

fully paid, and to his heirs and assigns,
forever.

And, last: I hereby constitute and appoint
my said son, J. C. Hood, to be the executor
of this, my last will and testament,
revoking and annulling all former wills
by me made, and ratifying and confirming
this, and no other, to be my last will
and testament.

In Witness Whereof, I have hereunto set
my hand this the 1 day of October, A. D.,
1919.

Martha L. ^{her} Hood

Signed, published and declared by the
above-named Martha L. Hood, as her last
will and testament, in the presence of
us, who, at her request, have signed
as witnesses of the same.

J. A. Hughes
B. H. Hughes
B. H. King.

Recorded and filed
March 24 - 1921.

J. E. Keener, Deputy C. S. C.

North Carolina }
Cherokee County } ss. In the Superior Court.

A paper purporting to be the last Will and Testament
of John C. Fain deceased, is exhibited before me, the
undersigned, Clerk of the Superior Court for said County,
by Tommie B. Fain the executrix therein mentioned,
and the due execution thereof by the said John
C. Fain by the oath and examination of W. B. O'Korn
and J. E. Keener two of the subscribing witnesses
thereto who being duly sworn, both depose and
say, and each for himself depose and say, that
he is a subscribing witness to the paper writing
now shown him, purporting to be the last
Will and Testament of John C. Fain; that the said
John C. Fain in the presence of this deponent sub-
scribed his name at the end of said paper writing,
which is now shown ~~to~~ as aforesaid, and
which bears date of the 9th day of May 1920.

And the deponent further saith that the said
John C. Fain the testator aforesaid, did at the time
of subscribing his name as aforesaid declare
the said paper writing so subscribed by him
and exhibited to be his last Will and Testa-
ment; and this deponent did thereupon
subscribe his name at the end of said
Will, as an attesting witness thereto, and at
the request and in the presence of said
testator. And this deponent further saith,
that at the same time when the said
testator subscribed his name to the said
last Will as aforesaid and at the time of the
deponent's subscribing his name as an
attesting witness thereto, as aforesaid, the
said John C. Fain was of sound mind
and memory, of full age to execute a
Will, and was not under any restraint, to
the knowledge, information or belief of

of this deponent: And further these deponents say not.

W.P. Odon
J.E. Keener.

Severally sworn and subscribed,
this 29th day of March 1921,
before me.

A.L. Johnson
Clerk Superior Court

North Carolina, } ss. In the Superior Court.
Cherokee County }

It is therefore considered and
adjudged by the Court that the said paper-
writing and every part thereof is the last
Will and Testament of John E. Fair, deceased.
Let the said Will, together with the probate,
be recorded and filed.

This 29th day of March 1921

A.L. Johnson
Clerk Superior Court,

North Carolina, Cherokee.

I, John E. Fair, of the afore said County
and State, being of sound mind, but
considering the uncertainty of my earthly
existence, do make and declare this my
last will and testament:

First. My executrix hereinafter named,
shall give my body a decent burial, suit-
able to the wishes of my friends and rela-
tives, and pay all funeral expenses,
together with all my just debts, out of
the first moneys which may come in
to her hands belonging to my estate.

Second. I give and devise to my
beloved wife, Tommie L. Fair, and her

heirs and assigns the house and lands where I
now reside, being the property I bought from M. Bean
on November the 19, 1894, as shown by and recorded
in the office of the Register of Deeds for Cherokee
County in Deed Book No. 3 at page 462, and
the property that I bought from M. A. Hughes
as shown by the deeds from M. A. Hughes to me
which are recorded in the office of the Register
of Deeds for Cherokee County and as described
in a decree of the Superior Court of Cherokee
County in an action wherein John E. Fair
was plaintiff and George Harvey Hughes et al
are defendants, also the land purchased from
Turnbill and others, said house and lands
adjoins the lands of C. S. Patton, Sam A. Kin,
Jimm Barnett, M. A. Brittain and others.

I also give and devise to my beloved wife,
Tommie L. Fair, and her heirs and assigns clear
lots in the Town of Murphy purchased from B. L.
Duke and the Duke Land and Improvement
Company, as shown by the deeds made to
me for these Duke lots as recorded in the
office of Register of Deeds of Cherokee
County, To all of which deeds reference
is hereby made for a more complete de-
scription of the above described lands,
Third. I give and bequeath to my said
beloved wife all of my Bank stock in
the Bank of Murphy and in the American
National Bank, being 29 shares in the Bank
of Murphy and 5 shares in the American
National Bank; also all of my Liberty Bonds
being \$2200.00 worth, also one cow and calf;
all of the household and kitchen
furniture.

Fourth. I have heretofore by deed given
to my two sons, Mercer Fair and Porter
Fair, Tract No. 17 known as the Iron Ore Property

The Ware House property on the L. & N. Railroad and the Lot adjoining the Regal Hotel Property; and it is my will and desire that all of the residue of my property, both real and personal of every kind and description wheresoever situate, whether mentioned in paragraph two and three of this will or not, go to my said beloved wife, Tommie L. Fair, and her heirs and assigns in fee simple, and I hereby give and devise all of my said property of every kind and description to my said beloved wife, Tommie L. Fair, and her heirs and assigns in fee simple, except my gold watch which I give to my grand son William Mercer Fair, Jr. when he is 21 years old.

Fifth I hereby constitute and appoint my beloved wife, Tommie L. Fair, my lawful executrix to all intents and purposes, to execute this my last will and Testament, according to the true intent and meaning of the same, and every part and clause hereof - hereby revoking and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof, I, the said John E. Fair, do hereunto set my hand and seal, this the 9th day of May, A.D. 1920,

Signed, sealed, published and declared by the said John E. Fair, to be his last will and testament in the presence of us, who, at his request and in his presence, and in the presence of each other, do subscribe our names as witnesses thereto.

W. P. Odon
J. E. Keener
J. D. Wallonee

Recorded and filed March 30th 1921.
J. E. Keener & Co.

North Carolina.
Superior Court,

Cherokee County,
Before the Clerk.

In the matter of the Last Will and Testament of William Henry Griffiths:

A paper writing purporting to be the Last Will and Testament of William Henry Griffiths, who died Dec. 30, 1920, bearing date of January 10, 1908, is exhibited before the undersigned Clerk of the Superior of Cherokee County, on the 16th day of April 1921 by Geo. J. Griffiths, the executor therein named; and thereupon comes Marshall W. Bell, one of the subscribing witnesses to said paper writing, and makes and subscribes the following affidavit:

"Marshall W. Bell, being duly sworn, says that he is one of the subscribing witnesses to the paper now shown to him and which bears date of January 10, 1908 and purports to be signed and sealed by William Henry Griffiths, as maker and to be signed by Marshall W. Bell and John W. Ford, as witnesses, that affiant drew said paper writing at the request of said William Henry Griffiths, and saw said William Henry Griffiths sign his name at the bottom of said paper writing with the word "Seal thereto," ~~attached~~ which was done by him in affiant's presence and in the presence of the other witness to said paper writing, the said John W. Ford; that thereupon the said William Henry Griffiths stated that said paper writing was his Will to affiant and John W. Ford, in the presence of each other and requested affiant and said Ford to sign their names thereto as witnesses; and at the request of the said William Henry Griffiths, and in his presence, and in the presence of each other, affiant and said John W. Ford signed their names to said paper writing as