


Jacob Miner Jr - Last Will & Testament

I, Jacob Miner, of the township of Turkeyfoot, County of Somerset and state of Pennsylvania farmer, do make and publish this, my last will and testament hereby revoking and making void all former wills by me at anytime heretofore made. First, I desire that my body be interred decently in the burial ground of the Christian Church in Turkeyfoot according to the rites and ceremonies of said church and that my funeral be conducted in a manner corresponding with my estate and situation in life and to such worldly estate as it hath pleased God to intrust me with. I dispose of the same as follows: First, I direct that all my debts and funeral expenses be paid as soon as possible after my decease out of the first monies that shall come into the hands of my executor from that portion of my personal estate first disposed of. Also, I direct that a fair evaluation of appraisement be made by three judicious neighbors of all my said personal estate including my household furniture and after being signed with their names that a copy of the same shall be given to my executor. Also, I direct that my executor, as soon as possible after my decease, proceed to get an office right for my home place whereon I now reside, the same being vacant, the expense whereof shall be defrayed out of my personal estate. Also, I direct that the whole of my personal estate, excepting so much as shall be necessary for to discharge the above mentioned debts and expenses, be and remain the absolute property of my beloved wife if she be living at the time of my decease so long as she remains my widow and at her death or marriage the same to be sold and the proceeds divided equally between my heirs (except my eldest son John) I further direct in relation to my real estate that the same be appraised by three judicious neighbors and divided into three equal parts or proportions as near as possible. The house place I direct to remain in possession of my widow. Also, I direct that my son Henry remain in possession of that part whereon he now resides. The third part or division may be occupied by any one of my other heirs who may be disposed to take it at the appraised price. They severally thus occupying provided they take the said restrictive parts at the appraised price to pay such sum or sums as shall be requisite to make their respective shares equal in annual payments of at least fifty dollars to be applied to the payment of such as are in greatest necessity otherwise should my heirs refuse or object to take the above mentioned parts as above specified, they shall occupy the same as renters by paying annually to the widow an amount equal to one third of the proceeds of the respective divisions. Also, I direct that at the death or marriage of my widow, my home place be taken by my son Charles at the appraised price provided he should be so disposed, he paying such sum to the other heirs which shall be requisite as above directed. I further direct that in case my heirs refuse to take my real estate as above specified at the death of my widow my executor proceed to sell the same and distribute the proceeds equally amongst my respective heirs share and share alike (except my eldest son as aforesaid for whom I direct that a deed of conveyance be made him for his half of the tract of land which was purchased by him and myself jointly. Also that he shall have as much land of my share as may be necessary at the appraised price in addition to the sum of one hundred and twenty six dollars already in his possession as will make his share equal to the other heirs. The said land to be surveyed for him at such place as shall be convenient to his part of the above mentioned purchase (his part being that part whereon he now resides). I also authorize my executor to execute such deed or deeds of conveyance as may be necessary to secure the same to him his heirs and assigned he may eldest son as aforesaid shall be at one half the costs and changes arising from the said division conveyance fee.

And in case I shall leave any child or children living at the time of my decease my will is and I do appoint that my said dear wife shall have the guardianship and tuition of them during their minority so long as she shall continue to be sole and I now earnestly entreat her utmost care respectively in and about the morals and education of my children if any such shall happen to be and to survive me and desire that they be brought up and instructed in the doctrines and religion of the Christian Church. I further direct that my youngest daughter, should she survive me and arrive at the age of maturity, that she be furnished with a cow, a good bed, and other requisite articles for housekeeping (in case of marriage) out of the property left to my said wife.

And I do hereby ordain my esteemed neighbor Herman Houseland executor of this my last will and testament. In witness whereof I, Jacob Miner, the testator, have to this my will written on two sheets of paper set my hand and seal this eleventh day of February in the year of our lord one thousand and eight hundred and forty two. Jacob Miner

 **Date:** 11 Feb 1842

 **Place:** Turkeyfoot, Somerset County, Pennsylvania