

February Term 1857

The execution of the foregoing last will and Testament of David Foxe was then duly proven in open court by the oaths of A. S. Haden & C. B. Brooks the subscribing witnesses thereto and ordered to be recorded, whereupon J. D. H of the executor therein named was duly qualified as such

Liste

J. P. Taylor C. C. C.

I John Lane of the County of Chatham and State of North Carolina being of sound mind and memory but considering the uncertainty of my earthly existence do make publish and declare this my last will and Testament in manner and form following that is to say

First That my Executors hereinafter named shall provide for my body a decent burial suitable to the wishes of my relations and friends and pay all funeral expences together with my just debts howsoever and to whom now owing out of the moneys that may first come into their hands as a part or parcel of my Estate

1st Item I give to my beloved Brother John Lane all the notes and accounts that I hold against him at the time of my death on condition that he bring no claim against my Estate which he holds before my death I also give my said Brother J. D. Lane one thousand dollars in money to be paid to him by my Executors as soon as collected a part of my Estate also twenty

eight acres of land more or less lying ⁴⁸⁷
the waters of Hicks Branch as by reference
to a deed made by Tarterton Johnson to me
will more fully appear also sixty two
acres of land more or less lying on flat
creek

2nd Item I give and bequeth to my beloved
sister Elizabeth Bray and the heirs of her body
and my beloved sister Margaret Brooks and
the heirs of her body & to the children of my
beloved sister Martha Lambert &c all the
land that descended to me from my father &c
except that hereinafter disposed of and also ex-
cept the meeting house lot as is laid off and
marked round and one half acre round the
grave yard except also a portion of land
containing some fields commencing on the line
of the John Bray Tract at the North side of
a Cotton patch field running west far enough
on a south course to take in the field thence
thence south to the end of the lane thence west
along the fence to the big road thence a south
direction along said road to Job H. Brays line
thence east with his line to the line known as
the Hughes land that is to say Elizabeth Bray
and her children one third part of said land
and to Margaret Brooks and her children
one third part of said land, and to sister Martha
Lambert's children one third part of said
land to have and to hold provided they never
come upon the River of Abraham Lane &c or
any divisions for any portion of the land that
they inherited from me or said deceased

Then I give and bequeath all my right in the lands that I bought of John Samberts interest in to sister Marthas children one hundred dollars each as many of them as may be alive at my death to be paid by my executors as part of my estate,

Then I give to sister Margaret Brooks all the notes and accounts that I hold against Thomas Brooks her husband provided they bring no claims against my estate that they held before my death,

Then I give to my sister Elizabeth Bray all the notes and accounts that I hold against Jeremiah S Bray provided they bring no claim against my estate that they held before my death. I also give my sister Elizabeth Bray five hundred dollars in money to be paid to her by my executors as soon as collected.

Then I give to the following of my brother John S Lane to wit Susan C Lane James S Lane John R Lane, Elizabeth A Lane and Abram S Lane the following negro slaves namely, Sarah, Fred Harris Wesley and bequeath the oldest child to take the first choice and so on down and if any of the aforesaid negro dies before they get them in pay upon them is to be another about as good put in the place of it,

Then I give to Araminta Lane daughter of my brother Andrew Lane one negro slave by the name of Caroline.

Then I give to my brother John S Lane children including Wincy L Jordan and Mary A Brown

and my brother Andrew Lane and children and their lawful representatives all the balance of my property except that hereafter disposed of to them and their heirs, but my desire is that my negroes shall not be sold nor my negro women and small children parted and if in the division there cannot be an equitable division is the slaves without parting the women and small children then it is my desire that one lot or lots be made in money and none of said children is to come upon the heirs of Abram Lane but my father for my of the lands inherited from said deceased they do they are no longer to hold any of the property which I have willed to them.

Then I give and bequeath to James S Lane John R Lane and Abram S Lane the place where I now live known by the name of the John Bray plantation, also the plantation known by the name of the Hughes place also portions of the old place or Abram Lane plantation describes in item 2nd of this my last will and Testament the three to divide said lands equally between themselves. Then it is my will and desire that my executors hereafter mentioned shall have the grove yard in the old place well enclosed by a stone wall with two gates and pay for the same out of a part of my estate also I wish grave stones set up at my Father Brother John Sister Martha and my own grave and pay for as before directed.

Item ⁴⁴⁰ I wish my executors to collect all
the moneys due me & sell all the property not
otherwise directed and pay over as above
directed

And lastly I do nominate constitute
and appoint my Truly friend Carney
Lane and James I Lane my lawful
Executors to all intents and purposes
to execute this my last will and
testament according to the true intent
and meaning of the same and every
part and clause thereof In testimony
whereof I the said Gerrard Lane do here
unto set my hand and seal this the 7th
day of July AD 1856

signed in the presence Gerrard Lane (Seal)
of (enter name before assigned)

R B Paschal } Just
Robt Lambert }

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The execution of the foregoing last
will and Testament was then duly proved
in open court by the oaths of R B
Paschal & Robt Lambert the subscribing
witnesses thereof and ordered to be Recor-
ded whereupon Carney Lane & James I
Lane the executors therein named appeared
in open court and were duly qualified
as such

Teste

W D Taylor 666