

1st I Barzillai Gardner of Guilford County in North Carolina being afflicted in body, but of sound mind & disposing Memory and knowing the uncertainty of life & the Certainty of Death, do make & publish this my last Will & Testament.

1st My Will and desire is that my just Debts and funeral Charges be all paid of as soon after my death as my Executors can do the same with Convenience.

2nd I give & bequeath to my beloved Wife Eunice Gardner all my tract of Land whereon I now live including my dwelling house & all improvements thereon (except One hundred Acres whereon my son Elisha lives) and also two hundred Acres of Land to the west of my home tract which I purchased of Isaac Gardner to hold and enjoy to her use and benefit for and during her natural life.

3rd I give & devise to my son Elisha Gardner One hundred Acres of Land whereon he now lives having been heretofore laid off to him, being in the North West part of my 458 Acre tract granted to me by the State to hold to him & his heirs forever, and also my tin tools after my Wifes death.

4th I give & devise to my Grandson Anderson Gardner son of Elisha One hundred Acres of Land in the North East part of my said 458 Acre tract including my old tin Shop to hold to him & his heirs forever, to vest after ~~my~~ the death of my Wife, said Land having once been laid off to my son Arnold who is since dead.

5th I give to my son Nathan Gardner who has been many years absent & unheard of One hundred Acres of Land to be laid off in the South East Corner of my said 458 Acre tract as nearly by square as can conveniently be done if he returns in person to Guilford County but as my son Nathans return is uncertain if he should not return by the time my Grandson Barzillai Gardner son of Elisha shall arrive at full age I give & devise said hundred Acres of Land to my said Grandson Barzillai Gardner and his heirs forever and if my said Grandson should die before he arrives at Twenty One years of age and my son Nathan should not return I give said hundred Acres of Land to my son Elisha and his heirs forever and if he should not then be living I give said 100 Acres of Land to his Elishas Children then living equally to their heirs.

6th I give & bequeath to my daughter Naomi One Hundred Dollars in Money.

7th I give & bequeath to my daughter Virginia Foster One Hundred Dollars.

8th I give to my three Grand Children Cydia, Frederick, & Lemima Barnard Children of Elisha & Frederick Barnard One hundred Dollars to be equally divided between them.

9th I give to my daughter Eunice Gardner wife of Thomas Two hundred

I give & bequeath to my dear wife Semina Gardner all my tract of
Wharson I now live including my dwelling house & all improvements thereon
One hundred Acres wharson my son Elisha lives and also two hundred
of land to the lot of my home tract which I purchased of Isaac Gardner
to hold and enjoy to his use and benefit for and during his natural
life.
2^d I give & devise to my son Elisha Gardner One hundred Acres of Land
Wharson he now lives having been heretofore laid off to him, being in the
North West part of my 458 Acre tract granted to me by the State to
hold to him & his heirs forever, and also my ten lots after my
Wife's death.

3^d I give & devise to my Grandson Henderson Gardner son of Elisha
One hundred Acres of Land in the North East part of my said 458 Acre
tract including my old tin shop to hold to him & his heirs forever to
vest after the death of my Wife, said land having once been
laid off to my son Samuel who is since dead.

4th I give to my son Nathan Gardner who has been many years absent
of unheeded of my said 458 Acre tract as nearly as may be in the South
East Corner of my said 458 Acre tract as nearly as may be in the South
-nearly as may be done if he returns in person to Guilford County but as my
son Nathan's return is uncertain if he should not return by the time
my Grandson Barzilla Gardner son of Elisha shall arrive at full age
I give & devise said hundred Acres of Land to my said Grandson
Barzilla Gardner and his heirs forever and if my said Grandson
should die before he arrives at Twenty One year of age and my son Nathan
should not return I give said hundred Acres of Land to my son Elisha
and his heirs forever and if should not then be living I give said 100
Acres of Land to his Elisha Children then living equally to their heirs.

6th I give & bequeath to my daughter Annie One Hundred Dollars in Money
7th I give & bequeath to my daughter Minnie Foster One Hundred Dollars.
8th I give to my three Grand Children Cydew, Frederick, & Minnie Barnard
Children of Sarah & Frederick Barnard One hundred Dollars to be equally
divided between them.

9th I give to my daughter Eunice Gardner wife of Thomas Two hundred
Dollars - all the above Legacies to be raised and paid out of my
personal Estate after the death of my Wife or before if my Executors

have sufficient in their hands and deem it prudent to pay off a part or all of said Liabilities. And as some of the Liabilities reside at a great distance it is provided that none of said Liabilities are to bear interest nor to be chargeable on any of my Real Estate except as herein after directed. I desire my Executors to sell Money Acres of Land or Bull Run Called the Sister Place and then Shares of Stock in the Cape Fear Navigation Company when they may think best to raise Money to pay off the above Liabilities.

10th I give & bequeath to my Grand Children Silphius & Flora Gardner Children of my son Barzillai Each One Share of my Stock in the Cape Fear Navigation Company.

11th I give & bequeath to my beloved Wife Sumner Gardner all my Household & Kitchen Furniture Stock on the farm of even description, my farming Implements Blacksmiths & Tin tools, and all my other personal Property not otherwise disposed of during his Natural life, she having liberty to use & dispose of such Property as may be necessary for her comfortable support.

12th I give to my great Grandson Barzillai Richell son of Robert & Rebecca my Gold Watch.

13th My Will & desire is that my Wagon & pair of my Horse Creatures be sold and my Mills & Lbs and such other Articles as my Wife may not need and she may be willing shall be sold from time to time, & out of the proceeds of sale after the payment of Debts I desire that the above Liabilities be paid off in part or all by my Executors as soon as they have sufficient in their hands for that purpose but if they shall not have sufficient to pay all Liabilities off that the balances remain unpaid till after the death of my Wife & after her death I desire that all my personal property remaining on hand be sold by my Executors and all the surplus of my personal Estate after the payment of Debts & Liabilities I give to my Children & their Representatives equally that is each ~~Child~~ one of my Children who is living to have One Share, and the Child or Children of any who are dead to have One Share among them.

14th My Will & desire is that all the Land not otherwise devised after the death of my Wife go to my son Oliver & I hereby devise to him after the death of my Wife the Land & dwelling house whereon I now live & improvements being some more than a hundred Acres also the Two hundred Acres of Land I bought of Isaac Gardner to hold to him & his heirs forever. and after the death of my Wife aforesaid

15th I hereby direct my Executor to furnish out of my ~~estate~~ personal Estate as sufficient for Coly a Black Woman suitable to her condition during life if necessary said Black Woman being conveyed by Shubal Gardner to or to her heirs. I hereby empower my Executor hereinafter named to sell from time to time either at Public or private sale at their discretion such Real & Personal Estate & Stock as I have directed to be sold and in every respect to manage my Estate as they may deem most advisable for the benefit of said Estate and for the parties interested therein and further empowering them to settle by Arbitration or otherwise as they may think best all matters of dispute which or may arise in the Management & Settlement of my said Estate or any part thereof with the parties interested or other persons.

I hereby constitute & appoint my son Elisha Gardner & my Nephew George C. Lundenbalt Executors of this my Last Will & Testament hereby revoking all former & other Wills heretofore by me at any time made. In testimony whereof I have hereunto set my hand & seal this the first day of the Month March Eighteen Hundred & Twenty Nine

Signed Sealed & Published in the presence of
Winmore Courten Senat

Thomas J. Slack
Elizabeth May

State of North Carolina

Lenoir County 5 November Term 1829

The Execution of the foregoing Will was duly proven in Open Court by the Oath of Winmore Howard as subscribing Witness thereto, who avers that he became a subscribing Witness thereto in the presence of the Testator and at his request and in the presence of Thomas Slack & Elizabeth May the other subscribing Witnesses who became so at the request of the Testator & in his presence & in the presence of him. Ordered to be Recorded

Then Came in Elisha Gardner one of the Executors appointed in said Will & qualified as such

Test J. M. Hanner

State of North Carolina

Lenoir County 5 May Term 1830

George C. Lundenbalt Esq. the Executor appointed in the Last Will & Testament of Parzella Gardner Dec. Came into Open Court & qualified as such

Test J. M. Hanner