

# John McMillan's Will

In the name of God Amen

I John McMillan of the County of Ashe & State of North Carolina feeling weak in body and knowing that all must must die, and after death to judgment, when all mankind must give an account for the deeds done in the body— And as for my property both real & personal my will is as follows. I bequeath and give to my son William McMillan the land where he lives known as the James McMillan tract it is to be divided from the tract that I now live on in the following manner. To begin at the mouth of a small branch called the Meade branch that runs into the Spring fork near the old Campbell house place & south of Joe B. Parson's South east corner then on the west side of the old Coote place field find so as to include said old field then with the fence to the wagon road then to the old ridge or orchard fence on Baker Ridge known as the Mr. Baldwins place & to include said fields then East to H. B. McMillan's land & with his line & William Menes & Moses Dixons line to the first station. It being the land that my Father willed to James McMillan & his the home place & all my adjoining land I give to my son John McMillan with the following reservations That is to say. My beloved wife is to have the house & out houses & her dower in the home tract of land during her life. I also will to her forever the tract of land on the south fork of New

River Containing about Two Hundred acres & being the land that  
 I purchased of S. Ditcher she is to sell or dispose of it as she may  
 think proper. she is to have Ten choice cows, sheep & pigs  
 half of what I now have on hand, also my flock of Oxen my  
 Blacksmith Tools her lifetime, I give my wife ten horses  
 named dol. & dove, all my household & kitchen furniture  
 & I give my wife three negroes her choice during  
 her life, I give to William W. William my negro boy  
 named & one half of a boy named Lee, & to my son  
 John W. William I give the negro boy named, & to my daugh-  
 ter Adeline I give the negro boy Alfred, to my  
 daughter Polly Dixon I give her a note that  
 I hold on Enock River, that he gave me for the  
 negro girl that I sold to him, my daughter  
 Nancy being dead & having left no heirs and  
 what property that I gave him after our  
 marriage he may keep but he is not to have  
 any more of my estate & the note that I hold on  
 Noah Baldwin he is to put it to my estate or  
 heirs, to my daughter Jane I give a small  
 negro girl named anne, the balance of my  
 property not willed away is to be sold and  
 all my debts collected and all my debts is to  
 be paid, & any money remaining on hand  
 to be divided among my daughters so as to  
 make them equal, the property that I give my  
 two sons is to be all that they are to have the  
 land that I purchased in Morgan County  
 known as the Ed Parsons tract Caswell Halsey  
 is to have the land on the west side of the  
 wagon road at its value, & if he can pay  
 for all of the said tract he may have it.  
 If not the residue is to be sold & the money  
 divided among my daughters or others

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mentioned, with the above exceptions I give to my daughter Jane a mare that she claims to be her property. I Constitute Alexander B McMillan my Executor to execute this my last will and Testament. Revoking all other wills and Testaments. Given under my hand & seal this 13<sup>th</sup> day of August 1855

Test

Jos. B Parsons } John McMillan @  
Preston B Ruess } Jurats.

I make the following codicil to the above will I have claims & leases for minerals in several tracts of land. if there should be found on any of said land leased or above mentioned that may be of value my will is that all my children have an equal interest in said minerals by their paying or <sup>causing</sup> to be paid an equal share of the expense of testing & working said lands. Given under my hand & seal this 18<sup>th</sup> day of August 1855.

Test

Jos. B Parsons } John McMillan @  
Preston B Ruess } Jurats

State of North Carolina } Court of Pleas & Quarter  
Ashe County } Sessions Nov. Term 1855

I Robert Gambell Clerk of the Court of

Pleas & Quarter Sessions for County of Ashe & Seal of North Carolina do hereby certify that the last will & Testament was duly proven in open Court by the oath of J B Parsons one of the subscribing witnesses to said will & ordered to be Recorded

Test

Robert Gambell ctk