

him to be of perfect sound mind & disposing memory at the 22^d
time of his signing the same, and that they in the presence of each
other together with John Vazey and in the presence of the testator
Subscribed their names as witnesses thereto
I have to in open Court
2nd day of July 1838
Thomas McGinnis Clerk

James Moore
Jesse Vazey

ordered by the Court to Record

Recorded 25th day of July 1838

Thomas McGinnis Clerk

John Cheney Will.

Georgia
Wilkes County. In the name of God Amen. I John Cheney
of the county and state aforesaid, being well advanced in years, but
in perfect health and of sound mind & memory, thank be to God for
the same, and knowing it is appointed for all men to die, have
thought proper to make this my last will & Testament in the manner
and form following viz

Item 1st My will is that all my just debts be paid

Item 2nd I give and bequeath to my son Aquillas Cheney, Ten dollars in
full for his share of my Estate

Item 3rd I give and bequeath unto my son Thomas D. Cheney, the one
half of the money my Negro Jackson may sell for at my death,
and one hundred and fifty dollars, in full for his share
of my estate

Item 4th I give and bequeath unto my Daughter Julia Loggins
the other half of the money my Negro Jackson may sell for
and one hundred and fifty dollars in full for her share
of my estate

Item 5th I give and bequeath unto my Daughter Margaret Chambers
my lot of land which I drew in the fifth district of Wilkeson
County number fifty four and fifty dollars in full for her
share of my estate

Item 6th I give and bequeath unto my son John Cheney five Ten
dollars in full for his share of my estate

Item 7th I give unto the five oldest sons of John Cheney just the sum
of Five hundred dollars, to be paid to any person
lawfully authorized to receive the same at the division of
my estate

Greene County Wills

Item 8th I bequeath to my Wife during her Widowhood all
that I own

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above, that I purchased of Abraham Green containing eight hundred acres more or less, also the following negroes, ^{Wm} Billy, Saphney, Sam, Mary, ^{Wm} Arab, Emily, Sarah, Plume, also all my household kitchen furniture, plantation tools except one bar Pt, stock of every description to be used by her and my Executors to the best advantage for the payment of my debts, the support of my youngest children, and at the death or marriage of my wife, to be divided as follows, The land to be equally divided between my five daughters, Prucilla, Eliza, Harriet, Malissa & Rhoda Ann, and the negroes, and stock, furniture &c. to be equally divided between my said five daughters Amy Ann, William & Cheney, Sarah and Rhoda Ann.

Item 9. I give and bequeath unto my Daughter Malissa B. Johnson in addition to what I have given her above one Negro Girl named Malahy, one Horse worth seventy dollars, one side saddle, one Cow calf, one Bed Furniture, and twelve dollars worth of kitchen furniture to be given her when she marries again or arrives at lawful age (say twenty one Years) in full for her share of my estate.

Item 10. I give and bequeath unto my Daughter Rhoda Ann Cheney in addition to what I have given her above, one Negro Girl named Chloe, one Horse worth seventy dollars and side saddle, one Cow and calf, one Bed and furniture and twelve dollars worth of kitchen furniture, to be given her when she marries or arrives at lawful age in full for her share of my estate.

Item 11. My will further is, That if either of my Daughters Malissa or Rhoda Ann, should die without leaving child or children, their share of my Estate to be equally divided among the balance of my last children viz William & Cheney, Harriet Cheney, Prucilla Cheney, and Eliza Cheney now Harriet Formby, Prucilla Stroger & Eliza Roswell, and should either or both of the Negroes willed my Daughters Malissa & Rhoda Ann die, before they marry or come of age, they are to be made equal for the loss made up out of the property willed to all them at the death or marriage of my wife as mentioned in the 8th term of this my will.

My out of the Land Negroes mentioned in said items. And lastly I do hereby nominate constitute and appoint my loving wife, Executors and my son William P. Cheney and son in law Johnson Executors of this my last Will and Testament.

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Will and Testament

In Witness Whereof I have hereunto set my hand and seal this 30th day of October 1838.

John Cherry to (Seal)

Signed sealed published and declared by the Testator to be his last will and Testament before us who have in his presence and in presence of each other subscribed our names as Witnesses by his Request

Mr. P. Callaway

Mr. S. Dixon

Mr. S. Mercer

Greene County, Court of ordinary

In Chambers Friday 2nd day of November 1838

Personally appeared before the Court, John P. Dixon one of the subscribing Witnesses to the within last Will & Testament of John Cherry late, who saw him subscribe the same, and believe him to be of perfect sound mind and disposing memory at the time of his signing the same, and that Mr. P. Callaway and Mr. S. Mercer signed with himself as Witnesses thereto and in the presence of the Testator at his Request

to be before the Court in chambers 2nd day of November 1838

J. P. Dixon

Thomas W. Grimes clk

November Term 1838.

Sanctioned Ordered to be Recorded

Recorded 25th day of December 1838.

Thomas W. Grimes clk