

PALMETTO HISTORICAL RESEARCH, LLC

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DATE: May 6, 2018

REPORT TO: Larry D. Miller
7947 SW 80th Place Rd.
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352-304-8501

SUBJECT: Amos & Melissa Miller, Spartanburg Co. SC

BACKGROUND: Client has supplied a link to ancestry.com with background

OBJECTIVE: Locate parents of Amos & Malissa Miller
Determine relationship of Cynthia Miller, James Miller, Josiah Miller and Martin Miller to Amos & Malissa Miller
Identify siblings of Amos, Malissa and Cynthia Miller

LIMITATIONS: 8 hours for initial research

CONSIDERATIONS:

Slave research requires an investigation to determine the name and location of the slave owner. Slaves were considered property and therefore could be bought, sold, gifted or bequeathed. Each of these transactions required a legal document that may lead to the owner's name and additional information about the slave. While not always the case, many slaves did take the surname of their last owner and many slaves remained, at least temporarily, in the area of their last owner.

FINDINGS: *A complete bibliography of sources for this report is included on the last page.*

The 1870 Federal Census of Spartanburg County, South Carolina lists Amos and Malissa Miller as next door neighbors to Cynthia Miller. Records of the Freedmen's Bureau were considered a likely source of information on the Miller family and research provided information on Amos, which is included in this report. Further information on the Freedmen's Bureau can be found at: <http://www.archives.gov/research/african-americans/freedmens-bureau>

DEEDS

Research in all Miller deeds for Spartanburg County through 1900 provided no mention of Amos, Malissa or Cynthia Miller.

PROBATE

Research in the probate records, wills and estates, did reveal the likely owner of Cynthia and Malissa Miller.

The Last Will & Testament and Inventory of Estate of **Samuel Miller** (Sheriff)
Spartanburg County, South Carolina
Will Book D, page 356
Box 8 Package 29
Recorded 1 November 1852

Transcribed as written with obvious misspellings corrected:

State of South Carolina
Spartanburgh District

I Samuel Miller of the District and State aforesaid do make and ordain this as my Last Will and Testament hereby revoking all other Wills or Testaments by me made and executed

- Item I give to my son John P. Miller the land on the East side of NE Tyger River commonly called the Nealy Place, and one other tract on the same side of the River bounded by James Fosters land, Ransom Foster's land and John Miller's land including all my land on that side of the River to the said John P. his heirs and assigns forever
Also I give him one third part of all such stock & farming utensils as I may be possessed of to him and his heirs forever –
- Item I give to my beloved wife Cassandra Miller during life or widowhood the use of my dwelling house and so much of the land adjoining as she may need for support, and also the use for the same time the following named Negroes, to wit, a negro man Will and his wife Edith and their two children Cinda and Mathew and also little Rachel. Also one fifth of the stock and farming utensils that I may die possessed of the same to be accepted in lieu of her right of Dower in my Estate, and at her marriage alloweth that the personal property to be equally divided among my then surviving children –
- Item I give to my wife Cassandra Miller the use during life of all my household and kitchen furniture with the right of giving during life or at her death any part or the whole of the same to all or a part of my children in such a manner and possession as she may deem proper

- Item **I give to my daughter Martha B Miller two negro girls Cynthia and Mary**, them and their increase forever. Also a horse & bridle worth one hundred Dollars Also two cows and calves & a bureau to her and her heirs forever –
- Item I give to my daughter Margaret I. Miller Two negro girls Chaney and Ann them and their increase forever. Also a horse saddle and bridle worth one hundred dollars. Also two cows and calves and a bureau to her and her heirs forever I also give my daughters the right of occupying my dwelling house together with their mother until they shall marry or voluntarily move –
- Item I give to my son Joel W. Miller one tract of land which includes several small ones lying on the South side of N Tyger River Bounded by Andrew Berry's land James Hughes, F.H. Legg's, Josiah Miller's and the River, including all my lands on the South side of the said River, subject however to the right previously given to his Mother and sisters. Also I give him all the stock and farming utensils I may be possessed of except what I have previously given to his mother and brother –
- Item James Foster being the owner of my Negro man Stephens wife my will and desire is that if the said James should wish at my death to purchase Stephen that he shall be at liberty and have the right to do so at a fair valuation –
- Item All the rest residue and balance of my property and estate of whatsoever nature or kind not herein before disposed of I order and direct shall be equally divided among my children John P. Miller, Joel W. Miller, Martha B. Miller and Margaret J. Miller share and share alike so that each one shall be equal in value But in the division it shall be so ordered that John P. Miller shall get the negro girl Big Rachel and such increase as she may now have or hereafter may have and that Joel W. Miller shall get the girl Lucy and such increase as she may now have or hereafter may have and it is my wish that in the division of my negroes the families my not be separated more than necessary for a fair, peaceable and equal division of the same
- Item It is my will and desire and I so order it that if either of my children should die unmarried and without lawful issue that all that I have given to such one who may so die shall equally be divided between the survivor of their heirs before named and designated –
- Item I appoint my son John P. Miller and my friend John Crawford Executors of this my last Will & Testament

Given under my hand & Seal 1st February 1827

Executed Published and Declared as
The Last Will & Testament before us
Ransom Foster
S. Bobo
James Ed. Henry

Sam'l Miller (seal)

In addition to the Devise already written made to my daughters I make the following bequests, I give to my daughter Martha B. Miller one negro boy Stephan to her and her Heirs forever – I give to my daughter Margaret J. Miller one Negro Boy Named Sampson to her and her heirs forever ---

Given under my hand & seal 1st Feb 1827

Executed & Published
In presence of
Ransom Foster
L. Bobo
Jas. Ed. Henry

Sam'l Miller (seal)

CODICIL February 1843

I Samuel Miller, Sheriff, do make and declare this codicil to my last Will and Testament hereby satisfying republishing and confirming said Will in connection with this codicil Viz. I advanced to my son Joel W. Miller on the first day of February One thousand dollars Now my will, direction and desire is that my son Joel W. Miller shall account to my Estate after my decease for the same One thousand dollars with Interest from first day of February one thousand eight hundred and ninety-five so advances to him as one of my Heirs at law. Witness my hand and seal and signed sealed published and declared

In presence of

Sam'l Miller (seal)

Jas. E. Henry
Simpson Bobo
James A. Clendiner

Whereas I Samuel Miller Sheriff did make a Codicil to my Last Will and Testament in February 1843 heretofore I alter that part of said codicil and direct that my son Joel W. Miller be exempt from Interest upon the said one thousand dollars up to the time of my decease and that he be bound to pay Interest from and after that time upon the sum of one thousand dollars. Witness my hand and seal this thirteenth day of May 1850 Witness my hand and Seal and Signed Sealed Published and declared in presence of

John Fielder
Z Cantrell
H. Posey

Sam'l Miller (seal)

Recorded in Will Book D Page 356
Box 8 Package 29
Recorded 1st November 1852
R. Bowden, CSD [Clerk Spartanburgh District]

Copy of original will of Samuel Miller

State of South Carolina
 Spartanburg Dist ³/₄ Samuel Miller of the District and State aforesaid
 do make and ordain this as my last Will & Testament, hereby revoking
 all other Wills or Testaments by me made and executed

Item I give to my son John P. Miller the Land on the East side of the
 Upper River, commonly called the Healy Place, and one other Tract on
 the same side of the River bounded by James Foster's Land, Ransom
 Foster's land and John Miller's land, including all my land on
 that side of the River, to the said John P. his Heirs and assigns forever
 Also I give him one third part of all such stock & farming utensils
 as I may die possessed of to him and his Heirs forever

Item I give to my beloved wife Cassandra Miller during life or widowhood
 the use of my dwelling House, and so much of the Land adjoining
 as she may need for her support, and also the use for the same
 time the following named Negroes, to wit, a Negro man Will and
 his wife Edith and their two children Cyndie and Mathew and
 also little Rachiel, Also one fifth of the stock and farming utensils
 that I may die possessed of, the same to be accepted in lieu of her
 right of Dower in my Estate, and at her marriage ^{at death} the personal
 property to be equally divided among my then surviving children

Item I give to my wife Cassandra Miller the use during life of all my
 Household and Kitchen furniture with the right of giving during life
 or at her death any part or the whole of the same to all or a part
 of my children in such manner and proportions as she may see proper

1798-2

Item. I give to my daughter Martha B. Miller Two negro girls Cynthia & Mary, them and their increase forever. Also a Horse saddle & Bridle worth One hundred Dollars. Also Two Cows and Calves & a Bureau to her and her Heirs forever —

Item. I give to my daughter Margaret S. Miller Two negro girls Chaney and Ann them and their increase forever. Also a Horse saddle and Bridle worth One hundred Dollars. Also two Cows and Calves and a Bureau to her and her Heirs forever. Also give to my daughters the right of occupying my dwelling House together with their mother until they shall marry or voluntarily move —

Item. I give to my son Abel W. Miller one tract of Land, which includes several small ones, lying on the South side of N^o. Upper River. Bounded by Andrew Berry's land. James Key's F. S. Lipp's Loyal. Millers and the River, including all my lands of the South side of the said River. subject however to the right previously given to his Mother and Sisters. Also I give him all the stock and farming utensils I may die possessed of except what I have previously given to his mother and Brother —

Item. James Foster being the owner of my Negro man Stephen's wife my Will and desire is that if the said ^{man} should wish at my death to purchase Stephen that he shall be at liberty and have the right to do so at a fair valuation —

Item. All the rest residue and ballance of my property and Estate of whatever nature or kind not herein before disposed of —

I order and direct shall be equally divided among my children
John P. Miller, Joel W. Miller, Martha B. Miller & Margaret J. Miller
share and share alike so that each one shall be equal in value
But in the division it shall be so ordered that John P. Miller
shall get the negro girl Big Rachel and such increase as she may
now have or hereafter may have, and that Joel W. Miller shall
get the girl Lucy and such increase as she may now have or
hereafter may have, and it is my wish that in the division
of my Negroes the families may not be separated more than
is necessary for a fair, peaceable and equal division of the same.

Item. It is my Will and desire and I so order it, that if either of
my children should die unmarried and without lawful issue
that all that I have given to such one who may so die
shall equally be divided between the survivors of them herein
before named and designated.

Item. I appoint my son John P. Miller and my friend John
Crawford Executors of this my last Will & Testament

Given under my hand & Seal 1st February, 1827

Executed, Published and Declared as
the last Will & Testament before us
Bartham Charles
H. B. Co
Edw. D. Henry

Sam Miller 

In addition to the Devises already within made to my daughters
I make the following bequests, I give to my daughter Martha B. Miller
one Negro Boy Straption to her and her Heirs forever —

I give to my daughter Margaret B. Miller one Negro Boy
named Sampson to her and her Heirs forever —

Given under my hand &c 1st Feby 1827

Executed & published
in presence of
Ransom Foster
J. B. B. —

Sam^l Miller — *[Signature]*

As^t. Ed. Henry
[Signature]

The Last Will and Testament of Samuel Miller Sheriff
of this day proved in due and solemn form
of Law by together with three Codicils to the same
by the Evidence of ^{the same with other things being presented} Joseph B. B. &
H. P. B. three of the ^{qualified} subscribing Witnesses to the same
and ordered to be put on record at the same
time when P. Miller named Ex^r in said Will qualified
to take Letters Testamentary & Marant of appointment
this 10th Sept A.D. 1832

R. B. B.
[Signature]

- Codicil - February 1843

I Samuel Miller, Sh. do make and declare
this Codicil to my last Will and Testament
hereby ratifying, republishing and confirming
said Will in connexion with this Codicil. Viz.

I advanced to my son Joel W. Miller on the first
day of February One thousand Eight hundred
and Thirty five One thousand dollars. Now my
Will, direction and desire is that my son Joel
W. Miller shall account to my Estate after
my decease for the sum of One thousand
dollars with Interest from the first day of
February One thousand Eight hundred and
Thirty five so advanced to him as one of my
Heirs at law. Witness my hand and Seal
and signed sealed published and declared

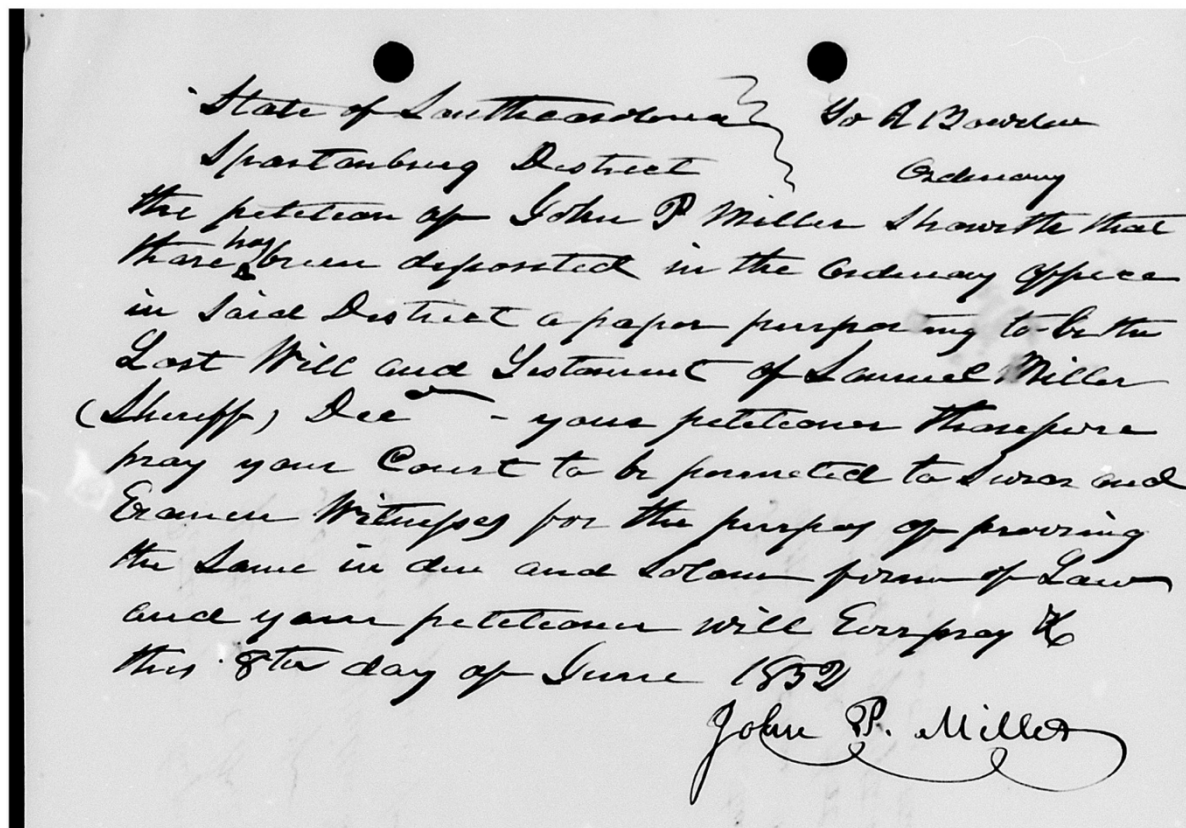
In presence of
J. A. H. H. H.
Simpson 1300
James A. H. H. H.

Samuel Miller

State of South Carolina
Spartanburg District

The petition of John P. Miller sheweth that there has been deposited in the Ordinary Office in said district purporting to be the Last Will and Testament of Samuel Miller (Sheriff) deceased – your petitioner therefore pray your court to be permitted to summon and examine witnesses for the purpose of proving the same...8th day of June 1852.

John P. Miller

A handwritten petition on aged paper, with two punch holes at the top. The text is written in cursive and matches the typed transcription above. The signature 'John P. Miller' is written in a large, ornate cursive at the bottom right.

State of South Carolina } Co A B Swollen
Spartanburg District } Ordinary
the petition of John P Miller sheweth that
there ^{has} been deposited in the Ordinary Office
in said District a paper purporting to be the
Last Will and Testament of Samuel Miller
(Sheriff) Dec^d - your petitioner therefore
pray your Court to be permitted to summon and
Examine Witnesses for the purpose of proving
the same in due and lawful form of Law
and your petitioner will Ever pray &
this 8th day of June 1852
John P. Miller

The Inventory and Appraisal of Samuel Miller's property is included with his will.
The Inventory includes Cynthia, age 7, valued at 325. and Malissa, age 9, valued 400.

Inventory and appraisement
of the personal property goods and
effects of Samuel Miller dec'd
as Exhibited by John D. Miller the
qualified Executor of his Last will
and Testament viz -

	Property belonging to the Estate finally	
	one negro man Stephen about 65 years old	200.00
	" " " Will " 63 " "	200.00
	" " Woman Molly " 60 " "	150.00
	" " Man Ellen " 34 " "	750.00
	" " " Bill " 22 " "	850.00
	" " boy Thos. " 19 " "	800.00
	" " Woman Harriet " 28 " "	500.00
	" " Girl Cynthia " 7 " "	325.00
Cynthia	" " " Emily " 4 " "	225.00
	" " Woman Daffney & child Simpson	
	Daffney about 26 years old &	
	Simpson " 1 " "	800.00
	one negro boy Bob about 5 years old	275.00
	" " Woman & child Susan Woman named	
	Westcott about 38 years old & child about	650.00
	" " Girl Jane about 5 years old -	300.00
	" " Malissa " 9 " "	400.00
Malissa	" " boy Jeff " 11 " "	450.00
	" " " Elsie " 15 " "	700.00
	" " Woman Betty about 66 years old	500
	" " Rachel " 42 " "	200.00
	" " Girl Caroline " 8 " "	250.00
	" " Girl Ann " 11 " "	325.00
	" " Pleasant " 18 " "	550.00
	" " Boy Sam " 20 " "	650.00
	" " Man Ezekiel " 55 " "	350.00
	" " Dick " 52 " "	400.00
	" " " Antony " 48 " "	400.00
		10705.00

Freedmen's Bureau:

Note: Legible original, not transcribed.

Records of the Freedmen's Bureau of Spartanburg District include Articles of Agreement, a labor contract, between John Stobel [Strobel] and eight freed persons which include a slave named **Amos** (see page 16 of this report).

Note: When slaves were emancipated, they had no source of income, nowhere to live, nothing to eat and no last name. Many slaves remained with their owners but were required to be paid and cared for as this record documents.

John Strobel was married to Martha B. Miller, daughter of Samuel Miller. Cynthia was bequeathed to Martha by her father. This suggests Amos, Cynthia and Malissa knew one another and likely worked together on the Strobel farm. It is still not clear how Cynthia is related to Amos and Malissa, or who the parents of these may be.

Articles of Agreement
between
John Stobel
& Eight Freedpersons
of Spartanburg Dist. S.C.

~~110~~

157

Office Commission
of Labor
Spartanburg S.C.
July 30 1864

Approved
By order of the
Board

J. Walker

Capt. & Chairman

South Carolina, Freedmen's Bureau Field Office
Records 1865-1872." Images. FamilySearch.

<http://FamilySearch.org> : 14 June 2016. Citing NARA

microfilm publication M1910. Washington, D.C.: National
Archives and Records Administration, n.d.t

Freedmen's Bureau Labor Contract p.2

State of South Carolina Spartanburg Dist Jan 5th 1866
Articles of an agreement between John Strobel and the
Freed men whose names are hereunto attached

Article 1st The said freed men agree to hire themselves as
labourers on the plantation of the said John Strobel
from the 1st day of January 1866 to the 1st day of January
1867. They agree to conduct themselves honestly & civilly &
to perform any labour on said plantation or connected
therewith that may be required by the said John Strobel
or his agent-

Article 2nd The said freed men agree to perform labour diligently
and faithfully as heretofore under the direction of their
employer or agent-

Article 3rd Said freed men agree to forfeit for every day Absence
from labour fifty cents per day. If Absent voluntarily
and without leave Two dollars per day. If Absent more
than one day without leave to be dismissed from the
plantation & forfeit their share of the crop

Article 4th The said freed men agree to take good care of all
utensils with which they may be intrusted & to pay
for the same if lost or destroyed. They agree to be kind
& gentle with all animals under their charge &
to pay for any injury they may sustain while in their
hands. Damages to be assessed by Arbitrators to be
selected by each Contracting party.

Article 5th They agree to keep their houses & premises in good
repair & order subject to inspection at any time by
their employer or agent and furthermore agree
not to allow an assemblage of persons on the premises
but on the contrary will report promptly all persons
so assembled especially those who are known to have
been forbidden to enter on the premises & will give
all necessary aid if required to disperse & expell such persons

Freedmen's Bureau Labor Contract p.3

Article 6- The said freedmen agree to bare all their expences and to return any advance that may have been made from their respective shares at the market-price and to protect their employers property on the plantation

Article 7- The said John Strobel agrees to treat his employes with kindness and respect to do all in his power to elevate & improve their condition & to furnish each family with a comfortable house & a quarter of an acre for gardening to allow them to raise poultry and one hog to be kept in their enclosure & to divide the crop with them at the end of the year in the following proportions for hand, fractional hands in proportion One third of the net-proceeds of all the cotton corn Bran Molasses also one third after deducting the seed of all the wheat & Rye of the growing ^{crop} ~~crop~~ ~~they shall be able to gather it & thresh it out~~, Oats & all other long forage excepted.

Article 8- The said John Strobel to be attentive to his employes in sickness to see that they are supplied with medical attendance & Medicines if required to be paid for out of their respective shares. He further agrees to furnish them with rations to be paid for in the same manner

Article 9- The said John Strobel agrees to furnish work animals at the rate of one animal to every two full hands to furnish wagons & plantation utensils as may be required such as cannot be made on the plantation

Article 10- It is agreed that fines for absences be appropriate to the hiring of other labor to cultivate the absentees share of the crop & it is also agreed that no spirits or fire arms shall be brought on the plantation except by consent of the employer or his agent nor is card playing gambling or profane swearing to be allowed
Given under our hands & seals This day

Freedmen's Bureau Labor Contract p.4

And date above written in presence of us

John Stobell Employer

John Stobell

Freedmen Philip

" Andy

" Hercules

" Amos

" Ceason

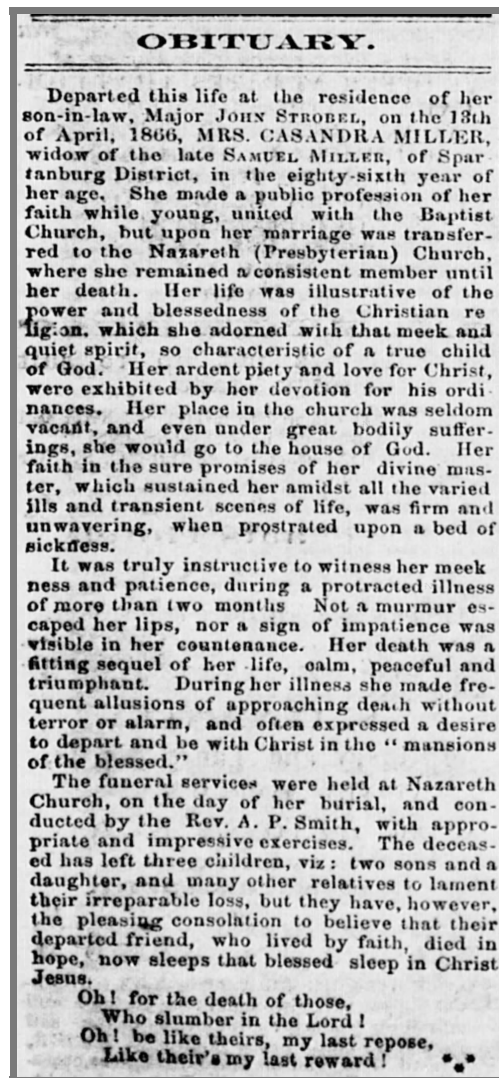
" Vilet

" Laphne

" Mary

RECOMMENDATIONS:

1. Research deeds and taxes of John Strobel in order to find out where Strobel may have purchased Amos or whether he was born on the Strobel plantation.
2. Research Strobel wills and estates to determine whether Amos may have been bequeathed or given to John Strobel by another family member, starting with father and/or brothers of John Strobel.
3. According to the obituary of Cassandra Miller, widow of Samuel Miller, the family attended Nazareth Presbyterian Church; these records should be researched, since many slaves attended their owners church.



Bibliography

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