Maryland Calvert County

In the name of God Amen I Walter Smith of the Freshes being in sound mind and perfect memory thanks to Almighty God for the same do make this my last Will and Testament in manner and form following Viz.t I recommend my Soul into the hands of Almighty God that gave it me and my body to the Earth to be buried in Decent and Christian like manner at the Discretion of my Ex.rs hereafter named and as to what Worldly Estate it has pleased God to bless me with I dispose of in the manner following (Viz.t) My will is that all my just debts be first duly Satisfied and the Residue to be disposed of in the following manner

Imprimis I give and bequeath unto my beloved Son Walter Smith all that part of a Tract of Land called Halls Craft which my Deced Mother Rachel Smith enjoy'd as her thirds of the said Tract during her Life

Item I give and bequeath unto my two beloved Sons Clement Smith and Richard Smith the residue or remaining part of the aff.d Tract or parcel of Land called Halls Craft to be equally divided between them my Son Clement having his first choice of the said Devidend but in case either of my aff.d Sons (Clement or Richard) should die before they come to Age or without Heirs then the Surviver to enjoy the whole

Item. My will is that if my Son Walter should die before he arrive to the Age of Twenty one Years or without Heirs Lawfully begotten of his body then his part of the aff.d Tract of Land to Decend to my Son Clement and his Heirs and that part which I leave before Divided between my two Sons Clement and Richard to decend to my Son Richard and his Heirs forever but in case both my aff.d Sons Clement and Richard should die before they arrive to full age or without Heirs Lawfully begotten of their body's then the aff.d Tract of Land called Halls Craft wholy and Soly to be my Son Walter's and his Heirs forever

Item. I give and bequeath unto my beloved Daughter Dorothy Smith one Negro Girl named Grace and her increase to her and her heirs forever

Item. I give and bequeath unto my beloved Daughter Rachel Smith one Negro Girl named Seiselly and her increase to her and her heirs forever

Item. I give and bequeath unto my beloved Daughter Jane Smith one Negro Girl (named)

named Nanny and her increase to her and her Heirs forever

Item. I ordain constitute and appoint my dearly beloved Wife Susanna Smith my whole and Sole Exr of this my last Will and Testament hereby Revoking all former or other Testaments by me made as witness my hand and Seal this 22.d day of March Anno Dom.i 1733 but in case of the Death of my dear Wife before my children come of Age then I appoint my trusty and well beloved friend Henry Brooke my whole and Sole Executor as witness my hand and Seal Date and day aforesaid

Signed Sealed delivered published pronounced & declared to be my last Will and Testament in the presence of — Wt. Smith Freshes (Seal)

The words (and Soly) interlined before signed

Jacob Hoopper
Peter Mugg
Elizr. Smith Senr.

To which Will was annexed the following Codicil

A Codicil Be it known unto all Men by these presents that whereas I Walter Smith of the Freshes of Calvert County have made and declared my last Will and Testament in writing bearing Date the 22.d day of March 1731 my will is that my three Daughters Dorothy Rachel and Jane Smith have an equal (Childs part of my Personal Estate besides the within Legacies mecioned in my said Will and it is my desire that this Codicil be and be adjudged to be part and parcel of my said last Will and Testament and that all things herein contained and mencioned be faithfully and truly performed and accomplished fully and amply in every respect as if the same were so declared and set down in my said last Will and Testament In Witness whereof I have hereunto set my hand and affixt my Seal this 2.d day of February Anno Dom.i 1733/4

Signed Sealed and declared before — Wt. Smith Freshes (Seal)

Ro.t Boyce
Edw.d Lin.g Boteler

Calvert County ss.t Memoranda That on the thirteenth day of March 1733 Jacob Hooper Peter Mugg and Elizabeth Smith Sen.r the within named subscribing Evidences made Oath on the Holy Evangelist of Almighty that they saw the Testator Seal Publish & declare the within written Will to be his last Will and Testament and at the same time he the said Testator was of sound and perfect mind & memory — And at the same time Roger Boyce and one of the subscribing Evidences to the Codicil to this Will annexed made Oath that he saw the Testator Seal Publish and declare the same as his Act and deed and that he was then of sound and perfect mind and memory and also at the same time he saw the within named Edw.d Lingan Boteler Sign the said Codicil as an Evidence Test — Gabriel Parker
Dep. Com.r of Calv.t County

8½ sides