on Motion ordered that the Clerk do Issue to said Robert St Smith Executor as aforesaid Letters dismissing in terms of the Law in such Cases upon his paying the usual fee for said letters

An account of the
 In account Current with Robert H. Smith
 to the 31st day of Dec^r. inclusive.
 X^y.

Paid pro'm account in favor of Harling Goodwin to J. A. Ballugr. assigned as per Voucher No 14. \$11.07 1/2		
Paid W. J. Houston on pro'm account "	No 15.	6.38 1/2
Paid on Peter Hubbards Note "	No 16.	21.60
Paid J. T. Wiley on pro'm act - "	No 17.	5.00
Paid Alex. Johnson on pro'm act "	18.	1.81 1/2
Paid Jas. Walker - on pro'm act for Renting "	19.	4.60
Paid Lucinda Smith by order of Will. "	20.	374.00
Paid Jas. Luce on pro'm act. "	21.	3.15
Paid Wm. R. Keane on pro'm act "	22.	5.25
Paid Wm. R. Smith on pro'm act "	23.	67.25
Paid J. W. Bartlett for advertising Day, Mares and leather - "	24.	2.00
Paid J. B. Bushawson for selling Mares & Leather "	25.	.50
Paid James M. Smith (Cash.) "	26.	180.00
Paid Wm. D. Smith grandson of Robert Smith dec'd.		
Cash (the cost of a suit of cloth as per bill) "	27.	22.00
By 1 note on John Gram. & Wm. Bonds, dated 10 th June 1841. & due 20 days after date. principal		
Which is insolvent, "	28.	40.00
By 4 notes for \$30 each on L. A. & Hughes & Isaac Hughes, each dated 16 th Oct 1844. & due 25 th of Dec 1845		
Which are insolvent. "	29	\$ 120.00
By 1 note on R. Heronston dated 31 st Oct 1836. & due 3m day after date. Insolvent "	30	\$ 45.25
By 1 note on E. Ford dated July 7 th 1842 & due 1 day of Dec thereafter Insolvent. "	31	5.25
By 1 note on S. Cotton dated 16 th May 1845. & due one day after date Insolvent "	32	5.00
By 1 note on Eli Dodgen dated 7 Oct 1837 due when given Insolvent	33	3.50

to of Robert Smith deceased.
 the Executor from the first day of January 1849
 Co.

Read on James M. Murdy Note principal \$ 10.00
 Interest - No 8. 2.10

Read on Wm. Allen Judgment - 9. 9.00

Read on Sale of one bay Mare and
 four sided Leather } - 10. 55.15

Read on A. M. Gray Note - 11. 1.00

Sworn to before me

Robert B. Smith Exr.

this 10th day, 1848

Abn. Johnson C. C. O.

Robert B. Smith Exr.

Return

Received

Robert H. Smith Esq of Robert Smith deceased in
 as Court account with said Estate from the 1st

January 1848 to the 31st day of June 1849 in closure

By Cash paid Mrs. Samuel Easton on 5th 692

By cash paid Mrs. Johnson 4th 20 on 20th 37 38. 37 1/2

By cash paid H. H. Smith as for 20 15 38-185-00

By cash paid Wm. H. Smith as for 20 15 39-181-20

By cash paid R. H. Smith as for 20 15 40-180-00

By cash paid Wm. H. Smith as for 20 15 41-50-00

By commission on receiving and paying out 63 35

By cash paid H. H. Smith as for 20 15 42-7-10

By cash paid J. H. Smith sitting for 20 15 43-12-10

By cash paid R. H. Smith for 20 15 44-12-10

By cash paid R. H. Smith for 20 15 45-10-90

By cash paid R. H. Smith for 20 15 45-9-11-27

22

By cash Recd of Wm. H. Smith money collected
 of the Estate of James Smith Dec. of 1849
 known to in open 284-00
 Cash March 20th 1849 Ex Robert H. Smith
 Attn, Johnson 1849

Robt No. Smith
Return

Recorded

3251