

Sworn to and subscribed before me,
this May 29th, 1872.
DANIEL PITTMAN, Ordinary.

Admitted to record June Term, 1872.
Recorded July 16th, 1872.
DANIEL PITTMAN, Ordinary.

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GEORGIA,
FULTON COUNTY.

Recorded in Original Will Book - A. Page 205

In the name of God, Amen.

I, James H. Smith of the State and County aforesaid being weak and afflicted in body but of sound and disposing mind and memory do make this my last will and testament, in the first place I desire my body to be decently buried in a christian like manner and my Soul I commit to Almighty God who gave it trusting for salvation to our Lord and Saviour Jesus Christ and with regard to the property with which a kind Providence has blest me, I make the following disposition.

First:- I desire that all my just debts be paid.

Secondly: I give and bequeath to my wife Martha W. and to my two children George I. and Sarah Emma the two lots of land on which I live known as numbers one hundred and forty one (141) and one hundred and forty two (142) in the 17th District of originally Henry now Fulton County except two small portions heretofore given off, one of one acre for a school house and the other for a church of colored persons of two acres, said land to be owned by my said wife and children jointly in fee simple.

Thirdly: I will that all my house hold and kitchen furniture and farming utensils be given to my wife and my two children jointly also all my stock of every kind except it should be deemed best by my wife and my executor to dispose of any portion of the stock in that event my executor is authorized to sell such portion thereof at public sale as may be deemed best for the interest of all the portions and the proceeds to be equally divided amongst them, my executor shall also have the right at any time to sell and dispose of such portion of the wood and timber upon said land as may be thought best and the proceeds applied to the support or for the benefit of my said wife and her children above mentioned.

Fourthly: I give and bequeath to Elizabeth Bullard my daughter by my first wife fifty acres of land in the County of Gwinnett situate in the Fourth District of originally Walton which fifty acres of land I conveyed to said Elizabeth in the month of January in the year 1828 by deed of gift, and which deed was recorded in Book B, page 363, in the office of Clerk of the Superior of said county of Gwinnett and the title of which I hereby affirm to said Elizabeth provided she has made no disposition of the same and no adverse title has been set up to the same.

Fifthly: All the rest or residue of my estate I will to be equally divided between my wife and her two children.

Sixthly: I do hereby nominate and appoint my friend Solomon K. Pace of the County of Cobb my executor of this my last will and testament, hereby revoking all other wills by me heretofore made.

In Witness Whereof I have hereunto set my hand and affixed my seal this 22nd day of May 1872.

JAS. H. SMITH (L.S.)

Signed sealed acknowledged and declared in the presence of us.

THOMAS MOORE
BARTHOLOMEW GROGAN
M. D. MODLIN

GEORGIA.

FULTON COUNTY.

In person came Thomas Moore who being sworn says that he saw James H. Smith, the testator, sign, seal declare and publish the attached instrument as his last will and testament, freely voluntarily and of his own accord, without any compulsion or influence whatever. That at the time of executing the same testator was of sound and disposing mind and memory. That he deponent signed said instrument as a witness in the presence of testator, at his special instance and request, and in the presence of Bartholomew Grogan and M. D. Modlin, who also signed as witnesses, at the special instance and request of testator, and in his presence and in the presence of each other and of deponent.

THOMAS MOORE

Sworn to and subscribed before me,
in open Court July 1st, 1872.
DANIEL PITTMAN, Ordinary.

Admitted to record July Term, 1872.
Recorded July 25th, 1872.
DANIEL PITTMAN, Ordinary.

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