

Last Will and Testament of James W. Burnett

State of Georgia,
Clay County } In the name of God Amen, I James W. Burnett of said
State and County, being of sound & disposing mind and memory, knowing
the uncertainty of life, especially as I am about to go into the service
of my Country as a soldier in the war between the United States and
the Confederate States, do deem it right and proper that I should
make a disposition of the property with which a kind Providence has
blessed me, I do therefore make this my last will & testament hereby
revoking and annulling all others by me heretofore made.

First I desire and direct that all my just debts be paid as
soon as possible by my Executor hereinafter named.

Secondly I give bequeath and direct to my beloved Brother
Martin G. Burnett all my interest in and to the lands & tenements
constituting the farm that I and said Martin G. Burnett occupy
together - with all the rights - members and appurtenances thereto
in any wise belonging, free from all charges and limitations whatever
I also give and bequeath to my said Brother Martin G. Burnett in the
same manner, the following negro Slaves to wit; Elijah, Harris, Wiley
Margaret, and her two children Eliza and her two children, Martha
and Grace with all issue and increase present & future also all my
farming utensils, household & kitchen furniture. And all of my
mules, horses, cattle - hogs, & all stock of every description, I also
will and bequeath to my Brother Martin G. Burnett all my interest
that I have or may have in and to my Father's estate, yet undivided, also
all the property both real & personal wherever & whatever it may be that
I now have or may have or be entitled to at the time of my death in to
have & to hold in manner aforesaid

Thirdly Should my Brother Martin G. Burnett depart this life
before me, and consequently before this will goes into effect, then I will
bequeath direct and desire that all and every kind and part
of property herein devised to said Martin G. Burnett shall go
to and vest in my beloved Brother John, Burnett free from all
charges and limitations.

Fourthly I hereby constitute and appoint my friend
Peyton R. Holt Executor of this my last will and testament this
December the 11th 1861.

J. W. Burnett *L.D.*

Signed sealed delivered and published by James W. Burnett as his last will and Testament in
the presence of us the undersigned, who subscribed our names wrote in the presence of said Testa-
tor at his special instance and request and in the presence of each other, the word "Estate"
having been interlined in the second line of the second page. B. F. Burnett
of this will before it was signed and witnessed this December, } J. M. L. Burnett
the 11th 1861. Attorney at Law

Last Will and Testament of James W. Bennett

Georgia Clay County. Before me S. A. McLendon ordinary of said County Personally came Pylton R. Holt Executor of the last Will and Testament of James W. Bennett deceased late of said County also two of the witnesses to said will to wit; B. F. Burnett and J. M. L. Burnett, who being duly sworn depose and say that that they saw the said James W. Bennett sign seal publish and declare the said instrument as his last will and testament, voluntarily and freely without compulsion and that they signed said will as witnesses, in the presence of said James W. Bennett and in the presence of each other.

P. R. Holt

B. F. Burnett

J. M. L. Burnett

Sworn to and subscribed before me this July the 6th day 1863
S. A. McLendon Ord. Clay County.