

IN THE NAME OF GOD, AMEN:

I, John C. Miller, of Anderson District and State aforesaid, being of sound and disposing mind, memory and understanding, but mindful of the uncertainty of human life, do hereby make, publish and declare this to be my last will and testament, hereby revoking and declaring null and void, all or any will or wills by me at any time heretofore made.

1st. I desire all my just debts and funeral expenses to be paid by my Executors hereinafter named, as hereinafter provided.

2nd. I give and bequeath unto my wife Sarah Miller, the one-half of the plantation near Pendleton Village on which I now reside, being that portion on which the dwelling house and settlement are, together with all the furniture of said dwelling. The division of said plantation to be made by my Executors. I also give and bequeath to my wife Sarah Miller my two negro slaves Sam & Katy with their future increase. The above bequest of real and personal property to my said wife is for her natural life, or during widowhood, at her death or marriage I give and bequeath the above property, viz, the one-half of my plantation and the said negroes Sam & Katy with their issue to my son John C. Patrick J. Miller and my daughter Susan Elizabeth Miller, share and share alike to them their heirs Executors, Administrators & Assigns forever.

3rd. I give and bequeath to my son J. C. P. J. Miller one thousand acres of my land (if there be so much, if not, whatever there is) known as my Mill plantation situate and being in the upper part of Pickens District, on Chauga Creek, together with all the buildings thereon to him, his heirs, Executors, Administrators & Assigns forever.

Item. I give and bequeath to my said son J. C. P. J. Miller the following slaves, viz, Henry, Milly Stewerard with the increase of the female to him, his heirs, Executors, Administrators & Assigns forever.

4th. I give & bequeath to my daughter Susan Elizabeth Miller

the following slaves, viz, Silvey & Jinney with their future issue & increase, to her, her heirs, Executors, Administrators & Assigns forever.

5th. I give and bequeath to my aged parents, Charles Miller and Jane Miller the other or unwilled half of the plantation on which I now reside near Pendleton Village, together with my negro slaves Tarlton, Burekney & Frankey with the issue & increase of the female so long as they or either of them shall live, and at the death of my said parents Charles Miller & Jane Miller then I give and bequeath the said half of my plantation devised for their lives with the said negroes Tarlton, Burekney & Frankey with the issue & increase to my son John C. P. J. Miller to him, his heirs, Executors, Administrators & Assigns forever.

6th. I give to my Executors hereinafter mentioned all my lands not heretofore devised in Pickens District, consisting of seven tracts purchased by me of James C. Keys. Also a tract of land in Abbeville Dist. adjoining lands of Leonard Wideman together with my slaves Safford & Rachel to be so disposed of (and I hereby empower my said Executors to sell or dispose of the said lands & negroes as to them may seem best for the purposes hereinafter mentioned) to-wit, to meet & liquidate the demands against me by Daniel A. Ledbetter & Sarah A. Ledbetter, now amounting to the sum of twelve hundred dollars and also for the payment of all my just debts, and after the liquidation of the debts due by me, should any balance remain in the hands of my said Executors I give & bequeath the said balance to my son John C. P. J. Miller forever.

7th. I appoint & declare Patrick J. Miller to be and act as the Guardian of my children J. C. P. J. Miller & Susan Elizabeth Miller during their minority, and I enjoin and direct my Executors to expend so much of the income of the property above devised to my said children, John C. P. J. Miller & Susan Elizabeth Miller, as may be required in procuring & obtaining a good & classical education for my said son and a good English education for my said daughter.

And lastly I nominate, constitute and appoint Patrick J. Miller,

Charles Miller, John C. Hanie & Edw'd Harleston, Executors of this my last Will & Testament.

In testimony whereof I, the said John C. Miller, have hereunto set my hand & seal and have likewise attached these sheets together with my seal & signed my name thereto upon the first sheet & signed my name to each succeeding sheet on this fourteenth day of November in the year of our Lord one thousand eight hundred and forty-four.

J. C. MILLER. (SEAL)

Signed, sealed, published & declared in the manner set forth by the said John C. Miller the Testator as and for his last Will & Testament in the presence of us, who at his request and in his presence, and in the presence of each other have hereunto subscribed our names as witnesses. The word "with" in the fifth line from the top of second sheet and the surname "Wideman" in the eleventh line same sheet interlined before signature.

T. J. PICKENS.
W. L. JENKINS.
Wm. H. ANDERSON.

SOUTH CAROLINA.)

PICKENS DISTRICT.)

PERSONALLY appeared before me Thomas J. Pickens, who being duly sworn saith on oath that he did see John C. Miller sign and seal the foregoing as and for his last Will and Testament and that W. L. Jenkins and Wm. H. Anderson were present and with himself were present and with himself witnessed the same.

T. J. Pickens.

SWORN to before me Febr'y 23rd, 1863.

W. E. HOLCOMBE, C.P.D.

BE IT REMEMBERED that the foregoing last Will and Testament of John C. Miller was proved before me in common form in open Court, on the 23rd day of Febr'y, 1863, by the oath of T. J. Pickens, one of the subscribing witnesses thereto.

W. E. HOLCOMBE, C.P.D.