

WILL OF
JAMES GARNER

The last Will and Testament of James Garner

I James Garner of Newberry District in the State of South Carolina, Planter, being of sound and disposing mind and Memory, but calling to mind the uncertainty of Life, and the certainty of Death Do Make and ordain this my last Will and Testament in manner following, that is to say.

First I desire that all my just debts and funeral expenses be paid out of my Estate the remaining part I wish divid in manner following but to justify such division and more fully to make known my wishes the following facts are to be stated. ~~Viz.~~ I have already given to each of my sons John (Dec^d), Joseph, and Charles the following articles of personal property, A Horse and Saddle, Cow & Calf, Sow and pigs, Bed and furniture, plates Knives and forks and Jars amounting to the sum of one Hundred and twenty Dollars, and I have moreover given to each of my sons Joseph, Robin and Charles the sum of Four Hundred Dollars thus advancing these three Children Five Hundred Dollars before John Garners Children (my son John being dead) and advancing them Five Hundred and twenty Dollars before my youngest son James C. Garner, (by my deceased wife Maria.)- I therefore give and bequeath unto my Grand Children John Martin Garner and Sarah Francis Garner the Children of my deceased son John or to the survivor, if one of them be Dead the sum of Four Hundred Dollars and to my youngest son James C. Garner the sum of Five Hundred and twenty Dollars, and the remainder of my Estate share and share alike between my Children Joseph, Robin- Charles- My Grand Children before mentioned or the survivor if one should be dead, and my youngest Child James C. Garner before mentioned should both my

paid out of my Estate the remaining part I wish divid in manner following but to justify such division and more fully to make known my wishes the following facts are to be stated viz. I have already given to each of my sons John (Dec^d), Joseph, and Charles the following articles of personal property, A Horse and Saddle, Cow & Calf, Sow and pigs, Bed and furniture, plates Knives and forks and Jars amounting to the sum of one Hundred and twenty Dollars, and I have moreover given to each of my sons Joseph, Robin and Charles the sum of Four Hundred Dollars thus advancing these three Children Five Hundred Dollars before John Garners Children (my son John being dead) and advancing them Five Hundred and twenty Dollars before my youngest son James C. Garner, (by my deceased wife Maria.)- I therefore give and bequeath unto my Grand Children John Martin Garner and Sarah Francis Garner the Children of my deceased son John or to the survivor, if one of them be Dead the sum of Four Hundred Dollars and to my youngest son James C. Garner the sum of Five Hundred and twenty Dollars, and the remainder of my Estate share and share alike between my Children Joseph, Robin- Charles- My Grand Children before mentioned or the survivor if one should be dead, and my youngest Child James C. Garner before mentioned should both my Grand children before mentioned, or my youngest Child die before me, or should any of my sons ' die before me and leave no issue then and in that case the share left them under this Will must belong to my Estate and be subject to the Rule of distribution herein established.

Secondly, My Executors are to account to the legatees who may be minors for Interest on the amount of their dividend from ' twelve months after my Death until the monry is paid them any law or custom to the contrary notwithstanding.

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Lastly I do hereby Constitute and appoint my sons Joseph and Robert Garner Executors of this my last Will and Testament by me heretofore made. In testimony whereof I have hereunto set my hand and affixed my Seal this 22nd day of February one Thousand Eight Hundred and forty one

Signed Sealed, published and declared
as for the last Will and Testament
of the above named James Garner in
the presence of us

James Garner (L.S.)

Thomas Frean

J P Neel

John Harp

Recorded in Will Book No. 1, Page 96.

Proved January 5th, 1843.

Recorded January 6th, 1843.

W. Wilson, Ordinary Newberry District.

Box No. 79. Pkg. No. 203. Est. No. 2006.