

State of North Carolina
New Hanover County

In the name of God Amen, or be it remembered that I, Orren S. Fillyaw of the County and State above mentioned being weak in body but of sound and perfect mind, and viewing the uncertainty of human life do declare this to be my last will and testament. First I give and bequeath to my dearly beloved wife Julia G. Fillyaw the entire control and management of my entire estate both real and personal with the advice and assistance of George Davis Attorney at Law my real estate in the Town of Wilmington consists of the following Lots & parts of Lots, North of the Rail Road, Lots No. 2 & 3 Block 293. Nos. 2, 3 & 6 Block 292. parts of Nos. 12, 3 & 4 Block 283. Lots Nos. 11 & 12 Block 302 & 12 & 13 Block 315 on which my Turpentine Distillery is situated, also one full Lot in the So. Eastern part of the Town Lot No. 3 Block 62 Two tracts of Sand laying on both sides of Acorn Branch adjoining and about four miles from Town containing in all about 1250 Acres. of the above tract I sold to Robert Maxwell 482 Acres for \$1150 thirteen hundred and fifty dollars with interest from date payable in three equal yearly instalments the last of which is due on the first day of January 1862 at which time I was to execute a title if all the money was paid & up to this time he has not paid one cent. If Mr. Maxwell pay for the land in the prescribed time, he must have a title for it. Also the following negroes, Harry, Jupiter, Chance Chelsea, Micy & Tom - Twenty nine shares of the capital stock of the Bank of Wilmington - Twelve shares of the Wilmington and Weldon Rail Road Stock - Fifteen and a half shares of the Wilmington and Manchester Rail Road Stock - Two shares of Telegraph Stock & one share of Deep River Stock. All the above mentioned property I give and bequeath to my beloved wife Julia G. Fillyaw to be controlled and managed by her, with the advice and assistance of George Davis Attorney at Law. I also give an bequeath to my beloved wife Julia G. Fillyaw all & singular my horses, mules, cattle of all kinds, hogs, goats, Household & Kitchen furniture & all other belonging to me of whatever nature, she paying all of my lawful debts, a list of which shall accompany this document. It is not my wish or desire that there should be any division of my estate among my heirs until the youngest that may be alive at that time should become of age or marries then an equal division may take place, unless my beloved wife Julia G. Fillyaw should ^{herself} conclude to marry again, in that case George Davis ^{himself} is requested to take charge of the estate

make such a division as will give my widow her proportion of the estate and to hold the remainder in common stock for my children until the time above stipulated. All the balance of my Estate, real and personal I gave in a deed of trust to William J. Love Jr. for the benefit of my wife and children to which after I am gone I hope he will give his especial attention.

Given under my hand and seal in the Town of Wilmington, State of North Carolina New Hanover County this 2nd. day of September 1861.

O. S. Fillyaw 

State of North Carolina

New Hanover County Court. Septem^r. Term 1862.

This paper writing purporting to be the last Will and Testament of Owen S. Fillyaw deceased was offered for probate as such by Julia G. Fillyaw widow of said Owen S. and it being proved to the satisfaction of the Court by John McKee and Wm. J. Love that said paper writing was found by them after the death of said Owen S. Fillyaw among his valuable papers and effects, and it being further proved to the satisfaction of the Court by the said McKee and Love and also by John J. Love that said paper writing in all its parts including the signature thereto is in the proper hand writing of said Owen S. Fillyaw, it is considered by the Court and it is so adjudged that said paper writing is the last Will and Testament of said Owen S. Fillyaw, and the same is admitted to probate as such. Whereupon Julia G. Fillyaw duly qualified as Executrix of the said last Will of said Owen S. Fillyaw, and it is ordered that letters testamentary issue to her.

Teste

Sam^l. R. Bunting Clerk
Jm. Wood Dy. Clk.