

State of Georgia Marion County
I James Duke of said County and State being
of advanced age and feeble in body but of
sound and disposing mind deem it right and
proper that I should make a distribution
of the property with which a kind providence
has blessed me do make and ordain this to be
my last will and Testament hereby revoking all
others heretofore made by me

Item and I will and desire that my body be buried
in a decent and becoming manner hereby
trusting that my soul will return to God
whom I love and whose religion I have
professed for many years

Item I will and bequeath to my beloved wife
Jane Duke during her natural life the following
property to wit Lot of land number 18 1/2
situated in the 1st town district of original
Marion now Marion County it being the
place on which I now reside my negro
man about thirty four years old my
negro man Horton thirty three years old my
negro woman Mary thirty five years old &
my negro woman Sarah about thirty five
years old also my carriage and two mules
viz Lot & Kate and my two horse waggon
and all my household and kitchen furniture
after taking out of the same money to make
my unmarried children equal to what has
been received by those who are married

Item It is my will that my son William Washington
Duke have one good horse saddle and bridle to
be procured and furnished by my executor hereinafter
named

Item I will and desire that all the residue
of my estate of every kind and nature be
equally divided among my children and grand
children namely viz David Francis C. Duke
my son William M. Duke my daughter Martha
Johnson wife of William M. Johnson
my daughter Sarah Ann Lardens wife of
Richard Lardens my daughter Harriet
Elizabeth Nelson wife of George Nelson
my daughter Mary M. Roberson wife of
Samuel C. Roberson my daughter
Sabrina Lane and Rebecca it and that
the children of my son Anderson viz
Arthur C. Duke died shall
have the portion that my said son
would be entitled to if in life

Item fifth I will and bequeath that all the portion
of my estate going my daughters above
named as well what they now have in
their possession shall vest in them and
after their death to go to their children to
be intirely free from the debts contracts and
liabilities both in law and equity of their
present or any future husband they may
have

Item sixth I will and bequeath that the property named
in the second item for my beloved wife be equally
divided after her death among my children
as is provided for in the fourth item
of this will and that the portion which
my daughters may receive be subject to the
same conditions and restrictions

Item seventh I hereby nominate and appoint my son
Francis O. Duke Executor to this my last
will and testament and I do hereby appoint
him trustee of the property left to
my wife
Signed witness whereof I have hereunto
set my hand and seal September 8th
1885
James O. Duke

The foregoing will was signed sealed
declared and published by James Duke
in our presence as his last will and
testament and called on us to witness
the same & we sign the same in his
presence & in the presence of each
other this September 8th 1885

George H. McDuffie
Wm. H. Kemp
William G. Sted

Georgia In before me that even I have
Marion County Clerk for said county
Do witness that Francis O. Duke the
Executor of the last will and testament of
James Duke of said county deceased and
also two of the witnesses to said will of
James Duke to wit George H. McDuffie
& William H. Kemp who being sworn say that
that the said James Duke did in said declare
and publish the foregoing instrument as his
last will and testament voluntarily & freely
without any compulsion and that they
signed said will as witnesses in the presence
of said James Duke and said William G. Sted

...in the presence of each other
and of the said James Luck
where he and I subscribed before me the
1st day of April 1841

William H. Blair
Ordinary

Geo. W. McNeill
Wm. H. Kemp

- 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 Matthew be sold to some person
of their choice for a fair price and the money
together with a boy called Gilbert now of
the possession of Thomas be given to
Samuel for during his life and at his death
to his children
- Item 2d I will and bequeath and devise unto my
daughter & daughter in law a new farm
named Candace and a span above 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
C. Burkhalter a man by the name of Luke
and a new man by the name of Joe together
with all the stock and articles of any descrip-
tion or nature belonging to the plantation
on which he is This I do hereby also give
and bequeath unto the said David C.
Burkhalter during his life and after his
death unto my grand son John Burkhalter
with all the slaves Luck and his
children I also give unto the said David
C. Burkhalter my cripple negro man