

State of South Carolina)
York District }

In the Name of God Amen I Joseph h
Miller of the State and district

aforesaid being in firm in body, but of sound & disposing
mind & memory, & calling to mind the uncertainty of this life,
do make² ordain and publish this my last will and testament, in
manner and form as follows Viz.

1st. I wish my body decently buried by my Executor and Execu-
trix herein after named

2nd After paying all my Just debts I will and require that all
my wordly goods wherewith God has blessed me with be disposed
of in the following way

3rd. To my well beloved wife Nancy Miller I give and bequeath
at my deasse the negro woman Pemela the mare Bonny the Saddle
Bridle and blanket She now claims two Cows her own Choice out
of the Stock the Bureau I got with her, her choice of Beds Bed-
steads and and Covering that is one bed

4th. as my will and desire is that all my property be kept to-
gether until the youngest^{est} surviving child arrives at the age of four-
teen years before any permanent division be made except some of
the children herein after named Marries before that time then I
allow my Executrix herein after mentioned to give off what I
hereafter mention,-----

5th. and as my will is as above xpressed with regard to keeping
the property together I will and bequeath my wife Nancy to have
her maintainance from the plantation whereon I now reside com-
posed of the Plantation I got from Matthew Carrol and Thomas Simp-
son Senr. and the use of what houses She Needs where I now re-
side during her Natural life or widowhood together with the whole
of the control and management of the lands and Negroes Jointly
with my Executors hereinafter mentioned until the youngest Sur-

viving child comes to the age of fourteen Years--without any let or hindrance from any person The above named property and Maintainance I will and bequeath to my wife in lieu of dower-----

6th My will with regard to my Land compesed of the plantation I got from Thos. Simpson Senr. Matthew Carrol John Barron and what was will~~ed~~ ~~ed~~ by my father that they be equally divid- ed as to quantity and quality among my four Sons when the young- est Surviving arives at the age of fourteen years, Viz. Samuel Neely Miller, Joseph Miller, James M. Miller, Benjamin R. Miller these lands I give and bequeath to them and their heirs forever under the terms above & herein after to be named and whereasmy father left the lands whereon he lived at the time of his death to my Children boys and girls equally at my death, my will and desire is that my Sons take the land at the appriament of three disinterested persans and pay the girls their part in money so that all the lands above named may be Kept together but if the girls force the lands to Sale in order for a devistion then my will and desire is that my Executor and Executrix buy the lands if it goes at a reasonable price and pay for it out what funds may be in their hands with regard to the land I got from James Reed my will and desire is that it be sold when the youngest of my sons arives at the age of fourteen years and the money equally devided among the Surviving Sons above Mentioned

7th. My will and desire is with regard to my son John Miller is that he receive a liberal education the expences of which (Viz) Board Clothes Books and other things necessary I allow to be paid out of the Surpluss product and gain of the Lands and negros until he Studies a profession and then farther to receive a horse warth seventy five dollars a good Saddle and bridly and his Equal share of the Negroes and Fifty dollars in money-----

But if he dont choose to pursue a liberal education and Stops

at the age of twenty one years then his or their Share of the lands to be equally divided among the surviving of the boys or even if any of the Boys Should die after that age without any lawful bodily heirs then their share to fall back to the surviving Boys

My will and desire is that all the negroes that I now have and their increase Except Pemella and her increase be equally divided among my Children Boys and Girls when the youngest comes to the age of fourteen years that is the youngest that is then alive, but if any of them Should marry before that time then I allow my Executrix to give them a Negro over the age of twelve years Except the negro men which are to be kept on the plantation till the youngest arrives at the age of fourteen years which negro when given is to be appraised at the time taken and Stand in their part of the negroes but if the negro given has any increase before the permanent division takes place that increase to come back and be valued with the other I likewise Except the negro Girl Phillis from being taken from the Plantation to the permanent division is made

To each of my daughters I give and bequeath over and above their Share of my Negroes when they marry or come of age a horse Saddle and bridle Bureau Bed Bedstead and covering a Bible a Set of Knives and forks a Set of Cups and Saucers and plates the balance of my books I give and bequeath unto my Sons to be equally divided among them.....

To each of my Sons I give and bequeath a horse Saddle Bridle two cows also over and above what is given to my daughters two Cows each.....

I allow all Surplus property that may be after giving each of the children their parts when the youngest comes to the age of fourteen years to be sold and the monies arising to be equally divided among the Boys (except John & William) for a course of education

rising therefrom after paying for the Schooling of the Children which I want to have a good english education and other necessary expences that the family will need to be put out as interest on good Security from year to year and then whatever there may be of it to be equally divided among all the boys except John if he takes his education & if not he is to have an equal Share if the boys Sees proper when the youngest child comes to age of fourteen to divide the surplus property among them instead of Selling it they can do so

In one word everything on the plantation is to Stand as it is except what the can spare of Stock and crop as above mentioned But if my Executrix herein named sees proper to sell the carriage She may do so with the consent of the children at any time at private Sale and put the money to interest for the children My will is Should I be called off that my daughter Rachel Son Samuel N. Have their Saddle and bridle this fall

My will is Should any of my daughters die before they have any Bodily heirs then their part to return back and be equally divided among the Surviving children

✓ My will with regard to any of my Sons if they marry or come of age is that they take a part of the farming utensils a Bed Bedsted and covering--and nothing herein construed Shall hinder them from taking and settling on any part of the plantation above mentioned till the division takes place so that they do not interfere with the plantation where I now reside My will and desire is that Should any dispute arise among any of the parties that they arbitrate each party choosing one man and if they cannot agree the two chosen to choose a third and their determination to be final and conclusive in the case as my desire is that the legatees have no dispute nor no law-----

I hereby constitute, ordain, and appoint my well Beloved Wife Nancy Executrix, and my friend Minor Carrol Executor to this my Last will and testament My wife so long as she lives a widow

and if she marries then the oldest Surviving Son---

In Witness whereof I hereto Set my hand seal this Seventeenth
day of July in the year of Our Lord One thousand eight hundred
and thirty three-----

Signed sealed and acknowledged
in the presence of us who wit-
nessed it & in the presence of
each other

Joseph Carrol

H. I. Cathcart

Samuel Carrol

Joseph Miller (L.S.)

Probated September 9, 1833

Will Book "G" P-423

Case No. 30

File No. 493