

In the name of God. Amen.
 I, J. Gilpatric of the town of Wilmington, in the
 State of North Carolina, being of perfect mind and memory
 (blessed be God) but calling to mind the uncertainty of life
 and wishing so to arrange my temporal affairs, that I
 may be the better prepared to obey any summons from
 above, do make, ordain, and publish, this to be my
 last will and Testament, hereby revoking and making
 void all other wills by me at any time heretofore made.
 First. I desire and direct that my Executor, hereinafter named
 shall inter my body in a suitable and becoming manner, and
 shall cause to be erected over the remains of myself and my
 daughter, Ann (now heretofore deceased), a neat and appropriate
 monument or tomb, such as he may think most accordant
 with my wishes; and that he defray the expenses thereof, out
 of such monies as may be on hand at my death, or may first
 thereafter, accrue to my estate.
 Secondly. I desire and direct that my said Executor, shall pay,
 satisfy, and discharge, all my just debts, dues and oblig-
 -ations of every kind and to whomsoever owing, as soon after my
 death as may be convenient, with any monies which may first
 come into his hands.
 Thirdly. I give, devise and bequeath my house and lot in the
 town of Wilmington, on the Southern corner, of Orange and Boundary
Streets, and all my household and kitchen furniture of every
 kind, and also the following named negro slaves, to wit: Bingo,
Larry, Jenny, and Susan and her children, Rachel, Ann, Sam,
Mattilda, Henry, Bon and Andy, Ann; and all the future
 increase of the said females, born after the date of this my will
 to my friend and son in law General Alexander Mackay,
 for his own proper use and benefit during the term of his
 life; and at his death to be equally divided between my
 four grand children Robert B. Mackay, William Mackay,
Roderick Mackay and Walter G. Mackay, sons of the said
Alexander Mackay, and to the survivor or survivors of them
 if any of my said grand children should then be dead in-
 -out having ipso living at his death.
 Fourthly. I give, devise and bequeath all the rest and residue
 of my estate of every kind including my several shares
 of the Capital Stock, of the Commercial Bank, of Wilmington
 and all my monies not otherwise appropriated, to the said
Gen. Alexander Mackay, in trust for the joint and equal
 benefit of my said four grand children, in the last clause
 of my will named, to be used, managed and employed
 by the said Alexander Mackay for their joint benefit, in such

manner, as he may deem best, and to be divided in separate estate among my said grand children, whenever, the said Alexander MacKae shall consent and direct, and for want of any such consent and direction at his death; hereby empowering the said Alexander MacKae to change the nature of any or all of said property, by selling and making other investments of the proceeds, whenever, he may think, it best for the interest of my said grand children, &c. &c. &c. It is my wish and desire that my said negroes be well treated and taken care of, and that my Executor, do not sell any of them unless he deem it absolutely necessary. Lastly, I constitute and appoint my friend Alexander MacKae Esq. of Wilmington to be Executor, of this my last Will and Testament.

In Witness whereof I have hereunto set my hand this twenty eighth day of September, in the year of our Lord one thousand eight hundred and forty eight.

Signed, published and declared by
Testatrix as her last Will and Testament
in presence of us, who in her presence
and at her request have subscribed the
same as witnesses.

James McGary
John M. H. Dix

Zelpati Calhoun (Seal)

State of North Carolina
New Hanover County, Court

December Term 1848.

This paper writing purporting to be the last Will and Testament of Zelpati Calhoun deceased, is exhibited in open Court and offered for probate, and is proven by the oath of James McGary one of the subscribing witnesses thereto; and it is considered and adjudged by the Court, that the said paper writing is the last Will and Testament of said deceased, and sufficient to pass the property therein bequeathed, said paper writing is ordered to be recorded and filed.

Teste

L. H. Marsteller, Cky.

State of North Carolina
New Hanover County, Court

March Term 1849

Alexander MacKae the Executor named in the within Will, came into Court and duly qualified as such.

Teste

L. H. Marsteller, Cky.