

to be given to Mrs. Elizabeth and the Daughters of the money
to be equally divided amongst the heirs -

3^d I will that all Mrs. real & personal property be sold at Public Sale
and the Money is to be equally divided amongst the
heirs except that above mentioned -

4th I will that all M^osther be divided amongst Mrs. Sons

The witness of John Phillips the Testator have
known his mind and such the day and in presence
written -

Signed, sealed and delivered
in presence of us

John Phillips

John Smith, Minister,
Henry Smith, Clerk,

State of North Carolina

Quincy County 3^d November 1833.

The Execution of the within deed was
duly proved in open Court by the Oath of John Smith
and Henry Smith, Subscribing witnesses thereto -
Ordered & Recorded

Whereas Administration on the Estate of
said John Phillips with the will annexed was
granted unto John Smith who entered into bond with
law of fellow and surety Dollars with William Noble
and John Noble Securites -

Esq.

W. W. Woodson Clerk

File # 0690

In the name of God Amen I Samuel Stewart of
the County of Guilford and State of North Carolina being
infirm and in a low state of health but of sound mind and
disposing memory (Thanks be to God) do this ninth day of
April in the year of our Lord One thousand Eight hundred
& thirty three make and ordain this my last will & testament

In manner and form following Viz.
1st I do give and bequeath to my Eldest daughter Fanny Minnion
that portion of my tract of land on which my dwelling House
is situated to be bounded as follows Beginning at Elyah Chitents
line near the road leading from his dwelling House to mine running
thence a western direction to a Chestnut Stump and large Spruce
on the declivity of a South west of my Still House thence in
a South Western direction to the junction of Sacks Branch with
Benagay thence up Sacks Branch with the meanders to a marked
Black Oak on the East Side thereof thence in a western direction
twenty seven Poles to a Marked Spanish Oak thence a Southern
direction to Nathaniel Simonsons line thence East with said
Simonsons line to William Schofield line then with said Schofield
& Field line to the first Station in the foregoing described lot
of land however given & bequeathed to my said daughter Fanny
Minnion on this Special Condition that she unconditionally comply
with such resolution as State and may be imposed on or
resolved of her in an after to land or Clause in this my last
Will and Testament and should she fail or refuse to comply
with such resolution I will and ordain that said lot of land
be subject to the Personal Management of my Executors either
in lease or Sale to meet the resolutions imposed on my
said daughter Fanny Minnion

2nd I do give and bequeath to my daughter Sam. Grant a lot of Land or
which she now lives on the North Side of the lot aforesaid bounded as
follows Beginning at same Place and running the same line to the point
thence South & South West thence a Northern direction to same Marked
White Oak at the west end of my Still House thence up the various corners
of the west fork of my Still Branch till it reaches the line of the land
of Thomas Pitts then a Westward & Southward is agreeable to
the course set forth in the Deed to the first Station provided however
that she comply or cause the conditions imposed on her herein
after recited to be complied with but should she fail or refuse
to comply this bequest to be subject to the same Management as that
given to my daughter Fanny Minnion

3rd I do give and bequeath to my third daughter Mary Stewart the
residue of my land situated on the west end thereof and bounded
on the East by the aforesaid lot of land

line near the road leading from his dwelling House to mine running
thence a western direction to a Chestnut Swamp and large Swamp
on the north side of a South west of my Still House thence in
a South Western direction to the Junction of Sacks Branch with
Demagys thence up Sacks branch with the meanders to a marked
Black Oak on the East Side thereof thence in a western direction
twenty Seven Poles to a marked Spanish Oak thence a Southern
direction to Nathaniel Simons line thence East with said
Simons line to William Schofield line then with said Schofield
& Field line to the first Station the foregoing described lot
of land however given & conveyed to my said daughter Fanny
Arnold on this Special Condition that She unconditionally comply
with such reasonable one as State and may be imposed on or
required of her in an after clause or clauses in this my last
Will and Testament and should She fail or refuse to comply
with such requisition I will and ordain that said lot of land
be Subject to the Personal Management of my Executor either
in lease or Sale to meet the requisitions imposed on my
said daughter Fanny—

2nd I do give and bequeath to my daughter Sam. Land a lot of Land on
which she now lives on the North Side of the lot aforesaid bounded as
follows Beginning at same Place and running the same line to the open
Common Road & thence a Northern direction to same marked
white Oak at the west end of my Still dam thence up the various corners
of the west fork of my Still Branch all it reaches the line of the land
of Thomas Pile with said Pile line Westward & Southward is agreeable to
the course set forth in my Deed to the first Station provided however
that said Pile line or course be conditions imposed on her as herein
after expressed to be complied with but should She fail or refuse
to comply this bequest to be Subject to the same Management as that
given to my daughter Fanny Arnold—

3rd I do give and bequeath to my third Daughter Mary Stewart the
residue of my land situated on the west end thereof and bounded
on the East by the aforesaid lot of land and thence with the course
set forth in my Deed provided She comply with certain requisitions
herein after expressed which I shall impose upon her—

And should she feel obliged to comply to be subject to
perfection as my son last mentioned daughter. I do also give and
bequeath to my said daughter Mrs. Halsey the whole of the
and furniture of the house which beds and furniture are now in
use one table and one chair
I do give and bequeath to my fourth daughter Mary Stewart my
Mugie Man Henry and Miss Mugie long Butcher provided she comply
with certain requirements in her will made as in and to the
of record of fact to comply the President given her to be subject to
a Commission I do also bequeath to my said daughter Susan
Young Brown Mary and my son Charles and Cora and Cath
the furniture contained in my Captain's chest that part which
my daughter Mary legally owns and claims the chairs and bed
furniture Mrs. Hamilton Bible also the six boxes of furniture (Bureau
that she has claims and a set of silver tea & coffee of which I am
now deprived.

3rd I do give to my Grand Son Samuel I Grant my son Saml Scott
Horn & Son David -
4th I do give to my Grand Son Samuel I Grant my son Saml Scott
and to his heirs or assigns the whole of the estate of which I am now seized
the amount for which Mrs. Halsey and her heirs are liable and
Mrs. Halsey & her heirs shall have the same as if they were
Deputy & their heirs shall be returned in the hands of the President
and the amount with the interest thereon arising from the President's
Management in which he is said over to Mrs. Halsey, Mourning
Stephen's estate shall be directed - that is that he have
over to him the sum of twenty dollars annually until the whole
sum vested in hands for him be exhausted and that he
own individual rights for the same may be exhausted and that he
sufficient to make for him and I do empower my daughter
Faithful Reynolds that she have over to the President for the
use of my daughter Mourning as aforesaid the sum of the
dollars my daughter Susan Grant the sum of ten dollars and my
daughter Mary Stewart the sum of ten dollars and my
daughter Susan Stewart the sum of ten dollars and my
for as above directed to my daughter Mourning Stephen
the President or his legal representatives I should she
the full amount vested in my son

and One Cow & Calf and one Chair—
I do give and bequeath to my fourth daughter Dora Stewart my
Myr Man Henry and my Negro boy Bufford provided she comply
with certain requirements since also made or imposed on in and in case
of refusal or failure to comply the Executor gives him to be subject to
a Commission I do also further give to my said daughter Dora my
Young Brown Mare and my Green Cart and one Cow and Calf
The furniture contained in my Chestboard except that part which
my daughter Mary legally owns and claims one Chair one ingrow
rings, Mrs. Hamilton Bible also the six Bibles, trunks and Bureaus
that she has Claims and a Set of Silver Tea & Spoon of which I am
now deprived.

I do give to my Grand Son Simon & Grant my said Gun
Horn & Shot Bag—

I do also all the residue of my Estate at Law & Mercantile signed
and approved it is my will that it be sold at Public Sale and
the Amount be paid to my daughter Dora Stewart and
my Clerk & Cass my said son to own Cattle and her household
Furniture & Deer & Cattle to be retained in the hands of my Executor
and the amount with the interest thereof accruing to my Executor
Management to him to be paid over to my daughter Mourning
Stephens a sum of money directed — that is that he pay
over to her the sum of thirty dollars annually until the whole
sum vested in hands be so be exhausted and that her
own individual receipt be the same as be considered as
sufficient vouchers for him and I do enjoin it on my daughter
Fanny Reynolds that she have over to the Executor for the
use of my daughter Mourning as aforesaid the sum of thirty
dollars my daughter Jane Grant the sum of ten Dollars my
daughter Mary Stewart the sum of ten Dollars and my
daughter Dora Stewart the sum of ten Dollars to be accounted
for as above directed to my daughter Mourning Stephens
by my Executor or to his legal representatives & should she re-
ceive that she receives the full amount vested in my Executor
hands for her use the money is to put to interest for the
equitable benefit of the issue of her body (if any) but should

210.
The aid without Spue the amount remaining) in My Executor
Hand for his use to be equally divided and paid over to my
two Daughters Mary & Daisy Stewart and as to the interest of the
Balanced of my effects Shown auncle to be sold after deducting
therefrom a Sum Sufficient for the discharge of my last debts
and funeral expenses to be equally divided also between my
two Daughters Mary & Daisy Stewart -

And I do hereby nominate and appoint my friend
Elijah Chilcutt Sole Executor of this my last will and
Testament And I do by these presents utterly revoke and
disallow all former wills by me in any wise made
Testimony and Confirming this and no other to be my Last
will & Testament.

In Testimony whereof I have hereunto set my
Hand and Seal the day and year first above written
Signed, Sealed & pronounced
by the aforesaid Samuel Stewart
to be his last will and Testament
in the presence of us who in his
presence and with the assistance of
each other have hereunto set our
names as witnesses -

Samuel Stewart

Branch Gardner, Junr
J. Browder
Ralph Varrell
John Davis, Junr

Witnesses

State of North Carolina
Gillford County

Nov. Term 1833.

The Execution of the foregoing will
was duly proven in Open Court by the oaths of Branch
Gardner & John Davis two of the Subscribing witnesses
thereto Ordered to be Recorded -
Then Came into Open Court Elijah Chilcutt the Executor
appointed in said will and qualified as such

Test