

Robert F. Stockton and Samuel Bayard two of the Executors named in the within instrument, being duly sworn according to law, did severally depose and say that the within writing contains the last will and testament of Richard Stockton, Esquire deceased, as far as they know, and as they verily believe, and that they will well and truly perform and fulfill the same, by paying first the debts of said deceased and then the legacies therein specified, so far as goods, chattels and credits can thereunto extend: and exhibit into the Surrogate's office of the County of Somerset a true and perfect inventory of all and singular the goods, chattels and credits that shall or may come to their knowledge or possession, or possession of any other person or persons for their use whenever demanded.

Sworn at Somerset
Chas. 17th 1828. before me)

Samuel Bayard
R. F. Stockton

J. W. Tracy, Surrogate.

State of New Jersey: I, James D. Vreestott Register of the Prerogative office of the State of New Jersey, do hereby certify that the foregoing is a true copy of the last will and Testament of Richard Stockton, Esquire of the County of Somerset, in said State, deceased, and also of the probate thereof as taken from an original compared with the original now remaining on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my seal of office at the City of Trenton, in said State, this eighteenth day of August, A.D. one thousand eight hundred and thirty-eight (1838)
James D. Vreestott.

State of New Jersey: I, William Pennington Governor and ordinary or Surrogate General of the State of New Jersey, do hereby certify that James D. Vreestott Esq. who hath signed the annexed certificate, and whose official seal is thereto affixed, is Register of the Prerogative office of the State of New Jersey, duly appointed, commissioned, and sworn, and that full faith and credit are and ought to be given to his official attestations, and that said certificate is in due form of Law.

In testimony whereof, I have hereunto set my hand and caused the great Seal to be hereunto affixed, at the City of Trenton, in said State, this eighteenth day of August in the year of our Lord, one thousand eight hundred and thirty-eight, and of the Independence of the United States the 63rd.

By the Governor

Wm. Pennington

James D. Vreestott, Sec. of State

State of North Carolina

Buncombe County - February Term, 1868.

The foregoing will and Testament of Richard Stockton of the State of New Jersey, was offered in open Court and admitted of record.

Buncombe Co. N.C. Wills 1831 to 1868
www.northcarolapioneers.com

In the name of God, Amen! I, Robert Baird, of the State of North Carolina, and County of Buncombe, being of sound disposing mind and memory, and calling to mind the uncertainty of life, do, on this, fifteenth day of March, in the year of our Lord, one thousand eight hundred and thirty-three, make and publish, and declare my last will and Testament in manner following that is to say:-

In the first place, it is my will and desire, that all such just debts as I may be owing, at the time of my decease, be by my Executors hereinafter named, paid out of such part of my estate as is not hereinafter specifically devised.

2^{ndly} I give and bequeath unto my beloved wife, Mary Caird, in case she survive me, a decent and comfortable support to be received from all my lands and tenements, for and during the term of her natural life, and that the full and absolute right of all my household and kitchen furniture now in her, together with one horse, saddle and bridle, of good quality - and also that she have the full free, and unlimited control of my negroes Edward, Nancy, Chelicia, and Eliza, and their issue, during her natural life; after which it is my will and desire, that the said negroes, and such issue as they may have from this time forward, be equally and fairly divided between my sons Israel Baird and William R. Baird, share and share alike, except the said girl Eliza, who then with issue goes to the said Wm. R. Baird exclusively.

3^{rdly} I give and bequeath unto my son Israel Baird, my five tracts of land, situate, lying and being in the State and County aforesaid, on Beaver Saw Creek, and the waters thereof, including the place where he now lives, containing in all, Eight hundred acres, more or less, to have and to hold to him and his heirs forever, subject nevertheless to a charge of five hundred dollars, to be paid by him, his heirs, executors or administrators, to his brother James M. Baird, as soon as he, the said James M. Baird shall have completed his studies, and obtained a diploma, or in a reasonable time thereafter. A good and sufficient voucher for the payment of the said sum of five hundred dollars to the said James M. Baird, according to this my will and desire shall be sent to him, and his heirs or assigns forever, a good, pure, and absolute estate of inheritance in the said lands and tenements. I also give and bequeath unto my said son, Israel Baird, and his heirs the following negroes, to wit: one man named Perry, one named Chingo, and one girl named Clara together with all and singular the issue of her the said girl Clara, which may be hereafter born, to have and to hold all and singular the said slaves negroes to him and his heirs forever.

4^{thly} I give and bequeath to my daughter Margaret R. Smith, and to her husband Samuel Smith, two several notes of hand, which I now hold against him the said Samuel, for the sum of one hundred and fifty dollars each, and bearing date September 9th 1833, the one due at one and two others at

two years from date, together with such interest as may be due thereon at my decease. I also give and bequeath unto my said daughter Margaret B. Smith, and her heirs, one negro woman named Tilly and her child, now in possession of the said daughter B. and her said husband, together with all the issue of woman Tilly and child from this time forward.

5th I give and bequeath unto my son Wm. B. Baird, and his heirs or assigns forever all the tract of land whereon I now am, containing five hundred and thirty-one acres, more or less, together with my negroes Joe, Henry and Elary, with all the issue of the said Elary from this time forward, to have and to hold the said negroes, with the issue of the said Elary to him the said Wm. B. Baird and his heirs forever.

6th I will and bequeath to my son James M. Baird, one negro boy named Lamson, and one horse, saddle, and bridle, worth at least fifty dollars, with the payment of which five hundred dollars, I have and do hereby charge the lands herein devised to my son Israel Baird making the same payable so soon as he, the said James M. Baird shall have completed his studies and obtained a diploma or within a reasonable time thereafter.

7th I give and bequeath to my daughter Jane Eliza Weaver, wife of Montraville Weaver, and her heirs forever, two negro girls, and their issue, born after this date, the one named Lucy, and the other named Elchely, now in possession of the said J. C. and M. Weaver. I also give and bequeath to my said daughter Jane Eliza one hundred dollars, to be paid out of the residue of my estate which is or shall not hereinafter be specifically devised.

8th In the event of my surviving my beloved wife, Elary Eliza, then and in that case, it is my will and desire, that all and singular my household and kitchen furniture be equally divided between my two daughters, Margaret B. Smith and Jane E. Weaver, or their heirs, share and share alike.

9th As to my farming utensils of every description, it is my will and desire that such as may be on either plantation at the time of my death go with the said land to the devisee thereof or to his heirs, any thing herein contained, which might lead to a contrary construction of this my will notwithstanding.

10th The lands adjacent to the town of Asheville, which is in our the subject of a suit in Equity, between the heirs of my brother Zebulon Baird and myself, in the event of my recovering a moiety of the said lands as in right I should do, it is my will and desire that the same be divided equally among all my five children or their heirs, share and share alike. And as regards my stock of all kinds, which may be on hand at the time of my decease, and such debt or debts, as may be then due me, and which has not been devised, after payment of debts and legacies, it is my will and desire, that the stock being first sold, and thrown into the fund for payment of debts and legacies, with such debts as may be due me, and that such residue be divided

said residuum be divided equally between my sons Wm. B. Baird, daughter R. Smith and Jane Eliza Weaver, or their heirs, share and share alike.

Whereby revoke, annul and disallow all other former wills or acts by me made or allowed, designing and intending that this and this alone shall be my only true will: - and I do hereby ordain, nominate, constitute and appoint my sons Israel Baird, and Wm. B. Baird, Executors of this my last will and testament with the necessary powers and authority for carrying the same into effect.

In witness whereof, I the said J. C. Baird, have this fifteenth day of March, A.D. 1838, subscribed my name on each page, and here at my hand and seal.

J. C. Baird

Signed, sealed, published, and declared
by the Testator to be his last will and testament,
in the presence of us, who became sub-
scribing witnesses thereto, in the testator's presence
J. C. Baird
E. M. Eliza

State of North Carolina }
Cuncombe County. } July Term, 1841.

The foregoing will was duly proved in open Court by the oath of J. C. Baird and E. M. Eliza, subscribing witnesses thereto, and admitted of record
J. Harrison, Clerk

XXX