

State of South Carolina
Charterfield District

In the name of God amen
I Duncan Smith of the District of
Charterfield and State of South Carolina
being of sound mind and memory and
considering the uncertainty of this frail
and transitory do ~~therefore make~~ ~~order~~
publish and declare this to be my Last will
and testament first after all my Lawful
debts are disposed of I give bequeath and dispose
of as follows to my Grand Children the children
of James & Catharine Smith I give all that piece
or parcel of Land whereon I now reside with all
my Stock of Horses, Hogs, Sheep, & Cattle and form-
ing interests to be equally between them share
& share alike. Likewise all that piece or parcel
of Land lying on the south side of Bear Creek
I give to my four Children to wit A. D. Smith
James Smith Catharine Douglas the wife of
Angus Douglas and Mary Douglas the wife
Danl. Douglas or to their heirs if they are not
living at my death to be equally divided between
them share & share alike.

I likewise make constitute and appoint my
son A. D. Smith to be executor of this my
Last will and testament hereby revoking all
former wills by me made in witness whereof I
have hereunto set my hand and seal the 18
day of April in the year of our Lord one thousand
eight hundred & sixty three

witness
Robert Kite
A. S. Smith
N. D. Smith

his
Duncan Smith
mark

The State of South Carolina. }
Chesterfield COUNTY. }

KNOW ALL MEN BY THESE PRESENTS, That we

are holden and firmly bound unto *Hugh Craig* Judge of Probate, for the
 County of *Chesterfield* in the full and just sum of *Five*
Hundred Dollars, to be paid to the said *Hugh Craig*
 or to his successors, Judges of Probate of this County, or to their certain Attorney or Assigns. To which
 payment well and truly to be made, we bind ourselves, and every of us, our and every of our Heirs, Executors,
 and Administrators, for the whole, and in the whole, jointly and severally, firmly by these Presents.

SEALED with our Seals, and dated the *Twenty eighth* day of *December*
 in the year of our Lord one thousand eight hundred and *Sixty nine*
 and in the *Ninth* year of American Independence.

The Condition of this Obligation is such, That if the above bounden

James
Smith

Guardian of the Person & and Estates of *David A. Smith, Isabella Jane Smith, Mary*
Cornelia Smith, James Franklin, Milton Duncan Smith

do and shall carefully and handsomely bring up the said, *David A., Isabella Jane, Mary*
Cornelia, James Franklin and Milton Duncan Smith

during *their* Minority and Nonage, with necessary meat, drink, washing, lodging, apparel and
 learning, according to *their* degree, and shall during the time the said *David A., Isabella*

Jane, Mary Cornelia, James Franklin and Milton D. Smith
 shall be guardian and tutor unto the said *Children*

defend *them* from hurt of body, loss of goods and lands, so far as in *his* power lieth, and such
 portions as shall fall due unto the said *David A., Isabella Jane, Mary Cornelia*

James Franklin and Milton Duncan Smith

of the goods and chattels of any person whatsoever, according to the inventory, or by any other way whatso-
 ever shall deliver and pay unto the said *Children and to each of them*

respectively

when *They* shall come of age to receive the same by law. And if it happens that the said *Children*
or any one or more of them

shall die before the time, then if the said *James Smith*

do contract and pay the portions and other rights of the said *Children*

to whom the law shall appoint the same to be paid, or who by proximity of blood ought to have it: And
 shall also render a true and perfect account upon the tuition to *him* granted, when thereunto
 required; and also save and keep harmless the above named Judge of Probate, and all other Officers and
 Ministers under him, for or by reason of granting the said Letters of Guardianship, that then the above
 Obligation to be void and of none effect, or else remain in full force and virtue.

Signed, sealed and delivered }
 in the presence of

James Smith
Stephen Fairview N. G. McWain
Malcolm W. McWain



Rec^d of Arch^d D. Smith Executor of Duncan Smith
deceased, Six head of Sheep, One Horse Colt, Five head
of cattle, One Sow & 3 pigs, One Cart, Lot of farming
utensils, Grindstone, Scythe, Cutting Knife, Anvil, Vice
and Hammer, being all the personal estate of Duncan
Smith deceased as will appear by reference to the Bill
of Appraisement filed in the Ordinary's Office and which
was bequeathed to my Children by the last Will and Testament
of the said Duncan Smith deceased -

Inventory of the personal property of the Estate of Duncan
Smith appraised Jan^y 9th 1866

Sheep Six head	Nine dollars	3	9
One horse Colt	twenty five dollars	25	
Cattle five head	twenty Dollars	20	
Hogs Sow and 3 pigs	three dollars	3	
One Cart	Six dollars	6	
farming utensils	five dollars	5	
grindstone & the cutting knife	two dollars	2	
Anvil vice and hammer	two dollars	2	

Appraisers
A. G. Smith
J. H. Swinney
P. J. Hurst

Bleed Through

Sworn to before me
this first day of Jan^y 1866
Hugh Craig Sec
and C. D.

J. H. Sumner
D. J. Hurst
A. G. Smith

Edw. Duncan Smith

Wark. of Appraisement

1 Jan^y / 66

State of South Carolina
Christened District, By Hugh Craig Jun. Esq.
Ordinary -

To Messrs Isaac F. Swinney, Philip Hurst
and Arch^d. S. Smith,

These are to authorize and empower you or any three or four of
you, to repair to all such places as you shall be directed unto by
Arch^d. S. Smith, Executor of the goods and chattels, rights
and credits of Duncan Smith late of said district dec^d.
whosoever the same shall be or do remain, and which shall be
shown to you by the said Arch^d. S. Smith and there view
and appraise the same; being first sworn according to law
to make a true and perfect inventory and appraisement thereof
and to cause the same to be returned under your hands, to the
said Arch^d. S. Smith on or before the first day of March
now next ensuing -

Dated the first day of May. A. D. 1866

Hugh Craig Jun
Ord^y C. D.

Memorandum - This first day of May 1866 personally
appeared before me Isaac F. Swinney, Arch^d. S. Smith
and Philip Hurst, being three of the appraisers above appointed
who being duly sworn, made oath that they would make
a just and true appraisement of the goods & chattels of Duncan
Smith deceased as shall be shown to them by Arch^d. S. Smith
Executor of the said Duncan Smith; and that they would
return the same certified under their hands unto the
said Arch^d. S. Smith Executor as aforesaid within
time prescribed by law -

State of South Carolina
Christ Church County

To Hugh Craig Esq Judge of Probate.

The Petition of Arch^d D. Smith

Sheweth That, Auncan Smith of said State and County, deceased, died on or about the day of 1865. having whilst he lived and at the time of his death divers goods, rights and credits as also being seized & possessed in his own right of certain Real Estate in the life time of said Testator he made, executed and published his last will and Testament, wherein he devised and bequeathed to his grand children, the Children of James and Catherine Smith -

"All that piece or parcel of land whereon he resided with all his stock of horses, hogs, sheep and cattle, and farming utensils to be equally divided between them share and share alike" and further, that in and by the terms of said will your petitioner was nominated, constituted and appointed sole Executor - Your petitioner being desirous of carrying out and executing the said last will and testament agreeable to its true intent and meaning, recommends that Guardians be appointed for the person, and estate of said devisee, and do hereby recommend that James Smith be appointed as their Guardian, upon giving the necessary bonds and that Letters of Guardianship be granted to him -

A. D. Smith

Dec. 28th 1869