

Will Docket to Sept Term AD 1864

In the name of God Amen,
I James M. Smith of the County of Buncombe
and State of North Carolina, being weak & full in
body but of sound and disposing mind and
memory do make ordain and establish this my
last Will and Testament by these in manner
and form following.

Item first, I will that my body be decently interred
and my funeral expenses and all other just debts
be paid.

Item second I will & bequeath & desire that my son
Joseph Henry Smith shall have two thirds of all
my property real ~~personal~~ & mixed and that
the balance be equally divided between my four
other children viz Margaret Leab-Mantha Hammett
& William Alexander Samuel Lafayette the child
of Mantha Craig who claims to be my wife - my-
desire that it shall have no part of my property
whatsoever.

Item third

I will and direct that all my perishable
property be sold by my Executor at public sale
either for Cash or on Credit at the discretion of
my Executor after legal advertisement as soon after
my decease as is practicable and my real
property be rented out by my Executors until
twelve months after the expiration of the present
year then to be sold or otherwise disposed of or proceeds
divided as directed in the first & second,

Lastly

I hereby appoint my friends John E. Patten
& Jackson Roberts Executors of this my last Will &
Testament in witness whereof I have hereunto set
my hand and seal this 25. day of June AD 1864

Witness
M. W. McDowell, Secy
John Burges, Secy

James M. ^{his} Smith Seal
made