John M. Smith last will & Testament

In the name of God Amen. I John M. Smith of the County of Macon and State of North Carolina Being week in body but of sound disposing mind and memory but knowing that it is appointed unto all men Once to die and desiring to arrange all my temporal matters whilest in the enjoyment of my natural and mental faculties do make and ordain this my last will and testament in manner and form following Viz

First. and principal of all I recommend my soul to God who gave it and my body to the earth to be buried in a decent and Christian like manner at the discretion of my friends and relations and as touching such worldly Estate as it has been pleas God to bless me with in this life I give devise and bequeath in the following manner and form. Viz My will is that that all my just debts be paid out of money on hand and debts that may be due and owing to me at my death and in Case of a deficiency the Balance to be paid out of my other Property.

Article 1st I give and bequeath to my son John F. One Hundred and twenty five acres of land to be laid off in such manner as to include my residence so as to make them equal with the advancements heretofore made to my sons Robt. H. Colvin R. and William P Smith and that my beloved wife Rebecca Remain in the possession of the aforesaid premises until my Son. John Shall become Twenty one years of age.

Art. 2nd My will is that my beloved wife Rebecca Keep my negro man Lewis and have the benefit of his labor during her life and then for

H. Colvin R. and William P Smith and that my beloved wife Rebecca Remain in the possession of the aforesaid premises until my Son. John Shall become Twenty one Years of age.

Art. 2nd My will is that my beloved wife Rebecca Keep my negro man Lewis and have the benefet of his labor during her life and then for my executor to Sell Lewis under the rules of law. at her death and distribute the proceeds of such Sale amongst my Several heirs

Art. 3rd After my decease my executor will exercise such discretion in selling off my personal estate as the interest of the Estate may require first laying off a Years Provisions for my widow and her family

Art 4 My will is that all my money in the hands of my executor after Selling my estate be Equally divided among my heirs

Art. 5th And Lastly I appoint and Constitute my worthy Friend, _____ my executor to this my last will and testament In testimony whereof I have here unto Set my hand and affix my Seal This 13th day of May one thousand Eight Hundred & Sixty two in presents of

J A McRea
D Kersting

J M Smith (Seal)

State of North Carolina } Union County Court January Term 1863
Union County } Then the above Paper writing was admitted to probate in due form of law on the evidence of J A McRea & D Kersting the Subscribing witnesses thereto and ordered to be recorded

D E Irby Clk