

John Miller senior, considering the uncertainty of life, and the duty of being prepared for death, do make and ordain this my last will and testament hereby revoking all former wills by me at any time made.

1st. I give and devise to my wife the house in which I live, and so many of my slaves, to be selected by her, as may be necessary, to do the cooking for her family, wait upon her, and perform the usual household services, to have and to hold the said house and slaves, for her life; if any of the slaves, selected by my wife shall die, or become infirm, it is my desire that my wife shall select such others in their place as she may think proper: And I do hereby declare that this and subsequent provisions herein made for my wife shall be in lieu of her dower and distributive share in my estate:

2d. I give and devise to my wife forever, all my household and kitchen furniture, one third of the provisions, raised in for the consumption of my family, and one third of the crops growing on the farms on which I reside, and on the farm near Westington, purchased by me from James Wheeler: and the remaining two thirds of the provisions and crops, I give and devise to my son Franklin Miller forever.

3d. I give and devise to my son Franklin Miller the residue of the tract of land which I reside, and the said tract of land near Washington, with all the slaves, horses, cattle, flock of every kind, and agricultural implements used upon the said tracts of land (except such slaves as I have herein before bequeathed to my wife) to have and to hold the same unto my son Franklin Miller and his heirs forever, for and during the term of years therein expressed.

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which I reside and the said tract of land near Washington, with all the slaves,
horses, cattle, stock of every kind, and agricultural implements used upon the said
tracts of land (except such slaves as I have herein before bequeathed to my son
to have and to hold the said slaves and tracts of land and other property to him
for and during the life of my wife, upon condition that he gives to my wife
one third of all that is raised upon the said tracts of land, and furnishes her
with the necessary fuelwood: (the meat, & fowls she is also to have one third, to be
fallowed before the corn is divided) and on his failing to do so, I give and devise
to my wife the said tracts of land, slaves, horses, cattle, stock of every kind and
agricultural implements used upon the said tracts of land, to have and to hold
her life.

Like Upon the death of my wife, I give and devise to my son Franklin Miller
the tract of land on which I reside, the choice of one of my slaves, all the horses,
cattle, stock of every kind, and agricultural implements used upon the said
tract of land, and upon the said tract of land near Washington, and the
growing crops of the said tract of land, to have and to hold, to him and his heirs for
ever.

3^d I give and devise to my daughter Polly Miller, her heirs and assigns for
the following tracts of land, to wit: the tract of land, on which Eliah Houghton
now lives; that on which Benjamin Houghton now lives and that on which
now lives.

to my wife the said tracts of land, ~~large~~ horses, cattle, stock of every kind, and
agricultural implements used upon the said tract of land, to have and to hold,
her life.

1st. Upon the death of my wife, I give and devise to my son Franklin all
the tract of land on which I reside, the ~~choice~~ of one of my slaves, all the horse
cattle, stock of every kind, and agricultural implements used upon the said
tract of land, and upon the said tract of land, near Washington, and the
growing crops of the said tract of land, to have and to hold, to him and his heirs for
3rd.

I give and devise to my daughter Polly Miller, her heirs and assigns, for
the following tracts of land, to wit: the tract of land, on which Elijah Houghton
now lives: that on which Benjamin Houghton now lives and that on which
William Emory now lives:

4th. I give and devise to my wife, the tract of land on which Maria Johnson
now lives, the tract of land on which Charles Emory now lives, and my house
and lot in ~~Slip Hill~~ to have and to hold for her life; and after the death
of my wife, I give and devise to my Executors, heirs and assigns, the
the said tracts of land, and house and lot in Slip Hill, and the tract
land near Washington, purchased by me from James Wheeler, to be sold by them
in such terms, as they may deem most expedient.

7th I give and devise to my daughter Eliza Jones and her heirs forever, the tract of land adjoining Washington, purchased by me from Daniel & Hester.

8th I give and devise to my daughter Sarah Wheatley and her heirs forever the tract of land on which her husband Thomas Wheatley now lives, on condition that she pay to my Executors, or account for, in the distribution of my estate all that the said land cost me beyond two thousand five hundred dollars and interest on the said excess from the time the said land was paid for by me.

9th I give and devise to my daughter Lucy Moore and her heirs forever the tract of land on which her husband John A. Moore now resides, on condition also that she pay to my Executors, or in the distribution of my estate account for all that the said land cost me beyond the sum of twenty five hundred dollars, and interest on the said excess from the time the purchase money was paid by me.

10th I give and devise to my son John Miller Jr. and his heirs forever, the tract of land on which he now lives, on condition that he pay to my Executors, or in the distribution of my estate, account for all that the said land cost me beyond twenty five hundred dollars, with interest on the said excess from the time the said land was paid for by me.

11th I give and devise to my son Henry Miller and his heirs forever, the tract of land, on which he now lives.

12th I give and bequeath to the two children of my son George, the sum of one thousand dollars, to be paid to them when they respectively

one thousand dollars provided they live to attain the age of 21 years, to be
equally divided between them, and to be paid to them, when they respectively
attain the age of 21 years; If either of the said children should die under the
age of 21 years, then his part to go to the survivor, if he live to attain the said age
21. I give and devise to my second daughter Ann Salterwood, a tract
of land in Christian County Kentucky, formerly belonging to my son John
Miller, to have and to hold for and during her life, and after her death
I give and devise the same to such child or children of the said Ann
Salterwood living at her decease, and such issue then living of the child
or children of the said Ann Salterwood, then deceased, as shall attain
the age of twenty one years, or dying under that age, leave issue, living at
his, her or their death or respective deaths, as tenants in common, and the
heirs and assigns of such child or children, and issue respectively, but
so that such issue shall only take through all the degrees the share or
shares, which the deceased parent or parents, if living, would have
taken. And if the said Ann Salterwood shall die without leaving any
issue living at her death, or if no child or issue of the said Ann Salterwood
living at her decease, shall attain the said age, or dying under that age
leaving issue, living at her or her death, then I devise the said tract
of land to my executors herein after named, to be sold by them on such
terms, as they may think proper.

Rappahannock Co., VA Will Book A, 1833-1842
www.virginiapioneers.net

1/4 of where it is now James Miller, debts due me by him.

of land in (Coastal) County Kentuck, formerly
Miller, to have and to hold for and during her life, and after her death
I give and devise the same to such child or children of the said Ann
Statwood living at her death, and such issue then living of the child
or children of the said Ann Statwood, then deceased, as shall attain
the age of twenty one years, or dying under that age, leave issue, living at
his, her or their death or respective deaths, as tenants in common, and the
heirs and assigns of such child or children, and issue respectively, but
so that such issue shall only take through all the degrees the share or
shares, which the deceased parent or parents, if living, would have
taken. And if the said Ann Statwood shall die without leaving any
issue living at her death, or if no child or issue of the said Ann Statwood
living at her death, shall attain the said age, or dying under that age
leaving issue, living at her or her death, then I devise the said tract
of land to my executors, heirs or assigns, to be sold by them on such
terms, as they may seem expedient;

14th I release to my son Thomas Miller, a debt due me by him.

15th I give and bequeath all my slaves (except the one which may be retained
by my son Franklin) the proceeds of the land herein before devised to be

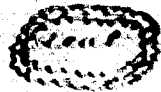
sells by my children, all the title of every description, owing to me; including the debt
owing me by my children, and sons in law; and all the rest and residue of my
estate, to my following children, to wit, Henry, John, Franklin, Elizabeth, Mary, Jane
Mary, Sarah, Michael, and Polly Miller, to be equally divided among them. The
share not to be divided until after the death of my wife:

Item The tract of land devised by me to Polly Miller and described as the tract
of land on which "Benjamin Houghton now lives" is the tract of land, which
formerly belonged to Edward Odor, Benjamin Houghton has moved off the said tract
of land:

Item I hereby constitute and appoint John Miller and Franklin Miller
executors of this my last will and testament. In Witness whereof I have hereunto
set my hand and affixed my seal this 16th day of June 1840.

Signed, sealed, published and declared
by the said John Miller &c. as and for his
last will and testament in our presence
who, at his request, in his presence have
subscribed our names as witnesses thereto

John Miller senior



H. G. Attefford

W. F. Monahan

P. J. Lathrop