

THIS INDENTURE MADE AND ENTERED INTO THIS 24TH. MARCH, 1857 BETWEEN MILLY FRANKLIN OF THE ONE PART AND BARTON PYRTL OF THE OTHER PART ALL OF THE COUNTY OF HENRY AND STATE OF VIRGINIA. WITNESSETH THAT WHEREAS IT IS CONTEMPLATED AND INTENDED THAT A MARRIAGE SHALL SHORTLY BE HAD AND SOLEMNISED BETWEEN MILLY FRANKLIN AND THE SAID BARTON PYRTL, AND SAID MILLY FRANKLIN DESIRING TO SECURE TO HERSELF THE RIGHT TO DISPOSE OF, WILL, OR OTHERWISE CERTAIN PROPERTY BELONGING TO HER HEREINAFTER MENTIONED. FURTHER TO GUARD AGAINST SAID PROPERTY BEING SUBJECTED TO THE PAYMENT OF THE LIABILITIES AND DEBTS OF THE SAID BARTON PYRTL AND THE SAID BARTON PYRTL BEING WILLING TO GIVE THE CONTROL AND POWER OF DISPOSITION OF SAID PROPERTY DO THE BY THESE PRESENTS AGREE TO AND WITH THE SAID MILLY FRANKLIN IN THE FOLLOWING MANNER TO WIT: THE SAID BARTON PYRTL UPON HIS MARRIAGE WITH THE SAID MILLY FRANKLIN SHALL HAVE THE ENTIRE CONTROL AND MANAGEMENT OF THE INTEREST OF THE SAID MILLY FRANKLIN IN THE LANDED ESTATE LEFT HER BY HER FATHER LYING IN THE COUNTY OF HENRY ON SMITHS RIVER AND ALSO THE INTEREST OF SAID MILLY FRANKLIN IN THE NEGRO WOMAN LETTY, ANOTHER SIX CHILDREN--GEORGE, JANE, MARY, PATSEY, NANCY, ELVIRA DURING THE LIFE TIME OF SAID MILLY FRANKLIN AND THE NEGRO WOMAN DOLLY AND HER CHILD JULIA AND FUTURE INCREASE DURING HER LIFETIME-AND IN CONSIDERATION THEREOF THE SAID BARTON PYRTL BY THESE PRESENTS AGREES TO AND WITH THE SAID MILLY FRANKLIN THAT SHE MAY AT OR BEFORE HER DEATH DISPOSE OF BY WILL OR DEED THE SAID PROPERTY BEFORE MENTIONED IN WHICH SHE NOW (HAS) A GREATER THAN LIFE ESTATE AFTER THE DETERMINATION OF SAID LIFE ESTATE AND SUCH DISPOSITION SHALL BE ENTIRELY FREE FROM ALL CLAIM, INTEREST, AND LIABILITIES OF THE SAID BARTON PYRTL AND HIS HEIRS AND SHALL CONTROL THE DISPOSITION OF THE FUTURE INCREASE OF SAID PROPERTY. IT IS FURTHER AGREED BETWEEN THE PARTIES TO THESE PRESENTS THAT SHOULD THE SAID BARTON PYRTL DIE BEFORE THE SAID MILLY FRANKLIN ALL TITLE AND INTEREST ACQUIRED BY HIM BY VIRTUE OF HIS MARRIAGE ON THIS DEED TO THE INTEREST AND ESTATE OF THE SAID MILLY FRANKLIN SHALL DETERMINE AND CEASE UPON THE HAPPENING OF SAID EVENT AND THE SAME SHALL VEST IMMEDIATELY IN THE SAID MILLY FRANKLIN AS FULLY AS IF SHE HAD NEVER BEEN MARRIED AND THEREUPON THE SAID MILLY FRANKLIN MAY DISPOSE OF THE SAME IN ANY WAY OR MANNER SHE MAY THINK PROPER. IN TESTIMONY WHEREOF THE PARTIES TO THESE PRESENTS HAVE SET THEIR HANDS AND AFFIXED THEIR SEALS THE DAY AND YEAR FIRST ABOVE WRITTEN.

MILLY FRANKLIN (SEAL)  
BARTON PYRTL (SEAL)

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NOTE:

MILLY WAS THE DAUGHTER OF LEWIS FRANKLIN AND MILLY STONE. AT THE TIME OF THE ABOVE MARRIAGE MILLY WAS ABOUT 62 YEARS OLD AND BARTON WAS ABOUT 62 YEARS OLD. HE DIED 9 SEPT 1869. MILLY DIED 11 FEB 1885 AT THE AGE OF 90 WHILE LIVING AT THE OLD HOME-PLACE WITH HER NEPHEW, GEO. TYLER FRANKLIN. See pg.15 & pg.3