

I know all men by these Presences
that I, John Curtis Stewart of the County
of Buncombe & State of North Carolina, being in
poor bodily health, but of a sound and disposing
mind and memory, do now on this the
29th day of July 1870 make this my last will &
Testament

As to my worldly estate & all the property
real personal or mixed of which I shall die
seized & possessed, or to which I shall be entit-
led at the time of my decease, I devise beq-
ueath & dispose thereof as follows viz

First my will is that all my just debts shall be
Second paid out of my estate by my executor
I give devise & bequeath to George Chalmers
Stewart my nephew & son of Leander L
Stewart my eldest brother, my home &
homestead on which I now reside, lying
and being in the County of Buncombe &
State of North Carolina on Grassley Branch
adjoining the Lands of Henry Stroup
Sarah Ray & others & known as the
Stewart Lands containing four hundred
and thirty six acres more or less;
to have and to hold the same to him
& his executor, administrators & assigns for-
ever, I also give and bequeath to him the
said George Chalmers Stewart my home
situated lying & being in the County of
Madell & State of North Carolina on the
waters of Fourth Creek adjoining the lands
of Nicholas Stikelgatter John Corbett
& others containing sixty acres more or less;
to have and to hold the same to him
& his executor administrators & assigns
for ever my will further is that
my personal property shall be first
used in the payment of my debts
and that the remainder of all my per-
sonal & real after my debts are
paid go to George Chalmers Stewart
as herein before expressed
It is my will and I do hereby

nominate & appoint my Brother Leander
L Stewart to be the Executor of this my
last will and Testament, bearing the
manner and form of saying my last
discretionary with him

In witness whereof I have hereunto
my own hand hereunto subscribed
my name & affixed my seal this July
29th 1870

(Signed) J. C. Stewart (Seal)

Signed Sealed & delivered by the
Said John Curtis Stewart
as his last will and Testament
in the presence of us who at
his request & in his presence
& in the presence of each other
have subscribed our names
as witnesses thereto

(Signed) J. F. Trevelman
John Ramsey

Buncombe County, in the Probate Court
in the matter of the Probate
of the will of the Late
J. C. Stewart ~~Provent~~ Application
by Leander L Stewart of Executor for
Probate

on this the 29th day of January 1873, Personley
appears before me J. B. Reed Judge of Probate
and Clerk of the Superior Court of Buncombe
County Leander L Stewart who being by
me duly sworn says
1 That J. C. Stewart a resident of the said
County of Buncombe died therein on the 20th
day of November 1872 leaving a last will
and Testament, now shown to the Court where-
in the affiant is appointed Executor
3 The estate of deceased after the payment of
debts and expenses devised and bequeathed to by
said will to George Chalmers Stewart the

Said devisee is a resident of Buncombe County is a minor now in his thirteenth year. The said Leander L Stewart is the only appointed guardian of the said George Chadwell Stewart

(Signed) L. L. Stewart
Sworn before me this 29th January 1873

(Signed) J. B. Reed Clerk Superior Court & Judge of Probate

State of North Carolina
Buncombe County in the Probate Court,

A Paper purporting to be the Last will and Testament of J. C. Stewart deceased is exhibited before me, the undersigned Judge of Probate for said County, by L. L. Stewart the Executor therein named and the one Execution thereof by the said J. C. Stewart, by the oath and examination of J. L. Crossman and John Ranney, the subscribing witnesses thereto; who being duly sworn depose and sayeth and each for him self depose and sayeth that he is a subscribing witness to the paper writing now shown him purporting to be the last will and Testament of J. C. Stewart. That the said J. C. Stewart, in the presence of this deponent subscribed his name, at the end of said paper writing which is now shown as aforesaid and which bears date on the 29th Day of July 1870; and the deponent further sayeth that the said J. C. Stewart the Testator aforesaid, died at the time of subscribing his name as aforesaid; declare the Paper writing aforesaid so subscribed, by him, and exhibited to be his last will and Testament, and the deponent did then upon subscribe his name at the end of said will as a testimony thereof and at the request and in the presence

of the said Testator and this deponent further sayeth that at the said time when the said Testator subscribed his name to the said Last will as aforesaid, and at the time of the deponent subscribing his name as a testifying witness thereto, as aforesaid the said J. C. Stewart was of sound mind and good memory, of full age to execute a will, and was not under any restraint, to the knowledge information or belief of this deponent, and further this deponent doth not

(Signed) J. L. Crossman
deponent sworn and subscribed before me this 29th Day of January 1873

(Signed) J. B. Reed, Judge of Probate for Buncombe County N.C.

I, John, Souder of the County of Buncombe, and State of North Carolina, being of sound mind and memory, but conceiving the uncertainty of my earthly existence, do make and declare this my last will and Testament, in manner and form following that is to say:
First - my Executor (hereinafter named) shall provide for my body a decent burial suitable to the wishes of my relatives, and pay all my funeral expenses together with my just debts
Second - I give and bequeath to my beloved wife Polly Souder all the tract of land where I now live with the dwelling house and out houses and buildings farming implements and to have and to hold to her the said Polly Souder for and during the term of her natural life & also bequeath to the said Polly Souder all the personal and other property I may leave at my death
Third - after the death of the said Polly Souder the Land is to be equally divided between my two youngest sons Mitchell Souder & Levi of the City that my son Mitchell Souder two hundred dollars each and Levi Souder a few dollars