

State of Georgia } In the name of God amen
Whitfield County }
I John McCutchen of said State and County being
of advanced age and knowing that I must shortly
depart this life deem it right proper both as respects
my family and myself, that I should make a
disposition of the property with which providence has
blessed me I do therefore hereby make this my last will and
testament hereby revoking all others before made by me
I then I desire and direct that my body be buried
decent and christian like manner suitable to circumstances
and condition in life my soul I trust shall remain to
rest with God, who gave it as hope for eternal salvation
through the merits and atonement of our Lord and Saviour

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Jesus Christ

2 Item I desire and direct that all my just debts be paid without delay my Executors hereinafter appointed as I am unwilling my creditors should be delayed in their Rights as there is no necessity for delay

3 Item I give bequeath and devise to my beloved wife Hiscath McCutchen a portion of my Estate both real and personal, as will keep her free from want to make use of in any way, that she may think proper and right during her natural life, and authorized her to sell any personally property, that she may think proper and right for the Benefit of herself and the heirs.

4 Item give and bequeath devise to my six children named Lining, all my Estate both real and personal to be sold after my wife's death by my Executors here after appointed with the exception of Credit here before made by me to wit (Nancy Eliza Miers wife of William Miers to be detained out of her part of said Estate one hundred and thirty four dollars Elijah I McCutchen and Benjamin I McCutchen and Martha I McCutchen William P McCutchen and James J McCutchen I also constitute and appoint my worthy friend Benjamin I McCutchen Agent for my son Elijah I McCutchen as he is intended to present his portion of said Estate and direct its use and benefit as he may think proper and right

5 Item I give and bequeath and devise unto George Stevenson husband of Lurvelia I Stephenson deceased one dollar to part of said Estate

6 Item I give and bequeath and devise to my little grand daughter Missouri Palestine Stephenson To have peaceable good execution procured she will receive it and also a good bed and suitable furniture to make it comfortable provided she should remain with her grand mother and aunt Martha until she becomes of age

7 Item also constitute and appoint Benjamin I McCutchen and William I McCutchen my Executor with full power to act and carry into effect my will here as has been written Signed sealed and acknowledged in presence of

May the 29 day 1850
John McCutchen J. J.

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Signed sealed declared and published by John McCutchen as the
codicil to his will and Testament the 15th day 1856 in the
presence of us the subscribers, who submitted our names here
unto in the presence of said Testator at his special instance
and request and of each other May 29 1856

Joseph Roberson Sons
Test John Dunningan
W J Edwards
James Smith

Georgia
Whitfield County }

I do solemnly swear, that this writing contains the
true last will of the within named John McCutchen
deceased so far as I know or believe, and that I will well
and truly execute the same - by paying first the debts and
then the Legacies contained in said will as far as his goods
& chattels will thereto extend and the law charge me out
that I will make a true and perfect Inventory of all such
goods & chattels

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Sworn to in presence of John McCutchen
W Killoore Deputy Ordinary

State of Georgia
Whitfield County }

To all whom these presents shall come - greeting
Know Ye that on the first day of June in the year of our Lord
one thousand eight hundred and fifty Seven the last Will and Testament
of John McCutchen late of said County deceased, was
exhibited in open court, and in common form of law, proved and
admitted to record, a copy of which is hereto annexed, and
administration of all and singular the Goods, Chattels and
Credits of said deceased was granted to Benjamin M McCutchen
one of the executors in and by said Court named and appointed
he having first taken the oath, and performed all other requisites
required by law, he is by order of said court, and by virtue of
these presents, legally authorized to administer the Goods, Chattels
and credits of said deceased, according to the tenor and effect
of the said Will and Testament, and according to law, and he is
hereby required to render a true and perfect inventory of all and

singular the Goods, Chattels and Credits of the said deceased, and appraise
and returned to this court according to Law, and to render a true and correct
account to the said court of all his doings and things yearly, and every
Year, until his administration is lawfully revoked.

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Witness my hand and the Seal of the said Court,
this First day of June eighteen hundred and fifty seven

W. H. Moore Deputy Ordinary