

In the Name of God Amen I John Smith (Miller)
of the County of Franklin in the State of North Carolina being in
Perfect Health and of sound mind & memory last being
Aged & coming to mind that it is appointed for man
One to die and being desirous also that all my worldly
matters should be settled while Health & memory
abounds of doing the same I do hereby Ordain & make
this my last Will and Testament in manner and form
as follows (to wit) —

I give unto my son Benjamin Smith One negro
named Eddy the same to him & his heirs for Ever

I give unto my son John Smith forty Acres of Land
During his Life and after his Decease I give the
aforesaid forty Acres of Land to my son Joseph
the same to him & his heirs for Ever

I give unto my son John Smith One Negro Boy
Peter to him & his heirs for Ever

I give unto my son Joseph Smith all the Land
on a new line lying on the East Side of my mill
creek including my Plantation together with my
mill and Three Acres ^{of land} adjoining the Mill East
West side of the Mill Creek the same to him
his heirs for Ever

I give unto my son Joseph Smith One Negro
man named Man One black ^{one} head of Cattle
One Cow & Calf to him & his heirs for Ever

My Will & desire is that my beloved wife Elizabeth
Smith have the Use of the Plantation & half the
of my Mill given to my son Joseph Smith During
her Life or Widowhood

I give unto my son William Smith all my Land lying on
West side of my Mill Creek Except Three acres given to
son Joseph ^{the same to him} the Land whereon he now lives ^{the same to him}
his heirs for Ever

I Give to my son William Smith One Negro Girl named Jane the same to him & his heirs for ever

I Give unto my Daughter Hannah Hawthorn Lathrop One Negro Man named Harry to her & her heirs for ever

I Give unto my Daughter Margaret Smith One Negro boy named Stephen to her & her heirs for ever

I Give unto my Daughter Martha Rogers One Negro boy named Dudley to her & her heirs for ever

I Give unto my Daughter Judith Piddie One Negro Woman named Great Rose to her & her heirs for ever

I Give unto my Daughter Lucy Hancock One Negro Girl named Anne to her & her heirs for ever

I Give and bequeath unto my Daughter Mary Cooper One Negro Girl named Little Rose to her & her heirs for ever

I Give unto my beloved Wife Elizabeth A. Smith One Bed & furniture One brass Bedstead & table

I Give to my Beloved Wife One Negro Man named Ned during the life of the said husband to gather with all my Household furniture Not before given away and after her Decease Or in case she Marry again Then I Give the Whole of my Estate & all my said Beloved Wife to my son Joseph to him & his heirs

My will & desire is that after my Decease That the Remainder of my Estate of Every kind or Quality that I have Not already Given away Or Sent my Beloved Wife be sold to the highest Bidder of the Money arising from said sale to be Equally Divided among all my Children or Their Representatives - Except my Three Granddaughters to wit) I Give Overton Labitha Overton & Sarah Overton which said Granddaughters are to have Each of Them an Equal Share with my Children I mean that they

They in stead of Taking what their mother would have done if living That they & Each of them shall have an Equal Share of my Estate right to be sold as though they were my Children & not grandchildren

And Lastly I do Constitute & appoint my beloved Wife Elizabeth Hawthorn Smith Executors and my son Benjamin Smith & my son in Law Rogers Executors to this my Last Will and Testament Inwitness Whereof I have Hereunto Set my Hand & Seal This Ninth Day August in the Year 1707

Signed Seal Published
& Declared by the Said -
John Smith to be his last
Will & Testament in Presence of

Benjamin Jarr
Rural Wright
mark

James (Debor Jarr

I John Smith as a bond do Give to my son Joseph Smith my still as I thought of Joseph Gill as witness my my hand and seal this January 1788
John Smith
Joseph Gill

Smith
John
mark
Seal