

Stephen Lee

Will !!

State of North Carolina

In the name of God Amen.

I Stephen Lee of the County of Buncombe North Carolina being in reasonable bodily health and of sound mind, memory & understanding praise be to God for the same, do make this my last will & testament in manner and form following, I give devise & bequeath unto my beloved wife Eliza L. Lee her heirs & assigns forever one third of all the property real & personal of which I may die possessed after my debts are paid in kind or money and the residue to be equally divided between my daughters, Julia E. Lee, Emily K. Lee, Eliza L. Lee Mary E. Lee & Caroline Lee it being understood that my daughter Caroline Lee will not have any part of the household furniture, beds or bedding or books, her own mother having left to her by will all these articles of which she died possessed.

I do nominate constitute & appoint my sons J. M. Miles Lee & W. F. Lee & my stepson Le Roy Lee also my long tried friend A. J. Hummery executors of this my last will & testament hereby revoking & making void any other will heretofore made by me & do declare this to be my last will & testament.

In witness whereof I the said Stephen Lee have hereunto set my hand this 26th of December 1877 Signed in the presence of

E. J. Aston } The words are heard of & read
 } inserted before signing.

Stephen Lee (S)

~~State of North Carolina~~ } In the Probate Court
~~Buncombe County~~ } August 4th

Will of Stephen Lee

Codicil, As my son James Hardy Lee has moved to Asheville & desires that he be allowed to act as my executor. Jan 27th 79

Witness.

W. C. Leabrook

Stephen Lee (S)

State of North Carolina } In the Probate Court
Buncombe County } August 4th 1879

J. Miles Lee, James Hardy Lee & A. J. Hummery named in the will of Stephen Lee as three of the executors thereof apply to the judge of Probate for the County & state aforesaid to have the said will admitted to Probate.

And the said J. Miles Lee, James Hardy Lee and A. J. Hummery being duly sworn say -

I That they are three of the executors named in the will of the said Stephen Lee

II That the property of the testator consisted of real & personal & is estimated to be of the value of about three thousand dollars -

III That the names & residences of the parties entitled to the testator's property are as follows viz.

Eliza L. Lee	Asheville North Carolina
Julia E. Lee	Pensacola Florida
Emily K. Lee	South Carolina
Elizabath L. Lee	Pensacola Florida
Mary E. Lee	" "
Caroline Lee	Asheville North Carolina

J Miles Lee
James Hardy Lee
A. J. Hummery

Subscribed & sworn to before me this 4th day of August A.D. 1879
E. W. Newlon
Judge Probate

State of North Carolina } In the Probate Court
Buncombe County } August 4th 1879

A Paper writing purporting to be the last will & testament of Stephen Lee deceased is exhibited before the undersigned judge of Probate for the County & state aforesaid, by J. Miles Lee, James Hardy Lee & A. J. Hummery three of the executors therein named, and the due execution thereof by the said Stephen Lee is thereupon proved by the oath

who being duly sworn depose & say, and each depose & say that each verily believes such will and every part thereof is in the handwriting of the said Stephen Lee whose name is in his own handwriting is subscribed thereto.

And the said James Hardy Lee further depose & say that the said will above mentioned was deposited in the hands of Eliza L. Lee wife of the said Stephen Lee for safe keeping.

E. J. Aston

W. R. Whitton

James Hardy Lee

Sworn to & subscribed to before me this the 4th day of August A.D. 1879

E. W. Henderson

Notary Judge

State of North Carolina } In the Probate Court
Buncombe County } Aug 4th A.D. 1879

A paper writing purporting to be the last will & testament of Stephen Lee deceased is exhibited for probate by J. Miles Lee, James Hardy Lee & A. T. Cumming three of the executors therein named & the due execution thereof by the said Stephen Lee is proved by the oath and examination of E. J. Aston W. R. Whitton and James Hardy Lee who depose & say that every part of the said will is in the handwriting of the said Stephen Lee as per officious Dicta attached.

It is therefore considered by the court & is duly so certified that the said paper writing & every part thereof is the last will & testament of the said Stephen Lee, and the same is ordered to be recorded & filed together with this certificate.

And thereupon the said J. Miles Lee, James Hardy Lee & A. T. Cumming executors as aforesaid duly qualified as such by taking the oath required by law, and the said J. Miles Lee being a non resident of this state filed his bond as required by law

E. W. Henderson

We J. Miles Lee, James Hardy Lee & A. T. Cumming do each of us solemnly swear upon the Holy Evangelist of Almighty God that we will support the Constitution that we will support the Constitution & laws of the United States & of the State of North Carolina not inconsistent therewith & that we will discharge the duties of Executor of the will of Stephen Lee deceased according to law, to the best of our knowledge & ability

J. Miles Lee

James Hardy Lee

A. T. Cumming

Sworn to & subscribed before me this the 4th day of Aug 1879

E. W. Henderson

Judge of Probate for
the County of Buncombe
North Carolina

State of North Carolina } In the Probate Court
Buncombe County }

In the Matter of the }
Last Will and Testament } Application by
of E. H. Cunningham } Executor to Probate Will.

A. T. Cumming respectfully sheweth to the Court that E. H. Cunningham died in this County on the 1 day of 1879 having first made and duly published a last will and testament, which is now shown to the Court, wherein he the said A. T. Cumming was appointed executor.

That the said E. H. Cunningham was a resident and domiciled in this County & State aforesaid, and the property which is devised and bequeathed in said will is, so far as the applicant is now advised all within said County.

That the personal property of the testator consisted of household and kitchen furniture saddle makes tools & valued at about One