

(22)

as subscribing witnesses in the presence of the said Testator
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The deponent further saith that one of the subscribing witnesses to wit,
Isaac Burson has since the signature to the same as a witness ~~been~~ departed
this life and further that ^{at} the time of the signature to the same, this deponent
believes the testator to have been in his sound & disposing mind & memory
Sworn in open court, May Term, 1838. E. Perryman, Jr.

A.D. 1838,

Patrick N. Maddux, c.c.k.

The above witness refused to swear to
the same that the other swore to; therefore was
qualified separately in the above form made out by
Burson Pettit, Esq. who was employed by the widow of
Testator to have the Will proved & established.

PK. N. Maddux, c.c.k.

Recorded June 6, 1838.

Patrick N. Maddux, c.c.k.

The Last Will & Testament of Stephen W. Burnley.

Georgia, Warren County.

In the name of God amen.

I Stephen W. Burnley of the county and State aforesaid, being weak in
body, but of sound disposing mind and memory, and calling to mind the
mortality of my body, and knowing that it is appointed for all men once to
die, do make and ordain this my Last Will and Testament, and first and
principally of all I give and recommend my soul into the hands of Almighty
God that gave it, nothing doubting, but I shall receive the same at the
general resurrection by the mighty power of God, and my body I recommend
to the Earth to be buried in decent christian burial at the discretion of my
Executors, And as touching such worldly Estate as it hath pleased God
to bless me with in this life, I give and dispose of the same in the following
manner & form, to wit—

Item first— I give and bequeath to daughter Caroline Johnson

one negro woman named Milley with her increase, in addition to
what I have already given her. —

Item second— I give and bequeath to my daughter Teresa Parkedale a

Negro man named Sandy (a Blacksmith) a negro man named
Osborn, a negro woman named Nancy and her increase, a negro
woman named Phebe and her increase in addition to what she has already
received. —

Item third - I give and bequeath to my daughter Harriet Howard,
 a negro woman named Mary and her children in addition to what
 she has already received -

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Item fourth - I give and bequeath to my son James Laurence Burnley
 One negro man Jesse (a Carpenter) One negro man named Tom,
 One negro man named Peter, One other negro man named Major, One negro
 woman named Barbary and her child Ducky and the increase of the said
 Barbary -

Item fifth - I give and bequeath to my son Perry Jackson Burnley,
 One negro man named Moses, One negro man named John, One negro
 man named London, One negro boy named Brown, One negro Girl named
 Tilly her increase, negro woman named Dorcas her increase -

I give & bequeath to my mother in law Mary Ganet One Day
 mare, At her own disposal, I also lend to the said Mary Ganet
 during her natural life a negro Girl named Phillis, and at the death of
 the said Mary Ganet the said negid then increase to go to my son
 Perry Jackson Burnley

I give and bequeath to my two sons James Laurence and Perry
 Jackson Burnley, the tract of Land whereon I now live, containing Six-
 hundred and Seventy eight acres, also the following adjoining tracts of
 Land to wit: Six hundred acres lying on both sides of the mill creek,
 Two hundred and fifty acres granted to Knipper, Three hundred acres
 granted to Pratt Brooks, Three hundred acres granted to Welsh, Two hundred
 acres granted to Pratt, Seventy three acres granted to myself

with all the machinery attached thereto, of grist and sawmill, cotton gin &c.
 I also give and bequeath to my two sons James Laurence & Perry Jackson
 Burnley all my stock of all kinds, of horses, cattle, oxen, sheep, hogs &c.
 all my household and kitchen furniture, plantation tools &c. with the
 crop of corn, fodder, grain &c. now on hand, as also that which is now
 growing on the premises of corn cotton, grain &c. and lastly it is my
 wish and desire that my two sons aforesaid do take care of, and
 nicely maintain & support their grand mother Mary Ganet during
 her life time - I nominate and appoint my two sons aforesaid

James Laurence and Perry Jackson Executors to this my last will
 and testament, ratifying & allowing this and nothing to be my last
 Will & Testament hereby revoking & disannulling all former wills
 and testaments by me at any time heretofore made -

In testimony whereof the said Stephen W. Burnley hath
 hereunto set his hand and seal the twentieth (20th)

day of May, Eighteen hundred and thirty seven. (1837)

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dealed and declared to be the last Will and Testament
of Stephen W. Burnley. -

Stephen W. Burnley, (L.S.)

Jacob A. Riviere.

F. M. Tamm.

Elisha Burson.

Georgia, You Jacob A. Riviere, F. M. Tamm, and Elisha Burson do swear
Warren County, that you saw Stephen W. Burnley sign, seal, publish and declare
this instrument of writing to be and contain his last Will and Testament,
and that at the time of so doing he was in your opinion and belief,
of sound disposing mind and memory, and that he did it freely
without compulsion to the best of your knowledge, and that you
all became subscribing witnesses to the same at the last Testator's
request.

So help you God.

Jacob A. Riviere.

Francis M. Tamm.

Elisha Burson.

Sworn in open court,

May Term, 1838.

A. M. 232.

Patrick M. Maddux, C. C. & C.

Recorded June 6, 1838.

P. M. Maddux, C. C. & C.