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Will Docket to April Session 1831

At a Court of pleas and quarter sessions opened and held for the County of Buncombe in the State of North Carolina at the Court house in Asheville on the third Monday after the fourth month day in March Anno Domini one thousand eight hundred and thirty one. Be it Remembered that the following instruments presented to be Last wills and Testaments were duly proved in open Court and ordered to be Recorded (Signed)
1st John Patton's Last will and Testament

In the name of god amen
~~testament of life and eternity~~ John Patton calling to mind the uncertainty of life and certainty of death and being of sound mind and disposing memory, do make ordain and establish this my last will and Testament, in manner and form following that is to say
First I will and bequeath unto my beloved wife Ann Patton one negro woman named Dredy and his increase to be the property of the said Ann Patton for and her assigns for ever.

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2nd I will and bequeath unto my beloved wife Ann Patton one negro Boy named Will, his wife Celia and all their increase, the tract of land on which I now live, all the house-hold and kitchen furniture of every kind (except three feather beds and bedsteads and furniture) four cows and calves, her choice out of my whole stock, two horse beasts and the stock at my decease one wagon and gear and all the farming utensils of every kind, all the Corn and provisions of every kind which may be on the Plantation at the time of my decease, during her natural life.

3rd I will and bequeath unto my daughter Elizabeth McClellan all the property heretofore given to her by me and now in her possession valued by me to twelve hundred dollars, and one share of Stock in the Buncombe Turnpike Company.

4th I will and bequeath unto my daughter Hannah McKee all the property of every kind heretofore given to her by me and now in her possession valued at twelve hundred dollars, and one share of Stock in the Buncombe Turnpike Company.

5th I will and bequeath unto my daughter Sarah Scrutt all the property of every kind heretofore given to her by me and now in her possession valued by me to one thousand dollars, and one share in the Buncombe Turnpike Company.

6th I will and bequeath unto my son Malory B. Patton all the land and property of every kind heretofore given to him by me, including one share in the Buncombe Turn Pike Company, valued by me to three thousand dollars.

7th I will and bequeath unto my daughter Polly Smith all the property of every kind heretofore given to her by me and now in her possession valued by me to one thousand dollars and one share of Stock in the Buncombe Turnpike Company.

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(John Patton will Continued)

6th I will and bequeath unto my son Robert H. Patton all the property of every kind heretofore given to him by me, and now in his possession including one share in the Buncombe Turnpike Company valued by me at three thousand dollars

7th I will and bequeath unto my daughter Harriet L. Lile all the property heretofore given to her by me and now in her possession valued by me at one thousand dollars and one share in the Buncombe Turnpike Company.

10th I will and bequeath unto my sons Fidelity Patton and Monteville Patton, the tract of land on which I now live and all the land joining and contiguous thereto, lying between two tracts and also two tracts of land on Frenchbroad River joining each other, and known by the name of the Nitlocks place to be equally divided between them and should they not agree upon the division of the said land, then my will is that my son Monteville choose three men to make an equitable and fair division of the same taking into consideration the quality as well as quantity and after it is so divided my son Fidelity shall have choice of lots. And after the areas of my wife Ann Patton I will and bequeath unto my sons Fidelity and Monteville Patton all the farming utensils of every kind to be divided in the manner above directed

11th I will and bequeath unto my son Fidelity Patton four Negroes & to wit; Sam Halda Sam's wife; Cassa and Bida Dick's wife - one featherbed, a bedstead and furniture five Cows and Calves his choice out of my stock after the selection heretofore mentioned made by my wife Ann Patton, and after the death of my wife Ann Patton one take his choice of those about the house six chains and my stock and one and one share of stock in the Buncombe Turnpike Company.

12th I will and bequeath unto my daughter Lucinda Roberts all the property heretofore given of every kind heretofore given to her by me and now in her possession valued by me to one thousand dollars (or value of two hundred dollars in the education of a negro boy Jim who was taken given in consideration of the board and instruction of my son Monteville during the time he has or may remain with Joshua Roberts studying his profession and therefore not to be taken into the estimation of her portion, and one share of stock in the Buncombe Turnpike Company.

13th I will and bequeath unto my son George S. Patton the tract of land known by the name of the Cash place, and all the land joining thereto lying between three tracts in all and supposed to contain three hundred and twenty acres valued at fifteen hundred dollars, one tract of land on the East side of Frenchbroad River at the mouth of Roberts branch below the mouth of the said branch valued at one hundred dollars

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(John Patton's will continued)

Three tract of land lying on Long's Creek contiguous to each other and exposed to contain seven hundred acres valued at five hundred dollars three negroes (to wit) Jeff, Clary, and Sequella valued at nine hundred dollars, five cows and calves, one feather bed, headstee and furniture and one share in the Beaneville Turn Pike Company and after the death of my beloved wife Ann Patton six chairs, the side, book case and table and the new bone cupboard.

14th I will and bequeath unto my son Montreville Patton one horse, bridle, and saddle to be worth one hundred dollars, one feather bed, headstee and furniture, five cows and calves, three negroes named Harry, Campbell, and Martha and one share in the Beaneville Turn Pike Company and after the death of my wife Ann Patton one table, six chairs, and my side board.

15th I will and bequeath unto my daughter Ann A. ^{Sullivan} ~~Patton~~ all the property heretofore given to her by me and now in her possession valued by me at one thousand dollars and one share in the Beaneville Turn Pike Company.

16th My will is that at my death my negro man Dick be manumitted and set at liberty - he having performed many meritorious services and that my son Fidelis suffer him to settle on any part of the cultivated land, heretofore bequeathed to him and that he have liberty to clear and cultivate as much of said land as he shall desire during his natural life free from any charge or claim of the said Fidelis or any person claiming under him, and should the laws of the State at the time of my decease be such as to prevent the said Negro man Dick from being set free my will is that he be the property of my son Fidelis Patton.

17th I will and bequeath that all the rest of my property of every kind not herein specifically devised be sold by my Executors on a credit of twelve months and that the proceeds of the sale after paying all my just debt at the time of my decease be divided amongst my seven daughters (to wit) Elizabeth H. Clasky, Hannah M. Keen, Sarah J. Smith, Polly Smith, Harriet B. Lister, Lucinda Roberts, and Ann A. Celleran in the ^{hairs} ~~hairs~~ of their bodies should any of them be dead before my decease in such manner as to make the portion of each one equal taking into consideration the amount already received by each at the value heretofore set on it by me, and at the death of my wife it is my will that all of the personal property heretofore bequeathed to her during her natural life and not specifically bequeathed after her death be sold by my Executors at the same time and on a credit of twelve months and that each of my sons receive one hundred dollars of the proceeds of said sale and that the balance of the money arising from said

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(John Patton's will continued)

- be divided amongst my seven daughters above mentioned named in the manner before mentioned

I do hereby constitute and appoint Fidilio Patton and Joshua Roberts Executors of this my last will and testament. hereby revoking all former wills by me made. In witness whereof I have hereunto set my hand and seal this 15th day of April 1827

Witness (Signed) "John Patton (Seal)"
 "James Patton"
 "Fidilio Patton"
 "Samuel ^{his} Patton",
 made

Was duly proved in open court by the oath of Samuel Patton a subscribing witness thereto and a and to be Record and Joshua Roberts and Fidilio Patton the Executors therein named came into open court and were duly sworn as such

John Weaver's Last will and Testament

In the name of God amen I John Weaver of the County of Buncombe and State of North Carolina being of Sound and discreet mind and memory thanked be God do this tenth day of May in the year of our Lord one thousand eight hundred and thirty make and publish this my last will and testament in manner following that is to say

First I give and bequeath my soul to Almighty God who gave it first

I severally my body to the Earth to be decently buried at the discretion of my Executors

Thirdly my will and pleasure is that should I decease first that my property personal and Real be kept together as it now is under the Care and Control of my son Montrossville Weaver for the comfortable maintenance of my wife Elizabeth during her life. At her decease

Fourthly I give and bequeath unto my son Montrossville Weaver the tract or parcel of land whereon I now live, containing six hundred and seventy two acres be the same more or less, with all the buildings, Ways, Woods, and waters, thereto belonging as in any wise appertaining, to him and his assigns for ever

Sixthly I give and bequeath unto my six daughters Susannah Christina, Mary Elizabeth, Malinda and Catharine all all my house hold furniture to be Equally divided at their Mother's discretion

Seventhly I give and bequeath the balance of my personal property consisting of the ^{Buncombe Co. NC Wills 1831 to 1868} ^{www.northcarolinapioneers.com}