

Mary E. Hardaway's Will

Muscogee County Wills
1862-1875
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The State of Georgia Muscogee County

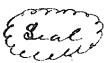
I Mary E. Hardaway being in ordinary health, and of sound mind and memory, and knowing the uncertainty of the duration of life, wishing to dispose of my Estate according to my free will and pleasure, do hereby declare the following to be my last will and testament, hereby revoking and annulling all other wills by me heretofore made

Item 1st I desire that the House and Lot in which I now live, at my death shall be sold, together with all the furniture, and all my personal property as soon as the Condition of my Estate will permit, the proceeds to be invested by my Executor, in such Real Estate, as he may in his judgment think would bring the best income in being rented from year to year

Item 2^d The Store now owned by me on Broad Street, and at present occupied by J. D. Deaton & Son to be rented out, The income of all the above property to be divided, one half to my husband Robert S. Hardaway during his life, and the remaining half to my Nephews Francis V. Parks and John W. Parks. At the death of my husband, the whole Estate to be sold and divided, one third to be given to Francis V. Parks, and one third to John W. Parks, the remaining third to be equally divided between my Nephew Elroy C. Parks and my niece Mary C. Spencer of Hartford Ct. My watch I desire to give to my nephew Francis V. Parks. My Diamond ring set with blue enamel, I give to Mary C. Spencer. The smaller Diamond ring, together with all my other Jewelry to be sold. The Silver consisting of forks, spoons, Napkin rings &c to be sold. My wearing apparel to be sent to my niece Mary C. Spencer

I appoint my husband's son Col. Robert A. Hardaway Executor of this my last will and testament, and Guardian of my two Nephews Francis V. and John W. Parks, to select such occupations for them as he may think best suited to their capacity and health

In testimony whereof I do hereto set my hand and affix my Seal on this the first day of May 1873

Mary E. Hardaway 

Wit
Jno. I. McKendree
Jno. H. Bass
T. B. Goulding -

Georgia Muscogee County

To the Court of Ordinary of said County

In the matter of the Probate of the last will and testament of Mrs Mary E. Hardaway late of said County deceased. The Executor named in said will having filed his petition for the Probate in Common form of law in vacation of said will, and the said Executor to wit Robert A. Hardaway being present with one of his witnesses to wit Thomas B. Goulding who being duly sworn deposes

Mary E. Hardaway: Will continued

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and saith that he was present when Mary E. Hardaway published the instrument now presented as her last will and testament that at the time she was of sound mind and memory, that she did it voluntarily of her own free will without any undue influence or compulsion, that she called upon Deponent to sign his name as a subscribing witness which he did in the presence of the testatrix - Deponent further says that he saw John S. McKinzie and John H. Bass sign the same as subscribing witnesses, at the like request of the said testatrix, all signed in the presence of said testatrix and of each other Sworn to & Subscribed before me
this September 11th 1873

J. M. Brooks
Ordinary

J. B. Goulding

Muscogee County Court of Ordinary
October Term 1873

And now at a Regular term of said Court of Ordinary the foregoing instrument of writing having been Probated in vacation in Common form - is now admitted to Record as the last will and testament of Mary E. Hardaway deceased
This 6th day of October 1873.

J. M. Brooks
Ordinary

State of Georgia Muscogee County

I do solemnly swear that the within writing contains the true last will and testament of Mary E. Hardaway deceased so far as I know or believe, and that I will well and truly execute the same in accordance with the Constitution and laws of this State So help me God

Sworn to & Subscribed before me
this November 3^d 1873

J. M. Brooks
Ordinary

R. A. Hardaway