

IN THE NAME OF GOD, AMEN:

I, J. P. Niebuhr, of Walhalla, being of sound mind and understanding, but weak in body and having the fear of death before me, declare and publish this my last Will and Testament, hereby revoking and declaring void any other Will and Testament that I at any time heretofore may have made and declared.

And first, I place my trust for the salvation of my immortal soul into the mercy of my Heavenly Father and the great sufferings of my blessed Redeemer, and my body I bequeath to the dust from whence it came to be decently buried according to the direction of my Executrix hereinafter named.

As to my worldly goods and estate I dispose of as follows, viz:

Whereas my property, if immediately disposed of, would have to be sacrificed under duress and it being of advantage to my creditors as also to my family to wait a favorable opportunity for the sale thereof, I do hereby will and order that my Executrix hereinafter named shall have full and complete power and authority to hold and keep all and singular my estate, real, personal or mixed, in her possession and under her control until a favorable time arrives for the sale of any part or the whole thereof. And she shall have full and ample power to sell and dispose of each and every part or all of the same, according as to her judgment shall seem best, on such terms as she shall prefer. And from the proceeds of such property as aforesaid consisting of lands, slaves, book accounts, furniture, houses, buildings, stock in trade, cash on hand, and whatsoever else it may be, as soon as the same can be realized at the will of my said Executrix, I desire firstly my just debts to be paid, and the residue, all and singularly, whatsoever it may be or consist of, I give and bequeath to my dear and affectionate wife Rebecca Niebuhr to her support and use and for the support and use of my children until they shall be of lawful age.

And I do hereby nominate and appoint my said dear wife Rebecca Niebuhr my Executrix, with all the powers necessary to carry out my will and intentions as above set forth, specially with full and ample power and authority to make sale of my estate, real and personal, and

to sign, seal and deliver titles and bills of sale for the same, as may be required. I trust that my creditors will not interfere with this arrangement as it is the best and the only one to insure them their accounts and to leave a support for my dear family.

I witness whereof I have hereunto subscribed my name and set my seal at Walhalla, Pickens District, So. Ca. this Thirteenth of September, A. D., one thousand eight hundred and fifty-four.

SIGNED, sealed and published

in the presence of

JOHN P. NIEBUHR.

H. W. KUHTMANN.

D. BIEMANN.

HERMAN KNEE.

SOUTH CAROLINA. )

PICKENS DISTRICT. )

PERSONALLY appeared D. Biemann and made oath in due form of law that he was present and did see John P. Niebuhr, late of Pickens District, deceased, sign, seal and publish the within to be his last Will and Testament and that himself and H. W. Kuhtmann, H. Knee was all together present and saw the same and did all subscribe their names to the same as witnesses in the presence of each other and the Testator.

SWORN to before me the 29th

D. BIEMANN.

day of September 1854.

W. J. PARSONS, C.P.D.