

Jonathan Millers Will

State of North Carolina $\frac{3}{4}$
Ashe County $\frac{3}{4}$

In the name of God
Amen I Jonathan Miller of the County and
State aforesaid being sick and weak of
body, but of sound and disposing and
memory and understanding considering
the certainty of and the uncertainty of the
time thereof to the end that I may be the
better prepared to leave this world when
it shall please my God to call me hence
have now determined to direct what dispo-
sition shall be made of my property after
my decease, and after maturely considering
the circumstances and conditions of all
those among whom as my heirs at law
or the objects of my gratitude or affection
in my judgement my Estate should be
distributed, I do make publish and declare
this to be my last will and Testament
hereby revoking and making null and
void all former last wills and Testaments
and writings in the nature of last wills
and Testaments by me heretofore made and
my will is First, That after my decease my
body shall be decently buried with no
ornamentation or unnecessary expense and that
my funeral charges and just debts shall
be paid by my executors hereinafter
named and as to the residue of my Estate
and property with which God has blessed
me and shall not be required for the
payment of my debts funeral charges

Jonathan Miller Will (Continued)

and the expenses in and about the execution of this my will and the administration of my estate, I give devise and dispose thereof as follows to wit: I give devise to my beloved wife Margaret Miller Four Hundred and fifty acres of Land to hold the same to hold the same to her and her heirs Executors and Administrators to have use and behoof forever also the use of my dwelling house and house hold and Kitchen furniture and one Black Boy aged Seventeen years and three head of horses and Sixteen head of Cattle and Twenty two head of sheep and fifty five head of hogs and ^{all} the domestic fowls and poultry all the working Tools belonging to the said Miller and all the provisions on hand at the time of my death to have and to hold the same for and during natural life or as long as she remains my widow

Item 2^d I give to my eldest son David Miller Three Hundred Dollars in part payment towards a tract of land he now lives on, one Bay horse Saddle and bridle, one Cow and calf, one Bed and furniture to the same to have and to hold to him and his heirs in fee simple forever.

Item 3^d I give and devise to my son Matthias Miller two Hundred and fifty dollars to be paid by my Executor within two years from the date of Margaret Miller my wife out of any means belonging to my estate which sum together with the advancement he had, from my fifty dollars in part payment towards the land he now lives on will make him a fair and equal portion in land one horse and

Jonathan Millers Will (Continued)

and saddle. Cow and calf with be one bed and furniture to the same, will to hold to him and his heirs ~~for~~ for simple forever

Item

4th

I give and devise to my Youngest son Jonathan Miller, all this tract of land whereon I now live except the life estate of my wife devised in a former Item of this my will to have and to hold one horse bridle and saddle one bed and furniture to the same one cow and calf to him and his heirs in for simple forever,

Item

5th

I give and bequeath to my Eldest daughter Mary the wife of William Weaver, one Bay mare Cow and calf one bed and furniture to the same to be hers and at her disposal absolutely forever,

Item

6th

I give and bequeath to my daughter Christina the wife of Joshua Weaver, one cow and calf and bed and furniture to the same to be hers and at her disposal absolutely forever,

Item

7th

I give and bequeath to my daughter Elizabeth the wife of John Weaver, one cow and calf and bed and furniture to the same to be hers and at her disposal absolutely forever,

Item

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I give and bequeath to my daughter Susan a wife of Jacob Davis one cow and calf bed and furniture to the same to ^{be} hers and

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at her disposal absolutely and forever

Item 9 I give and bequeath to my daughter Nancy one Yellow mare and cow and Calf and one bed and furniture to the same to be hers and at her disposal absolutely forever

Item 10 I give and devise to my daughter Margaret One Cow and Calf one bed and furniture to the same to be hers and at her disposal absolutely forever,

Item 11 I give and devise to my daughter Sarah the wife of John Miller one Cow and calf one bed and furniture to the same to be hers and at her disposal absolutely forever

Item 12 I give and devise to my daughter Franky the wife of David Weaver one Cow and Calf and bed and furniture to the same to be hers and at her disposal absolutely forever

Item 13 My will and devise is that all the residue of my estate if any after taking out the debts and legacies above mentioned mentioned shall be sold and the debts owing to me collected and if there should be any surplus over the above the payment of debts expenses and legacies that surplus shall be equally divided One Hundred dollars to each girl and if any money should remain yet to be divided between the two oldest sons, and that all the girls share and share alike, to them and each and every of them their executors

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Jonathan Miller's Will (Continued)

Administrators and assigns absolutely forever
and lastly. I do hereby constitute and appoint
David Miller my lawful executor to all intents
and purposes to execute this my last will and
testament according true intent and meaning
of the same and every part and clause thereof
hereby making and declaring utterly void
all other wills and testaments by me heretofore
made

In witness whereof I the said Jonathan Miller
do hereunto set my hand and seal this 13th day
of Aug Lord One thousand eight Hundred and fifty
One.

Signed sealed published and
declared by the said Jonathan Miller
to be his last will and testament in
the presence of us who at his request
and in his presence do subscribe
our names as witnesses thereto

attest.

John Weaver 3
Jonathan Miller Jr. 3

Jonathan Miller (seal)

State of North Carolina 3

Ashe County 3 Nov. Term 1854

The within will was duly
proven in open Court by the oath of,
Jonathan Miller one of the subscribing
witnesses to said will.

Test.

Robt. Gamble clkg