

Last Will and Testament of William C. Rutledge, dec'd. Record

State of Georgia | In the name of God, Amen I William C. Rutledge of
 Harris County | the State and County aforesaid being of a sound
 age, and bodily infirm, and therefore knowing the uncertainty of life
 deem it right and proper, both as respects myself and family, to
 make a disposition of the property with which a kind providence has
 blessed me - do make and ordain this as my last Will & Testament
 hereby revoking all others heretofore made by me

1st Item

I desire and direct that my body be buried in a plain, decent,
 christian like manner

2nd Item

I desire and direct that all my just debts be paid without delay
 by my Executor herein after appointed

3rd Item

I give and bequeath to my beloved wife, Jane, for and during
 her natural life - and at her death to go to my children - ex-
 cepting my son Bradley & John Rutledge - to be equally divided
 between them as hereinafter set forth - The following property
 to wit, The lot of Land whereon my dwelling is situated (or
 one hundred & thirty five) and the two lots of Land joining with
 James Passmore, being all my Land whereon I reside, excepting
 the plantation known as the "Cotton" plantation, with all the rights
 and appurtenances thereto belonging, together with the house-
 hold & kitchen furniture, except as hereinafter given to my daugh-
 ter Margaret - Also one Yoke of Oxen and Cart of her own selec-
 tion; My team & Carriage Horses; four Cows & Calves of her own
 selection out of my Stock of Cattle four Cows & pigs of said kind
 of her own selection out of my Stock of hogs; Also four negroes to wit
 Nancy a woman about twenty six or seven years old, and her
 daughter Peggy about thirteen years old, Eliza a girl about
 seven years old, and a man or boy, which I intend to get in
 place of my boy Allick whom I intend to sell, but if I should not
 sell said boy Allick, then I give him to my wife Jane, And if he
 should prove unruly & disobedient - and unfit to be kept by
 her then my Executor may dispose of him by exchange for an-
 other, or by sale, and purchase another - all and every be-
 quest in this item I make to my wife Jane during her natural
 life, as before stated, and at her death to go to & be equally di-
 vided between my children, excepting as before said my son Bra-
 dley & John - In like manner to her during her natural life
 at her death to my children in equal division with the said
 exception I give my wife Jane, a road wagon & four mules
 of her own selection

4th Item

In as much as there was no written agreement or contract be-
 tween me & my wife at the time of our marriage, but a verbal
 promise or declaration by me to her, that her property of which
 she was possessed at the time of our marriage should remain her
 I give and bequeath to her my wife Jane all the property of which
 she was possessed at the time of our marriage in full

5th Item

I give and bequeath to my son Bradley & John Rutledge the sum
 of five Dollars

6th Item

I give and bequeath to my daughter Margaret a negro girl
 Antoinette a girl about sixteen years and a boy named
 Ned about four years old. Also a horse and a carriage

Last Will & Testament of William C. Rutledge and Continua

as she may elect. One cow & calf of her own selection. One bed, bedstead & furniture of her selection. All & every bequest to her the said Margaret to her own & her childrens (she may have) benefit - sure free from the contracts of her husband - without limitation

7th Item I desire and direct that - my servant - Edy, shall have his own choice of a home among my children or my wife Jane, and in the division of the negroes as herein after directed, her appraised value is to be deducted from the portion of the one whom she may choose if that one shall not draw her, and put to the portion of the one that shall draw her, or as may be agreed on by the executors to carry into effect - my desire to give her a choice of a home or money.

8th Item The remainder of my property after, and disposed of in Items second, third, fourth, fifth & sixth, I desire and direct - shall be divided into lots into as near as may be of equal value and drawn for by my children hereinafter named: - to each lot one tenth part

9th Item I give & bequeath to my daughter Lucretia McQueen one tenth part

10th Item I give & bequeath to my daughter Eliza Miles one tenth part

11th Item I give & bequeath to my daughter Anne Bellows & her children free from the control of her present or a future husband one tenth part

12th Item I give & bequeath to my daughter Sarah Hightower and her children free from the control of her present or a future husband one tenth part

13th Item I give & bequeath to my daughter Elizabeth Pierce one tenth part

14th Item I give & bequeath to my Son John C. Rutledge one tenth part

15th Item I give & bequeath to my Son Thomas J. Rutledge one tenth part

16th Item I give & bequeath to my daughter Mary McQueen and her children free from the control of her present or a future husband one tenth part

17th Item I give & bequeath to my daughter Rebecca R. Baynham and her children free from the control of her present or a future husband one tenth part

18th Item In addition to the bequest in Item sixth I give and bequeath to my daughter Margaret (with the same limitations as to her husband) and her children one tenth part

19th Item I hereby constitute & appoint my friend George A. B. D. Jr. executor of this my last Will & Testament

20th Item In order to my desire & intention being more fully expressed in each of the Items above given where the property is bequeathed "free from the control" I desire & direct - to add after the word "control" I desire & direct and liabilities, to come in before the word "of his or

This February 6th 1858
William C. Rutledge

Signia, Sealed, declared & published by William C. Rutledge as his last Will & Testament - in the presence of us the Subscribers, who Subscribed our names hereto in the presence of said Testator (at his special instance & request) one of each other This February 6th 1858

Nathan Parsons

J. M. Colver

Thomas S. Mitchell

Last Will & Testament of William O. Rutledge deceased Continued

Georgia } Court of Ordinary November Term 1860
DeKalb County } Personally appeared in open Court Geo. L. B. Dugan
Executor named and appointed in a paper writing purporting to be
the last Will & Testament of William O. Rutledge late of DeKalb County
deceased, and produced said paper writing, and also personally
came Thomas M. Colver one of the subscribing witnesses to said paper
writing who being duly sworn deposes & saith that he saw the
said Testator William O. Rutledge sign seal, deliver and publish
the said paper writing now presented in open Court as his last
Will & Testament, freely, voluntarily and of his own accord with-
out compulsion or influence whatever that at the time of the
Execution of said Will said Testator was of sound & disposing
mind & memory, that defendant Dugan said Will as a witness
in the presence of the Testator and at his request and in the
presence of the other witnesses sit that he saw Nathan Parsons
& Thomas O. Mitchell the other witnesses sign said Will in the pres-
ence of the Testator and at his request
Sworn to & subscribed before me in open Court this 5th day
of November 1860
Geo. W. Mullins Ordinary

Thomas M. Colver