

I Joseph Smith of Moor Garth in the Township of Ingleton in the County of York, Yeoman, being sick and weak in Body but of sound and disposing Mind Memory and Understanding praised be God for the same, do make this my last Will and Testament in manner and form following, that is to say,

- I give and devise All my Mefsuage and Tenement situate at
- 1 Moor Garth aforesaid with all and every the Lands Hereditaments and Appurtenances thereto belonging and all my real Estate whatsoever (and wheresoever) both Freehold and Customary unto my good Friends Benjamin Battersby of Cold Coats in the said Township of Ingleton and County of York, Housbandman and Joseph Lupton of Clapham in the Parish of Clapham and said County of York, Weaver, and the Survivor of them and the Heirs and Afsigns of such Survivor
 - 2 for Ever Upon Trust neverthelefs that they the said Benjamin Battersby and Joseph Lupton and the Suvivor of them and his Heirs shall be seized thereof to and for such Uses Intents and Purposes as are hereinafter mentioned that is to say, Upon Trust that they my said Trustees and the Survivor of them and the Heirs of such
 - 3 Survivor do and shall as soon as conveniently may be after my decease let my said real Estate to farm to such person or persons as they shall in their Discretion think proper and receive and take the Yearly Rents Issues and Profits thereof from time to time and pay and apply the same or such part thereof as may be necessary towards the Maintenance Education and bringing up of my Son Joseph
 - 4 Waller Smith untill he shall attain the Age of Twenty one Years And then upon Trust that they my said Trustees and the Survivor of them and his Heirs do and shall grant and convey all and every my said real Estate unto my said Son Joseph Waller Smith his Heirs and Afsigns absolutely for Ever. And it is my Will and Mind and I do
 - 5 hereby order and direct that if my said Son Joseph Waller Smith shall happen to die before he attain his said Age of Twenty one years without leaving any lawful Issue, that then and in such case my said Trustees and the Survivor of them and his Heirs do and shall grant and convey my said real Estate to my Nephew Joseph Smith
 - 6 Son of my Brother Bryan Smith his Heirs and Afsigns absolutely for Ever to whom I hereby give and devise the same accordingly, Provided always that if my said Nephew or his Heirs shall happen to become seized or pofsefsed of my real Estate by virtue of this my Will I hereby charge the same with the payment of the Legacy or Sum of
 - 7 Twenty Pounds to my Nephew Christopher Smith his Executors Administrators or Afsigns And also with the payment of the Legacy or Sum of Thirty Pounds to Gamaliel Briscoe of the Township of Ingleton aforesaid Husbandman his Executors Administrators and Afsigns, which said Legacies I hereby give and bequeath to my said Legatees

Joseph Smith

Witneses

Adam Thompson
Christopher Johnson
John Swainfon

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Joseph Smith
Last Will and Testament

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