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In The Name of God Amen I Benjamin Smith of Wash County and State of North Carolina being of sound and perfect mind and memory blessed be god to this nineteenth day of January in the year of our lord one thousand seven hundred and ninety nine do make and publish this my last will and testament in manner and form following .

Item: I give and bequeath to my son Britten Smith one negro girl named Rachel one negro boy named will to be held and enjoyed by him and his heirs forever.

Item: I give and bequeath to my daughter Mary Vick one negro woman named Phillis one negro girl named Cate one negro girl named charlotte one negro boy named Phill one negro girl named vilet one negro girl named Jude to be held by her and her heirs forever. also my will and desire is that my daughter Mary Vick do have the use of one negro man named Ned ten years and after that to be equally divided between my five sons Brittain Smith, Simon Smith, Samuel Smith, Jordan Smith, and Bennett Smith.

Item: I give and bequeath to my son Sion Smiths heirs two negro boys that come of Hannah to be equally divided amongst them likewise ten pound virginia money apeace to the children.

Item: I give and bequeath to my daughter Elizabeth Whitehead one negro boy named George one negro girl named susan one negro girl named Talley, one negro girl named Zilpha to be held and enjoyed by her and her heirs forever.

Item: I give and bequeath to my son Simon Smith one negro girl named Patience one negro girl named Goose and fifty silver dollars to be held and enjoyed by him and his heirs forever.

Item: I give and bequeath to my daughter Mourning Smith one negro girl named Charlott one negro woman named Esther and all her increase one feather bed and furniture to be held and enjoyed by her and her heirs forever.

Item: I give and bequeath to my daughter Charity Griffin one negro woman named Rose and all her increase one negro girl named Patt to be held and enjoyed by her and her heirs forever.

Item: I give and bequeath to my son Samuel Smith a tract of land lying on the south side of Saponey Creek containing thirty eight acres being the whole of survey I entered under the present government also another tract containing by estimation six hundred acres the land which I bought of Duncan Lamon lying adjoinging the other tract one negro woman named seal and all her increase to be held and enjoyed by him and his heirs forever. also my will and desire is that my son Samuel Smith do have the use of one negro man named Pomp thirteen years and after that thirteen years <sup>are</sup> ~~have~~ expired my will and desire is that my son Simon Smith do have the said negro pomp .

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Item: I give and bequeath to my son Jordan Smith all that tract of land lying in the fork of Limestone Creek containing two hundred and eighty seven acres and one half acre being the land which I bought of William Whitehead also all that other tract of land I bought of Sion Smith adjoining the other tract I bought of William Whitehead containing three hundred acres be the same more or less lying in the state of Georgia Washington County near Limestone Creek one negro woman named Mary and all her increase one negro boy named James to be held and enjoyed by him and his heirs forever.

Item: I give and bequeath to my son Bennett Smith all the lands whereon I now live containing five hundred and fifty acres be the same more or less together with all improvements thereon one negro woman named Hager and all her increase one feather bed and furniture one still containing forty seven gallons to be held and enjoyed by him and his heirs forever. Also my will and desire is that my son Bennett Smith have the use of one negro man named Jack for the term of seventeen years and after that for the said negro Jack to go free from the claim of all persons. and all the rest of my estate I desire it should be equally divided between my children namely Brittain Smith, Mary Vick, Elizabeth Whitehead, Simon Smith, Mourning Smith, / Charity Griffin, Samuel Smith Jordan Smith and Bennett Smith, to them and their heirs forever. I do constitute and appoint my worthy son in law Archibald Griffin and my son Sam Smith and my friend Jesse Joiner executors to this my last will and testament in witness whereof I have hereunto set my hand the day and date above written signed, sealed, published pronounced and declared by the said Benjamin Smith as his last will and testament in the presents of us who in his presents and in the presents of each other have hereunto subscribed our names.

Jesse Joiner  
his  
Benjamin X Whitley

Ben Smith (Seal)

Nash County mark.

August Term, 1799

The foregoing will was duly proven in open court by the oath of Jesse Joiner and Benjamin Whitley two subscribing witnesses thereto and on motion ordered to be recorded.

Attest Wm Hall, C.C.

and is registered in obedience to the above order.

Attest, Wm Hall, C.C.