

State of North Carolina

I Gilbert Potter of the town of Wilmington State aforesaid being of sound mind and memory but considering the uncertainty of life do make and publish this my last Will and Testament in manner and form following;

I direct that my executive and executor hereinafter named shall pay all my just debts out of the moneys that may first come into their hands as part and parcel of my estate.

I give devise and bequeath to my wife Susan S. Potter her heirs, executors and administrators, one half of all my real and personal estate and property in the State of North Carolina whether consisting of bonds, securities, stocks, choses in action or any other kind of property whatsoever, and it is my wish and I so direct that the house now occupied by me together with all the furniture, plate and every thing contained therein at the period of my death as well as my two slaves John and Charlotte shall be included in the said half of my property given as aforesaid to my said wife. I also give to my said wife one half of all my interest in the property of the New York and Virginia Steam Packet Company (such being its corporate name as well as is now remembered) now owned by me in the State of Virginia.

I give devise and bequeath to Edward Kidder the remaining half of all my property real and personal in the State of North Carolina whether consisting of bonds, stocks, choses in action or any other species of property whatsoever, and also one half of all my interest in the property of the New York and Virginia Steam Packet Company (such being its corporate name as well as is now remembered) now owned by me in the State of Virginia, to have and to hold the same in Trust nevertheless, for the sole and separate use and benefit of my daughter Ann, wife of the said Edward. And I do hereby authorize and empower the said Edward Kidder trustee as aforesaid at any time during the life of my said daughter with her consent and approbation testified in writing for that purpose, to sell and dispose of any portion or all of the property whether real or personal hereby held in trust for her, and to lay out and invest the proceeds of such sale in the purchase of any other stocks or property of any kind whatsoever, the interest, dividends and annual produce of which, shall be held and remain for the same uses and upon the same trusts as the stocks or property which shall have been so sold and transferred. And it is further my will and desire that my said daughter Ann for whose sole benefit I design the property hereby given as aforesaid in trust for her may have the full and absolute power to convey and dispose of all or any portion of the property so given

to her, or any other property that may be purchased and substituted therefor, by any writing purporting to be her last will and testament, in such way and to such person or persons as she may think proper.

I give devise and bequeath to my son Gilbert Potter Jr. one half of all my real and personal property of every kind and character whatsoever, in the State of New York; including one half of my interest in the property of the New York and Virginia Steam Packet Company (such being its corporate name as well as is now remembered) now owned by me in the State of New York, to have and to hold the same to him and his heirs forever.

I give devise and bequeath to to my said son Gilbert Potter Jr. the remaining half of all my property real and personal of every kind whatsoever in the State of New York, including one half of my interest in the New York and Virginia Steam Packet Company (such being its corporate name as well as is now remembered) now owned by me in the State of New York, to have and to hold the same in In Trust nevertheless, for the sole and separate use, benefit and behoof of my daughter Susan C. wife of Salis Smith during her life and after her death for the use and benefit of such child or children as she may leave surviving her. It being understood and I hereby so direct, that the said Gilbert Potter Jr. shall pay to the said Susan C. during her life and after her death to such child or children as she may leave surviving her, either the whole or only a portion of the annual profits or produce of the property so given to him in trust for her or them, as he in his discretion may deem right and proper. And I hereby authorize and empower the said Gilbert Potter Jr. trustees as aforesaid, if he shall deem expedient during the life of my said daughter and conducive to her benefit, or after her death for the benefit of her children to sell and convey any portion or all of the property held by him in trust for her or them, and the proceeds of such sale or sales as he may make, to invest in such way as he may deem most judicious and promotive of the interest of my said daughter Susan C. and her children for whom the property so purchased and substituted for that sold by him, shall be held in trust as aforesaid. And it is furthermore my will and I so direct that after the death of my said daughter, the property alike real and personal hereby given to the said Gilbert Potter Jr. and Susan C. shall for such children as she may leave surviving her, shall be held by him upon the trusts and with the powers hereinbefore designated, until the said children shall

respectively marry or attain the age of twenty one, when the said Gilbert shall transfer and convey by absolute conveyance to any such child as may marry or attain the said age his or her equal share according to the number of children then living, of the property held by him in trust as aforesaid.

And lastly, - I do hereby constitute and appoint my wife Susan S. Potter and Edward Kidder my executor and executor of this my last will and testament hereby revoking and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof I have herewith set my hand and seal this the 30th day of January, A.D. 1862.
Signed, sealed published
and declared by the said
Gilbert Potter as and for his
last will & testament in the presence
of us, who at his request & in his
presence do subscribe our names
as witnesses thereto.

J. Shackelford
William Hyde.

State of North Carolina
New Hanover County Court, June Term 1862.
This paper writing purporting to be and contain the last
will and testament of Gilbert Potter decd. is exhibited in
open Court, and propounded for probate; and the due execution of the same was proved by the oath of Jas. Shackelford and William Hyde, both the subscribing witnesses thereto; and it is considered by the Court that the said paper writing is the last will and testament of Gilbert Potter decd. in every respect, and sufficient to convey the bequests therein made; at the same time Edward Kidder, one of the Executors therein named, appeared in Court, and was duly qualified as such.

Teste Samuel R. Sponting Clerk
Jm. Wood Dep. Clk.