

2nd Sheet

it is my will that my two daughters
Sophia Robinson and Mary McGrath
shall receive in negroes, to be valued by
the same persons, out of the slaves whereof
I shall die possessed, a like amount to be
equally divided between them, it being
my intention, that my two daughters shall
have allotted and set apart to them
negroes properly of the same value as
the lands herein described to my two sons
and their families:

Ilem Smith: I direct that all the negroes
which remain (after the foregoing allotment
to my two daughters), shall be divided into
four shares or lots, and my two daughters
Mary & Margaret is each to have one
fourth part of said slaves - My son
J^m B. Patton one fourth of said slaves
and C. M. Avery, in trust as aforesaid
is to have and hold the remaining
fourth part of said slaves. It is further
my will that my Executor may sell said
slaves for the purposes of partition, if the
legates desire it - but I desire that my
servants, John & his wife Sally should not
be sold: if it can be avoided, especially
persons out of this County, and that
they should not be allotted to any Legatee
who will take them out of the State
unless they wish to go:

It is further my will that my Executor
may sell all my negroes if the Legates
desire it, or if the allotment to my two

daughters in Slaves of equal value with
the lands given my Son cannot in his
opinion be conveniently made without
a Sale of the negroes for that purpose
Item Seventh: I give and bequeath to
my Executor E. J. Erwin all the Slaves
and property or money, which it is
intended in the foregoing Clauses that
my daughter Mary McElrath and
Sophia Robinson should have the
benefits of, to have and to hold the same
for the sole and separate uses of the
Said Sophia Robinson and Mary
McElrath free and discharged from the
Control of their respective husbands,
during their natural lives, with rem-
ainder to their respective children, and
the said E. J. Erwin shall have power
at any time to select suitable persons
as Trustees for each of my daughters
, and may convey to such persons
severally, as Trustees, the said Legacies
herein intended for my daughters, by
proper assurances and conveyances, selling
their respective Shares upon them
respectively, for their sole and separate
use, during their natural life, with the
remainder to their children, and upon
Item Ninth: I give and bequeath all
the residue of my Estate, after satis-
fying the foregoing Legacies to my Son
John B. Patton and T. M. Avery as
Trustee as aforesaid, equally to

be divided
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be divided between them, I said Avery holding on the same trust as before declared, and I release William & Arthur from all the debts due me. Executing said Conveyances he is to be discharged of the trust hereby imposed on him. And during the lives of my said daughters they may retain use and enjoy the possession of so much of said Legacies as may be allotted in my said Slaves.

Item Eighth: I have heretofore given to my daughter Margaret Beard in her life time, and to her children since her death as much property as I intended for them, and I have not therefore made any provision, for said children of Margaret in this my last will and Testament.

Item ninth: I give and bequeath all the residue of my Estate, after satisfying the foregoing Legacies to my son Wm B Patton & S. M Avery as trustee as aforesaid, Equally to be divided between them, and said Avery holding upon the same trusts as before declared, and I release Wm & Arthur from all the debts they owe me.

Item Tenth: I nominate and appoint E. J. Cowin Sole Executor of this my last will and Testament

In testimony whereof I Mary
Patton have hereunto affixed my
hand & Seal, this 28th day of
Aug. A.D. 1860

Mary Patton Seal

Signed published
and declared in
presence of us by
the testatrix, and
attested by us in her
presence, and in the
presence of each other

J. O. Avery
J. R. Kincaid jurat