

Will, SC, Spartanburg, DAVID PATTERSON 1846

State of South Carolina
Spartanburg District

The last will and testament of **DAVID PATTERSON** deceased.

I, **DAVID PATTERSON**, of the district and state aforesaid to make this my last will and testament.

FIRST I give and bequeath unto my wife **RUTH [PATTERSON]** 1 negro woman named **FANNY**, one negro boy named **PAUL** and all household and kitchen furniture which belonged to her when I married her and which she brought to my house, 2 cows and calves, or their value in other cattle, 1 horse worth \$20, one year's provisions to be valued to her by three disinterested persons hereafter to be named, the said appraisers giving her a competency to do her and her Negroes and stock from my death until a crop can be made and \$100. The above property and ??? to my wife absolutely to dispose of her as she pleases.

SECOND I give and bequeath unto my wife **RUTH** that part of the tract of land where on I now reside, beginning on the creek at the mouth of a branch called the Swamp Branch thence up the branch to the head; thence to **TEMPLEMAN**'s corner all below this line to belong to her, as long as she lives, to hold occupy and enjoy, and after her death to return to my children to be sold on such credit as my executors think to be most advantageous to the legatees and be divided equally among them.

THIRD I will that all the rest of my land be sold in one lot on such credit as my executors may think best for the legatees and all the rest of my property except the Negroes which I desire to be lotted and valued in eight lots by three disinterested men, hereafter to be named, and to be drawn for each legatee to have one lot of the Negroes and the proceeds of the rest of my property to be so directed as to make each legatees share equal, after all debts are paid, my will is that one share shall be assigned to **POLLY [PATTERSON] PEOPLES** to use and enjoy the same during her life and at her death to be equally divided among the heirs of her body.

One share to be equally to be divided into six shares and assigned to **JOHN L. PATTERSON** and his five children share and share alike, **JANE [PATTERSON]**, **JOHN [PATTERSON]**, **WILLIAM [PATTERSON]**, **MARTHA [PATTERSON]**, and **MARGARET PATTERSON** children by his second wife of the above shares **JOHN L. PATTERSON** has received \$100 toward his part.

One eighth to be assigned to **NANCY LIPSCOMB** to use and enjoy the same during life and at her death to be equally divided Among The heirs of her body.

One eighth to be assigned to **ELIZABETH MORRIS** to use and enjoy during life and at her desk to be equally divided among the heirs of her body.

One eighth to be assigned to **SARAH SHIELDS** to use him enjoy during life and at her death to be equally divided among the heirs of her body.

One eighth to be assigned to **CHARLES PATTERSON** to use and enjoy the same during life and at his desk to be equally divided among the heirs of his body.

One eighth to be assigned to **ELIJAH S. PATTERSON** to use and enjoy the same during life and that is death to be equally divided among the heirs of his body.

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One eighth to be assigned to **CHRISTIAN SHIELDS** to use and enjoy the same during life and after his death to be equally divided among the heirs of her body.

FOURTH I will and desire that my friends **LEWIS CANNON, WILLIAM W. HARRIS** and **ADAM S. CAMP** to act as appraisers to lot and value my estate according to the foregoing bequests and if any or all of my said friends shall be dead, ???, or otherwise incapable of serving then I desire that my executor appoint some prudent and decent person or persons to fill such vacancies or vacancy.

FIFTH I do hereby appoint **ELIJAH S. PATTERSON** and **THOMAS SHIELDS** executors of this by will and testament.

Given under my hand and seal this 15th day of April in the year of Our Lord 1846

DAVID PATTERSON {seal}

Signed sealed and acknowledged in the presence of

LEWIS CANNON
ENOCH CANON
MATTHEW FITZGERALD

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State of South Carolina
Spartanburg District

First codicil

Whereas I made and executed my last will and testament on the 15th day of April 1846 I do hereby confirm the same except so far as the same may be altered and changed by this my first codicil and my side will I gave my wife **RUTH** among other things one negro woman **FANNY** and one negro man **PAUL** absolutely and forever and in addition to what I have given her in my will I lend to her during her natural life one other negro a girl about six years old named **MEL**. My will is that my wife **RUTH** have the use and service of the said negro girl, and her issue and increase, if any, free from the control or interference of my executors or any other person during her life and add her death. The said negro girl **MELVINA** and her issue and increase if any be sold find a suitable credit by my executors and the proceeds equally divided among my eight children to share given to my son **JOHN L. PATTERSON** to be equally divided between him and his five children viz **JANE, JOHN, WILLIAM, MARTHA,** and **MARGARET** my well-being that in all the divisions of my estate that my son **JOHN L. PATTERSON** shall receive $\frac{1}{6}$ of $\frac{1}{8}$ and his for children which he had by his seconds wife shall receive $\frac{4}{6}$ of $\frac{1}{8}$ share and share alike it is also my will and desire at all legacies which I have given to **POLLY [PATTERSON] PEOPLES, NANCY [PATTERSON] LIPSCOMB, ELIZABETH [PATTERSON] MORRIS, SARAH [PATTERSON] SHIELDS, CHARLES PATTERSON, ELIJAH S. PATTERSON,** and **CHRISTIAN [PATTERSON] SHIELDS** in my will and in this codicil shall be held used and enjoyed by them during their lives here by intruding to give them intending to give them a life estate and nothing more and in order that my daughter's shares of my estate may be secured to them during their lives and not taken for debts of their present or any future husbands.

I do hereby direct at the legal estate in such portions of my estate has me be assigned to and going to my said daughters shall rest and remain in my executors heretofore appointed (to wit) **ELISHA PATTERSON** and **THOMAS SHIELDS** but nothing in this codicil or in my will is to prevent my daughters from having and using their portions of my estate for their sole and separate support to have the possession of the Negroes which Maybe allotted to them and to receive labor and higher.

I further will and direct that in all the divisions of my estate that if any of my children or grandchildren which is provided for in my will and codicil shall be dead leaving a child or children that such child or children shall receive the share which their parent would be entitled to if living.

I do hereby in power and authorize my executors orders heretofore named upon the sale of my lands as provided for to execute good and sufficient titles to the purchaser when see purchase money is paid my will and desire is that in the partition and division of my Negroes that the families be kept together as far as possible and no separation of husband and wife if it can be prevented.

My will is that the whole of my estate be divided that each of my children shall receive one equal share of my estate except **JOHN L. PATTERSON**, who with his five children as I have named, shall receive a share as I have directed and this my codicil and in my will both of which are to be construed together.

I do hereby appoint **H. G. DEAN** one of the appraisers of my estate in the place of **ADAM CAMP** who is dead. In place of a horse for \$20 I give absolutely to my wife my young mare **Liz** or if she should be dead one of my stock of horses of equal value.

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The name of **CHARLES** struck out and that of **THOMAS** interlined be signed.

I further will and direct that my Negroes be divided into seven lots instead of eight as provided for in my will and that the share of my son **JOHN** and his five children be made up to them out of the sales of my land and other property but should that not be funds enough to make their shares equal to the shares of my other children these and in that case then in that in that case I direct my executors to sell one of my Negroes so as to make up their share. My son **JOHN** and his children are to receive interest on their shares from the time any of my other children takes theirs into possession.

These two sheets, which I have caused to be attached, contain the first codicil of my will.

In witness whereof I have hereunto set my hand and a fixed my seal this first day of August Anno Domini 1850

DAVID PATTERSON {seal}

Acknowledged in the presence of

JOHN EPTON
JOAB BRIANT
M. D. BRIANT

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2nd codicil

I **DAVID PATTERSON** to make this my second codicil to my will whereas I have this day advanced:

To my daughter **SALLY SHIELDS** negro woman MARIAH and her child MARTHA CAROLINE which I have valued to her had \$460.

To my son **ELIJAH S. PATTERSON** I have advanced 1 negro boy DILLARD which I have valued at \$550.

To my daughter **POLLY PEOPLES** I have advanced 1 negro ANN which I have valued at \$450.

To my daughter **CHRISTIAN SHIELDS** I have advanced 1 negro girl MANDREW which I have valued at \$340.

My will and desire that a settlement of my estate under my will and codicil hereafter made that the four above named children do account for the value of the above named interests as specified with interest thereon from this date.

Witness my hand and seal the 6th of February Anno Domini 1851

DAVID PATTERSON {seal}

Signed sealed and acknowledged

In presence of us

W. W. HARRIS
LEWIS CANNON
H. J. DEAN

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3rd codicil

I **DAVID PATTERSON** to make this my third codicil to my will whereas I have this day advanced to my son **JOHN L. PATTERSON** a portion of my tract of land which value to him at \$480.

Now my will and desire is that on a settlement of my estate under my will codicil heretofore made that the said **JOHN L. PATTERSON** do account for the value of the above valued tract of land as specified with interest thereon from this date.

Witness my hand and seal this 11th day of February 1851

DAVID PATTERSON {seal}

In the presence of us

LEWIS CANNON
JAMES TEMPLEMAN
W. C. CAMP

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The last will and testament of **DAVID PATTERSON** deceased together with the annexed two sheets of paper containing three codicils to the same was this day "presented" and common form of law by the evidence of **LEWIS CANNON** and **M. D. BRIANT** two of the subscribing witnesses to the same and credited to be part on record at the same time **ELIJAH S. PATTERSON** and **THOMAS SHIELDS** named executor and the said well qualified and took letters testamentary and a warrant of appraisement.

Just 14th of June 1852

R. BOWDEN

Ordinary Spartanburg District

JOAB BRIAN, JOAB BRYAN, JOAB BRYANT

M. D. BRIAN, M. D. BRYAN, M. D. BRYANT

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