

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 Reer 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 Dr Tennents line and with Dr
Tennents line East & South to Dr J. H. C. Hardys line of Tract
purchased of J 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 Bran-
ch to E Claytons 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 ref-
erence 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 H W Woodfin on
the North, and the Land purchased of the Estate of James M
Smith & E Cunningham on the South and described in
my book of entry of Lands &c as item 10, but for a more sure
understanding of the same, after leaving E Cunningham
line to run East to the Road leading from James Combs
passing the new Brock Academy and with the Road to the sea-
denny lands and with the line of the same to H W Woodfin
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 in
use or needed in Kitchen, Stables or any other out buildings, a
pair of best carriage horses, best Carriage & harness, four
first choice, one four horse Wagon & teaming carriage
one two horse Wagon & teaming carriage, one car-

harness, Six Milch Cows, all the stock of hogs on hand, Implements for farming sufficient to answer her all purposes for the same, good set of Blacksmith Tools for one furnace, Provisions, groceries, provender &c sufficient to give an ample supply for twelve months, Also one thousand Dollars Bank Cape Fear Stock which certificate she has, and five thousand Dollars in Bonds on the Town of Jacksonville Florida, Also the following Slaves, Isaac Heneay, Abram, Sam Morrison, Ruffin, Isham Coleman, John Johnston, Albert M. Kepon, James Charleston, John Charleston, John D^r, & Nelson, Edwin Malin, Jennie Henry, Minerva & her three children, Georgianna, Sarah, & Jane Bell Eliza, Charlotte, and Margaret now in Charleston, eight females, with all of their future increase, also a child of Margaret, name not known

Item D

I give and bequeath to my son James Alfred Patton, in addition to what has heretofore been received, in Lands and other things, amounting to Seventeen thousand three hundred and thirty two dollars and sixty eight cents, as reference to his account on my books, will fully show, in which are the Hotel & Lands on the Mountain, in Deed bearing date the ninth day of November 1860 conveying the same in fee simple, All that lot on the west Side of Main Street including the Brock Stables and corn cribs, South of the Henry Stephens Lot and Patton Street, East of the Episcopal Church Lot and North of a New Street running from Main Street west & South of the Crips (Not the Shed added by J. M. Blair) and described in Book as item 9 Also an undivided half interest, in the Tract of Land on the West Side of the Buncombe Turnpike Road & North of Mrs Vances Lot, Beginning at a stake or stump on the edge of Main road and the North West corner of Mrs Vances Lot, running west with Mrs Vances line, passing her corner 254 poles to an Oak on H. Woodfins line, and the North West Corner of the Tract purchased from D. H. Garrett, thence North 110 poles with H. Woodfins line to a stake near a pine tree & South West corner of a Tract of twelve & a half acres exchanged with H. Woodfins thence East with his land one hundred & sixteen poles to a Black Oak on the margin of the Road, thence with the Road to the Beginning to have & to hold for himself his heirs and assigns forever in fee simple also the following Slaves, Sam Cape Dew, Allen, Marcus, Felix, Enock, Alexander, Mitchell, Jim Cope, Isaac Mares, Reuben, Bill Morgan, Emmanuel, Miam, Noah & Old Peter, fifteen Males Rhoda, Selia, Sallie & her daughter Evalina four females with their future increase

Item 3 I give and bequeath to my Son William Augustus Patton the House & Lot on the West Side Main Street in which he now resides and described as item 7. The tract of Land lying East of the Horn Spring Road, West of Beaver Dam Road and W. Murdock, North of Street running from N. S. Road passing B. H. Merriam & others, South A. J. Spear & M. Wood five about ninety three acres, and known as item 3, The Langard tract five acres & ninety rods and known as item 8 which three lots are parcels of Lands I conveyed to him on 1st day of January 1861. Also the lot South of the one on which he resides, West Main Street, North Church Street & East grave yard fence, & Presbyterian Church, including Brick Store & Bakery. Also I give & devise to him the lot No 5 in my Book of Entries of Land containing ten acres with Street in Centre East of College Street North of Coggins & Orrs Brick Yard, West of Whit Pine Street South of the S. Chum. old tract. Also lot No 18, Bounded by J. S. Smiths lot on the South, Old Haywood Street on the West. New Street on the North, & Baird Street on the East containing three and a half acres, Likewise one undivided half interest in tract of Land on the West Side of Buncombe Turnpike Road & North of Mrs Vances, about one hundred and Eighteen acres, the other half interest of which is his in before devised to James A. Patton, with Boundaries given. And I give and bequeath to my said Son William Augustus Patton the following Negro Slaves (viz), Mathew Cope, Solomon, Adam Orr, Joshua, Jack, Campbell, Spencer, Joe, Jeph, Newberry, Sandy, Frank, Charles, Paul, Bob, Lintley, Hannah, Loucinda, Matilda, Jimmy, Sophy, Silvia Mira and Ben,

Item 4th

In like manner I give and devise to my Son Thomas H. Patton a lot in Asheville, West of the Main Street & bounded West by Sullivans lot north of Dr Williards lot & South of lot No 10, in Book of Land Entries including a Spring and containing two acres Also an undivided half interest in remainder of two hundred acres of land, Beginning at the South West corner of the tract of 116 acres devised to James A. and H. A. Patton on M. Woodfords line, thence by his line South to his corner, thence West with his line to the Broad River, thence up the River to the original corner of the W. Welch tract, near a large Pine stump, thence East with the line of the tract bought at Sale of J. M. Smiths heirs, to the North East corner of tract thence an East course to J. Evans lot & his lot to the

harness, Six Milch Cows, all the stock of hogs on hand, Implants for farming sufficient to answer her all purposes for the same, good set of Blacksmith Tools for one furnace, Provisions, groceries, provender &c sufficient to give an ample supply for twelve months, Also one thousand Dollars Bank Note Four Stock which certificate she has, and five thousand Dollars in Bonds on the Town of Jacksonville Florida, Also the following Slaves, Isaac Heney, Abram, Sam Harrison, Ruffin, Isham Coleman, John Johnston, Albert M. Ripon, James Charleston, John Charleston, John D., & Nelson, Edwin Malin, Jinney Henry, Minerva & her three children, Georgianna, Sarah, & Jane Bell, Eliza, Charlotte, and Margaret now in Charleston, eight females, with all of their future increase, also a child of Margaret, name not known

Item 2

I give and bequeath to my son James Alfred Patton, in addition to what has heretofore been received, in Lands and other things, amounting to Seventeen thousand three hundred and thirty two dollars and sixty eight cents, as reference to his account on my books, will fully show, in which are the Hotel & Lands on the Mountain, in Deed bearing date the ninth day of November 1860 conveying the same in fee simple, All that lot on the west side of Main Street including the Brick Stables and corn crib, South of the Henry Stephens Lot and Patton Street, East of the Episcopal Church Lot - and North of a New Street running from Main Street west & South of the Crips (Not the Shed added by J. M. Blair) and described in Book as being also an undivided half interest, in the Tract of Land on the West side of the Buncombe Turnpike Road & North of Mrs Vaness Lot, Beginning at a stake or stump on the edge of Main road and the North West corner of Mrs Vaness Lot, running west with Mrs Vaness line, passing her corner 254 poles to an Oak on H Woodfins line, and the North West Corner of the Tract purchased from D. H. Gerritt, thence North 110 poles with H Woodfins line to a stake near a pine tree & South West corner of a Tract of twelve & a half acres exchanged with H Woodfin thence East with his land one hundred & sixteen poles to a Black oak on the margin of the Road, Thence with the Road to the Beginning to have & to hold for himself his heirs and assigns forever in fee simple also the following Slaves, Sam Cope Sen, Allen, Marcus, Felix, Enock, Alexander, Mitchell, Jim Cope, Isaac Mavor, Reubin, Bill Morgan, Emanuel, Meas, Asah & old Peter, fifteen Males Rhoda, Edia, Sallie & her daughter Evaline four females with their future

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 Murdock, North of Street running from the S. Road passing
 B. H. Merriman & others, South A. J. Spears & McWood five
 about twenty three acres, and Known as item 3. The Lanyard tract
 five acres & ninety rods and Known as item 8 which three lots
 are parcels of Land I conveyed to him on 1st day of January 1861
 Also the lot South of the one on which he resides, West Main
 Street, North Church Street & East grave yard fence, & Presbyterian
 Church, including Brook Store & Battery. Also I give & devise
 to him the lot No 5 in my Book of Entries of Land containing
 ten acres with Street in Centre East of College Street
 North of Coggins & Orrs Brick yard, West of Whit Pine Street
 South of the S. Churn. old tract. Also lot No 18 Bounded
 by J. S. Smiths lot on the South, Old Haywood street on the
 West. New Street on the North, & Baird Street on the East
 containing three and a half acres, Likewise one undivided
 half interest in tract of Land on the West Side of Brunswick
 Turnpike Road & North of Mrs Vances, about one hundred and
 Eighteen acres, the other half interest of which is his in
 before devised to James A. Patton, with Boundaries given
 And I give and bequeath to my Said Son William Augustus
 Patton the following Negro Slaves (viz), Matthew Cope,
 Solomon, Adam Orr, Joshua, Jack, Campbell, Spencer
 Joe, Jeff, Newberry, Sandy, Frank, Charles, Paul, Bob
 Liddy, Hannah, Loucinda, Matilda, Jimmy, Sophy, Silvia
 Mira and Ben,

Item 4th

In like manner I give and devise to my Son Thomas
 W. Patton a lot in Ashville, West of the Main Street &
 bounded West by Sullivans lot north of Dr Hilliards
 lot & South of lot No 10, in Book of Land Entries
 including a Spring and containing two acres
 Also an undivided half interest in remainder of two
 hundred acres of land, Beginning at the South West
 corner of the tract of 146 acres devised to James A. and
 W. A. Patton on McWoodfords line, Thence by his line
 South to his corner, Thence West with his line to the
 Broad River, Thence up the River to the original corner
 of the W. Welch tract, Near a large Pine stump, Thence
 East with the line of the tract bought at sale of
 J. S. Smiths heirs, to the North East corner of
 tract thence an East course to J. Encoms lot
 his lot to the Street

Thence with line of M^r Woodfin & others so as to include all that may be obtained from A. W. Woodfin as per agreement for exchange of Lands which he holds to the east & west line of the above tract, & with the line of the same to the Beginning the same being given to his Mother for life

Likewise I give and devise to my said Son Thomas W. Patton in fee, one undivided half interest in twelve hundred acres more or less of land in Lowndes County Alabama being all the Land that I own in that County

Also I give and devise bequeath to my said Son Thomas W. Patton the following Negroes in Alabama (viz) Andrew Charles, Winter, Parrott, Patty & three children, Tom Vachery Taylor, John, Henrietta, Mary, & Child, Also an undivided half interest with M^r J. Fagg in the following Negroes (viz) Andrew Jackson Ray, Samuel Rice, Henry Ben Robertson, Bob (Carpenter), Susan & six children Jack, Mary, Elizabeth & Child, Also one undivided half of all the chattle property on the premises belonging jointly to me & M^r J. Fagg, Also I give & bequeath to him the following Negroes not in Alabama (viz) Isaac Mull, William Harry, Sam Cope, Rachel, Margaret & Emma.

Item 5th

And I in like manner give & devise to my daughter Francis L. Patton a lot in Asheville on the west side of Main Street No 10 in Book of land Entries, South of Contemplated New Street between it and No 9 on which the Brick Stable stands East of Church Street & Sullivan's lot & North of the plank fence separating the lot above Dr Williards, Containing about one acre, - Also I give and devise to my said daughter the other undivided half interest in remainder in lot No 15 in Book, Containing two hundred acres, the other half of which is hereinbefore devised in remainder to Thomas W. Patton by metes & boundaries with life estate to her Mother Also a tract lying South of Mountain Street & west of road to the top of the Mountain, West & with the Branch to E. Clayton line, North with his line & J. W. Wilson line to said Mountain Street (Excepting lots sold) Containing about forty five acres, Also I devise to my said Daughter the remainder interest after her Mother's death in the tract of land including the Mansion house & appurtenances which is given & devised to her Mother for life in the first item of the will which is referred to for full description thereof by metes & bounds Also I give & bequeath to my said daughter the following Negroes (viz) Jo Walton, Marshal, Jerry, Jim Gaston, Woodville, Alfred Nelson, Tom Meager, Manson, John M. Dewell, August, Maria, Betty, Mary, Jane, & Fanny

Also one New Piano, education & clothing until twenty one years old, a good Saddle Horse Saddle &c worth two hundred dollars

All the rest & residue of my Estate, Real personal & mixed wherever situated including lands Negroes chattels & every interest & legal & Equitable, I will devise & bequeath to my Executors herein after named & such of them as act & the Survivors of them in trust to be sold at public or private Sale as they may judge best & the Land in tracts or parts, of tracts or lots as they may from time to time judge best & on such terms as they may determine for the interest of the Estate & of the proceeds of such Sales & the Collections of the debts due to me pay all debts owed by me, and the Surplus of said funds, to pay over to & distribute equally between my said Wife, Henrietta Kerr Patton, my Son James, Alfred, Patton William, Augustus Patton, Thomas W Patton & my Daughter, Francis L Patton, I direct my Executors to keep my Estate together and not to hand over any of the devises or legacies until my Existing Rail Road Contracts in Tennessee & North Carolina are completed and that they comply with my part of those Contracts as I understand to do, And I hereby give ample power and discretion to that end & even to consummate in writing the Contract with the N Western R. R. Company according to the written proposition made for myself & J E Patton provided the same is fairly carried out as proposed & accepted over the Book of the Company, And I especially request that my son William A Patton, who has been representing me in prosecuting the work on the said R R Contracts will continue so to do as long as consistent with his interest And direct that he be fully compensated therefor and after the said R R Contracts are completed the various devises & bequests herein contained shall take effect, But in the mean time the provisions herein made for said Wife shall take effect at once or such part thereof as she desires.

The unsettled copartnership & other business between my Brother J C Patton & my self, my Executors may defer until the two unfinished Rail Road Contracts are completed & in making such settlements they must then Exercise their discretion, as I have confidence that fairness will be the object of each party.

If for any cause my Executors should think it necessary to sell one or more of the Slaves directed to be sold even before said Rail Road Contracts are completed, for bad or other cause, they are at liberty to do so. I also give to my Executors full power to sell in the S.

of Land purchased of D H Jarrett & the 12th Exchanged with A W Woodfin, as it was intended to be embraced in the devise to her for life as well as in remainder to Thomas W & Francis L Patton

I hereby Nominate, Constitute & appoint my Sons James A Patton, William A Patton, Thomas W Patton and my friend, A W Woodfin, Executors of this my last Will and Testament, In testimony whereof I have hereunto set my hand & affixed my Seal as my last Will and Testament - this 22nd day of March A.D. 1861 Signed, Sealed, published and delivered declared as for his last will & testament by the Testator in our presence & we attested the same in his presence & in presence of each other at his request the day above written

J R Osborn

J M Blair

J A Patton Seal

Min. A.W. 3-501
Sage Laws 1897 - page 434. In the name of God Amen
I Fanny Jarrett, - Being of sound mind & disposing memory for which I feel grateful to the giver of all good, do make and ordain this my last Will & Testament, -
First of All I give & bequeath to my Daughter Polly Alexander, Two hundred & fifty Dollars, To my Daughter Nancy Stevens, Two hundred & fifty Dollars, To my Daughter Manerva C Davidson, Two hundred & fifty Dollars, To my Son Newton Foster, Two hundred & fifty Dollars, Fifthly, Two hundred Dollars to my grand Daughter, Mary Ann Foster, this Two hundred Dollars which I gave to my grand Daughter, Mary Ann Foster Being part of which I intended for her Mother Lucinda Roberts, for which I have seen proper to give her by the consent of her Mother, - In the second place all the Balance of my property Money & Effects that are in my possession at my death, to be equally divided between my Children - I desire and appoint Henry Stevens & W F Davidson, my Executors - In witness whereof I have hereunto set my hand & affixed my Seal this 28th day of December 1860

Test

Jeremiah West

Fanny Jarrett Seal