

In the name of God Amen

I Thomas Smith of the State of Georgia and County of Elbert Considering the uncertainty of this mortal life and being of Sound Mind and Memory do make publish and declare This my last will and Testament in manner and form following that is to say First my will is that all my just debts be paid. Secondly I give unto my beloved Brother Valentine Smith the whole of my Estate both real and personal in whatever description the Same may consist in And I do hereby appoint my S^d Brother Valentine Smith Sole Executor of this my last will Testament At the Same time utterly revoking all former wills by me made. In witness whereof I have hereunto set my hand and Seal this 10th day of October 1827

And we by the request of the Testator

Thos. Smith

and in the presence of each other have

Subscribed our names as witnesses hereunto

James W. Shaw

John S. Higginbottom

Samuel Ham

Georgia Elbert County Court of Ordinary Novr Term 1836

Personally came in open Court John S

Higginbottom and Samuel Ham two of the Subscribing witnesses to the within of my will and being duly Sworn Saith that they Saw Thomas Smith Sign Seal and deliver the within instrument as his last will and Testament and that together with James W. Shaw assignee the Same as witnesses at the request of the Testator and in his presence and that they believe the Testator to have been of Sound Mind and Memory at the time of executing the Same; Sworn to in open Court this 7th of November 1836

Georgia Wap County Court of Ordinary May Term 1837

Personally appeared in open Court James

W. Shaw one of the witnesses to the above and foregoing will and being duly Sworn Saith that he Saw Thomas Smith Sign Seal and publish the above and foregoing instrument as his last will and Testament and that he Subscribed the Same as a witness and that from dependent recollection he believes that John S. Higginbottom who appears also as a Subscribing witness Signed the Said instrument as a witness but from the lapse of time affiant cannot recollect whether he Saw Samuel Ham who also appears as a witness Sign Said instrument or not but from all the circumstances he presumes he did Sign the Same; he further Says that he believes Thomas Smith was of Sound Mind at the time of making Said will and that he executed