

State of South Carolina,

County of Greenville.

Whereas, W.H. Smith, late of the County and State aforesaid, died on the 10th day of April, 1916, leaving surviving him as his only heirs at law, his widow, Mrs. J.A. Smith, and his sons, B.Lee Smith and A.R. Smith, and his daughter, Ella King, and his grand-sons, Cromer Smith and Jonah Smith, the sons of his deceased son, R.S. Smith.

And Whereas, the said W.H. Smith left a paper purporting to be his last will and testament which is invalid under the laws of this State for the reason that it only has two subscribing witnesses thereto; and whereas by the terms of said purported will it was the intention and desire of the said W.H. Smith that his widow, Mrs. J.A. Smith should receive all the income from his property during her natural life-time, and whereas all of his heirs at law now desire that the intentions and the desire of the said W.H. Smith, as expressed in said purported will should be carried out as far as possible, except that it is agreed that J.T. Bramlett, the son of the said Mrs. J.A. Smith by a former marriage, upon her death shall come in and share equally in all of the property of which the said W.H. Smith died seized and possessed, and that all of the Children and grandchildren of the said W.H. Smith shall come in and share in the tract of land containing forty-nine (49) acres, more or less, the legal title to which is in the said Mrs. J.A. Smith.

Now, Therefore, this agreement witnessed that we, the undersigned, do hereby agree that Mrs. J.A. Smith, the widow of the said W.H. Smith, shall receive all the income from the property of which the said W.H. Smith died, seized and possessed, including the income from the tract of land which she has title to, for her support and maintenance during her natural life-time, she to keep all the taxes paid upon same and upon her death then all of the property of which the said W.H. Smith died seized and possessed and also the said tract of forty-nine acres, to which the said Mrs. J.A. Smith holds the legal title to, shall be sold and the proceeds of such sale shall be divided into five equal portions, that is to say, - B.Lee Smith to receive one-fifth thereof, A.R. Smith, one-fifth, Ella King, one-fifth, J.T. Bramlett, one-fifth and the remaining one-fifth to be divided equally between Cromer Smith and Jonah Smith.

It is further understood and agreed that the said B.Lee Smith is to assist Mrs. J.A. Smith as much as possible in the management of said property.

It is further understood and agreed that the money now on deposit in the Peoples National Bank of Greenville, S.C. to the credit of the said W.H. Smith, deceased, shall be paid to Mrs. J.A. Smith and so much thereof as may be necessary, be used by her in the payment of the funeral expenses of the said W.H. Smith, or any other debts that may be against said estate, and that the remainder be held by her for her own use.

In Witness Whereof, the parties have hereunto set their hands and seals in duplicate this the 10th, day of May, 1916.

Signed, sealed and delivered
in the presence of:
M. Chisholm,
Oscar Hodges.

Mrs. J.A. Smith,
B.Lee Smith,
A.R. Smith,
J.T. Bramlett,
Cromer Smith,
Jonah Smith,
Ella King.

State of South Carolina,
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Personally appeared before me M. Chisholm who on oath says that he saw Mrs. J.A. Smith, B.Lee Smith, A.R. Smith, Ella King, J.T. Bramlett, Cromer Smith, and Jonah Smith, sign, seal and deliver the foregoing written instrument for the uses and purposes therein mentioned, and that he with Oscar Hodges witnessed the execution thereof.

Sworn to and subscribed before me
this the 10th, day of May, 1916.
Oscar Hodges (Seal)

M. Chisholm

Notary Public for South Carolina.

Recorded January 8th, 1917.