

I Thomas H. Fox of Guilford Co. in Wake County do make and ordain this my last will and Testament.

1st I wish any debt I may owe to be promptly paid.

2^d I wish my servant that to be taken care of and twelve dollars paid him annually during his life as evidence of my appreciation of his services and respect for his Character.

3^d My son William Henry has been my family physician from the time of his graduation, riding a considerable distance and often in the night and furnishing some of the Medicines used and although he is unwilling to make any charge for his services, I do not think I ought to disregard them & therefore give to my son William Henry Fox five hundred dollars as some remuneration for those services.

4th I give to my daughter Hannah Fox my Bed, one feather bed, stand and furniture & one thousand dollars in money, and I also give to my son William Henry Fox, in trust, for the benefit of my daughter, my servant girl Ellen, and at the death of my daughter, the said girl and increase to be equally divided between my son William H. Fox and to whomsoever my daughter may devise the other equal part and if my daughter leave no will in that case I wish Ellen & her increase to go to my son William H. Fox.

5th My land upon the Roanoke River in Wake County and State of Texas I give to my son Richard H. Fox.

6th I wish the balance of my property of every kind (whatsoever it may be) to be divided equally between my son William H. Fox and my son Richard H. Fox.

Whatever including advances made to my children as appears by the balance
on their respective accounts in my account book, value by their joint
consent selected by my children and I give to my daughter in addition
to what I have already given her in Decr 4th, an annuity equal to
six p cent interest upon one fourth of the aggregate amount of my
property thus ascertained, and for the annual payment of this
annuity to my said daughter I bind the whole of this amount of
property except the advances already made, my heirs, my executors
being to secure this annuity to my daughter to be paid to her annually
any arrangement she may make with her brothers for this purpose
will relieve the property of this incumbrance: should my daughter
however be unwilling to make an arrangement with her brothers,
then I give to my sons or any one of them the right to visit a loan
the interest of which at the time of visiting is equal to the amount
of this portion of said annuity: provided the incumbrance is approved by
three gentlemen selected to value the property as directed in the early
part of this Decr. or in case they cannot be gotten by any three
gentlemen selected. I have thought it proper to make this intention
now because of the uncertain state of the currency at present and
which may exist at my death. Test at New York this 31st of
December 1863 (as to the part intended)

I. J. Fox
I hereby certify that the amount of the balance of my property
in the foregoing items was

Handover County Wills, Book 1, 1862-1863
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Sons to be divided into three equal parts one of which parts I give to each of my Sons during his life time for the support and benefit of himself and family and at his death to be divided among his Children as he may direct by will and if either of my Sons die without issue then as that Son may direct by will. I give my Sons the right to dispose of any property left them if the interest of those concerned seem to demand it provided the proceeds of the same be invested in... other property to be held in all respects by a tenure similar to that by which the property disposed of was held.

Lastly I appoint my Son William McFoss Executor of this my last will and Testament and I desire the Court to require no security of him for the faithful performance of the Trust hereby created. In witness whereof I have hereto subscribed my name this fifteenth day of December one thousand eight hundred and sixty two (1862)

Thos. McFoss

At a Court of March by J. S. J. held for the County of the
County of on Tuesday the 18th of September 1868

This last will and Testament of Thomas McFoss was produced into Court by William McFoss the Executor therein named and there being no subscribing witnesses to the said will John R. Taylor and Chapman White were sworn and examined who declared that the will was executed with the hand writing of the said Thomas McFoss

Castle & Appoint my Son William
will Testament and I desire the Court to require no security of
faithful performance of the Trust hereby created. In witness whereof I
have hereto subscribed my name this fifteenth day of December one
thousand eight hundred and sixty two (1862)
Thos. H. Fox

At a court of March by J. S. held for the above County at the
Courthouse on Tuesday the 1st of September 1868
This last will and Testament of Thomas H. Fox was produced
into Court by William H. Fox the Executor thereof named and there
being no subscribing witnesses to the said will John R. Taylor and
Chapman White were sworn and examined who declared they are
true & correct copies of the last will and Testament of the said
Thomas H. Fox and have been examined the said will and Testament
said to have been wholly written and subscribed by the
said Thomas H. Fox deceased whereupon it is ordered that the
said will be recorded

Truly Recorded
J. O. Donnell