

to be in the presence of each other
and of the said James Burke
where he was subscribed before me the
1st day of April 1841

Geo W. McRuffie
Wm. H. Kemp

William H. Kemp
Ordinary

State of Georgia In the name of God Amen
Marion County } I John Burkhalter of said
County & State being of sound mind and
disposing memory and knowing that there
is a time appointed for all men to die do
ordain make and constitute this my last
will and testament hereby revoking all others
heretofore made by me inconsistent with
the provisions of this will

Item 1st It is my will and desire that Charles &
Sophia be sold to my executor hereafter
named also that he be sold to some person
of their choice for a fair price and the money
together with a box called Gethsemane now of
the possession of Thomas be given to
Samuel for during her life and at her death
to her children

Item 2d I will and bequeath and devise unto my
daughter & heiress Elizabeth a negro woman
named Candace and a man named Solomon
together with the plantation on which I
now reside together with all the stock and
articles thereon for and during her
natural life and at her death to her
children agreeably to the statute of distri-
bution of this State

Item 3d I give and bequeath unto my son David
of Burkhalter a man by the name of Luke
and a negro man by the name of Joe together
with all the stock and articles of any descrip-
tion whatever belonging to the plantation
on which he is This I do hereby also give
and bequeath unto the said David &
Burkhalter during his life and after his
death to my grand son John Burkhalter
and his faithful slaves Jack and his
children I also give unto the said David
& Burkhalter my cripple negro man

named Peter to the end that they be well taken care of in their old age

I give and bequeath unto my grand daughter Concord Lamb during her life and after her death to her children as man named Daniel and Mary a girl and in the event she has no children then she may dispose of said negroes by will or otherwise free from the debts contracts or liabilities of her present or any future husband

I give and bequeath unto my grand daughter Amanda Newman during her life and at her death unto her children

I give and bequeath unto my grand daughter Mary Abbott wife of Henry Abbott during her life and at her death unto her children Moses a boy and Ellen a girl

I give and bequeath unto my great grand daughter Sarah C. Woodall five thousand dollars and I do hereby appoint James C. Abbott Testamentary Guardian for said Sarah C. Woodall

I give and bequeath unto my great grand daughter Sarah C. Woodall and after her death to her children and I do hereby appoint said James C. Abbott Testamentary Guardian for said Sarah C. Woodall and in case the said Sarah C. Woodall and Mary C. Woodall should die either before the other then the survivors to have the property and in case there be no children of the deceased and in case the survivors should die without leaving children then the property to revert to my estate and to be distributed among my heirs at law and it is my further will and desire that the said Sarah C. Woodall and Mary C. Woodall shall enjoy the legacy left them free from the debts contracts and liabilities of any person in which they may have

I will and bequeath and devise unto my grand son John G. Burkhalter and

to Burkhalter, Burk to Aaron Henry and William to be enjoyed by them and their heirs forever.

Item I give unto the children of Riney McKinnis five dollars Elvira Hall and Henry McKinnis five dollars each

Item I hereby nominate and appoint my son David to Burkhalter my executor, of this my last will and testament believing that he will honestly carry out this my last will and testament

Item I will to my great grand son Sam (Keweenaw) my wife and to my daughter Averilla of my son David to Burkhalter two beds which he may select all the clothing for the same the rest of my furniture beds and furniture with Averilla McKinnis In witness whereof I have hereunto set my hand and seal this second day of March 1866

Wm. H. Blair
C. B. Hudson
James G. Baker

L. B. Burkhalter

Marion Court of Ordinary (April Term 1866)
Shews the last will and testament of John Burkhalter late of said county deceased has this day been produced in court by David W. Burkhalter the executor named therein and whereas the said David W. Burkhalter makes oath that the same is the last will & testament of the said John Burkhalter and whereas James G. Baker one of the subscribing witnesses to said will being duly sworn deposes & swears that he saw John Burkhalter the testator sign seal declare & publish the instrument now presented as his last will and testament freely voluntarily & of his own accord & without any compulsion or influence whatever that at the time of the execution of said will said testator was of sound mind and disposing memory that deponent signed said will as a witness in the presence of testator and at his special instance and request and in the presence of the other subscribing witnesses whereupon it is ordered & considered by the court that said will is proven in common form and that the same be admitted to record pursuant to the Statute in such cases made and provided and that a true copy of the same be given to the said David W. Burkhalter according to the Statute in such cases made and provided

Not Given Hairs Ordinary