

Mary
Miller
Will
ch.

Rapahannock, Virginia
www.virginiapioneers.net

I, Mary Miller, 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. First I have advanced the sum of seventy five dollars to each of my following named children to wit James Miller, Henry Miller, John Miller, Benjamin F. Miller, Sarah Wheatley, Mary Jones, Lucy Wood, Eliza Jones and Elizabeth Settle and in order to make the children of my deceased sons Peter Miller and George Miller equal with the rest of my children, I give and bequeath to the children of Peter Miller living at my death, and the descendants of such of his children as may then be deceased the descendants to take the portion of their deceased parent, the sum of seventy five dollars, and I give and bequeath to the children of George Miller living at my death, and the descendants of such of his children as may then be deceased the descendants to take the portion of their deceased parent, the sum of seventy five dollars. 3rd It is my will and desire that my executors shall sell all the property of every description which I may be possessed of, or entitled to and collect all the debts due or owing me, and out of the proceeds of such sales and collections, that they shall in the first place pay my just debts, funeral expenses, expenses of administration, and the legacies herein before bequeathed, and then divide the residue of the said proceeds of such sales and collections into eleven equal parts, and I give and bequeath one equal eleventh part thereof to my son James Miller, and equal eleventh part thereof to the children of my son Peter Miller living at my death and the descendants of such of his children as may then be deceased and the descendants to take the portion of their deceased parent, one equal eleventh part thereof to the children of my son George Miller living at my death and the descendants of such of his children as may then be deceased the descendants to take the portion of their deceased parent, and one equal

Jones, Lucy Wood, Eliza Jones and Elizabeth Sille and in order to make the
children of my deceased sons Peter Miller and George Miller equal with the rest
of my children, I give and bequeath to the children of Peter Miller living at my
death, and the descendants of such of his children as may then be deceased
the descendants to take the portion of their deceased parent, the sum of seventy
five dollars, and I give and bequeath to the children of George Miller living
at my death and the descendants of such of his children as may then be deceased
the descendants to take the portion of their deceased parent, the sum of seventy five
dollars. 3rd It is my will and desire that my executors shall sell all the property of
every description which I may be possessed of, or entitled to, and collect all the
debts due or owing me, and out of the proceeds of such sales and collections, that
they shall in the first place pay my just debts, funeral expenses, expenses of ad-
ministration and the legacies herein before bequeathed, and then divide the residue
of the said proceeds of such sales and collections into eleven equal parts, and
I give and bequeath one equal eleventh part thereof to my son James Miller, and
equal eleven the part thereof to the children of my son Peter Miller living at
my death and the descendants of such of his children as may then be de-
ceased the descendants to take the portion of their deceased parent, one equal
eleventh part thereof to the children of my son George Miller living at
my death and the descendants of such of his children as may then be de-
ceased the descendants to take the portion of their deceased parent, and one equal
eleventh part thereof to my daughter Eliza Jones. I desire my executors
John Miller do by deed to be last will and testament dated 21st of
November 1854 declare that after the death of the said James Miller
and the families of Miller and Jones.

from James Wheeler, at thirty dollars per acre, to be
the bulk of his real estate, desired to be sold upon, which said real estate was
not admitted to probate because two of the attesting witnesses were interested in the
estate of the said John Miller Sr. and whereas it is my desire that the said
real estate should be carried out as fully as if the same had been duly admitted
to probate. Now therefore I give and bequeath an equal eleventh part of the said
residue of my estate to my son Henry Miller, one equal eleventh part thereof
to my son John Miller, one equal eleventh part thereof to my daughter Sarah Woolley, one
equal eleventh part thereof to my daughter Mary Jones, one equal eleventh
part thereof to my daughter Lucy Wood, and one equal eleventh
part thereof to the children of my deceased daughter Elizabeth Little
living at my death, and the descendants of such of their deceased
then deceased, the descendants to take the portion of their deceased
parent, when creditors as to each legacy embraced in this the third clause of
my will, that each of the said legacies, and each of the husbands of such
as may be received, and each of the guardians of such as may be under
age, shall present the said James B Jones his executors heirs or assigns to
have the privilege of taking the said tract of land near Washington after
my death, at thirty dollars per acre, to be paid in the same manner, and
upon the same terms that the said John Miller Sr. executors may sell
the bulk of his real estate desired to be sold upon, and shall authorize in
writing the executors of the said John Miller Sr. within six months after my
deceased, to sell and convey the said tract of land to the said James B
Jones, his heirs, executors or assigns at the price and in the event of an

the said John Miller Sr. from James Whicker, at thirty dollars per acre, to be paid in the same manner and upon the same terms that his executors should sell the bulk of his real estate, desired to be sold, upon, which said codicil was not admitted to probate because two of the attesting witnesses were interested in the estate of the said John Miller Sr. and whereas it is my desire that the said codicil should be carried out as fully as if the same had been duly admitted to probate. Now therefore I give and bequeath one equal eleventh part of the said residue of my estate to my son Henry Miller, one equal eleventh part thereof to my son John Miller, one equal eleventh part thereof to my son Benjamin D. Miller, one equal eleventh part thereof to my daughter Sarah Winkley, one equal eleventh part thereof to my daughter Mary Jones, one equal eleventh part thereof to my daughter Lucy Wood, and one equal eleventh part thereof to the children of my deceased daughter Elizabeth Little living at my death, and the descendants of such of her children as may then be deceased, the descendants to take the portion of their deceased parent, when creditors as to each legacy embraced in this the third clause of my will, that each of the said legatees, and each of the husbands of such as may be received, and each of the guardians of such as may be under age, shall present the said James B. Jones his executors heirs or assigns to have the privilege of taking the said tract of land near Washington after my death, at thirty dollars per acre, to be paid in the same manner, and upon the same terms that the said John Miller Sr. executors may sell the bulk of his real estate desired to be sold, upon; and shall authorize in writing the executors of the said John Miller Sr. within six months after my deceased, to sell and convey the said tract of land to the said James B. Jones, his heirs, executors or assigns at the price and upon the terms herein before mentioned, and in the event of any one or more of the said

My
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Will

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legatus embraced in this the said clause of my will or any one or more of
the husbands of such of the legatus as may be married, or the represen-
tatives of such as may be dead. failing within six months after my death
to authorize in writing the executors of John Miller Sr. to sell and
convey the said tract of land to James B. Jones his heirs, executors
or assigns at the price, and upon the terms hereinbefore mentioned then
in such case, but not otherwise I hereby revoke and make void the
legacy or legacies bequeathed here to him or her, who shall fail or
whose husband or legal representative or guardian shall fail to comply
with such conditions, and give and bequeath the same to the said James
B. Jones and Eliza Jones his wife. 4th I constitute and appoint my son
Henry Miller and my son-in-law James B. Jones executors of this my last
will and testament. In witness whereof I Mary Miller have to this my last
will and testament set my hand and affixed my seal this 25th day of
October 1847. Signed, sealed, published
and decreed by the testator Nancy Miller
and for her last will and testament
in the presence of us, who in her pres-
ence, and at her request have signed
our names as witnesses thereto.

Nancy Miller
make

H. G. Moffett
W. J. Harpice
Wm. W. Spindle

In Rappahannock County, State of Va. 1st day of Oct. 1857

The last will and testament of Nancy Miller deceased, was this day
presented to the Court and found to be the last will of the said Nancy Miller.

ordered to be removed. And Henry Miller and James B. Jones, the executors named in the said will of Henry Miller, by their note in writing presented to the court, and attested by H. G. Moffitt, who proved the due execution thereof, in which they said Henry Miller & James B. Jones refuse to take upon themselves the burden of the execution of the said will, and to qualify as executors, and also requesting the Court to grant administration with the will annexed, to Edward J. Jones and Wm. G. Miller, whereupon said note in writing is ordered to be filed, and administration with the will annexed of the said Henry Miller deceased, is granted to Wm. G. Miller and E. J. Jones, and who made oath thereto, and together with J. B. Jones, Thos. Miller and Wm. J. Dudley their securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of eight thousand Dollars (\$8,000) conditioned as the law directs.

B. F. Peyton Clerk

Margaret
Dodson
Wm

ch.

In the name of God amen. I Margaret Dodson of the County of Rappahannock and State of Virginia being sick and weak in body but of sound mind and disposing memory (for which I thank God) and calling to mind the uncertainty of human life and being desirous to dispose of all such worldly estate as it hath pleased God to bless me with I give and devise the same in manner following that is to say 1st I give and devise to James J. Nicot my cow and bed for his special benefit 2nd I give and devise to ...