

J Stewart
Will

I Samuel Stewart of Botetourt County and State of Virginia do hereby make my last will and testament in manner and form following, that is to say:

First I desire that all my just debts and funeral Expenses shall be paid by my Executor herein after named from any of my personal property which I may die possessed of not herein after specially willed, and if that should not be sufficient, then from any of my estate real or personal.

2^d I leave to my brother James Stewart who is named as my Executor all my interest in the tract of Land whereon we are now living containing two hundred and Eight acres by survey, which is one equal half of the said tract or parcel of land but it is expressly evidenced that I leave it to him to be acted upon by him specially and in the following manner, that is, as him and myself have always contemplated selling the whole tract together, it not admitting of an equal division; It is therefore my special will and desire, that my said Executor shall make sale of the whole of the said tract of Land at any time during his life time that he may think proper; leaving the time of sale entirely with him, and the sale to be made in such manner as he may choose either privately or at public auction, and upon such terms as he may elect, and that he shall pay over such part of the net proceeds of said sale which may be coming to me, the one equal half thereof to my nephew James Stewart the son of my brother William Stewart dec^d, and the other half thereof to John Stewart the son of my deceased nephew James Stewart, to be paid to them or their legal representatives as soon as my said Executor may have collected all or any part thereof, and it is further my will and desire that my said Executor shall not be liable or made

from any of my estate real or personal.

2nd I leave to my brother James Stewart who is named as my Executor all my interest in the tract of Land whereon we are now living containing two hundred and Eight acres by survey, which is one equal half of the said tract or parcel of land but it is expressly understood that I leave it to him to be acted upon by him specially and in the following manner: that is, as him and myself have always contemplated selling the whole tract together, it not admitting of an equal division; It is therefore my special will and desire, that my said Executor shall make sale of the whole of the said tract of Land at any time during his lifetime that he may think proper; leaving the time of sale entirely with him, and the sale to be made in such manner as he may choose either privately or at public auction, and ~~after such time as may elapse~~ and that he shall pay over such part of the net proceeds of said sale which may be coming to me, the one equal half thereof to my nephew James Stewart the son of my brother William Stewart dec'd, and the other half thereof to John Stewart the son of my deceased nephew James Stewart, to be paid to them or their legal representatives so soon as my said Executor may have collected all or any part thereof; and it is further my will and desire that my said Executor shall not be liable or made to pay any rent or profits that may arise from my part of said Land during the time when it is sold and that he shall enjoy and have the sole control of said Land until such or until his death of not sold before free from rent.

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testimony of any regard and it is my desire that should I die possessed of any other property ^{not} herein willed that it shall be the property of my brother & my
 Exor James Stewart

and lastly I do hereby constitute and appoint my brother James Stewart sole
 Executor of this my last will and testament hereby revoking all other or former
 wills or testaments by me heretofore made.

In witness whereof I have hereunto set my hand and affixed my seal the
 2nd day of February in the year 1835

Signed sealed and acknowledged as the last
 will and testament of Samuel Stewart in presence of
 J. E. McClanahan, Michael Ruddell
 James Howell

Samuel ^{his} Stewart ^(Seal)

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At Botetourt June Court 1835

This instrument of writing purporting to be the last Will and testament of
 Samuel Stewart dec^d was exhibited in Court and proved by the oath of Michael
 Ruddell and James Howell subscribing witnesses thereto and ordered to be recorded

Attest Wm M. Lackland Clk

Leah Baker
 Will

I Leah Baker of Botetourt County and State of Virginia do hereby make my last
 Will and testament in manner and form following that is to say I give to Bollen
 Eldridge little ^{son} one ^{one} negroe boy ^{son} of Hanes I give to my two sisters
 Catharine Hendrick and Patsy Greenood two small tracts of land lying in the upper
 part of the lot