

State of Florida } Be It known that I John Miller
Leon County } of the aforesaid State & County being

of sound Mind & Body do make & appoint this
my last Will & Testament.

Item 1st To my beloved Wife Sarah E. Miller, I give
& bequeath the following described Property in Fee Simple
& in lieu of all other claims for Dower or otherwise.

The Southeastern portion of my Land to be divided by
a line running one hundred yards up the Road,
from a point known as a division line between
Barrow & Whitaker, thence parallel with the same
line as it meanders to the lake & as it formerly
run when owned by them, with all the Fixtures
Appertinances &c One half of the Stock of all kind,
the Household & Kitchen Furniture, half of all the

Farming Utensils of every description with the following
Slaves - viz Ginny & her children Allen, Rachel,
Leah, Ananda & Infant, Mercipa, Kit. Mariash. Hannah
& her child Jim. Matilda, Cain, Betsey, Fere & her child
Bob, Jack, Caroline, Jo. Lydia, Hammon, Rhody, old Wlora
Young Wlora, Mimy & Noel; together with the undivided
portion of her Brother Calvin's Estate in N.C. with a request
that she sells the Land to some member of the family

+ give one half the above mentioned property at her death to our adopted Daughter Medora Travers 36 yrs, also the Corner Tract of Land containing four hundred + Eighty acres more or less -

Item 2^d To my Brother Wm W. Miller I give + bequeath the north part of my Land as mentioned by a line in Item first, together with the remaining half of all my stock of every description, Farming Utensils &c; Crop on hand meaning one half of all my pensable property + the following Slaves - (viz Andrew, Mariab, Mary, ^{Mat} Stephen, Elijah, Louisa, John Cuger, Hefay + the husbands of Legues hired from him (viz Big John, Washington + Henry; the Farming Utensils, Stock Provender &c to be divided by two or more disinterested Persons, without appeal to Courts or Litigations -

Item 3^d To my Sister Sarah C. Hicks I give + bequeath the following Slaves - (viz Rufus, Fanny, Haywood, Jane Daniel, Beck, Charley + infant of Jane -

Item 4th To my Nephew John M. Hicks I give + bequeath the following Slaves, (viz George + Hely Ann, her children Julia, Austin, Aaron, Mary Eliza, Giles.

Ben Jones + Mitchell also Celia and her two children Mary + William + her mother Hannah, with

a request that they are not to be removed from Fla. but hired out or worked there as Mechanics,

also Four Lots of Ground in Tallahassee joining each other + lying North of the Cemetery, on which a part of the Servants reside -

Item 5th To my Niece Eliza H. Miller I give + bequeath the following Slaves, (viz Tony Hannah his wife, Helen + her child, Major + Jake -

Item 6th The Tract of Land lying on Suwanee River + known as the old Town Hammock, formerly the Property of Brother George Miller + which has fallen to me by Statute of Limitation + process of Law, I desire to be sold at the option + wishes of his Heirs for an equal distribution amongst them; My own portion I give + bequeath to my Nephew George Miller -

Item 6th To the Episcopal Church in Monticello, I give + bequeath five thousand Dollars in Jefferson ^{County} Bonds now on Deposit in the State Bank of Fla + subject to the order of the Vestry of said Church, the Interest only to be applied in part of the Salary of the Clergyman of the Church -

Item 7th To my Friend the Rev Mr Thackray I give + bequeath my servant man Robert -

Item 8th To my Grand nephew John M. Haison
I give & bequeath 100 Shares of Stock in the
Gulf State Insurance Co. of which \$3000 is paid -

Item 9th The residue of my notes, Bonds & accounts,
I wish collected & equally divided between all
my legal Heirs Including my Wife -

Item 10th I constitute & appoint my Wife Sarah E. Miller,
My Brother Wm M. Miller, my nephew John M. Hicks & my
Friend Richard Allen Whitfield, Executors & Executrices
to this my last Will & Testament; To be divided
by arbitration when any difference of opinion
arises & without litigation -

Given under my hand & seal this 30th day
of Sept A. D. 1863 John Miller Seal

In presence of
John J. Hicks

Elias F. Hicks

Sarah Thompson

Monticello Fla. Nov. 23. 1871

You will please deliver to N. L. Oakley Sec. and
Treas. of the Vestry of Christ's Church Monticello the
Five Thousand Dollars Jefferson County Bonds to which
the Episcopal Church above named is entitled under
and by virtue of the terms of the will of the late
John Miller deceased described as follows - Bonds
Nos. 174-177-186-188-191-194-195-196-197-198- of the de-
nomination of Five hundred Dollars each. with cer-
tificates attached representing 8 per cent interest from
January 1863 to January 1877 and signed Thos. J.
Chace Judge of Probate Sam. Pulston County
Treasurer.

We are advised that the terms of the will
in regard to this matter are as follows.

Item Sixth

"To the Episcopal Church in Monticello I give and
bequeath Five Thousand Dollars in Jefferson County
Bonds now on deposit in the State Bank of
Florida and subject to the order of the ves-
try of said Church, the interest only to be ap-
plied in part of the salary of the clergyman of
the Church."

And the requirements of the Will shall be com-
plied with

To R. A. Whitfield } Surviving Exrs.
Wm. H. Elliker } John Miller dec'd.

S. S. Sinkins
Thos. Simmons
N. L. Oakley
J. H. Tucker
D. B. Mauley.

Wm. J. Moody
W. S. Sinkins

270. 21. 11. 1900

2000

State of Florida }
County of Leon }

By Capt. J. B. Bank of the
Provost Marshall of Tallahassee Fla
to Jerry Pearsall, and Isaac Kelly
of the County of Duplex State of North
Carolina Greeting

Whereas there has
been presented to the acting Judge of
Probate for the County and State afore-
said a certain paper writing purpor-
ting to be the last will and testament
of John Miller late of said County
and State deceased and to have been ex-
ecuted by him on the thirtieth day of

September A.D. 1863 and in presence
of Isham F. Hicks Elias F. Hicks & Isaac Thompson
as subscribing witnesses for record, and
whereas it appears that the only surviving
witness to said will now resides in the
County of Sampson State of North Caro-
lina - that is to say Isham F. Hicks
and that he cannot attend here in person
without manifest inconvenience and
that the said paper writing cannot be
properly established as the said last
will and testament of the said
John Miller deceased without the
testimony of the said Isham F. Hicks
Not known to. That upon special
trust & Confidence in good judgment
& fidelity I have appointed you Jerry

time of signing said paper have
the appearance & manner of being
sound in mind & memory.

In testimony whereof
I have hereunto set my
hand & caused the seal of
the County to be affixed this
23rd day of October AD 1861,

John S. Bartholf
Capt & U.S.
Provost Marshal
Tallahassee Fla

Pearson and Gen Isaac B. Kelly as
aforesaid & you are hereby required
& authorized to cause the said Isiah
Hicks personally to come before you
& after being duly sworn to examine
him according to the following Inter-
rogatories - and the answer to the
same being plainly and distinctly
written you are to send the same
closed up under your hands and
seals to the Office in this County for
proving wills by any trustworthy hands
that may offer

Interrogatory 1st Look at the paper writing
accompanying these Interrogatories and
say whether your signature written
by yourself appears thereon

2nd Did Elias H. Hicks and Isiah
Thompson sign said paper writing
at the same time with yourself &
in your presence

3rd Did John Miller sign said writing
as the maker thereof in presence of
yourself and in presence of Elias H. Hicks
and Isiah Thompson and did they
sign in presence of each other, and did
John Miller call upon you there to
sign as witnesses

4th Did he John Miller at the

State of North Carolina }
Duplin County }

To all to whom it may concern. Greeting!

In obedience to a Commission to us (Jeremiah Harwell and Isaac B. Kelly) directed to take the deposition of Isham F. Hicks of the County of Sampson in said State of N.C. touching & concerning what he may know in about the execution of a certain paper writing purporting to be the last Will & Testament of ~~the~~ John Miller dec^d late of the County of Leon & State of Florida; we have caused the said Isham F. Hicks to appear before us at the Court House in Kenansville, and after being duly sworn on the Holy Evangelists of Almighty God to tell the truth, the whole truth, and nothing but the truth in the matter, he declares on inspection of the paper writing exhibited, and which is now hereto attached by us, was presented to him by the said John Miller dec^d declaring it to be his last Will & Testament & asked this Affiant to witness the same, which he did; the signature purporting to be his on said Will is genuine.

He further saith that he did not see either of the other witnesses subscribe to said Will, yet he knows that Elias F. Hicks (his son) is dead, and that he is satisfied his name as appears on said Will is his said son's genuine signature.

He further states that at the time said Will

was executed, the said John Miller was of sound
mind and altogether capable of transacting business
of any & every Character.

Sworn to & subscribed 25th Novr 1865. J. M. F. Hicks

before us Jeret Pearsall {
Isaac B. Kelly }
Com. J.

Charles A. Thompson being present, was also called upon
who says he knows nothing about the execution of the
will referred to, but on inspection of the same, he is
satisfied that the name of Isaiah Thompson a subscribing
witness thereto, is the genuine signature of his Father
who is now dead.

Sworn to & Subscribed, date above. C. A. Thompson

Jeret Pearsall {
Isaac B. Kelly }
Com. J.

Nov 27 - 1865

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