

# Will of Simon Miller

Bedford County, Virginia: Will Book 1, pp. 490-491

In the Name of God Amen I **Simon Miller** of the Parish of Russel and County of Bedford being weak in body but of perfect mind and memory blessed be god calling to mind the mortality of my body and that it is appointed for all men once to die do this second day of June one thousand seven hundred and eighty four make constitute and ordain this my last will and testament.

To wit, First and principally I recommend my soul into the hands of almighty God who gave it me beseeching his most gracious acceptance thereof and nothing doubting but I shall receive at the general resurrection by the mighty power of god. my body I commit to the earth from whence it was taken to be buried in a decent manner at the discretion of my executors hereafter mentioned and as touching such worldly estate as it hath pleased god to bless me with in this life I give and dispose of in manner and form following.

To wit, First I desire that all my just debts may be paid which I shall owe at my decease.

Item – I lend unto my beloved wife **Ann Miller** during her natural life or widowhood five negroes viz: Big Harry, Dick, Peg, Dinah, & Young Harry a boy, also one child's part of all my stock except my stud horse consisting horses cattle sheep etc. Also it is further my desire that my beloved wife shall have the use of all my household furniture excepting two feather beds and furniture during her natural life or widowhood.

Item – I give and bequeath unto my three Sons **Simon Miller**, **John Miller**, and **William Miller** my land which lyeth in Bedford County according to lines which is already run, Simon to enjoy the upper part, John the middle part, & William the lower part. I do give it to them to their heirs and assigns forever.

I give and bequeath unto my son **Simon Miller** these negroes, viz. Jacob, Rose, & Siller. I do give them to him his heirs and assigns forever. Also I do give unto my son **Simon Miller** one black mare that he has in possession on condition that he payeth unto **Susanna Calloway** her heirs or assigns twenty five pounds specie within six months from the date hereof. I do give her to him his heirs and assigns forever.

Item – I give unto my son **Simon Miller** my stud horse which is called the Roebuck on condition that he payeth up a bond that Ballard has against me for one hundred pound. I do give the said horse to him his heirs or assigns forever.

Item – I give and bequeath unto my son **John Miller** two negroes, viz. David a fellow & Nell an girl also one Fearnoughe colt which he has now in possession, also one feather bed and furniture. I do give it to him his heirs or assigns forever.

Item – I give and bequeath unto my son **William Miller** two negroes viz. James a fellow and Hanna a girl also one bay mare which he has now in possession also one feather bed & furniture. I do give it to him his heirs or assigns forever.

Item – I give and bequeath unto my daughter **Ann Dishman** three negroes viz. Luce & her child, Jude, and a boy called Jerry also one black mare which she has in possession. I do give it to her, her heirs or assigns forever.

Item – I give and bequeath unto my daughter **Sally Noell** viz. Jack and Jude & their increase which she has now in possession. I do give them to her, her heirs or assigns, forever.

Item – I give and bequeath unto my daughter **Susanna Callaway** two negroes to wit, Perry & Silvey and her increase which she has now in possession. I do give them to her, her heirs or assigns, forever.

Item – I give and bequeath unto my daughter **Margerett Tate** viz. two negroes Adam & Tobe. I do give them to her, her heirs or assigns, forever. It is further my desire that my negroe boy Frank shall be sold to pay my debts.

Item – I give and bequeath unto my seven children, viz **Simon, John, William, Sally, Susanna, Margerett, & Ann** all my estate to be equally dividied among them at the death of my beloved wife. I do give it to them their heirs or assigns forever. Further it is my desire that if any my children should die before they are of lawful age or have lawful issue that their legacy left them should be equally divided among the surviving children or their issues, and I do appoint my beloved wife **Ann Miller, Simon Miller, & John Miller** to be executor to this my last will and testament. In witness whereof I have here unto set my hand and seal this day and year above written.

**Simon Miller** {Seal}

Signed sealed in  
Presence of

Enterlined before signed & blotted out before signed.

Teste,

**William Cavanaugh, Ann Anderson, Catherine** {her X mark} **Anderson**

At a Court held for Bedford County at the Court House the 28<sup>th</sup> day of February 1785. This last will and testament of **Simon Miller** deceased was proved by the oaths of **William Cavanaugh, Ann Anderson, & Catherine Anderson** witnesses thereto & ordered to be recorded. And on the motion of **Ann Miller & Simon Miller**, two of the executors therein name who made oath thereto, certificate is granted them for obtaining probate thereof in due form on giving security where upon they together with **William Read, Archelaus Moon, & William Callaway** their securities.

# *Genealogical Analysis*

## Will of Simon Miller

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- Simon Miller
  - Resident of Bedford County, Virginia
  - Died between 2 Jun 1784 and 28 Feb 1785
- Spouse
  - Ann
- Heirs
  - Wife – Ann
  - Son – Simon Miller
  - Son – John Miller
  - Son – William Miller
  - Daughter – Ann Dishman
  - Daughter – Sally Noell
  - Daughter – Susanna Callaway
  - Daughter – Margaret Tate
- Witnesses
  - William Cavanaugh
  - Ann Anderson
  - Catherine Anderson
- Probate
  - 28 Feb 1785
  - Executors
    - Ann Miller
    - Simon Miller
    - John Miller

490 - This Court held for Bedford County at the Court House the 28<sup>th</sup> day of February 1785 - This Account Current of the Estate of Thomas Murphy deceased with David Beard was Exhibited in Court & Ordered to be Recorded.

Teste, Ja. Stapton C. B. Jus.

Simon  
Millers  
Will

In the Name of God Amen I Simon Miller of the Parish of Rispel and County of Bedford being weak in Body but of perfect Mind and Memory, blessed be God calling to attend the Mortality of my Body and that it is appointed <sup>for</sup> ~~unto~~ all Men once to die, do this Second day of June One thousand seven hundred and eighty four, make constitute and Ordain this my last Will and Testament, to wit, First and principally I recommend my soul into the hands of Almighty God who give it me beseeching his most gracious acceptance thereof and nothing doubting but I shall receive at the General Resurrection by the mighty Power of God: My Body I commit to the Earth from whence it was taken to be buried in a decent Manner at the Discretion of my Executors hereafter mentioned; and as touching such worldly Estate as it hath pleased God to bless me with in this Life, I give and dispose of in manner and form following to wit, First, I desire that all my just Debts may be paid which I shall owe at my decease. Item I send unto my beloved Wife Ann Miller during her Natural Life or Widowhood five Negroes Viz, Big Harry, Dick, Peg, Dinah & young Harry a Boy, also One Childs part of all my Stocks Except my Stud Horse, consisting Horses, Cattle, Sheep &c. Also it is further my Desire that my beloved Wife shall have the use of all my house hold furniture excepting two Feather Beds and Furniture during her Natural Life <sup>or</sup> Widowhood. Item I give and bequeath unto my three Sons Simon Miller, John Miller, and William Miller my Land which lyeth in Bedford County according to Lines which is already Run, Simon to enjoy the upper part, John the middle part, & William the lower part. I do give it to them to their Heirs and Assigns forever. Item I give and bequeath unto my son Simon Miller three Negroes Viz, Jacob Rose & Sellar I do give them to him his Heirs and Assigns forever; also I do give unto my son Simon Miller One black Mare that he has in possession on Condition that he payeth unto Susanna Calloway her Heirs or Assigns Twenty five Pounds Specie within Six Months of the Date hereof I do give her to him his Heirs or Assigns forever. Item I give unto my son Simon Miller my Stud Horse which is call'd the Roe buck on Condition that he payeth up a Bond that Ballard has against me for one Hundred Pound I do give the said Horse to him his Heirs or Assigns forever. Item, I give and bequeath unto my son John Miller two Negroes, Viz, David a Fellow & Tall a Girl also one Farnouge

Calloway

Colts which he has now in Possession, also One Feather Bed and furniture I do give it to him his Heirs or Assigns forever. Item I give and bequeath unto my Son William Miller Two Negroes Viz James a Fellow and Hannah a Girl also One Bay Mare which he has now in Possession also One Feather Bed & Furniture. I do give it to him his Heirs or Assigns forever. Item I give and bequeath unto my Daughter Ann Dickson three Negroes Viz Luce & her Child, Jude and a Boy called Jerry also One black Mare which she has in Possession I do give it to her her Heirs or Assigns forever. Item I give and bequeath unto my Daughter Sally Moll Viz Jack and Jude & their Increase which she has now in Possession, I do give them to her her Heirs or Assigns forever. Item I give and bequeath unto my Daughter Susanna Callaway Two Negroes To wit, Perry & Silvey and her Increase which she has now in Possession I do give them to her her Heirs or Assigns forever. Item I give and bequeath unto my Daughter Margarette Tate Viz Two Negroes To wit, Sam & Tobe I do give them to her, her Heirs or Assigns forever. It is further my Desire that my Negro Boy Frank shall be sold to pay my Debts, Item I give and bequeath unto my seven Children, Viz Simon, John, William, Sally, Susanna, Margarette, & Ann all my Estate to be equally divided among them at the Death of my beloved Wife I do give it to them their Heirs or Assigns forever. Further it is my Desire that if any my Children should die before they are of lawful Age or have lawful Issue that their Legacy left them should be equally divided among the surviving Children or their Issues, and I do appoint my beloved Wife Ann Miller Simon Miller & John Miller to be Executors to this my last Will and Testament In Witness whereof I have hereunto set my Hand and Seal this day and Year above written.

Signed Seal'd in  
Presence of

Simon Miller

Entered before signed & blotted out before signed.

To wit,

William Cavanaugh, Ann Anderson, Catharine <sup>her</sup> Anderson  
Mark

The Court held for Bedford County at the Court House the 28<sup>th</sup> day of February 1785. — This last Will and Testament of Simon Miller deceased was proved by the Oaths of William Cavanaugh, Ann Anderson, & Catharine Anderson Witnesses thereto & Ordered to be recorded; and on the Motion of Ann Miller & Simone Miller, two of the Executors therein named who made Oath thereto, Certificate is granted them for obtaining Probate thereof on due form, on giving Security, whereupon they together with William Read, Archelaus Moon & William Callaway their Securities