

and all real estate or interest in real estate of which I may die seized and possessed, and the net proceeds from such sale my Executor shall disburse and distribute as follows:

- (a) To reimburse any child of mine for any and all amounts evidenced by cancelled check or duly executed receipt which shall be presented to my Executor within ninety- (90) days after my death if my husband shall not survive me, or within ninety (90) days after the death of my husband in the event he does survive me, when such cancelled checks or receipts indicate payment of any premiums for medical or hospital insurance, or hospital bills, or doctors bills, or funeral expenses, or any expenditure for the payment of taxes or any cost of administration, paid either on my behalf or on behalf of my Husband or on behalf of the estate of either of us, at any time after January 1, 1962;
- (b) In the event the net proceeds from the sale of my real estate are not sufficient to fully reimburse any child or children of mine for amounts expended as provided in sub-paragraph (a) above, then payment shall be made to such persons on a pro rata basis to the extent of the funds available;
- (c) The balance of the net proceeds from the sale of such real estate, if any remains after reimbursing any child or children for expenses paid as provided in sub-paragraph (a) above, shall be distributed equally among such of my children as shall be living upon the date of distribution.

ARTICLE FOUR

I constitute and appoint my son, Grady E. Stewart, the Executor of this my last Will and Testament, but if for any reason he should not qualify as such Executor within Sixty (60) days after the date of my death, or should he die, become incapacitated or for any reason not continue as Executor until my estate has been fully administered in accordance with the terms of this Will, then and in that event I constitute my son, Walter L. Stewart, the Executor of this my Last Will and Testament.

IN WITNESS WHEREOF, I, BERTIE MAE STEWART, Have signed the one (1) preceding typewritten page, which together with this page constitute my Last Will and Testament, and I do hereby set my hand and seal this the 2 day of December, 1963.

Bertie Mae Stewart (SEAL)

Signed, sealed, published and declared by the said BERTIE MAE STEWART to be her Last Will and Testament in the presence of us who at her request and in her presence and in the presence of each other do hereunto set our names as witnesses.

| NAME | ADDRESS |
|-------------------------|--|
| Marilyn S. Foust, R. N. | 235-B Jackson Circle, Chapel Hill, N. C. |
| Sue W. Ruffin | 310 Ransom Street, Chapel Hill, N. C. |
| Karl L. Barkly, M. D. | 423 Hickory Dr., Chapel Hill, N. C. |

NORTH CAROLINA
IREDELL COUNTY
TO: Honorable E. M. Lynch
Clerk of Superior Court
Hillsboro, North Carolina

IN THE SUPERIOR COURT
BEFORE THE CLERK

The undersigned Clerk reposing special trust and confidence in your integrity hereby authorizes and empowers you to cause Marilyn S. Foust; Sue W. Ruffin; Karl L. Barkly; to appear before you at such time and place as you may appoint and on oath to examine touching such matters and things as they shall know of and concerning the

execution of a paper writing purporting to be the Last Will and Testament of Bertie Mae Stewart (Mrs. David Little Stewart), deceased, which has been filed in this office for probate. And the deposition in writing by you so taken, the same you are to transmit, sealed with your seal, to the undersigned Clerk of the Superior Court.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 6th day of January, 1964.

C. G. Smith
Clerk Superior Court.

Marilyn S. Foust; Sue W. Ruffin; Karl L. Barkly, whose names are subscribed to a paper writing dated the 2nd day of December, 1963, and purporting to be the Last Will and Testament of Bertie Mae Stewart (Mrs. David Little Stewart), deceased, being duly sworn, deposes and says: That they are subscribing witnesses to the said paper writing aforesaid; that the said deceased, in the presence of deponent, subscribed her name at the end thereof, and at said time did declare the same to be her Last Will and Testament; and that thereupon, at the request and in the presence of said testatrix deponent subscribed their name thereto as an attesting witness. Deponent further says that at the time aforesaid the said deceased was of sound mind and disposing memory, or full age to execute a will, and was not under any restraint, to the knowledge, information, or belief of deponent.

And further deponent saith not.

Sue W. Ruffin
Deponent

Subscribed and sworn to before me,
this the 10 day of February, 1964.

E. M. Lynch
Commissioner

Karl L. Barkly, M. D.
Deponent

Subscribed and sworn to before me,
this the 9 day of March, 1964.

Marilyn S. Foust, R. N.

E. M. Lynch
Commissioner

RETURN OF COMMISSIONER

Having executed the commission of the Clerk of the Superior Court of Iredell County, North Carolina, I hereby make this as a true and complete return of the proceedings had before me under the commission to me directed.

IN WITNESS WHEREOF, I hereunto set my hand and seal, this the 9th day of March 1964.

E. M. Lynch
Commissioner

NORTH CAROLINA
IREDELL COUNTY
IN THE MATTER OF PROBATE OF
THE WILL OF BERTIE MAE STEWART

IN THE SUPERIOR COURT
BEFORE THE CLERK

North Carolina, Wills and Probate Records, 1665-1998

Source Information

Record Url: http://interactive.ancestry.com/9061/004779624_00033

Source Information: Ancestry.com. *North Carolina, Wills and Probate Records, 1665-1998* [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2015.
Original data: North Carolina County, District and Probate Courts.