

WILL OF

CROSBY W. MILLER

I Crosby W. Miller of the Destrict of Anderson and State of South Carolina, being of sound mind and memory and aware of the uncertainty of human life, do make publish and declare, this to be my last will and testament that is to say I desire my Executors hereinafter named to pay all my just debts as soon as sufficient funds can be raised or collected, I hereby direct and impower my Executors to sell at any time at their discretion and on such terms as they may think best, any lands real Estate or personal property that I may not dispose of in this my will, I do hereby give and bequeath to my wife Elizabeth to use and dispose of as her own property all my House hold and Kitchen furniture Two Horses which is now on the plantation a yoke of Steers and Cart Three Cows & Calves as May stock Hogs & sheep as she may wish to keep as many farming tools as she may want as much corn meat & flour as may be necessary for her support and her children untill the next crop may be geathered, I also give to her the use of the plantation whereon we live including all the improvements to do with as she may think propper untile her youngest child may become of the age of Twenty One, then I desire that She Select a part of Said tract say one third or thereabout So as to make her a compact little farm She will be at liberty to select any part She may think propper so that it is all taken in a boddy together she can take the House which we live in or the House where my Son in Law Camihard now lives -- to do with as her own property and dispose of as she choose to do -- Should She depart this life before her youngest living child shall become of age the whole tract of land to be sold as

impower my Executors to sell at any time ~~at the discretion of~~ ^{www.bouthardhistorians.net} and on such terms as they may think best, any lands real Estate or personal property that I may not dispose of in this my will, I do hereby give and bequeath to my wife Elizabeth to use and dispose of as her own property all my House hold and Kitchen furniture Two Horses which is now ~~an~~ on the plantation a yoke of Steers and Cart Three Cows & Calves as May stock Hogs & sheep as she may wish to keep as many farming tools as she may want as much corn meat & flour as may be necessary for her support and her children untill the next crop may be geathered, I also give to her the use of the plantation whereon we live including all the improvements to do with as she may think proper untile her youngest child may become of the age of Twenty One, then I desire that She Select a part of Said tract say one third or thereabout So as to make her a compact little farm She will be at liberty to select any part She may think propper so that it is all taken in a boddy together she can take the House which we live in or the House where my Son in Law Camihard now lives -- to do with as her own property and dispose of as she choose to do -- Should She depart this life before her youngest living child shall become of age the whole tract of land to be sold as above directed by my Executors and one third of the value as proceeds of the sale to be paid over as she may have directed as to her legal heirs, and the balance to be equally divided amongst all my children or if any of them may have received lefs than any of the other children I wish them to receive untill they shall be made equal with those that may have received the most, Should she live untill her youngest child becomes of age I wish my Executors to sell all the land which may be left of the said tract after she has made her selection of one third of

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said tract and the money to be divided equally amongst my children as above directed --

I have advanced to my Son in Law Josiah N. Bogg a tract of land and Other Articles--also to my Son Enos Kilsey a tract of land and other articles--also to Crosby Wilks my son a tract of land and other articles Titles having been executed to the land & has been sold by them -- also to John F. Miller my son a tract of land & other articles. Also to my Son in Law John Cammorard a tract of land and other articles -- to the two last Titles has not been executed but the land has been surveyed and laid out being the one fourth of a tract known by the name of Colds old fields Containing in each tract that is to John F. Miller three Hundred & fifty nine acres more or less and the same quantity to John Cammorard -- to them I wish titles to be executed and hereby will and bequeath to John F. Miller and John Commerard the afore stated tracts of land -- I desire that my Executors adopt the best mode of ascertaining the value of the land and other property advanced as above to Josiah N. Boggs, Enos Kilsey Miller, Crosbey Welks Miller, John F. Miller and John Cammonard, I have made advances of Personal property to some of the other Children I desire that the best mode of ascertaining the value or amount of all such advances be adopted by my Executors and regular accounts made out against each child, I desire that my Executors proceede to have all my out lands except the place whereon I live divided out into such lots as they may think proper so as to have a lot for each one of my children that have not received land and have them (that is) each lot appraised by three disinterested persons and if the children can not agree amongst themselves as to which lot each child shall take the

land & other articles. Also to my Son in Law John Cammonard a tract of land and other articles -- to the two last Titles has not been executed but the land has been surveyed and laid out being the one fourth of a tract known by the name of Colds old fields Containing in each tract that is to John F. Miller three Hundred & fifty nine acres more or less and the same quantity to John Cammorard -- to them I wish titles to be executed and hereby will and bequeath to John F. Miller and John Commerard the afore stated tracts of land -- I desire that my Executors adopt the best mode of ascertaining the value of the land and other property advanced as above to Josiah N. Boggs, Enos Kilsey Miller, Crosbey Welks Miller, John F. Miller and John Cammonard, I have made advances of Personal property to some of the other Children I desire that the best mode of ascertaining the value or amount of all such advances be adopted by my Executors and regular accounts made out against each child, I desire that my Executors proceede to have all my out lands except the place whereon I live divided out into such lots as they may think proper so as to have a lot for each one of my children that have not received land and have them (that is) each lot appraised by three disinterested persons and if the children can not agree amongst themselves as to which lot each child shall take the lots be numbered and drawn for by three disinterested persons to be chosen by my Executors and each lot so drawn for each child shall be deemed the property of said child and received as so much at what ever it may have been appraised at and if any out land shall then remain on hands my Executors are requested to sell the same and after my just debts have all been paid I desire that each child shall receive an equal share of what ever may be on hands arising from real or personal property so that

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One child shall not receive more ~~than another~~ If in the advances I have made one child has received more than another I desire that all the others should be made equal before they receive any more I desire and intrust the provisions made in this will for my wife to be in lieu and barr of all claims for dower -- I hereby nominate and appoint and constitute E. B. Benson Executors to have the trust of this my will and testament performed

Signed Sealed and published and
declared to be the last will and
testament of the testator in our
presence who signed the same in his
presence and at his request this 28th)

Crosby W. Miller (SEAL)

day of April 1840)

F. W. Symmes)

John P. Sloan)

Thos M Sloan

Recorded in Will Book B, Page 105

Recorded June 8, 1840

Proved June 8, 1840

John Martin, O.A.D.

Roll No. 460