



NATIONAL ARCHIVES OF IRELAND

NAI/2002/119

Archives are subject to copyright and should not be copied or reproduced
without the written permission of the Director of the National Archives

4
FORMAL WILL.

W.O. No.: E/297404/1

DOMICILE

Irish
~~English~~

Record No.

203/376283/16/17

Name

John Clarke

Regtl. No. and Rank

No. 5958 Pte

Regt.

1st Bn Royal Munster Fusiliers

Died at

in Belgium

Date of Death

16. 10. 16.

WAR OFFICE.

Date

1. 2. 17

4297404
5958
C
2A / 10 / 16
Pte J Clarke.
R. M. Fus.
468062

Army Form B 243.

FORM OF WILL, No. 1.

To be used by a Soldier desirous of leaving
the whole of his effects to one person.

(a) The names
of the soldier to
be written in full.

I, (a) John Thomas ClarkeNo. 5958 of the 1st Regt Inniskilling
Regiment of Dublin

do hereby revoke all former Wills by me
made, and declare this to be my last Will.

After payment of my just Debts and
Funeral Expenses, I give to my

(b) Insert
"friend," or if a
relative, in what
degree.

(b) Mother

(c) The name
in full.

(c) Mrs Emma Clarke

(d) Insert the
address, if known,
or other description.

(d) 30, up Great St. Dublin

(e) If to a fe-
male, add the
words [for her sole
and separate use,
her receipt alone
being a sufficient
discharge].

absolutely (e) for her sole and
separate use her receipt alone
being a sufficient discharge

the whole of my Estate and Effects, and
everything that I can by law give or dispose

(f) The full
names and de-
scriptions and
exact addresses of
the Executor or
Executors should
be carefully stated.

of, and I appoint (f) Mrs Emma
Clarke Joseph Clarke
John Clarke
Executor of this my Will.

4297404

C

2A/
11/16

5958

Rev J Clarke

R. M. F. J. S.

468062

E/297404/ 27

5. A person to whom money, etc., is left by the Will, or the husband or wife of such a person, should not be an attesting witness, for the gift would not be good, but he or she may be appointed an executor.

6. In English law a Will is revoked by the marriage of the testator, and therefore a new Will ought to be made after marriage if desired. By the law of Scotland, the Channel Islands, and the Isle of Man, the rights of the widow or children to some part of the estate cannot be defeated by a Will.

7. If any alteration is made in the writing of a Will, the signatures of the testator and the witnesses ought to be made in the margin or other part of the Will, opposite to or near such alteration, or at the foot or end of, or opposite to, a memorandum referring to such alteration and written at the end or some other part of the Will.

8. But an alteration or addition may be made by a *Codicil* (that is to say, by an addition to the Will), executed and witnessed in the same way as the Will.

9. When engaged in actual warfare, or when he has been placed under orders for active service, a Soldier of English, Guernsey, or Manx domicile is privileged (where circumstances do not allow of these Forms being used) to record his Will in writing without the attesting witnesses [see page provided for the purpose in Army Book 64 (Soldier's Pay Book)], or to declare the same orally in the presence of witnesses. A Soldier of Scottish, Jersey, or Guernsey domicile can make a written Will without witnesses at any time, provided it is entirely in his own handwriting and dated and signed by him.

N.B.—The testator, if of English domicile, must be of the age of 21 years unless he is on active service or under orders for active service. A Scotsman can dispose by Will of personal property (as distinguished from real property) when over the age of fourteen years.

4297404
5958
C
2A / 11 / 16
Pte J Clarke
R. M. Fus.
46807

In Witness whereof, I have hereunto set my hand this 22nd day of Sept

A.D. 1916

(g) Soldier to sign here, or, if he cannot write, to make his mark.

(g) John Thos Clarke

Signed and acknowledged by the said

John Clarke

the same having been previously read over to him as and for his last Will, in the presence of us, present at the same time, who, in his presence, at his request, and in the presence of each other, have hereunto subscribed our names as Witnesses.

(h) Witnesses to sign here.

(h) Patrick Malone

(i) Add addresses in full.

(i) 2. Bandon terrace cork

(h) James Henner

(i) Georges St James

Declaration of the Medical Officer.

I declare that I was present at the Execution of this Will, and that

the Testator, was at the

time in a fit state of mind to execute the same.

04297404

C

2A / 11/16

5958

Pte J Clarke

R. M. Fawcett

468062

E/297404/30

Army Form B211.

FORM OF WILL, No. 2.

To be used by a Soldier desirous of leaving Legacies to some one or more persons, and the residue to another, or others.

(a) The names of the soldier to be written in full.

I, (a)

No.

of the

Regiment of

do hereby revoke all former Wills by me made, and declare this to be my last Will.

(b) Name the person, and describe him by his rank or profession, regiment, degree of relationship (if any), or in any other way, and give his address in full. If to a female, also add the words [for her sole and separate use, her receipt alone being a sufficient discharge].

After payment of my just Debts and Funeral Expenses, I give to (b)

(c)

And I give to (b)

(c)

(c) Here state the particular articles or money intended to be given.

And all the rest of my Estate and Effects, and everything that I can give or dispose of, I give and bequeath absolutely to (b)