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Emmed Chancery File. No. 23.

Copy of the Will of John Gardner.

In the name of God Amen.

John Gardner of Thomas County being of sound mind do hereby declare this my last Will and Testament revoking all former Wills by me made.

First it is my Will and desire that all my just debts be paid.

Secondly. I Emancipate my negro child Harriett with a request that she be bound to my daughter Sarah Wilby until she arrives to the age of twenty one years; and I give and bequeath to the said Harriett to be paid out of my estate the sum of four hundred dollars: the interest of which I desire to be paid to the said Sarah Wilby for the support and maintenance of the said Harriett until she arrives at the age of twenty years; and it is my Will and desire that my Executors, out of my estate pay to the said Sarah Wilby one hundred dollars in addition to the sum before mentioned for the trouble in taking care of the said

do before mentioned yet her estate on rising case of an heir
wist, but should the said Harriet die before she arrives to the
age of twenty one years, I give and bequeath the said five hundred
dollars to my Grand Children to be equally divided among them
and their heirs forever.

Kindly I give and bequeath to my grandson John G. Wade, to be
paid out of my estate the sum of one thousand dollars, but if the
said John G. Wade should claim anything from my estate as
administrator of his father John Wade, then it is my Will and desire
that the said thousand dollars bequeathed to him, shall be equally
divided among all my Children.

Fourth. I bequeath to my Grand Daughter Frances Mearns
during her natural life, the following Slaves to wit George, Hannah
and Aaron and George and after her death I give and
bequeath the said Slaves to her son John Mearns to
have and his heirs forever: but if the said Frances
die before Daniel Apollonius Mearns her husband
any thing from my estate as an admini

Tutor of John Wade, Father of the said Frances Mosby, then
it is my Will and desire that the said negroes bequeathed to me
and grandson the said Mosby be equally divided all
my grand Children.

Fifth. It is my Will and desire that the remainder of my
estate except the perishable property after the payment of the
forgoing legacies be divided into two equal parts
one of which I lend to my daughter Sarah Hilby. In
trust during her natural life to be placed into the hands of
her son John S. Wade and it is my Will and desire that the
profits arising therefrom shall be for her support of the said
Sarah Hilby. And after her death I give and bequeath the
said part to be equally divided among them to her the said
Sarah Hilbys Children, namely. John S. Wade Frances
Mosby, William Talley, and George Washington Talley & their
heirs forever.

Sixth. The other part of my estate, I lend to my daughter
Patsy Hilby in trust to be paid to her & her heirs forever.

Patsey Lumpkin during her natural life and after death I
give and bequeath the said part to be equally divided
among them to her children, namely - Virginia Tyler Williams Lumpkin
Mary Lumpkin. Francis Lumpkin and Martha Lumpkin to them
and their heirs forever.

Seventh. It is my Will and desire, that all of my purchable
property be sold the money arising therefrom together with all
the money that I may have and all debts due and demands
either of or to me, land or other Wills collected be laid out on
bank stock and the int. arising there on drawn and paid to the
aforesaid Sarah Bailey and Patsey Lumpkin Annually for the
benefit of the aforesaid Sarah Bailey and Patsey Lumpkin
during their lives and after death of the said Sarah Bailey I
give and bequeath one half of the money then in
hand to the children of the said Sarah Bailey and
the other half to the children of the said Patsey Lumpkin and I give
and bequeath to the children of the said Sarah Bailey and Patsey Lumpkin

and their heirs forever.

I constitute and appoint John H. Wade and James Phares
Executors of this my last Will and Testament. In witness whereof
I have hereunto set my hand and affixed my seal this 14th day
October in the year of our Lord one thousand eight hundred
and twenty five.

John Gardner. *(Seal)*

and sealed and acknowledged

The presence of
George Jones
Martha Hughes
Richard New
John Bailey
Thomas D. Waddy
John Jones.

At a Court of monthly Session held for Tennessee County at the

Martha Hughes.

Richard New.

John Kilby.

Asant D. Moody.

John Tombs.

At a Court of monthly Session held for Hancock County at the
Court House on Wednesday the 22nd of June 1825 This last will and
testament of John Gardner dec^d was offered for proof by James P. Taylor
one of the Executors therein named and was proved by the oaths
of George Tombs John Kilby and John Tombs witnesses thereto
also the oath of said Executor and is, ordered to be recorded.

Attest William Pollard. C. H. C.

A Copy

Attest Thos. Pollard. C. H. C.