

Georgia. Know all men by these presents, That I John Clarke, Warren County, Georgia Wills 1829-1852
 and county aforesaid, being of sound mind and memory but weak and feeble of body and knowing the uncertainty of life and the certainty of Death, do make, constitute ordain and appoint this my last will and Testament, in the words following (to wit)

Item the 1st I wish my Executor whom I shall hereafter name, to sell the whole of my estate as soon as possible except ^{what} I shall hereafter mention and to pay all my just debts and the balance after schooling my children to be divided equally among my four children William J. Clarke, Maryann Clarke, James R. Clarke, and John W. Clarke, when they arrive at the age of Twentyone years each one to be paid his proportionable part, when he comes of age but if said children should depart this life before they come of age their portion to be equally divided among the ^{living} children or their lawful heirs.

Item the 2nd If there should be enough to pay ^{my} just debts and School the above mentioned children, these three negroes, Peggy, and Anna, & Melvina not to be sold but to remain for the children.

Item the 3rd I give and bequeath to my Son William J. Clarke, one Sound colt. about three years old named Selim worth Forty dollars in his part.

Item the 4th I give and bequeath to my four children above mentioned one good feather bed and furniture with ^{out} a stid to each one of them.

Item the 5th I wish my Executor to take my children and the negroes which I have reserved for them and carry them to Benjamin T. Harrison and Elizabeth Heath in Cass County that they may there send them to School and raise them in a healthy country.

Item the 6th I wish my Executor to pay out of the proceeds of my estate this years tuition and four more years of William J. Heath, Son of my sister Elizabeth Heath of Cass county in this State.

Item the 7th I wish the negroes which I have reserved for my children to be either hired out or employed by those whom I have above directed to take charge of them and the value of the hire to be deducted out of the childrens board or schooling.

Item the 8th I do hereby nominate, constitute and appoint Thomas Byer of the State and county first above written my sole Executor to this ~~last~~ my will and Testament hoping that he will attend to my requests and to deliver the proceeds of my estate which is to be sold to the said B. T. Harrison and Mrs. Elizabeth Heath as soon as it can be collected to be by them kept in reserve for my children according to the tenor of this my last Will. In witness whereof I have hereunto

Set my hand and Seal, This 5th day of December 1838 Signed, Sealed, and
 delivered in the presence of
 Joel Cloud,
 Erastus Parham,
 Evans McBrary, J.P.

Warren County, Georgia Wills 1829-1852
 www.georgiapioneers.com

John Clarke, J.P.

(Probate.)

Georgia, You Joel Cloud, Erastus Parham, & Evans McBrary, do swear
 Warren County, } that you saw the within named John Clarke, sign, Seal,
 publish, and declare this instrument of writing to be and contain his last
 will and Testament and that at the time thereof he was in your opinion
 of sound and disposing mind & memory and that he did it freely
 without compulsion and that you all became subscribing witnesses at
 his request and in his presence and in the presence of each other to the
 best of your knowledge.

So help you God.

(Signed)

Joel Cloud,

Erastus Parham,

Evans McBrary, J.P.

Sworn to & subscribed
 in open court, January
 Term, 1839.

Attest,

Patrick N. Maddux, C.C.O.

Recorded Feby. 2, 1839.

P. N. Maddux, C.C.O.