

In the name of God, Amen.

I James Casseday, of the City of Wilmington, in the State of North Carolina, being feeble in bodily health, but of sound and disposing mind and memory, blessed be God! do make, ordain and publish this to be my last Will and Testament.

First. I humbly commit my soul to God, in an earnest faith and hope of a better life hereafter; and I desire that my body shall have Christian burial in a decent and becoming manner.

Second. I direct that all my just debts be paid as soon after my death as it can conveniently be done by my executor.

Third. I give and bequeath to my beloved wife, Sophia W. Casseday, all my silver ware, and silver plate, all my household and kitchen furniture, of every kind and description, my gold watch and every thing belonging to it, my two Carriages or rockaways, and One Hundred Dollars in money, to be hers absolutely.

Fourth. My dwelling house and lot, or homestead, which shall include all of lots, numbers 5 and 6, of Square 99, according to Turner's plan of Wilmington, which lies West of the lots given by me to my daughter Sophia and my Son-in-law Robert Henning, and East of the Western line of Surry Street continued, as the continuation of said Street is laid down on Turner's said plan, and also including all that portion of lots, numbers 3 and 4, of Square 99, belonging to me, and which lies East of the Western line of Surry Street as the same is continued on said plan, I give to my beloved wife, Sophia W. Casseday, during her natural life.

Fifth. I desire and direct that my executor shall do and complete the repairs or alterations contemplated by me in my brick house on Market Street; that is to say, putting in the iron front, purchased by me, into the store, and making door passage and stairway, from the Street to the upper stories, and the expenses of doing the said work shall be paid out of my estate. And I direct that the said brick house and lot shall annually be rented out by my executor, during the life of my wife; he shall keep the building insured, and shall pay the premiums of insurance, and also the taxes, and necessary repairs, out of the rents; and the residue of the said rents he shall annually pay over, during the life of my wife, as follows, that is to say, one half thereof to my wife, three fifths of the other half to my daughter Ann Elizabeth Munds, and the remaining two fifths of said half to my daughter Sophia.

- Twelfth. My lots, numbers 1. and 2. of Square 74 according to Turner's plan, shall be divided in the same way that is to say, into three equal parts by lines running across them from North to South, parallel with Second and Third Streets. And I give and devise the Eastern third of said lots, so divided, to my daughter, Ann Elizabeth Munds, the middle third to my daughter Virginia A. Henning and the Western third to my daughter Sophia. And as before, I direct that an alley nine feet wide be laid off and kept open, across the rear of the said three lots, from Second Street to Third Street, along the line of lot No. 3 of said square 74.
- Thirteenth. My lot, number 6. of square 88, according to Turner's plan, adjoining Castle Street on the South, Third Street on the East, and Second Street on the West; and also my lot on Square 78 of said plan, running along Seventh Street from Castle to Queen Street, being the Eastern ends of lots Nos. 1. 2. 3. 4. 5 and six of said Square 78. I give and devise to my beloved son James S. Cassidy.
- Fourteenth. My lot on Square 92, according to said plan running across from Castle Street to Church Street, being parts of lots numbers 1. 2. 3. 4. 5. and 6 of said Square 92. I give and devise to my beloved son Francis for the maintenance and education of his children.
- Fifteenth. My tract of land on Long Creek, in New Hanover County, which I bought from Chatham Sikes and containing by estimation twelve hundred and thirty five acres. I give and devise to my beloved sons Francis and Henry, equally.
- Sixteenth. I give and bequeath my two miles to my son-in-law Robert Henning.
- Seventeenth. Of my shares of stock in the North Carolina Rail Road Company I give one fifth part to my son James for the maintenance and education of his son James, one fifth part to my son-in-law Robert Henning for the maintenance and education of his son Robert, and the remaining three fifths to my son Francis for the maintenance and education of his three children.
- Eighteenth. My place on Masonboro' Sound known as the Kent or Siny place, I give and devise to my son Jesse.
- Nineteenth. Of the annual rents accruing and to accrue under the leases made by me of my ship yard and Marine Railway to S. M. Deery and Robert Henning, and of my Foundry lots to Schenck and Serrop, I give one half of the said annual rents, during the terms of the said leases, to my wife, one fourth thereof to my daughter Ann Elizabeth Munds, and the remaining fourth to my

son James, in trust for the benefit maintenance and education of his son James.

Twentieth. I give and bequeath all my stock in the Hillsboro Coal Mining and Transportation Company, all my stock in the Wilmington Steam Tug Company, all my stock in the Wilmington Gas Light Company, all my stock in the Wilmington, Charlotte and Rutherford Rail Road Company, in the Wilmington and Weldon Rail Road Company, and in the Wilmington and Manchester Rail Road Company, to be equally divided between all of my children.

Twenty First. In case of my death before the first day of January next, I direct that the partnership agreement between S. W. Perry and myself be continued by my executor for the benefit of my estate until said first day of January A.D. 1867.

Twenty Second. Whereas my son Jesse, while doing business in my name but for his own benefit, contracted some debts on my credit and in my name, and whereas I also gave my own notes in certain cases for his benefit, of which I particularly remember a note to John D. Lyfitt, for \$500. originally, and one to A. H. Grant for \$200. originally; and it is my intention that all of such debts and the notes aforesaid shall be paid by my son Jesse, and I charge the payment thereof upon the real and personal estate herein devised and bequeathed to him. And in case the said debts or any of them shall be collected out of my estate, then the amount thereof is to be deducted from the devised and bequeathed herein given to my said son.

Lastly I nominate and appoint my son in law Robert Henry to be sole Executor of this my will; and in all matters pertaining to the business of my estate it is my wish that he consult, and confide in the advice of my friend George Davis.

In witness whereof I have hereunto set my hand this eleventh day of November A.D. 1866.

Signed published and declared by the testator to be his last will in the presence of us, who in his presence, and at his request, have subscribed the same as witnesses.

Geo. Davis
J. Francis King
Wm. M. Morris

James Cassidy

Seal

X

State of North Carolina

New Hanover County

Court of Pleas and Quarter Sessions, March Term, 1867.

This paper writing, purporting to be the last will and testament of James Cassiday, deceased, is exhibited for probate in open Court by Robert Henning, the executor therein named, and the due execution thereof by the said James Cassiday, is proved by the oath and examination of Wilkes Morris, one of the subscribing witnesses thereto. It is therefore considered by the Court, that the said paper writing, and every part thereof, is the last will and testament of the said James Cassiday, and the same is ordered to be recorded and filed.

And thereupon the said Robert Henning, executor as aforesaid, duly qualifies as such, by taking the oath required by law.

Teste Wood Clerk.

U.S. Int. Rev. Stamp
amounting to \$25.

Registered April 29th 1867.

Wood Clerk Sec. Cl.