

In the name of God Amen:

I James M Patton of Asheville
convinced of the certainty of death and the great uncertainty
of life; and believing it to be my duty to make such a disposition
of my estate as I think will be most conducive to the best
interest of those interested, do make and publish this my
last Will and Testament—
Item 1st—

I give and bequeath to my Wife Henrietta Keer Patton the follow-
ing tracts of Land, The first is a tract piece or parcel Land
on the East Side of main Street, Beginning at the South West
Corner of Main Street and Tanyard Street, South of the Hotel
running with main Street to J M Atkins lot, thence East
and South with Atkins line to D Tennents line and with Dr
Tennents line East & South to D & J. H. C. Hardys line of Tract
purchased of G B Tennent, and with his line East to the top
of the Mountain, thence Northwardly with the top or Summit of
the Same, to the low gap where the Road crosses from Asheville
to Swannanoa, and to S Lee Esqrs, thence West with the Branch
to E Clayton's line and with his line South & West crossing
the Branch to my Son James A Patton line and with his line
to Tanyard Street, and with the same to the Beginning, on
which is included the Mansion House we are now occupying
to have and to hold and enjoy, with all other buildings and
every other thing appertaining to the same for her separate use
benefit and enjoyment during her life (Excepting however
five acres & ninety rods, including the Tanyard as refer-
ence to Deed of Conveyance to my Son William A Patton
of date 1861 will more fully appear) also all that
tract of Land on French Broad River adjoining N W Woodruff on
the North, and the Land purchased of the Estate of James M
Smith & C Cunningham on the South and described in
my book of entry of Lands &c as item 15, but for a more
understanding of the same, after leaving E Cunningham
line to run East to the Road leading from James Keers
possession the new Brock Academy and with the Road to the dan-
denny lands and with the line of the same to N W Woodruff
line and with his line West & North to a Black Oak Tree
the original corner of the River tract and west with the same
line to the French Broad River which tract she is to hold
& enjoy during her life; I furthermore give and bequeath to her
all the furniture contained in the House, and all other things
use or needed in Kitchen, Stables or any other out buildings,
pair of best Carriage horses, best Carriage & harness, four
first choice, one four year old mare & yearling colt
one two year old mare

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Money and regard to economy in selecting the same I also desire
to my said son one acre of land to be layed off as convenient as may
be to his improvement for garden ground all of which improvement
when so made he is to have the right to occupy possess and enjoy
free from any other rents than the cost of improvement. He is also
to have the right of free use and possession during his mother's lifetime
he is not to have the right to rent or lease said improvement
to any other person or persons whatever nor yet to make a free gift
of the same and at the death of his mother the right herein
devise to my said son Henry C. shall cease and again return to
and be considered part of the plantation to be devised with the
rest of the land as herein before devised. I further will and desire
that whatever money may be on hand together with all that may
be due and collectible including the uncollected rents for my home
and lot in Asheville shall be collected and used to aid in the more
comfortable support of my wife and her children. I further will and desire
to my cousin law Simpson Reid of Blaine County in the
State of Georgia my two old negroes Dick and his wife Sarah and
also the one fourth part of my two town lots situate in the town
of Asheville & Carolina and to his heirs executors and administrators
to have hold occupy and possess the said negroes with the said
one fourth right and interest in the said lots with full power to
use the services of the said negroes or to hire them out or sell
them as may be thought best also to rent or sell the said estate
in said lots to be held in trust nevertheless for the exclusive benefit
of Richardson and her children the womeny three fourths of the right
and interest in and to the said town lots I give and bequeath to my
other three daughters (namely) C. M. Reid the wife of the said S. Reid
of the said town of Blaine and C. E. King wife of W. R. King
of Hill County of the state of Texas and M. E. Hatchiff wife of J. E.
Hatchiff living in the last named county & state and to their children
whenever said town lots so devised shall go into the possession of my
said trustee & the others in this bequest on the first of March
1862 and be jointly held and possessed by the said devisees with the
right to use rent or sell as they may think most to their interest
the above named negroes Dick and Sarah devised in trust for
the benefit of my before named daughter E. S. Richardson and her
children shall go into the possession of my said trustee six
months after my death and by time from that time forth to be
held used or sold as herein before devised.

I now my constitution and appoint Ed. Jones & E. ~~Wright~~
and J. M. Merriam Executors of this my last will and
testament in testimony whereof I have hereunto set my hand
and affixed my seal the 28th Dec. 1859

John P. Whitesides
Buncombe Co. NC Wills 1831 to 1868
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