

John W. Harvey

State of Georgia Marion County

I James W. Harvey of the County and State aforesaid being afflicted by disease, but of sound and disposing mind and memory and knowing the uncertainty of life and the certainty of death and it right and proper both as respects my family and myself that I should make a disposition of the property with which a kind Providence has blessed me, do therefore make this to be my last will and testament hereby revoking and annulling all former wills.

Item first I do desire and direct that my body be buried in a decent and christian like manner suitable to my circumstances and conditions in life.

Item second I do desire and direct that all of my just debts be paid as soon as convenient by my Executors hereinafter named and appointed.

Item third It is my will and desire and I hereby direct that my property both real and personal be kept together by my Executors hereinafter named during the lifetime or widowhood of my wife Elizabeth Harvey and they are to have the same worked and managed as they may think best for the interest of my estate and the income which may accrue or so much thereof as ~~may be~~ necessary, be used for the support of my family and the education of my minor children and at the death of my beloved wife or on the arriving of lawful age of my youngest child then my whole estate to be equally divided among my children share and share alike.

Item fourth It is my will and I hereby direct that in case my wife Elizabeth Harvey should hereafter marry then the division of my estate shall take place as is provided for in the preceding Item (in case of her death) and she to share equal with my children.

Item fifth If the income from my estate should not be sufficient for the support of my family and the education of my children then my Executors are authorized to dispose of such portion of the Corpus of my estate as

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can be used for the same purpose, and use the same for that purpose.

Item Sixth. It is my will and desire and I hereby give authority to my Executors hereinafter named to sell any portion of my estate which they may deem necessary for the benefit and advantage of the same, and to purchase other property for my estate in lieu thereof.

Item Seventh. I hereby constitute and appoint my son Moses J Harvey and my son in-law William M Duff Executors to this my last will and Testament. May 2 1868

J M Harvey
Signed Sealed published and declared by James M Harvey as his last will and Testament in the presence of the undersigned who subscribed the same in the presence of said Testator at his special instance and request and in presence of each other this May 2 1868 The words "or the arriving at lawful age of my youngest child" in the twelfth line from top on the second page entered before being signed

W M Duffie
D St Madaux
J M Harvey

Georgia Marine Court of Oramary Septem-
ber Term 1868

Whereas Moses J Harvey has procured a paper purporting to be the last will and Testament of James M Harvey late of said County deceased for probate in common form of law and being David St Madaux one of the subscribing witnesses to said will who being duly sworn deposes and says that said James M Harvey signed sealed published and declared said paper now offered before the Court for Probate as his last will and Testament and that said Testator at the time of its execution was of sound mind and memory and that said Testator signed said will in his presence and in the presence of the other subscribing witnesses and that said witnesses signed said will in

Ispe Mayo

presence of each other and in presence of
Notar and at his special request

Sworn to and subscribed
before me Sept 7 1868

Jas M. Love

J. A. Madaux

Ordry.

Recorded Sept 7 1868

Jas M. Love

Ordry.

State of Georgia Marion County

In the name of God Amen
I Ispe Mayo of the State and County
aforesaid being of sound and disposing
mind and memory, and being desirous of
settling my worldly affairs, do make and
publish this my last will and testament, here-
by revoking and making void all wills
heretofore made by me
First I surrender my Soul to my God, and
my body I direct to be buried in a Christian
like manner, suitable to my condition and
circumstances in life, and as to such
worldly estate as it has pleased God to
give me I dispose of the same as here in-
after directed

Second I direct all my just and legal
debts to be paid as soon after my death
as convenient

Third I have heretofore made
advances to my children for which I hold
their notes or have the same charged,
against them in accounts, and I will
and direct that the same be considered
and accounted for by them at the first
division of my estate and deducted from
their pro-rata share.

Fourth It is my will, and desire that
my whole estate be divided among my
children share and share alike, the
child or children of my deceased