

Silas P. Stewart last will & testament

I Silas P. Stewart of Marion County State of Florida being in a delicate state of health, and knowing the uncertainty of my earthly existence do make and declare this to be my last will and testament as follows viz

First I will that my executor hereinafter mentioned to provide for my mortal remains a decent burial to be paid out of the monies of my estate that will come into his hands

Second I will and bequeath that every thing that I own of a personal nature be left by my executor to the use of my family, as long as my wife Martha C. Stewart shall remain my widow, and if my executor should have occasion to sell the above mentioned personal property, in consequence of my wife changing her name, I allow my executor to sell all the above mentioned except a negro girl Mary, property of every kind and species at public sale, and equally distributed the amount of monies between all of my children and my widow sharing with them in the division equally alike

Third I will and bequeath that the aforesaid Negro girl Mary remain with my family unsold for the purpose of helping to rear my children as long as my widow shall remain my widow, or if she should leave the state in her widowhood I allow my executor in either case to sell our said negro girl Mary and hire her out

Third I will and bequeath that the aforesaid Negro girl Mary remain with my family unsold for the purpose of helping to rear my Children as long as my widow shall remain my widow, or if she should leave the state in her widowhood I allow my executor in either case to sell or said negro girl Mary and hire her out till my youngest Child shall come of age, and then and in that case I allow my executor to have said negro girl and offspring if she should have any valued if can be done conveniently and if not sold and an equal division of the net proceeds after executor's being paid for the above mentioned valuation or sale made between all of my Children each one sharing equally alike and my widow if should be living to share equally with my Children

Fourth I will and bequeath that after my executor shall have paid all my just debts together with funeral expenses paying himself a reasonable compensation for his services divide the amount of money equally between all my Children when of full age, my wife Martha C Stewart sharing a Child's part with them of monies that will come into his hands and that my wife's part be paid over to her by my executor as soon as he can conveniently do it or at least within two years

Fifth I hereby appoint my trustworthy friend Stephen T Bryan my Executor to execute this my last will and testament also I appoint him the guardian of all my Children

Silas P. Stewart: Last &

namely, Robert L. Stewart, Augustus E. Stewart, Helen W. Stewart
John W. Stewart Mary L. and Martha C. Stewart and that he make
his return to the recording Court of the aforementioned county, of each
one of his words share of money that may come into his hands from
time to time the same as if he had been appointed by the Court and
lend out each one of the shares of his words money for the purpose
of enabling him to give each one of my children a Moderate english
Education

Settle

I hereby appoint my trustworthy relations E. L. Stewart & Cyrus L. Lemmon
my executors in the State of North Carolina, Union County, or either of
them to wind up and settle all my business there and to sell all my
land, of which I am interested in and make titles in the transfers the
same as though it was myself which title shall be good against my heirs
though I allow them to use their good judgment respecting the time when
and how to sell though not exceeding five years for the purpose of
obtaining all they can for said land and the amount of the net
proceeds together with all the other monies that may be found to be due me
there after paying expenses and receiving a reasonable commission for
their trouble to be transferred as collected to Stephen Bryan my
Executor in Florida or whoever may be acting for the purpose of an
equal division between all my children and my wife Martha C.
Stewart receiving an equal share with each one of my children
and her part to be paid over to her as soon as it shall come into my

there after paying expences and receiving a reasonable compensation for
their trouble to be transferred as collected to Stephen Bryan my
Executor in Florida or whoever may be acting for the purpose of an
equal division between all my Children and my wife Martha C
Stewart receiving an equal share with each one of my Children
and her part to be paid over to her as soon as it shall come into my
Executors hands

Verith I will that all the moneys that I have on hand at my death
remain with my family to be used by them for the purpose of
purchasing necessary (for them) except the gold and silver coins I
intend to be reserved or kept by eldest son Robert L Stewart for the
purpose of purchasing lands to be held in common to the use of
the family to live on until my youngest Child shall come of
age then to be equally divided between all my Children and
if necessary for distribution when the above mentioned Child
shall become of age sold and if my wife should be alive
sharing equally with them

lastly My will and desire is and I do hereby set my eldest son
Robert L Stewart fifteen years old so far from as to do all manner
of trading for himself upon his own responsibility 16 April
1852, signed sealed in the presence of
of Jas H. Gordon

John P. Stewart

M. B. Hagg

even over

Silas P Stewart will cont?

A further addition to my will

8th I will when my eldest son Robert L Stewart shall come of age that he shall act as Executor of my will if he shall see proper to do so and take the whole of my business into his hands

9th I will that if Stephen Bryan shall refuse to act as my executor until my eldest son shall come of age or if he should not be alive the second and if Stephen Bryan will act until the of age of the first mentioned child or son will but if there is a delinquency in any way I hereby appoint Daniel Goin Sen my worthy friend to act as my executor till my eldest son comes of age May the 9th 1852

signed sealed in
presence of

Silas P Stewart (Seal)

H Y Goin

Stephen Pail

State of Florida & County of Seminole at Chambers July
County of Marion & the first AD 1852

The above and foregoing last will and testament of Silas P Stewart of said County (deceased) having been duly proven before me at Chambers between terms of the Court of Law H Gordon and H Y Goin two of the subscribing witnesses to the said last will and testament, It is ordered by the Court

State of Florida & Court of Probate at Chambers July
County of Marion & the first AD 1852

The above and foregoing last will and testament of Silas
P Stewart of said County (deceased) having been duly proven
before me at Chambers between terms upon the Oath of Sw
H Storden and H V. Givins two of the subscribing witnesses to
the said last will and testament, It is ordered by this Court
that the said will be admitted to probate and that it
be recorded and David Givins one of the Executors
named in said will appeared in Court and was duly sworn
as Executor of the said Silas P Stewart decd.

John M McIntosh
Jug. Probate. M. C.

State of North Carolina & Court of Pleas & quarter sessions
Union County & October Term 1852

A certified copy of the last will and testament of
Silas P Stewart was exhibited in Open Court & ordered
to be recorded

Ordered by the Court that letters of
& C. I. Linnmond the Exr. above named & they duly
sworn, letters issued

M Stewart 116

M Stewart 110

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Stam 116