

(66) The Last Will & Testament of Elijah Tucker

I Samuel Tucker of Elberton County State of Georgia, enjoying  
at present full portion of health & soundness of understanding which  
has been common to me for some years, in this my decline of life,  
Ordain & constitute This to be my last will & Testament.

I do. By my self & witness that all my just debts to persons among  
the Pennsylvania, my estate more conveniently admitted: and for the  
better carrying the same into effect, my Executor is directed to make out  
letters of all debts due me State, without unnecessary delay: has for the  
completion thereof & for other purposes, it is my will & pleasure, that my  
Executor, uses a suitable note to be made, as soon after my decease as he may  
think best, purposing the sum is not extended more than two months, a T.  
paying manor (not to be kept & held longer than so long at the time of my decease)  
against the receiver, consumption money to his heirs of late State, old in arrears  
of from three to six months, interest note, provided it be my stock of Negroes,  
Cattle, Hogs, Chickens, all my Household & Kitchen furniture, & my collection  
of Books, Machinery &c as a credit, not exceeding eight, a sum less  
than nine thousand, all my Negroes (except four) on a credit of  
one & two years, in equal installments till my executors shall pay  
on a credit of two & four years, in equal installments till it is paid  
on a credit of two & four years, in equal installments till it is paid  
be understood that the property left me by my wife  
as a Partner with my son George via Tucker is to be embraced in  
the above directed note, except my said son shall take all the  
property, at four years credit, at a price which may be agreed upon  
by these jointures, & to be collected by a Note of £1000.  
Liberate, which sum, it is my will & pleasure that he shall have  
that knowledge, the day which shall be appointed for the above directed  
debt to commence, to be rendered quarterly, until he, and the sum  
liquidated, but carried on quarterly from day to day, till all is paid.  
Chances in all cases giving ample satisfactory security.

And now, from the knowne anxiety from the above directed creditor  
and others, over and above what is, found to be sufficient to discharge  
all my debts, it is my will and pleasure, that I be interred in the following  
manner, viz. Buried my son George in whom you can believe a addition  
to a portion of my estate left for rewards, also my several slaves, both  
and his heirs forever. 2dly. To my Grand-daughter George Tucker, a sum  
of my estate in her discretion, given for her debts. 3dly. To my  
daughter, who was married to my daughter's son, John Tucker, late Interpreter  
dec'd. to her four dollars. 4th. To my daughter Lavinia Tucker, a sum of five

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dollars, in addition to a portion of my Estate left for rewards  
5th. To my daughter, Nancy Tucker, a sum of five dollars, in addition to a  
portion of my Estate left before reward. 6th. To my son Edward Tucker,  
John & my daughter George Tucker. 7th. To my daughter Jessie Tucker, the  
sum of my wages. 8th. Those in arrears to the Mark Tucker. 9th. To my daughter  
Miriam Tucker, I give each the sum of Five Hundred Dollars, or the value thereof  
also to each of them a good feather bed & furniture \$100.00, or the value thereof  
in Coggs. All the above legacies to be paid by my Executors as herein after done  
etc and freely & promptly, by myself as long as I live or bed house forever.  
The first degree bounded, to be retained by my Executors, himself being the  
legatee. The second, there, fourth & fifth legacies to be paid over by my Execu-  
tive (or application) to each of the legatees to whom it is bequeathed, or  
any herein or hereinafter legatee (authorized to receive). The eighth, ninth & tenth  
legacies to be paid off by my Executors when the legatees to whom it is bequeathed  
arrive at the age of twenty one years, and the seventh, eighth & eleventh  
legacies to be paid off to each, by my Executors, as they may be married or un-  
married as it may fall into the hand of my Executors if not then already in his  
hand(s) or if not married to be paid off to each of them when they arrive at  
the age of twenty one years, or in their widow, as such for herself arrives  
at the age above mentioned. And my 12th. Debut, that the sum of all my  
estate, & the debts due, will be more than sufficient to pay off all my  
debts, as well as the legacies bequeathed, & by my will & pleasure, that  
the remaind amount, or such legacy or legacies of my friends - viz. that again  
Emanuel Tucker be sent to the Augusta Academy monthly, to finish  
his high Education in the most upright manner that can be effected in that  
time, & that all his expences expayre to be paid for that time, and for  
one month thereafter, and his afterwards in so farforned of in that way which  
my executors in his judgment may think most fit for his good, & cost, provided  
an executors of legacies to judge & conclude a liberal education, such as  
I intended in case my wife had too infirmitie prolonged, in that event  
it is my will & pleasure that he may be supported therin by my Exec.  
who is reserued to make all necessary arrangements for that purpose out  
of it from the legacy aforesaid bequeathed to him, without any diminution from  
the amount of which advantage being made previous to his attaining at the  
age of twenty one years. It is my will & pleasure that my daughter George  
and Jessie be supported with board & such clothing as my law may think fit  
for for them over & above what they may receive for the legacy by their own  
industry, & what they earn for wages, however the legacy bequeathed as above.  
It is my will and pleasure that my wage. 10th. That he will be interred

to that of those I left at school, and afterwards before  
is now calculating as many as the judgment of my wife and particular goods.  
It is my sole & particular, that my daughter, known to be left at school  
will, etc., be the judgment of my law, giving an education equal at length  
that of her sister Julia when she left school. And of her Mark the now known  
can be committed to take the charge and care of her Education & Training,  
it is my will & pleasure, that as it shall be wished she be married or coming  
to the age of twenty one years. But in the event that her Mark the Gibson  
should not acquire, at that marriage, in the event of the death of her  
uncle, Harry Gibson, then we two of us resolved to do, as of her as he may  
judge most for her good, but in our view that she be clothed with bread  
and such clothing as we best may think better for her, until she receives  
the legacy post above mentioned to her. In consideration however commencing  
with my son Edward, to which relate to her care & training & Education, are  
variations on a remaining sum after a calculation of each of all  
the debts which the estate over & above incurreth, but from an overall  
calculation they calculated about this sum to a sufficiency to defray  
those expenses of training & Education, etc, an amount might be drawn down  
The main legacy, beginning with and next added to my son Edward's down  
ward to the last, in such way that each of them in legacy shall be equal, be  
paid out. But it is strongly bargained that all may be paid out  
by & wholly, & all expenses discharged, of training, education &c and that  
still the sumpling intended to me & not to be exchanged. It is my last pleasure  
that whatever may still remain of the sumpling, be disposed of as follows.  
To my son Gibson, I give one fourth part of that part of the sumpling,  
which, it is understood may still remain unexhausted, which the heirs  
will compensate him for his services as Executor, and the remaining  
therefrom I give to be divided equally among my following children,  
namely, Lincoln, Nancy, Edward, and my future children, Mark  
Edgar... I long since applied me to my attorney, Mr. D. W. Dickey,  
Executor to carry into effect this my last will & testament, to the best of my  
ability & understanding, in his the most unbiassed & disinterested  
he will proportionately to the best of his power & shall discharge all the  
duties which this instrument requires, etc, which the duty of his  
Country & his god & joy, assuage the gravity and gloom of his  
mischief of filiality and brotherly love implore  
Let it be now understood, that it shall and confineth to be my only  
legatible and testamentary  
In testimony whereof, I have in the presence of the aforesaid

John David (R. D.) The instrument in the original  
John David and being practicable being written the same day by  
Edward Gibson quoted in it at the bottom, are and duly inscribed  
D. Dennis their respective places in the time of the record.

### Probate of the foregoing Will.

Georgia, in the Court of Ordinary, Novant Term, 1826.  
Browns County, formerly allotted in other County John Brooks,  
Gibsonville Gibson and David Dennis, the subscribers belonging  
to the foregoing Will, and being first duly sworn, on their bethy  
dehonth and death "That they saw the within named persons  
A. (now deceased), sign and acknowledge, this day & before me  
The foregoing instrument of writing by his last Will & Testament  
and that at the time of his so doing by way of sound & discerning  
mind and memory, and in his presence and at his request, and  
in the presence of each other, they all became witnesses thereto  
wrote and subscribed in  
See Court, Aug 5<sup>th</sup> 1826  
Attest, J. D. Dennis Esq.

John Brooks  
Gibsonville Gibson  
D. Dennis

Recorded in the Ordinary 1826. To be witnessed as follows:  
The Last Will & Testament of John David Gibson  
In the name of God, Amen. I John David Gibson of the State  
of Georgia & County of Bartow, on this day in God's health, and in  
a sound mind & body, do now, not willing to offend the inestimable  
blessing of life and human affections do make & ordain, publish and  
declare this my last Will and Testament, in manner & form following.  
That is to say, after this my last will & testament, with this  
and some alterations to make an equally divide among all my  
children, as near as possible, power, only reserving that part  
of land wherein I now live, & to the tract of land granted to  
Wilson, annexed to the same, that I now my beloved wife, Dickey  
Wilson, may have exclusive possession in the said during our  
natural lives, and of it should happen to her to continue my beloved  
wife Dickey Wilson in time after my decease, by my desire, that  
she shall hold all the property that I am in possession of at the time  
of my death, during her natural life, and it is also my desire,