

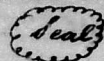
In the name of God amen! I Dudley Smith of Giles county in the State of Tennessee, now in Calhoun, Dallas County in the State of Alabama, Farmer, do make and declare this my last will and testament in manner and form following; - First I resign my soul into the hands of ~~the~~ Almighty God, hoping and believing in a remission of my sins by the merits and mediation of Jesus Christ; - and my body I commit to the earth to be decently buried: And my worldly estate I give and devise as follows:

First, for the love that I bear to my wife Patsy, I do give and dispose unto her the use of all my property, namely: Two lots in the town of Waterloo in the County of Calhoun in the State of Alabama; Two Slaves, Sylvia and Mary and their increase if any, and my stock and furniture together with all other property belonging to me of every description, for her support and maintenance, as well as for the better education and support of my children, James, Washington, Henry, Paul, Juliane and Eliza - Ann; and dispose the custody and tuition of them and every of them unto my said wife for such time as they or either of them respectively continue unmarried and under the age of one and twenty years and my wife remains my widow; but if my wife shall die or marry during the single life or marriage of any of my said children; I give the custody and tuition of such of my children as being unmarried and under the age of one and twenty years at the marriage or death of my wife, unto Thomas Wilson of Madison county in the State of Alabama and Edmund H. Shelton of Giles county in the State of Tennessee, whom I will and ordain to be the executors of this my last will and testament or their executors, respectively, for and towards the performance of my said Testament; who shall with all convenient speed after my decease, bargain, sell and alien in fee simple, the two lots in the town of Waterloo before mentioned: for the doing, executing and perfect finishing whereof, I do by these presents give to my said executors or either of them or their or his executor full power and authority, to grant, alien, bargain sell, convey and assure the two aforementioned lots to any person or persons and their heirs for ever in fee simple, by all and such lawful ways and means in the law as to my said executors or any of them or to the executors or executor of either of them who may act, or to his or their counsel learned in the law, shall seem fit or necessary.

Second, My will is, that in the event of the death or marriage of my wife Patsy, my two negroes, Sylvia and Mary, aforesaid, and their increase, together with all my personal property and effects shall be sold by my executors or either of them or by their or his his executors or executor, respectively, as aforesaid, who are hereby also authorized (after paying all of my just and lawful debts together with my funeral expenses and other charges and deductions,) to divide my property, whether of money or debts collected by them, or proceeds of sales or any other property whatsoever belonging to me, equally among my children; reserving however so much thereof as is herein after mentioned.

Finally, I give and devise unto my daughter Eliza - Ann besides her portion
as aforesaid all property now belonging to me, or any claim whatsoever by
debt due me or otherwise in the State of Alabama for her sole use and benefit,
when she shall have arrived at the age of one and twenty years, or shall
be married; which property in the State of Alabama shall be recovered and
collected by my executors as aforesaid, for the special purpose. - In
witness whereof I have hereunto set my hand and seal the seventh day of
August in the year of our Lord, One thousand eight hundred and twenty
three. -

Dud. Smith



signed, sealed, published and declared by
the said Testator as and for his last will and
testament in presence of us, who at his request
in his presence, and in presence of each other,
have subscribed our names as witnesses
thereto. -

W. W. Gary
J. M. Gary
J. N. Clary

The State of Alabama } This day personally appeared before me George V. Dick, a
Dallas County. } Justice of the Peace in and for the county of Dallas
William W. Gary, who being solemnly sworn saith, that he was a witness to
the foregoing will and testament and that he did see the said Dudley Smith
sign and seal the same in his presence, at request and in presence of the
other subscribing witnesses J. M. Gary and J. N. Clary
sworn before me this seventh
day of August, eighteen hundred
and twenty three

W. W. Gary

George V. Dick S. P.

The foregoing Will was this day pronounced and promulgated
Verdun (Vz.) 4 day of October 1823.

The State of Alabama } September 30 1823. I Elizabeth
Dallas County } Dixon Clark in my last will
testament, Will and testament unto many heirs. The
Sum of One Thousand Dollars. I also Will and testament unto
William Sidney Alexander and the Sum of One Thousand
Dollars, the balance of my property I Will and testament
unto my sister Martha Alexander Clark. This I declared my
last Will and Testament

(Signed) Elizabeth C. Clark

David White
Thomas Gentry
Rebecca M. Lane