

STATE OF SOUTH CAROLINA

The State of South Carolina)

York District)

In the name of God Amen.

~~James~~ Miller senior of the district and state aforesaid being of weak body from my advanced age in life, but being of sound and disposing mind, do make ordain and publish this my last will and testament in manner and form following Viz.

1st. It is my will and desire that I may be decently buried by my Executors hereinafter to be named and that they do purchase head and foot stone for my aged wife and self and for this purpose they are to retain out of the portions willed to my sons Joseph and John so much money as may be required to make such purchase; each one bearing the half thereof.

2nd. It is my will and desire that my said wife, should she survive me be supported free from any kind of want, during her life; and that my executors do attend to the Special and particular Execution of this part of my will and for this purpose shall furnish her with two hundred weights of good flour, forty weights of good sugar, ten weights of good coffee, forty bushels of corn and as much fodder as may be necessary for her per year, and also such other necessaries as her happiness and comfort in life may require, and that this be supplied by my executors out of the interest of all debts that may be owing to me at my death which I especially set apart for her support and maintenance during life; also it is my further will and desire that my said wife be permitted to live in the House we now occupy and I hereby vest

in her during her life as aforesaid, all the title priviledg and advantage I now own possess and enjoy houses and Lands where I now live for her to live in and upon during her said life, and this to be in free and barr of all and every claim of dower my said wife may have to any of my said lands.

3rd. ~~To my son Joseph Miller I will and bequeath the~~ plantation whereon I now live, being composed of three tracts or parts of tracts one of which I bot of John Aikens, another of the son of Philip Walker, and the other of James Rusk containing in the whole about two hundred acres more or less, I also will and bequeath to my said son Joseph a negre woman named Lett and her children now in her possession; the above property that is to say, the land and negroes above described I will and bequeath to my said son Joseph during the term of his natural life, but not to be subject to his contract forfeitures or incumbrances and at his death I will and bequeath this said property to such of his lawful child or children as may be living at the time of his death, share and share alike them and their heirs forever. but that my said will may not be misunderstood, my son Josephs right to the said Land only commences at the death of my said wife.

4th. To my son John Miller I will and bequeath two hundred and fourteen acres of land more or less, being the tract I bot of James Rusk, on the waters of fishing Creek, I also will and bequeath to my son the following Negroes towit Bon, Conney and her children now in his possession the above land and negroes I will do my said son John during the term of his life but not subject to his contracts forfeitures or incumbrances; and at his death, I will and bequeath the said property to my three grand children Joseph, Drusillah and Jane Miller children of my said son John by his first wife, them and their heirs forever, but if either of

My said Grand children should die without leaving any child or children, or before arriving to the age of twenty one years then the portion of such deceased child shall descend to the pervision of such my said children share and share alike forever.

5th. I will and bequeath to my daughter Rachael the wife of Oliver McClain one hundred and fifty dollars in cash to be paid by my executors at the death of my wife, or as soon thereafter as convenient but upon this condition that her husband shall Execute above to my Executors with such security as they may require, at the death of my said daughter Rachael will and truly to pay to her children the sum of one hundred and fifty dollars and should the said Oliver McClain refuse to give such bond, then I direct that my Executors should lay out the one hundred and fifty dollars in property or place the same at interest in good hands for the use and benefit of my said daughters children., to be paid them when they marry or arrive at the age of twenty one years, and should any of her children without issue or before they arrive at the age of twenty one years, then the portion of such deceased child or children shall descend to the survivor and their heirs forever.

6th. I will and bequeath to my daughter Mary the wife of Hugh Simpson one hundred and fifty dollars on the same terms conditions and restrictions and under the same limitations as are mentioned in the fifth clause of this my will to my daughter Rachael.

7th. All the debts that may be owing my estate after the death of my wife, and after the paying the Legacies above to my two daughters I will and bequeath to my two sons Joseph and John for their use during their lives but at their deaths, to be accounted for without interest to such of their children as may be living at the time of the deaths of them the said Joseph and John share and share alike to them and their heirs forever Viz

the said Joseph share to his children and the said Johns to his.
8th. I will and bequeath to my said wife during the term of her
natural life the use of my house hold and kitchen furniture, al-
so the use of my stock of horses, cattle Hogs and Sheep, and at
her death the same together with my wearing apparel to be equally
divided amongst all my children.

9th. I will and direct that my Executors do pay the Rev'd W.
Mickson the sum of twelve dollars for preaching four sermons on
week days Viz two at my house, and two at my son John's.

10th I nominate and appoint my friend Capt'n John Blair and
Thomas Williams Jr Executors to this my last will and testament
thereby revoking and setting aside all other wills by me hereto-
fore made.

In testimony whereof I have here unto set my hand and seal
this seventh day of July in the year of our Lord one thousand
Eight hundred and twenty one, and in the forty sixth year of
American Independance.

his
Joseph X Miller (SEAL)
mark

Signed, sealed and acknowledged in
our presence, who in the presence of
the testator and at his request have
signed our names as witnesses thereto.

John Bailey

Samuel Wright

James Galloway

Probated February 3, 1823

Will Book "G" P-94

Case No. 29

File No. 477