

## Will of Joseph R. Smart, Deceased

In the name of God amen. Joseph R. Smart of the county of Edgar and State of Illinois, Being of sound mind and memory do constitute this my last will and testament.

1<sup>st</sup> I leave my much beloved wife Mary Ann S. Smart during her widowhood or natural life all my real estate which consists of the following tracts or parcels of land situated in Edgar county in the State of Ill. viz the East half of the South West quarter of Section Eighteen in Township fourteen North of Range thirteen West containing sixty six <sup>acres</sup> and  $\frac{1}{100}$  also the West half of the North East quarter of Section nineteen Township fourteen North of Range thirteen West containing eighty acres, together with all my personal estate for her to dispose of at pleasure at the decease of my beloved wife Mary Ann all my estate both real and personal I desire to have divided equally between my children accordingly to what they have received William Smart Nathaniel Smart Mary Smart James Smart Susanah Smart Jane Smart and as many more as my wife shall raise of mine and should it take place that my beloved wife marry a second husband it is my wish that she retain one third of my real and personal estate and the other two thirds be placed in the hands of M. W. Small and A. S. Baxter to be divided equal among the above named children of mine as they come of age and retain a reasonable compensation for their trouble in selling the property and collect the money and at the death of my wife I want what remains of one third of the estate to be taken care of and divided as the other two thirds is. In testimony whereof I have hereunto set my hand and affixed my seal this 16<sup>th</sup> of February A. D. one thousand eight hundred and forty two.

In the presence of  
James Baxter  
Elizabeth R. Baxter

Joseph R. Smart

2/16/1842

Will

State of Illinois  
 Edgar County

J. Smart,  
 proven by  
 A. Baxter  
 James of C  
 ed and

Edgar Co., St. Will Book 2  
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Subscribed  
 of Record  
 James

MOSES WALKER DARNALL  
(Manny Ann's brother)

ELIZ REED (DARNALL) MARTIN  
(Manny's sister)

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Will of Joseph R. Smart, continued.

State of Illinois,  
Edgar County,

Probate Court

November 6th 1845

This day this last will and testament of Joseph R. Smart, deceased, was produced in open court and proven by the oaths of James Abarton, and Elizabeth R. Abarton, the subscribing witnesses thereto in due form of law, therefore ordered that said will be recorded and Probate granted thereon.

Samuel Conroy, Probate Justice  
of the Peace

State of Illinois,  
Edgar County,

I do solemnly swear that this writing contains the true last will and testament of the within named Joseph R. Smart, deceased, so far as I know or believe; and that I will well and truly execute the same by paying first the debts and then the legacies mentioned therein, as far as his goods and chattels will thereto extend and the law charges now; and that I will make a true and perfect inventory of all such goods and chattels, rights and credits as may come to my hands or knowledge, belonging to the estate of the said deceased, and render and pay a fair and just account of my administration, when thereunto required by law, to the best of my knowledge and abilities, as help may be.

Mary Ann <sup>nee</sup> Smart  
mark

Subscribed and sworn to before me this Eleventh day  
of November A.D. 1845.  
Samuel Conroy, Probate J. P.