

In the name of God amen—

I Daniel Smith, of the State of Georgia, and county of Warren, being sound and sober in body, and of sound disposing mind and memory, and conscious to mind that it is appointed for all men once to die, I give and dispose of this my own estate as it hath pleased God to bless me with the same, in the following manner and form, to wit, first and principally of all I give my love unto God who gave it and my neighbor unto the same, in absent children and all my worldly estate as follows—

Item first, my will and desire is, that my just debts be paid out of my estate by my executor as soon as it can well be done—

Item second, I give and bequeath to my beloved wife Elizabeth Smith all my estate, my lands, stock of kind, plantation tools, household and kitchen furniture for and during her natural life—

Item third, if it should be necessary for the payment of any of my debts that part or any or any property should be sold, my will is that it be sold privately, or publicly, at the discretion of my executor, whether of lands or any other part of property—

Item fourth, That if it should please God that I cannot die during my present lifetime, that my son Jeremiah, return home to his Mother, and take the charge of the plantation and affairs, and that my son Joseph remain with his mother until he becomes some one year of age, and that these my sons Jeremiah and Joseph take the charge and superintendence of my affairs and estate and do the best they can for the support and protection of their mother and sister—

Item fifth, And at and unto the death of my beloved wife Elizabeth Smith,

my will is, what may be remaining of my estate be equally divided between my two sons Jeremiah and Joseph, in whatever way that may be satisfaction to themselves—

Item sixth, I hereby nominate and appoint Jeremiah Smith my son,

executor to this my last Will and Testament and in my so doing, I do disavow all, or any will and testament that may hereafter have been made by me, and by signing & confirming this and no other to be my last will and testament—

In testimony whereof I have hereunto set my hand and seal, the twenty-eighth day of January, in the year hundred and forty-five, in presence of witnesses and in presence of one another, or therefore subscribed our names, separately and individually as testators and as witnesses.

Daniel Smith

Elisha Poyman

Elisha Darbon

Thomas J. Gorrie

mark

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Georgia, You Elisha Perryman, Elisha Burton & Thomas Norris, do swear that
 Warren County, you saw Samuel Smith, sign, seal, publish and declare this instrument
 of writing to be and contain his last will and testament & that at the time of his
 so doing he was in your opinion and belief of sound & disposing mind and
 memory, & that he did it freely without compulsion & that you all become
 subscribing witnesses to the same, at his request in his presence and
 in the presence of each other to the best of your knowledge. So help you God.

Elisha Perryman.

Elisha Burton.

Thomas ^{his} Norris.
 mark.

Sworn in open Court, this
 fifth day of May, 1845.

Patrick S. Haddox, C. C. &

Recorded May 30th 1845.

Patrick S. Haddox, C. C. &