

Legacies as named above I leave to be divided between
 my wife Martha Eliza & my grand son John Peter Miller
William Miller Henry Park & David Eliza in the manner
 following: by John Miller is to receive the dollar when I am
 equal proportion with my wife Martha & the rest of my
 grand son William & Miller Miller & Henry & David though
 to them & their heirs forever. — — —

I hereby nominate & appoint my truly friend John P.
 Smith of the above named County & State executor to the
 my last will & Testament according to all duties and
 in a copy of which I have set my hand & seal the 20th
 day of October in the year of our Lord one thousand
 eight hundred & thirty seven John Eliza (Wife)

Signed sealed & delivered by the
 above named & subscribed who
 last will & Testament in the presence of
John P. Smith
John P. Smith
John P. Smith qualified
John P. Smith qualified
John P. Smith qualified
John P. Smith qualified

In Open Court City, Nov 1838
 This will was proved by the oath of John P. Smith
 and John H. Parks the two subscribing witnesses
John P. Smith qualified to be
John P. Smith qualified to be

John P. Smith CR

In the name of God amen I John Peter Miller do this 26th day
 of Oct. 1838 do make & declare this my last will & Testament in follow-
 ing manner given —

The will is that my said will be paid out of what I have
 in my said estate and may be due me by my friends here-
 after to be issued

I have unto me beloved wife Eliza in kind of all my
 lands during her natural life & I give her the whole of my house-
 hold & kitchen furniture which her to be & her heirs to do as she may
 see proper with —

Then I give unto my son Benjamin one half of my lands & I
 subject & binding at a creek on the river and running and
 the run of water has to be had from the head of deep
 branch & down the said branch of said branch to Parrot creek and
 down that creek to the river & down the various courses of the
 river to the beginning & confirm the right of all things but for
 good use —

Then I give my son John the other half of my lands bound
 by the lands given to my son Benjamin & bound by the
 lands of David H. Carey according to the title papers &
 sold both parts of land to John give him one acre from
 for the land that I have —

I give my daughter Eliza in her last will & Testament I have
 & have confirm the gift of what I have before given my
 daughter Eliza & her heirs

My will is further all that I have not mentioned in my
 will with whatever balance if any after paying my debts

