

Will of Isaac Gardner

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In the name of God Amen I Isaac Gardner of Wayne Township and Tuscarawas County being weak in body but of sound and perfect mind and memory blessed be almighty God for the same I do make and publish this my last will and Testament in manner following that is to say first that all my great debts and all former charges shall be paid as soon as convenient and then I do give and bequeath unto my beloved wife Mary Gardner all the residue and remainder of my property both real and personal estate lands goods chattels of what kind and nature whatsoever during the time she remains my widow but if she should get married and get another husband then and in that case she is only to have the one third of this my property I give and bequeath the same to my beloved wife Mary Gardner as above stated whom I hereby appoint sole Executrix of this my last will and Testament hereby revoking all former wills heretofore made in writing whosoever I have heretofore set my hand and seal this twenty second day of January in the year of our Lord one thousand eight hundred and twenty six

Isaac Gardner

Signed sealed published & delivered by the above named Isaac Gardner to be his last will and Testament in the presence of us who have heretofore subscribed our names as witnesses in the presence of the testator

Isaac Seaman
James Johnston
G. J. Gess

I have Gardner of my own knowledge and as the head of January 22 1826 with my own this codicil to my last will and Testament in the name following that is to say after the decease of my former wife Mary Gardner for her intermarriage with another man contrary to my last will and Testament the same and remainder of this my property both real and personal is to be equily divided amongst three my heirs excepting those three of my children of my first or former wife Anne Elly Gardner now intermarried with Selwina and Anne Elly Gardner now intermarried with John Mass and Isaac Gardner just all of whom have got their full share of their legacies of my property both real and personal and lastly it is my desire that this codicil be annexed to my last will and Testament to all intents and purposes in all things whereof I have hereunto set my hand and seal the date just above written

signed sealed published and delivered by the above named Isaac Gardner as a Codicil to be annexed to his last will and Testament in the presence of us
Isaac Gardner
with
Isaac Dredhoff
James Johnston
George Pees

State of Ohio
Tuscarawas County
Court of Common Pleas November Term Anno Domini 1828
The last will and Testament of Isaac Gardner was brought into Court and proven to the satisfaction of the court to be the last will and Testament of the said Isaac Gardner dec'd by Isaac Dredhoff & George Pees two of the subscribing witnesses to said will who testified that the said testator

signed and sealed the same in their presence that
he knew the contents thereof and declared the same to
be his last will and testament that he appeared to be of
sound disposing mind memory & judgment and
called upon them to bear testimony thereof
And at the said time the cousin of the said
Isaac Gardner was brought into Court and from
the satisfaction of the Court by the said Isaac
Sierdoff & George to of the subscribing witnesses
to said codicil who testify and say that the said
Isaac Gardner signed the same in their presence
that he knew the contents thereof and declared the
same to be a codicil to his last will and testament
that he appeared to be of sound disposing mind memory
and judgment that he was under no restraint
that he signed the same in their presence that
they were called upon to bear testimony thereof &
that they subscribed their names thereto in his presence
and in the presence of each other Whereupon the
Court order the said will & codicil to be recorded
Attest James W. English