

In the name of God Amen

I Samuel Deery of the Town of
Wilmington in the County of New Hanover in the State of North
Carolina, being of sound and disposing mind, ~~and~~ memory
and understanding, knowing the certainty of death & the uncer-
tainty of the time thereof, and being desirous to settle my worldly
affairs whilst I have capacity so to do, do make, and
publish this my last Will and Testament, hereby revoking &
making void all former Wills by me at any time heretofore
made - That is to say I give and bequeath to my daughter
Elizabeth Eugenia a certain negro slave named Ann,
now about twenty years of age. I give devise and bequeath
all and singular, the real, personal & remainder of my property,
effects, and estate, of every nature and kind, whether real,
personal or otherwise, and wherever the same may be unto
my friends, John Dawson, Stephen D Wallace and William
A Rusk of the town of Wilmington aforesaid, and the sur-
vivor and survivors of them and the executors of such survi-
vor, to have and to hold the same upon the trusts and to and
for the uses following - That is to say - That after having paid and
discharged all my just debts, they shall suffer and permit my wife
Frances, and all the children of my said Wife in being at the time of my
death, to have use & enjoy, the entire rents, issues, hire and profits
of said property, effects and estate, until the arrival of the youngest
of my said children at the age of twenty one years, it being understood
that said rents, issues and profits are to be used and be considered
as the exclusive property and estate of my said wife & my said Chi-
ldren aforesaid, and the survivors of them during the minority
of my youngest child, whether the same be required for the support
maintenance and education or whether the same be more
than sufficient for such purposes, - And it being further understood
and so well and directed that until the marriage of my aforesaid
daughter Elizabeth Eugenia proper provisions for her comfort
able maintenance be made from said rents issues, hire and
profits of my property effects and estate; and upon the arrival
of my youngest child or of my youngest child then living, at the age
of twenty one years, that the said John Dawson, Stephen D Wallace &
William A Rusk or the survivors or survivor of them
or the executor of such survivor shall convey & transfer to
all and singular the property effects and estate held by
them under the trusts hereby created, including the increase
of Slaves and Stock, and all property of every nature and kind
purchased by them from the proceeds of Sales of any part of
my estate or with any money in their hands not derived
from the rents issues & profits of my estate, into my said wife & her

and all my children, including as well those born
 my former as also those born of my present wife, &
 in the event of the death of any one or more of my children
 prior to the time of such conveyance and transfer by
 said trustees, and such child or children so dying
 shall have left a child or children, or grand child or
 grand children of any one of my children so dying,
 shall be considered & regarded as representing such one of my
 children as may be their father or mother or grand father or
 grand mother as the case may be, and be entitled to receive
 their respective interests shares & portions of my estate under
 the said transfer or conveyance to be made as aforesaid, it is
 however expressly understood and I so direct, that the shares
 & interests which are to be transferred and conveyed by said trustees
 as aforesaid, which under the previous provisions would become the absolute
 property of my daughter or, shall be conveyed and transferred to
 trustees for the separate & exclusive use of my daughter, during
 their lives respectively and after their deaths to be divided among
 their respective children, and in the event of their dying without
 issue, ^{children} to be divided among my heirs at law and next of
 kin then living. And the said John C. Benson, Stephen J. Wallace &
 William A. Rorick or such of them as may accept the trusts
 hereby created and conferred upon them, or their survivors or
 survivor or of them or the executors of such survivor are
 hereby authorized & empowered to bargain, sell & convey
 to the purchaser the lot of land and premises in the town of
 Wilmington in which I now reside, and to contract for & pay
 for such other lot of land as they shall consider will
 afford a convenient & comfortable residence for my wife &
 her family, and should it by them be deemed advisable to convey
 all to the interest of my estate to sell & dispose of any portion or part of
 my estate either real or personal, at any time during the
 continuance of the trusts hereby created, they are hereby express-
 ly authorized and empowered so to do, & to convey the part
 or portion so sold to the purchaser or purchasers by good and
 sufficient deeds of conveyance, & the proceeds of such sales
 to invest in other property as they in their discretion may deem
 most judicious.

It is my wish & I so direct, that
 should my son Benjamin W. Perry become the purchaser
 of my interest in the real estate & improvements on
 English Island, now held by my said son & myself, that
 upon good & sufficient security being given by him for the
 payment of the purchase money for my interest in said
 property, that he shall be allowed & have assigned to him

any such reasonable time for the payment of the principal money due for such purchase by him as may not be inconsistent with the other provisions of this my last Will & Testament, & It is further my wish & I so direct, that each & every one of my children born of my present wife shall receive such an education as shall be given at the best school in Wiltshire, and should the Executors of this my last Will & Testament consider that any one of my said children possesses talents which will justify such a course, my Executors may if in their judgment it be a advisable cause such one of my children to be educated for such profession or business as they may deem judicious & suited to the talents of such child. It is my earnest wish that it may be instilled into the minds of my children, and constantly impressed upon them, that whatever occupation, business or profession they may adopt, they must labor and can only deserve success by industry & continued attention to their respective callings or employments in the great battle of life.

I hereby constitute and appoint the aforesaid John Dawson, Stephen D. Wallace & William A. Rowland and the survivors and survivor of them and the Executors of such survivor, the Executors of this my last Will & Testament, and also the guardians of my children now under the age of twenty one years. It is further my will and I so direct, that the uses hereinbefore declared, and the devises and bequests hereinbefore made, so far as the rights, interest and claims of my wife Frances in the same are concerned and exist by virtue of the previous provisions of this my last Will & Testament, are to continue and remain so long as my said wife shall continue and remain my widow and unmarried; but otherwise, and in case my wife shall marry again at any time after my decease, then and in such case I revoke and make null the uses, devises and bequests hereinbefore declared and made so far as my said wife is concerned in the said uses, devises and bequests, but no further.

In testimony of all which I Samuel Beery have to this last Will and Testament subscribed my name, this thirty first day of January 1858
 Samuel Beery

Signed, published and declared by the above named Samuel Beery as and for his last Will & Testament in our presence, who at his request and in his presence have subscribed our names as witnesses thereto, this thirty first day of January A.D. 1858
 J. G. Burr
 Wm A. Wright

State of North Carolina
New Hanover County Court

March Term
1853

This paper purporting to be the last Will and Testament of Samuel Beery dec'd, is exhibited in open Court, and duly proven by the oath of William D. Wright one of the subscribing witnesses thereto. And it is considered by the Court that the same is the last Will and Testament of said Samuel Beery dec'd, and as such sufficient to carry the bequests therein made. Whereupon Stephen D. Wallace and William A. Rowell two of the Executors therein named duly qualified as such.

Teste

Sam. Dykes one clerk

State of North Carolina
New Hanover County Court.

March Term 1853

In the name of God Amen. I Sarah G. Cunningham of the Town of Wilmington & State & County aforesaid, being of sound & disposing mind & memory, do make publish & declare this as my last Will and Testament in ananner & form following: That is to say: I give devise & bequeath unto my beloved husband James Cunningham of the town of Wilmington aforesaid, all the personal property which I have in possession of every kind, whatsoever or to which I may be entitled either in law or equity. I do further give devise & bequeath unto my said husband James Cunningham, all the land or real estate which I may be & am seized of & possessed of hereafter before my death or which I am or may be entitled to either in law or equity & more particularly the lot or tract of land in the town of Wilmington known as lot number one hundred & one (No 101) as laid out on the survey well known as the "Campbell Survey" fronting sixty six feet on the east side of fourth street in the aforesaid town, extending ~~eastwardly~~ ^{westwardly} running back eastwardly from said fourth street continued, one hundred & sixty five feet to a line dividing said lot in part from the eastern half of the same lot owned by Daniel Skipper. That all of my personal property as well as my real estate of each all & every kind whatsoever shall go & I hereby bequeath the same to the said James Cunningham my said husband. And I do hereby nominate & appoint my said husband James Cunningham as my true & lawful & only Executor to this my last Will & Testament. In witness whereof I the said Sarah G. Cunningham ~~has~~ ^{have} hereunto set my hand & seal this the eighteenth day of January in the year of our Lord one thousand eight hundred