

John Sutherland's will

I John Sutherland of the county of Columbia and State of Georgia being of sound mind and disposing memory do make and ordain this my last will and testament -

First I give to the daughter of my second wife Nancy D. Hoge the sum of fifty dollars to be paid to her as soon as possible after my decease. This with the property I have heretofore given her I intend as her only portion and interest in my estate.

Secondly I give and bequeath unto my wife Hannah Sutherland and her ten children (viz.) Eliza, Maria, James, William, John, Payton, R. M., Pargason, P. Pargason, Anderson, Emily, and Martha mine the whole of the residue of my estate both real and personal in the following manner viz. whenever any of my children shall arrive at the age of twenty one or shall marry my executor shall divide the negroes belonging to my estate into twelve parts or as nearly so as possible and pay over to such child one share as aforesaid if my executor should find it impossible to make the parts equal they shall be made so by paying the legatee their difference in cash & requiring him to refund in cash of his share of negroes should amount to more than one twelfth in value this I intend as their only portion until my youngest child become of age or married - It is my will my wife together with such of her children as are minors or unmarried shall continue the management & possession of the whole of my estate except such parts as shall be paid over as aforesaid until my youngest child arrives at age or marries. It is also my will that the income of my estate shall be appropriated to their education and maintenance. It is my will that all my ten children should have a good English education and that they should be in the best situation and of the number of my

estate is more than sufficient for that purpose it shall
be wasted in lands or placed at any other at the discretion
of my executors subject to an equal distribution among
all my children by my last wife Hannah Sutherland
when the youngest child becomes of age or married
It is also my will that when my youngest child
becomes twenty one years of age or married if my
wife should be in life that my executors shall sell
two thirds of all my real estate and make an equal
distribution of the proceeds among my ten children by
my last wife Hannah Sutherland and at the same
time my executors shall assign over to my wife
Hannah one third of all my real estate including
the dwelling and improvements two shares of the negroes
together with all my estate not heretofore given away
for her support and maintenance during her life
and at her death it is my will that my executors
shall sell the whole of my estate and make an
equal distribution of the proceeds among my ten
children by my last wife. If my wife should
be dead when the youngest child becomes of age
or married the whole of my estate shall then be
sold and divided equally among my ten children
aforesaid

And lastly I nominate and appoint my wife Hannah
Sutherland Robert Martin and William Wright to
execute this my last will and testament.

In Witness whereof I John Sutherland have hereunto
set my hand and seal this fifth day of February
in the year of our Lord one thousand eight hundred
and twenty seven

John Sutherland

Witnessed and published in presence of

Jacob Pounds

Dancy Adams

James Cartridge for

James Cartridge and Jacob Pounds two of the
subscribing witnesses to the within instrument of writing
the being duly sworn deposed and said they saw
the testator John Sutherland sign and seal the
within and his last will and testament and that the

...and of sound mind and disposing memory
at the time of signing the same and that they
together with Dancy Adams signed the same and
acknowledged in the presence and by the request of the
testator and in the presence of each other
James Cartledge
David Pound

Georgia

Columbia County

By the court of ordinary for said

To all whom these presents shall come: Greeting
Know Be that on the fifth day of July in the year
of our Lord one thousand eight hundred and thirty three
last will and testament of John Sutherland late of
said county deceased, was exhibited in open court &
in common form of law proved and admitted to record
a copy of which is herewith annexed and administration
of all singular the goods chattles & credits of said deceased
was granted to Hannah Sutherland the executrix in &
by said will named and appointed having first taken
the oath and performed all other requisites required by law
by order of said court and by virtue of these presents
legally authorized to administer the goods chattles & credits
of the said deceased according to the tenor & effect of the
said will and testament according to law. And she
herby requested to render a true & perfect inventory of all
and singular the goods chattles and credits of the said
deceased and appraised and returned to this Court accor-
ding to law, and to render a true and correct account
to the said Court of his actings and doings yearly and
every year until his administration is fully completed.

Witness the Honorable Nathaniel Daily one of the
justices of the said Court of Ordinary this fifth day
of July in the year of our Lord 1833

Attest / Crawford

Nathl Daily J & C