

I Joshua Smith of the County of Buckingham and State of Virginia do make and publish this my last Will and Testament viz:

Item It is my desire that all my just and legal debts be paid.

Item I give unto my beloved wife Martha Smith all my estate both real and personal during her life and at her death I give unto my son my land and whatever personal property that may remain of my estate. It is my desire that my wife Martha Smith be permitted to remain in full possession of my estate to sell any portion of my personal estate that she may find necessary for her comfortable maintenance and support and that she shall not be held accountable for the same. It is further my desire that there be no inventory or appraisement of my estate.

And lastly I appoint Robt T. Hubbard Jr. Executor to this my last Will and Testament and I hereby request that he may not be held to security, and I hereby revoke all former Wills by me made.

Witness my hand and seal this second day of September 1871.

Signed sealed published and declared
to be his last Will and Testament

Joshua ^{his} Smith ^{mark} (X)

in the presence of

V. Parrish

John Mulligan

R. Moore Hardaway

At a County Court continued and held for Buckingham County, February 12th 1878. This paper writing, dated 2^d September 1871, purporting to be the last Will and Testament of Joshua Smith, dec^d was this day offered for probat by R. T. Hubbard Jr., the executor named therein, and it appearing that V. Parrish, an attesting witness to the same, residing in the County of Cumbe-

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bat by R. T. Hubard, Jr., the executor named therein, and it appearing that
V. Parrish, an attesting witness to the same, residing in the County of Cumber-
land is unable from age and infirmity to attend the Court, it is ordered
that a Commission to take the deposition of said V. Parrish issue from the
Clerk's Office of this Court, to be directed to any person authorized by law
to take depositions in said County of Cumberland.

And at another day to-wit: At a County Court held for said
County March 11th 1878. The said paper writing was again offered for pro-
bat by R. T. Hubard Jr the executor therein named, and proved by the oaths
of R. Moore Hardaway, one of the subscribing witnesses thereto, and with
said Will was returned into Court the Commission thereto annexed for
taking the attestation of V. Parrish another subscribing witness thereto, and
the certificate under the hand and seal of John R. Phillips Justice of the
Peace of the County of Cumberland, of the execution of the said Commission, and
thereupon the said certificate being seen and inspected by the Court it is ordered that
the said writing be recorded as the true last Will and Testament of Joshua Smith,
dec^d. And on the motion of R. T. Hubard Jr the executor named in said Will who
made oath thereto, and entered into and acknowledges a bond in the penalty of
\$500.00 without security, the testator by his Will directing that none
should be required, certificate is granted the said R. T. Hubard Jr. for obtaining
a probat of the said Will in due form.

Teste P. A. Forbes C. B. C.