

Hugh Stewart last will & testament

State of North Carolina

Union County

I Hugh Stewart of the County and State aforesaid being of Sound Mind and Memory but considering 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 That My executor, hereafter named, shall provide for My body a decent burial suitable to the wishes of My Relations and friends and pay all funeral expenses together with My just debts howsoever and to whomsoever owing out of the Money that may first come into his hands as a Part or parcel of My Estate

Item I will and direct that all of My Property both real and personal be sold at the discretion of My Executor either publicly or privately, or he may hire out My Negroes from time to time provided he may consider that it is advantageous to My Estate

Item I will and devise unto My daughter Nancy Cowser the Bed and furniture bequeathed to her by her Grand Mother

Item I will and devise unto My daughter Sarah Ann one Bed and furniture

Item I will and devise that after taking out the Above

debts now due and to whomsoever owing out of the Money that
May first come into his hands as a Part or parcel of my Estate
Item I will and direct that all of my Property both Real and
Personal be sold at the discretion of my Executor, either publicly
or privately, or he may hire out my Negros from time to time
provided he may consider that it is advantageous to my Estate

Item I will and devise unto my daughter Nancy Bowser the
Bed and furniture bequeathed to her by her Grand Mother

~~Item~~ I will and devise unto my daughter Sarah Ann one
Bed and furniture

Item I will and devise that after taking out the Above
debts and paying my funeral expenses and just debts that
Remainder of my Estate be equally divided among my children
James Brothford, John Robert Dummer, William
Puckney, Nancy Bowser, Sarah Ann, David Moore, Hugh
& Leonidas and Mary Jane Stewarts to them or their
legal representatives then and then also forever

Item will nominate constitute and appoint Elias Stewart
Guardian of all my children as a above named and
that he be authorised to apply any part of their Estate to
their education if they desire it—

Hugh Stewart last will & testament continued
Item I will that if my Executor does not sell any or all of my
Negroes that when my eldest Son arrives at twenty one years of
age that they be valued and that he receive his part of the
same and so on with the Rest of my children down to the
youngest

Item I Request that Mrs Mary Kelly raise my youngest-daughter
Mary Jane

And Lastly I do hereby constitute and appoint my Brother Eli
Stewart my lawful executor to all intents and purposes
to execute this my last will and testament according to the
true intent and meaning of the same and every part
and clause thereof

In witness whereof I the said Hugh Stewart do hereunto
set my hand and seal this the 27th day of November 1841

Signed Sealed Published and declared by
the said Hugh Stewart to be his last
will and testament in the presence of us
who at his request and in his presence
do subscribe our names as witnesses
Hunt J. L. Goffice
J. H. Smith

Hugh Stewart, Junr

Set my hand and seal this the 27th day of November 1847
Signed Sealed Published and declared by
the said Hugh Stewart to be his last
will and testament in the presence of us
who at his request and in his presence
do subscribe our names as witnesses
H. Stewart
J. D. H. H. H. H.
J. D. H. H. H. H.

State of North Carolina, County of Pleas & quarter
Union County, Superior, July Term 1848
This Instrument of Writing the last will and testament
of Hugh Stewart decd was brought into Court and was
admitted to probate in due form of Law ordered by
the Court that the same be recorded Eli Stewart the
Executor therein named appeared in open Court and
was duly qualified to execute the same according
to Law ordered by the Court that letters Testamentary
Issue to said Executor

John M. Collins Clerk