

State of North Carolina
Buncombe County

In the Probate Court.

In the Matter of the
Last Will and Testament
of Eliza M. Patton

Application by
Executor to
Probate Will.

John E. Patton do. respectfully sheweth to the Court that his wife Eliza M. Patton died in this county on the 30th day of August in the year 1878 having first duly made and published a last will and testament, (which is now shown to the Court here) wherein he the said John E. Patton was appointed Executor -

That the said Eliza M. Patton was all her life a resident and domiciled in the county & state aforesaid, and the property which is devised and bequeathed in said will is so far as the applicant is now advised all within said county -

That the personal property of the testatrix consisted of the household and kitchen furniture, valued at about three hundred dollars and some cattle and sheep valued at about one hundred fifty dollars, that the real property devised in said will is situated on the Swannanoa river about five miles from Asheville and is of the value of at least Two thousand dollars

That the said testatrix left surviving her the following children who are or may be interested in said will, viz James W. Patton, Julia A. M^cDonnell, William D. Patton, John E. Patton Jr. Martha E. wife of W. G. Corpenning, M. R. Clayton wife of E. M. Clayton, B. Patton & Thos. J. Patton who all live in the said county of Buncombe aforesaid and are all of age.

Wherefore the said John E. Patton do. aforesaid prays that he may be allowed to prove said will and to execute the same as executor thereof

On this the 30th day of September A.D. 1878 personally appeared before me E. W. Huntington Judge of Probate & Clerk of the Superior Court in and for the County & State aforesaid John E. Patton again who being duly sworn says: that the facts set forth in the foregoing application of his own knowledge are true, and those stated on information he believes to be true
E. W. Huntington Clk
& Judge Probate

Buncombe County
In the Probate Court.

A proper writing purporting to be the last will and testament of Eliza M. Patton died is exhibited before me the undersigned Judge of Probate in and for said County by John E. Patton the executor there in named and the due execution thereof by the said Eliza M. Patton by the oath and examination of W. L. M^cDonnell and J. F. Stiff the subscribing witnesses thereto: who being duly sworn both depose and say and each for himself that he is a subscribing witness to the proper writing purporting to be the last will and testament of Eliza M. Patton, that the said Eliza M. Patton in the presence of this deponent subscribed her name at the end of said proper writing which is now shown as aforesaid and which bears date on the 19th day of May 1878 -

And the deponents further say that the said Eliza M. Patton the testatrix aforesaid did at the time of subscribing her name as aforesaid declare the said proper writing so subscribed by her and exhibited to be her last will and testament, & this deponent did thereupon subscribe his name at the end of said will as an attesting witness thereto and at the request and in the presence of the said testatrix, and the deponent further saith, that at the

her name to the said last will as aforesaid
and at the time of deponents subscribing
his name as an attesting witness thereto as
aforesaid the said Eliza M. Patton was
of sound mind and memory of full age
to execute a will and not under any restraint
to the knowledge information or belief of this
deponent; and further these deponents say
not.

W. L. M. Dome
J. F. Affr.

Servally sworn &
subscribed before me

E. W. Herndon
Probate Judge

It is therefore adjudged that the said
paper writing contains the last will &
testament of Eliza M. Patton, and that
the same has been duly proved by the oath
and examination of the witnesses as aforesaid.
Thereupon the said will is admitted
to Probate recorded & filed.

E. W. Herndon
Probate Judge

North Carolina

Buncombe County

SS. In the Probate Court
I, John C. Patton do solemnly swear that I believe this writing
to contain the last will and testament of
Eliza M. Patton deceased and that I will well
and truly execute the same by first paying
his debts and then his legacies as far as the
said estate shall extend or the said will
charge me, and that I will well and faith-
fully execute the office of an executor a-
greeable to the trust & confidence reposed
in me & according to law so help me
God!

John C. Patton
subscribed and sworn to before me
this 31st day of September 1878.

E. W. Herndon

Probate Judge

Buncombe Co. NC Wills, Bk B, 1868-1899

North Carolina } April the 19th 1880.
Buncombe County

To the Probate Judge of said County.
The undersigned respectfully shew
that Eldrige Burnett late of said County
departed this life on or about the day of
1880 leaving a Last Will & Testament
by which the undersigned is appointed exe-
cutor that said testator property consist-
ed mostly of real estate, a few hog-cattle
& other small articles of personal property
all worth according to your petitioners
best information about three hundred dollars,
that Alfred Burnett, Anna Burnett, Alex-
ander Burnett, Eldrige Burnett, Elizabeth
Burnett, Rebecca M. Ennamon, Jane Cragg
adults & Isabella Burnett & Susan Burnett
minors are the persons named in the will
as devisees; the said minors being without
guardians.

The undersigned offers said will for
probate and asks to be qualified as
executor.

E. B. Keller

sworn and subscribed this 19th
1880 before me.

E. W. Herndon
Probate Judge

State of North Carolina

Buncombe County In Probate Court

A paper purporting to be the last will
& testament of Eldrige Burnett deceased, is
exhibited before me the undersigned Judge
of Probate for said County by E. B.
Keller the executor therein named, and the
due execution thereof by the said Eldrige
Burnett is duly proved by the oath and
examination of J. K. Brown and William
M. Porter the subscribing witnesses thereto;
who being duly sworn both before & say