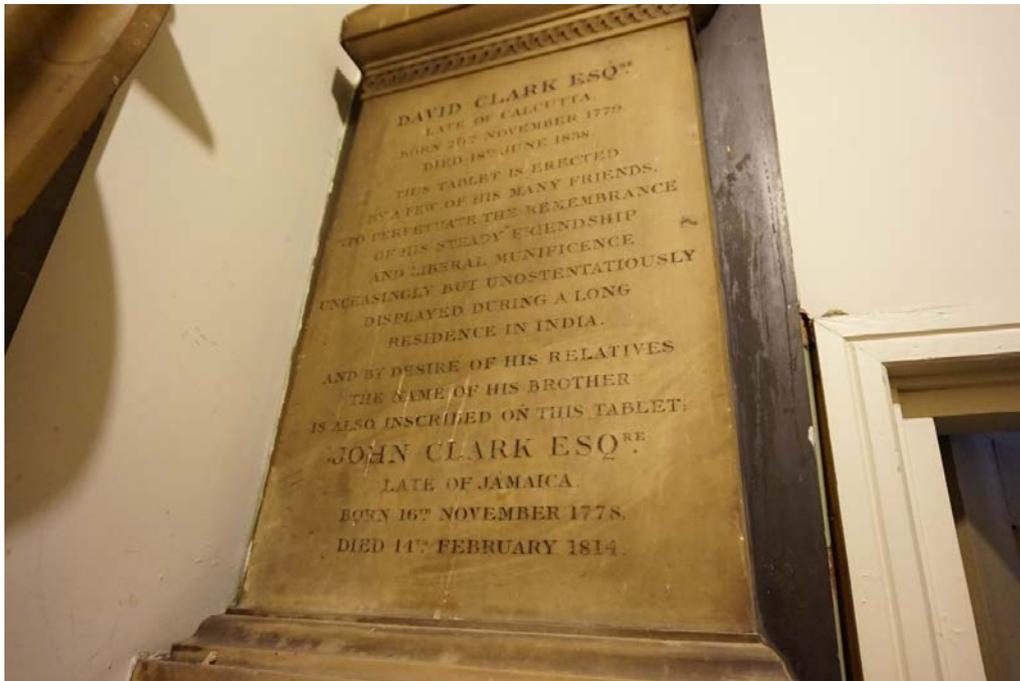


David Clark (1779 – 1838)

Lived in New Broad Street

Died June 18<sup>th</sup> at the Portland Hotel and buried at St Marylebone Parish Church



Also commemorated is David Clark's brother, John Clark of Jamaica

WILLS OF JOHN CLARK  
and of HIS BROTHERS PATRICK AND JAMES

1814—THE WILL OF JOHN CLARK OF KINGSTON

Jamaica Ss.

IN THE NAME OF GOD AMEN. I John Clark of the City and Parish of Kingston, in the County of Surry and Island aforesaid, Esquire, being in good health of body and of sound and disposing mind and memory, do make publish and declare this to be my Last Will and Testament. In the first place, I give devise and bequeath all my Estate Real, personal or mixed, or of whatever nature or kind and wheresoever the same may be or whereof I shall in any ways be possessed or interested in at the time of my death unto the **Honourable Simon Taylor** of the Parish of St. Andrew in the County of Surry and Island aforesaid, Esquire, **James Fairlie** and **Mungo Fairlie** of *Ayrshire* in that part of the United Kingdom of Great Britain and Ireland called *Scotland*, Esquires, **John Orr**, **William Allan** and **Thomas Heslop** of the City and Parish of Kingston in the County of Surry and Island aforesaid, Esquires, and the survivor of them, their heirs, executors, administrators and assigns, of such survivor according to the nature and quality of my said Estate, upon the Trusts and to and for the several uses, intents, and purposes hereinafter mentioned, expressed and declared of and concerning the same, that is to say, upon trust that they the said **Simon Taylor**, **James Fairlie** and **Mungo Fairlie**, **John Orr**, **William Allan** and **Thomas Heslop**, or the survivors, or survivor of them, or the heirs, executors, administrators or assigns of such survivor, do and shall with all convenient speed after my decease or at such time thereafter as may be most and proper for the benefit of the several persons hereinafter named, sell, dispose of and convey all and singular, my said Estate, either entirely or in parcels, by public sale or auction or private contract, unto any person or persons who shall be willing to become the purchaser or purchasers of any part thereof for the most money that can be gotten for the same, and do and shall for that purpose make,

sign, seal, deliver and execute all such deed, conveyance and .....in the law as they the said **Simon Taylor, James Fairlie, Mungo Fairlie, John Orr, William Allan and Thomas Heslop**, or the survivors or survivor, shall think fit. And I do hereby declare my Will to be that, upon payment of the money to arise from such sale or sales or any part or parts thereof, it shall and may be lawful to and for the said **Simon Taylor, James Fairlie, Mungo Fairlie, John Orr, William Allan and Thomas Heslop** and the survivor or survivors of them, and the heirs, executors, administrators and assigns of such survivor to give and sign any receipt or receipts for the money to arise by such sale or sales, which receipt or receipts shall be good and sufficient discharge or discharges to any purchase or purchases.....or the respective heirs, executors, or administrators and assigns for so much of the said purchase money as shall be known, expressed, or acknowledged to be received, and such purchaser or purchasers, his, hers or their respective heirs, executors, administrators or assigns shall not afterwards be obliged to see to the application of such purchase money, or accountable for the loss, misappropriation or non-application thereof, or any part thereof respectively, and my will is and I do hereby direct that the said **Simon Taylor, James Fairlie, Mungo Fairlie, John Orr, William Allan and Thomas Heslop** and the survivors or survivor of **them**, and their heirs, executors, administrators and assigns of such survivor shall stand possessed of or interested in the monies to arise and sale or sales, respectively as aforesaid for the several trusts and for the several interests and purposes hereinafter mentioned and contained of any containing the same, that is to say that they the said **Simon Taylor, James Fairlie, Mungo Fairlie, John Orr, William Allan and Thomas Heslop** and the survivors and survivor of them, and their heirs, executors, administrators and assigns of such survivor, do and shall, in the first place, out of the monies to arise from such sale or sales fully pay off, satisfy and discharge all my just debts and funeral expenses and from and after such full payment and satisfaction thereof, upon trust that they my said Trustees and the survivors or survivor of them, and the heirs, executors administrators and assigns of such survivor, do and shall of their own proper authority and of their own discretion lay out and invest the residue of the money to arise by such sale or sales of aforesaid, in the Public Funds or Stocks or in other Government Security of and in Great Britain at Interest to be from time to time called in, altered and varied by them as occasion shall require, in which case the receipt or receipts of my said Trustees shall be a good and sufficient discharge or discharges for so much of the said money so called in as shall be therein expressed or acknowledged to be received, and the person or persons paying in the same his, her or their heirs, executors administrators or assigns shall not be obliged to see to the application of such money, or accountable for any loss, misappropriation or non-application thereof, or of any part thereof respectively and this further trust that they my said Trustees, and their survivors or survivor of them, and their heirs, executors, administrators and assigns of such survivor do and shall pay the Interest and yearly Dividends and produce of all and every such sum of money as shall arise from such sale or sales as aforesaid as and where the same Interest, Dividend and Produce shall become due and payable, and as the same shall be *accrued* unto my dearly beloved **MOTHER, Margaret Clark** of that part of the said United Kingdom of Great Britain and Ireland called Scotland, widow, for and during the term of her natural life and to and for her sole, separate use, benefit, and behoof, and from and after the decease of my said mother then upon trust that they my said Trustees and their survivors or survivor of them, and the heirs, executors, administrators and assigns of such survivors do and shall with all convenient speed after her decease call in and collect the monies so to be invested as aforesaid and in so doing the receipt or receipts of my said Trustees, or their survivors, or survivor of them, or their executors, administrators or assigns of such survivor shall be a good and sufficient discharge or discharges for the same and that they my said Trustees and the survivors or survivor of them and the heirs, executors and assigns of such survivor do and shall from time to time and as soon as such monies shall be called in collected and received, pay over, distribute the same and every part thereof unto and among my **BROTHERS and SISTERS, Patrick Clark, Agnes Clark, David Clark, James Clark, Margaret Clark, Jean Clark, Elizabeth Janett Clark, William Fairlie Clark, and Patricia Clark**, and my **COUSINS James Fairlie and Sarah Fairlie, the son and daughter of my aforementioned Trustee James Fairlie**, or such of them as shall be alive at the death of my said Mother, in equal shares and proportions, and to the children of such of my said Brothers and Sisters and Cousins as may have died, respectively the part or share of the Parent to be equally distributed between his or her respective children if more than one. If only one, then

to such only child. And my further will and desire is until my Trustees aforesaid shall be able to sell and dispose of my said real, personal, and mixed Estate, and invest the monies to arise therefrom as aforesaid, that they my said Trustees and the survivors and survivor or them, and the heirs, executors, administrators and assigns of survivor do and shall in the meantime after payment and satisfaction of my debts and funeral expenses, permit and suffer my said mother to receive, take and enjoy her.....and profits of my real estate and the Interest to arise or accrue from my personal estate to and for her sole use, benefit and behoof. And lastly, I do hereby nominate, constitute and appoint the said **Simon Taylor, James Fairlie, Mungo Fairlie, John Orr, William Allan and Thomas Heslop** EXECUTORS of my Will, hereby revoking and making void all other Wills by me at any time heretofore made. *In Witness* whereof I the said John Clark have to this my last Will and Testament contained in four sheets of paper set my hand to the first three sheets thereof and my hand and Seal to the fourth and last sheet thereof, this third day of October in the year of our Lord, 1811. *John Clark*

Signed, sealed published and declared by the Testator John Clark as and for his last Will and Testament in the presence of us.....at his request and in his presence and in the presence of each other have subscribed our names as Witnesses hereto...

*John Falconer      F. Matthews      J. H. Henderson*

#### **Jamaica Ss**

I, the within named **John Clark**, by this my Codicil to the foregoing Will and Testament do hereby confirm the same, and in addition to the Trustees and Executors therein named, hereby nominate, constitute and appoint **William Fairlie** of the City of **London**, Esquire, **William Morgan** and **Robert Ochterlony** of the City and Parish of Kingston and Island aforesaid, Esquires, Trustees and Executors aforesaid **with** as full powers as if they had been originally named in my said Will. Witness my hand this 23<sup>rd</sup> day of April, 1813. *John Clark*

Witness:

*Nish Laishmere      Fred'k Matthews      J. H. Henderson*

**MEMORANDUM.** J. Clark to his Executors, after paying debts, watch and seals, etc., and any trinkets to his mother and Silver Mugs, George, the property of **James Fairlie**, Esq'r to be delivered to Ann and Fanny Fairlie<sup>[2]</sup> George Cussans to be manumized on paying his purchase money, about 50£ already paid, and his money given Mrs. L. Dufant a Negro Girl named Lavinia at present with Capt. Morgan and by him sold over to me in 1809 for the purpose of being manumized, I wish should be done, to Mrs. Louisa Dufant I wish my Executors to allow her from my Estate what they may deem fit, to be regulated according to the value of my Estate, so as enable her to live in comfort, and any bed or table linen or furniture as she may wish delivered to her. To my worthy and esteemed friends, my Trustees, and Executors I regret my Estate cannot afford -- that means of leaving them a pledge of my sincere friendship during life and I can only express my most fervent hope they may enjoy uninterrupted health happiness and prosperity while it pleases the Almighty to spare them.

*J. Clark      April 4, 1813*

**PROVED** at London with two Codicils 21<sup>st</sup> October 1814 before the worshipful Samuel P Parson, Dr of Laws and Surrogate, by the Oath of William Fairlie Esq. one of the Executors in first Codicil to whom administration was granted limited until the original Will and Codicils of said deceased, or a more authentic copy thereof shall be brought into and left in the Registry of the Prerogative Court of Canterbury but no further or otherwise having been sworn duly to Administer power reserved to James Fairlie, Mungo Fairlie, William Morgan and Robert Ochterlony in the Will written Ochterlony Esq'res the other surviving Executors named in the **said** Will and Codicils when they, or either of them shall apply for the same.

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**1830—THE WILL OF PATRICK CLARK**  
**(Brother of the above John Clark)**

**A**

**THIS IS THE LAST WILL** and Testament of me **Patrick Clark** of **Elm Bank**, County of Ayr. I give and bequeath in trust the whole of my property real and personal to my Brother **David Clark** of 43 Weymouth Street, London, Lt. Col. **James Clark** of Sharo Hill, Ayrshire, William Fairlie Clark (*Me... ..*) Calcutta, and James H. Rodgers of Calcutta to hold the same and every part thereof upon the several Trusts and for the following purposes ends and intents upon Trust as soon as probate after my decease to ( ... .. ) all my property in whatever way appears most advantageous for my Estate and after all my lawful debts are fully paid I will and bequeath to the above mentioned Trustees the whole of my real and personal property in Trust for the following purposes and intents. Whereas by Contract of Marriage Four Hundred Pounds per annum is settled upon Mrs. Margaret Clark annuity, Three Hundred Pounds for mourning and One Thousand Pounds in lieu of furniture with Twelve Thousand Pounds for any children there may be by such marriage. The above sums I Will and to be secured for the purposes set forth in the said Contract and by Deed of Trust of Date January 7<sup>th</sup> 1828 on ... .. has been settled and assigned to Trustees for the benefit of my sons John David and James Mungo Clark and by another Deed of Trust dated July 3<sup>rd</sup> 1828 a further sum of Five Thousand pounds Sterling have been made over to Trustees for the benefit of my four Sisters and to ... at their death to my two sons the said John David and James Mungo Clark or to the survivor as expressed in the Deed. I will and bequeath to Novia Bertony of Prince of Wales Island the mother of my two sons David Clark and James Mungo Clark Thirty Spanish Dollars per month to be paid to her monthly during her life and direct that the sum of Eight Thousand Spanish Dollars or Two Thousand Pounds Sterling may be invested to accrue her in that annuity and at her death the Principle of the above mentioned Eight Thousand Spanish Dollars or Two Thousand Pounds Sterling be equally divided between my two sons **John David** and **James Mungo Clark** or to the survivor if either should have died previous to the said **Novia Bertony**. I further leave the sum of Four Thousand Pounds to be equally divided between my two sons **John David** and **James Mungo Clark** on their attaining the age of Twenty Five and **Clark** of Elm Bank, County of Ayr. I give and bequeath in Trust the whole of my property, real and personal to my Brothers, **David Clark** of 43 Weymouth Street, London, and **Col. James Clark** of Sharo Hill, Ayrshire, **William Fairlie Clark**, Merchant, Calcutta, and **James H. Rodgers** of Calcutta, to hold the same and every part thereof upon the several Trusts and for the following purposes, ends, and intents. Upon Trust as soon as possible after by decease to .....all my property in whatsoever way appears most advantageous for my Estate and after all my lawful debts are fully paid, I will and bequeath to the above mentioned Trustees the whole of my real and personal property in Trust for the following purposes and intents. **Whereas** by Contract of marriage Four Hundred Pounds per annum is settled upon **Mrs. Margaret Clark** annuity, Three Hundred Pounds for mourning Cr and with One Thousand Pounds in lieu of furniture Cr with Twelve Thousand pounds for any children there may be of such marriage. The above sums I will be secured for the purposes set forth in the said Contract and by Deed of Trust of Date January 9<sup>th</sup>, 1828 ..... has been settled and assigned to Trustees for the benefit of my sons **John David** and **James Mungo Clark** and by another Deed of Trust dated 3<sup>rd</sup> of July, 1828 a further sum of Five Thousand Pounds Sterling have been made over to Trustees for the benefit of my four Sisters and to *move* at their death to my two sons, the said **John David** and **James Mungo Clark** or to the survivor as expressed in the Deed. I will and bequeath to **Novia Bertony** of Prince Edward Island the Mother of my two sons **John David** and **James Mungo Clark**, the sum of Thirty Spanish Dollars per month to be paid to her monthly during her life and direct that the sum Eight Thousand Spanish in the event of the death of either, the whole to go to the survivor. I will and bequeath to my Sisters, **Agnes, Margaret, Jean, and Elizabeth Janet**, the sum of Four Thousand Pounds Sterling to be equally divided between them. I leave and bequeath to the four daughters of my late Sister **Mrs. Patricia Rodgers** the sum of Two Thousand Pounds Sterling to be equally divided between them or to the survivor on being of age or married. I leave and bequeath to my Nephew **Patrick Cheap Clark** the sum of One Thousand Pounds Sterling and to all the other children of my Brother **William Fairlie Clark** the sum of Five Hundred Pounds Sterling to each. I will and bequeath to my

Nephew **James Scott Clark** of Singapore, the sum of Five Hundred Pounds Sterling. I appoint **David Clark**, Esq. and **James H. Rodgers**, Esq. to be Guardians and Trustees for my sons **John David** and **James Mungo Clark** until they attain the age of twenty five years at which time they are to be put in possession of each his respective share of money left to him with the Interest on it and no deduction made for any sums that may have secured in my lifetime in forwarding them in the world and for their personal expenses, I order those above mentioned Guardians and Trustees in the event of my death before my son **James Mungo Clark** goes to India that his education is charged to my estate with passage and outfit for the voyage as was sent to his Brother and that sufficient is allowed him for subsistence after reaching Calcutta till he can be put a way to provide for himself, as has been done likewise to his Brother **John David Clark**. I leave and bequeath the residue of my property to my Brothers, **David Clark**, Lt. Col. **James Clark** and **William Fairlie Clark** to be equally divided among them as far as Fifteen Thousand Pounds and any surplus to go to **John David** and **James Mungo Clark** provided there is no children by marriage and in the event of my Estate amounting to Sixty Thousand Pounds, I give a further sum of One Hundred Pounds per annum to my wife during her life and the Principal of that sum to go to any child or children by her. I will and bequeath of the money provided in the Contract of Marriage to go to my sons **John David** and **James Mungo Clark**, share and share alike or to the survivor, and the remainder to be equally divided between my Brothers **David Clark** and Lt. Col. **James Clark** and **William Fairlie Clark**. In Witness of this my last Will and Testament I have hereto set my hand and seal this Eleventh Day of July, One Thousand Eight Hundred and Twenty Eight in the presence of Witnesses as under.

*Pat Clark*

Here to witness:

*Geo Steer, George G. Alladice, I Duncan, J. Clark*, all of No. 9 Broad Street Building, London.

to Messrs Fairlie Bonham & Co.

**B**

**DAVID CLARK**, Esq. In the event of my death I direct Fifty Pounds Sterling to be paid to Mrs. Jemima Sims now residing No. 27 Northumberland Street, New Road, but should she leave it, her address may be obtained by the order I gave her on William Fairlee, Esq. Witness the street for a small yearly sum.

*Pat Clark*, London, July 8, 1828. Superscription ss David Clark Esq. Memorandum regarding my Will to be opened after my death.

**CODICIL** to my Will of the eleventh day of July, One Thousand Eight Hundred and Twenty Eight. Whereas considerable thought and attention has taken place in the circumstances of my remaining Sisters by the death of my Sister, **Agnes Clark**, named in the said Will, I am therefore induced to will and direct that One Thousand Pounds which former her share of the Four Thousand bequeathed to my Sisters, be paid to my sons **John David** and **James Mungo Clark** in equal parts to each or the whole to the survivor in the event of the death of either, and the remaining Three Thousand Pounds bequeathed to my surviving Sisters, **Margaret**, **Jean**, and **Elizabeth Jane**, shall likewise to the said **John David** and **James Mungo Clark** in equal shares, or the whole to the survivor in the event of the death of either without issue, at the death of my above mentioned Sisters, the amount to remain unbroken till the decease of the last those three, and in the event of either of them having children, it is provided that sums of Three Thousand Pounds shall go to the child or be divided share and share alike amongst the children my said Sisters in addition to the Four Thousand Pounds bequeathed in my Will to my sons John David and James Mungo Clark. I further will and direct them to be paid the sum of Two Thousand in the event of the decease of either, the said sum to go to the survivor provided the deceased had no issue. I will and direct that for every Ten Thousand Pounds above Sixty Thousand, my wife's annuity may be increased One Hundred Pounds per annum for her life and she continue unmarried, but in the event of her making a second marriage, I direct that she will not benefit by my Estate further than what the Contract of Marriage gives her a right to. I further will that at my decease she may be paid the sum inherited by her which was Eight

Hundred Pounds and that she may keep all the remaining furniture, plate, table and bed linens which was taken by me on valuation at the time of our marriage and which amount was paid to her Sister **Stuart Linderay** all my other household property, plate, linen and of all description must be sold which do not count under the terms of the Marriage Contract except the Library of Books which I received from my Father and set of China which was likewise his, I likewise leave to my brother **David** with the various burying places in Glasgow, and in the event of his death before me, to go to **Lt. Col. James Clark**, and in failing him, likewise before me to my other Brother **William Fairlie Clark**. I will and bequeath the two silver pots which belonged to my brother **John** to be given to my sons **John David** and **James Mungo Clark** or to the survivor, and in the event of their decease to be given to the eldest of my surviving Brothers. I have signed this Codicil on the fourteenth of April, One Thousand Eight Hundred and Thirty without witnesses at No. 9 Broad Street Buildings, London, and trust any informality may not render it void.

*Pat Clark*

In the Goods of Patrick Clark, Esq., deceased/13<sup>th</sup> Dec. 1840

**APPEARED PERSONALLY Charles Copland** of Broad Street Buildings, London, Gentleman, and **James Duncan** of the same place, Gentleman, and jointly and severally made Oath that they knew and were well acquainted with **Patrick Clark**, late of Elm Bank in the County of Ayre in North Britain, deceased, for many years before and to the time of his death and during such their acquaintance with him have frequently seen him write and write and subscribe his name to writings, and are thereby become well acquainted with his name and character of handwriting and subscription and having now carefully reviewed and inspected the paper writings hereunto annexed purporting to be and contain the last Will and Testament with a Codicil thereto of the said deceased, that the will being contained in two paper writings marked respectively with the letters **A** and **B** the said paper writing marked **A** beginning there "This is the last Will and Testament of me **Patrick Clark** of Elm Bank, County of Ayr" ending with "In witness of my last Will and Testament I have hereunto set my hand and seal this eleventh day of July One Thousand Eight Hundred Twenty Eight in the presence of witnesses as under" and being there subscribed **Pat Clark** and having the words being thus subscribed **Pat Clark** and having the words "possible after" .....[The rest is a line by line inspection of the Will and Codicil, and the two men conclude and affirm that it really was a genuine document, and thus it was proved, but it is of no concern to our immediate need, so I leave it un-transcribed. David B. Clark]

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**1854. The Will of Lt. Col. James Clark  
(Brother of the above John Clark)**

W. AYR. The twenty-third day of January Eighteen Hundred and Fifty Four years. In presence of **Archibold Bell Esquire** Advocate Sheriff of the County of Ay appeared **James Morton, Esquire** writer in Ayr as Narator for **Lieutenant Colonel James Clark** after named, and designed and gave in the Trust Disposition and settlement in the Sheriff Court Books of said County conform to clause of....contained, which desire the said ..... found reasonable and ... to be ... whereof the ... follows:

I LIEUTENANT COLONEL JAMES CLARK of Sharo Hill in the Parish of Riccarton having resolved to exercise the settlement underwritten to ..... in the event of my death, I hereby give, grant, assign and dispose, to and in favour of, my Sisters **Jean Clark** and **Elizabeth Janet Clark** of Elm Bank, **James Herbert Rodgers Esquire** of Elmslie, **James Fairlie Esquire** of Holmes and **James Dunlop Esquire** of Annanhill or the acceptors or acceptor, survivors or survivor of them, the major part accepting and surviving at the time being always a quorum of Trustees for the purposes after mentioned and to their ..... and assigns all and sundry lands and heritages, bonds .....and after debts and sum of money and in general the Real Estate and Effects heretable and moveable, real and personal, of what kind or whatsoever or wheresoever situate presently belonging or which shall pertain and belong to me at the time of my decease, together with the whole vouchers and instructions ... with titles and securities of and .... my said estate and effects generally

above conveyed and all that has followed or may be competent to follow thereon. And I bind and oblige me and my foresaids to invest and ... the said Trustees and their foresaids in the whole land and heritages generally above disposed requiring investment and for their purpose to make, grant, distribute and deliver all deeds requisite and necessary for fully vesting premises in their persons with power to my said Trustees to .. into possession of the said trust, Estate and Effects to call due for uplift and receive the writs, mails and duties and Interest and annual profits arising from the same and to grant discharges therefore, but declaring always that those presents are granted in trust for uses, ends and purposes after mentioned. **In the first place** for payment of all my just and lawful debts ... and funeral charges. **In the second place** I direct my said Trustees immediately after my decease to deliver to **Charles Clark**, son of my late Brother, **David Clark**, the plate, gold watch and chain and seal which belonged to his late father, and also to deliver to my Nephew **John Erskine Clark**, oldest surviving son of my Brother, **William Fairlie Clark**, and failing him to the next brother who may be alive at the time, the set of table chinaware and library of books formerly belonging to my father, also two silver quart mugs which belonged to my deceased Brother, John. Also the vault number Fifty Seven B in Marylebourne church, London, and the burial places in the North West Churchyard and College Churchyard in Glasgow belonging to our family. **In the third place**, I direct my said Trustees to make payment of the following legacies at the first term of Whitsunday or Martinmas which shall happen after my death, and also of my other legacies which I may bequeath, direct to be paid by any writing under my hand, namely to **David Clark**, son of **James Scott Clark** of Singapore to assist in his education the sum of Two Hundred Pounds Sterling, to **John Robert Esquire** of New *Carodish* Street, London, the sum of Five Hundred Pounds, or such sum as shall be equivalent to but not to exceed one share of the residue of my Estate which divided as after provided to be applied by him as he shall think best for the benefit of **Mrs. John Hoard Rice**. Also to my faithful servant James Wilson, One Hundred Pounds Sterling, and to Joan Chalmers Fifty Pounds Sterling, and to George Brown Fifty Pounds Sterling, and to the Clergyman for the time being of the Parish of Riccarton for distribution among the poor people in the Parish of Riccarton as he shall select, Ten Pounds Sterling. **And lastly** I direct my said Trustees after my who property shall be realized, and the above or any other legacies which I may leave as aforesaid are paid, to divide the remainder and residue of my whole Estate equally among the following persons share and share alike, declaring that if any of them shall die leaving lawful issue before the trust funds shall be divided, such issue shall be entitled to succeed to their father or mother's share, namely, **Margaret Clark** and the said **Jean Clark** and **Elizabeth Clark** my sisters, the said **John Erskine Clark**, **Alured James Clark** and **William Fairlie Clark** my nephews and son of the said deceased **William Fairlie Clark**, **Isabella Agnes Clark**, **Margaret Grace Clark**, and **Emma Georgianna Clark** my nieces and daughter of the said deceased **William Fairlie Clark**, **Margaret Rodgers**, **Sarah Rodgers**, **Elizabeth Rodgers** and **Agnes Rodgers** my nieces and daughters of the said **James Herbert Rodgers**, and the said **Charles Clark**, son of my brother the said **David Clark**. And I do hereby give full power to my said Trustees or the survivor or survivors of them foresaid to sell and dispose of the whole of my Estate and Effects hereby conveyed, and that either by public coup or private bargain as to them shall seem proper and to grant all necessary deeds and conveyances to the purchasers. And I hereby give full powers to my said Trustees or the survivors or survivor of them to add and assume any other person or persons to be a Trustee or Trustees to act along with them in the management of the promises and who shall have the same powers as if named and appointed by myself. And it is hereby declared that the said Trustees shall not be liable for omissions or neglect of management nor .... And I hereby nominate and appoint my said Trustees above named and the survivors or survivor of them and those who may be assumed as aforesaid to be my sole EXECUTORS and Intromitters with my moveable means and estate and I hereby revoke all former settlements and dispositions made by me and reserve full power to alter or revoke these presents as I may see proper, disposing with the delivery thereof and declaring the same to be valid and effectual although found in my Repositories or in the custody of any person to whom I may have entrusted the same for my behoof at the time of my death. And I consent to the Registration thereof in the Books of Council and ... or other Books competent therein to remain for preservation and thereto constitute James Martin, writer in Ayr my Narrators, In Witness thereof I have subscribed these presents written upon this and the two previous pages of stamped paper by James Hamilton Clerk to George Douglas and Alexander

Hamilton, writers, in Kilmarnock, the Eighteen day of November Eighteen Hundred and Forty Six years,  
before those witnesses the said George Douglas and James Hamilton.

Signed, *J. Clark*     *George Douglas*, Witness, *James Hamilton*, Witness.