

704 In the name of God Amen; I Matthias Miller of the County of Breckinridge, State of Kentucky, being in good health of body and of sound and disposing mind and memory, (praised be God for the same) and being desirous of settling my worldly affairs while I have strength and capacity so to do; do make and publish this my last Will and Testament; that as to say;

First, I give and bequeath to my beloved wife Isabella Miller, one Negro boy named Thornton, about twenty years of age, for and during her natural life, subject, however, to such disposal as she may think proper, in the event of her death. Also, I give and bequeath unto her, for and during her natural life, all such personal property, slaves, and every thing pertaining thereto, or upon my Home farm, and which I may leave thereon at the time of my death, as in her judgment she may think necessary to carry on said farm, and whatever she may deem not necessary for such purpose, my children may divide equally between them, or my Executor, hereinafter named may sell and distribute the proceeds equally among my children. Also, my said wife, may have the control, use, benefit &c, of my said Home farm, for and during her natural life, or so much thereof, as shall make her comfortable and support her well during her life, vesting the power in her, to make such contract with, and to grant such part of the proceeds of said farm, during her life, to my Youngest son Eli Miller, as she may think proper, in accordance with my desire hereinafter made to him, as it is my wish that my son Eli should remain with his mother until her death, And, at her death, my children may divide the personalty, slaves, &c, which she may have chosen to keep on the place, or, it may be sold by my Executor, and the proceeds equally divided amongst my children.

Second - And having made my children, Anna Jolly, Charles Miller, Wm Miller, Jos Miller, Houston Miller, James Miller, Matthias Miller, and Mary Baker, as near equal in property, as could be done under the circumstances, and still intending to do so, during my life, as circumstances and equal justice may dictate, I now consider the property &c heretofore distributed to them, as complete, except as to the property heretofore contingently divided.

Third As I have not, heretofore given to my Youngest son, Eli Miller, who still remains with me at home, anything, except horse, saddle &c together with his nurture and education I do now give and bequeath unto him, the said Eli Miller my Home farm, in this County, on which I now reside, consisting of about 500 acres, and lying about one mile South West of Hardinsburg, to vest absolutely in him, upon the death of his mother Isabella Miller. And I do hereby recommend to my said son Eli to remain with, and care for his said mother, upon said farm, during her natural life,

taking such part of its proceeds as may be agreed upon between them, for his said care & trouble. And lastly, I do hereby appoint, my son, W<sup>m</sup> Miller, Sole Executor of this my last Will and Testament, hereby revoking all former Wills by me made.

In Witness Whereof, I hereunto set my hand and seal, at Hardinsburg this 10<sup>th</sup> day of June 1861.

Signed in presence of

John P. Caswell

Nathaniel L. Hensley.

Matthias Miller

Whereas since the making of my will above, my wife has died - and the devise in her favor - is of course inoperative - I therefore now devise to my son Eli, the Home farm, above described, to hold without any charge or burden thereon, to him and his heirs forever. I also devise to him in compliance with the dying request of my wife, the boy Thornton devised to her in my will above, the said Eli to have & to hold said boy, to him and his heirs forever. The residue of my property, that I may leave at my death, to be equally divided among all my children as provided for in my will.

In Witness

Matthias Miller

Jesse W. Pinckeloe

W. B. Stith.

#### Codicil

I, Matthias Miller of Buchanan County, State of Kentucky do hereby make & publish this codicil, to be added to my last Will & Testament in manner following, to wit, I give & bequeath to my son Eli M. Miller the three lots or parcels of ground, purchased since publishing my last Will & Testament, of John Dair, 10 acres) deeded to me by G. P. Jolly & one of Rott Payne (acres) & one other of 2 acres of Philip Lightfoot, & I do hereby declare that my will is, that this my recent codicil be annexed & made a part of my last Will & Testament aforesaid.

In Witness Whereof I have hereunto set my hand this 20<sup>th</sup> day of June 1867

In Witness

W. Cox

Jesse W. Pinckeloe

Matthias Miller  
mark

State of Kentucky, )  
County of Buchanan ) 25<sup>th</sup> Oct.

December Term 1876.

Dec 18<sup>th</sup> 1876.

A writing purporting to be the last Will and Testament of Matthias Miller deceased, was this day produced in open court, and proven according to law by the oaths of N. L. Hensley & John P. Caswell, first codicil proved by Jesse W. Pinckeloe and Wm B. Stith, the second codicil was proved by Jesse W. Pinckeloe agreeable to law, and

adjudged by the court to be the true last Will and Testament of said Matthias Miller deceased; and ordered to be recorded.

Witness my hand, this 18<sup>th</sup> day of December 1874.

G. P. Jolly, Clerk

I, Edmund Barnes of Buckenridge County Kentucky, do hereby make my last Will and Testament in manner and form following, that is to say:

1<sup>st</sup> After the payment of my just debts and funeral expenses, I give my wife Margaret A. Barnes one third part of all my real Estate and all of my personal estate and all of my personal estate for and during the term of her natural life; and after her decease, I give the same to my children hereinafter mentioned equally to be enjoyed by them forever.

2<sup>nd</sup> All the rest of my estate both real and personal of what nature or kind soever it may be not herein before particularly disposed of, I desire may be equally divided among my several children herein named, John W. Barnes, W. R. Barnes, Isabella Barnes, Charles V. Barnes, Edmund Barnes Jr., Rebecca Barnes and Mary E. Barnes, which I give to them their heirs Executors Administrators and assigns forever. And lastly I do hereby constitute and appoint W. R. Barnes Executor of this my last Will and Testament hereby revoking all other or former Wills or Testaments by me heretofore made, I

In Witness Whereof I have hereunto set my hand and affixed my seal this 25 day of November 1875.

Edmund A. Barnes. 

Signed Sealed and acknowledged as and for the last Will and Testament of the above named Edmund Barnes in the presence of,

Samuel A. Kirk  
John P. Brown

State of Kentucky, 2  
Buckenridge County Court, 3<sup>rd</sup> ct. Nov Term.

Nov 21<sup>st</sup> 1876.

A writing purporting to be the last Will and Testament of Edmund Barnes deceased; was this day produced