

Last will & Testament.

Nicholas Fair dec'd.

Probated Feb. Term 1907.

I, Nicholas Fair, of Sullivan County, Tennessee, being of sound mind and disposing memory, do make and publish this my last will and testament, hereby revoking and making void all former wills by me at any time made.

II

I direct that all my just debts, including funeral expenses, be paid, as soon after my death as possible out of any monies that I may be possessed of, or that may first come into the hands of my executor.

III

I give and bequeath to my brother, H. C. Fair, for life, should he survive me, all my personal property of every kind and description, after the payment of my debts, as directed in paragraph I after the termination of his life estate therein. Said personal property shall be disposed of as hereinafter directed.

IV

I will and devise to my said brother H. C. Fair, for life should he survive me, all my real estate, consisting of an undivided one-half interest in a tract of land, on which he and I now live, situated in the 18 Civil District of Sullivan County, Tennessee containing three hundred and fourteen (314) acres, more or less, and bounded on the North by the lands of James Bond; on the East, by the lands of the heirs of John Boy deceased, and R. H. Sanders; on the South, by the lands of John Hank and Maggie Sanders; and on the West, by the lands of the heirs of Jonathan Hank deceased. After the termination of his life estate therein, said real estate shall be disposed of as hereinafter directed.

V

I will and direct that after the death of my said brother, H. C. Fair, if he survives me, or after my death, if I survive him, my executor shall collect all monies then due, or that shall thereafter become due to my estate; and shall sell all my personal property of every kind and description, I leave to their discretion whether they sell at public or private sale, for cash or on a credit, and the time when they shall sell provided that said

sale shall not be postponed longer than one year from the death of my said brother, if he survives me, or from my death, if I survive him.

The monies collected and the proceeds of sale of personal property shall be disposed of and distributed by my executor as hereinafter directed.

VI

I will and direct, and hereby authorize and empower my executor, hereinafter named, to make sale of and convey all my real estate, of which I shall be seized and possessed, after the termination of the life estate in same hereinbefore devised to my brother, H. C. Fair, should he survive me, or after my death, if I survive him.

I leave it to their judgment and discretion whether they sell said real estate at public or private sale, as a whole or in two or more parcels, for cash or on a credit. I also leave to their discretion the time when they shall sell same, provided that said sale shall not be postponed longer than two years from the death of my said brother, if he survives me, or from my death, if I survive him.

VII

I give and bequeath, and direct my executor to pay, to Charles Cash, and wife E. E. Cash, the sum of five hundred (\$500.00) Dollars, (being the sum of \$250.00 to each of them) provided they shall continue to live with us (my brother H. C. Fair and myself) as they are now doing. So long as we and the survivors of us shall live, but if they should not, they shall not be paid said amount, or any part thereof. Nor shall said legacy be paid until after the death of the survivor of us: one-half of said sum shall be paid to said Charles Cash, and one-half to his said wife, in her own right.

VIII

The entire residue of all the funds that shall come into the hands of my executor, arising from the collection of monies due my estate, from the sales of personal property and real estate herein directed to be made, and from the rents and profits from my real estate during the time same shall remain unsold in the hands and under the control

and management of my executor, I give and bequeath and direct my executors to pay over to the parties and in the proportions following to wit:

1

I give and bequeath a one-third part of said entire residue of said funds to my brother, James S. Fair.

2

I give and bequeath a one-sixth (1/6) part of said entire residue of said funds to Roy F. Bell the only child of my deceased niece Mrs. Bell who was a daughter of my deceased brother Law. Fair.

3

I give and bequeath a one-sixth part of said entire residue of said funds to James H. Franklin, Robt. Franklin, and Annie Franklin, the three children of my deceased niece Sarah J. Franklin who was a daughter of my deceased brother, Law. Fair, said three children are to be paid said one-sixth (1/6) jointly being a one-eighth (1/8) to each of them. Should any one or more of said three children die before the payment of said legacy to them, then said one-sixth (1/6) shall be paid to the survivor or survivors.

4

I give and bequeath a one-third (1/3) part of said entire residue of said funds to John C. Fair, George Fair, Belle Fair, Hannah Fair, and James S. Fair, the five children of my deceased brother Samuel Fair, said five children are to be paid said one-third (1/3) jointly being a one-fifteenth (1/15) to each of them.

Should any one or more of said five children die before the payment of said legacy to them, then said one-third shall be paid to the survivor or survivors.

VIII

If any of the parties to whom I have made bequests attempts to break my will or disturb my executor by suit or otherwise in the lawful exercise of their authority, such parties shall forfeit the bequests herein made to them; and the same so forfeited shall fall into the residue of the estate for distribution among the other legatees of said residue.

IX

I hereby nominate and appoint Roy F. Bell and N. H. Franklin Executors of this my last will and testament, and direct that they shall not be required to execute bond as such executors.

In witness whereof, I have hereunto set my hand, this 1st day of March, 1905. (All intimations in the foregoing will were made before same was signed)

Nicholas Fair,

Signed by the said Nicholas Fair as and for his last will and testament, in the presence of us, the undersigned, who, at his request, and in his sight and presence, have subscribed our names hereto as attesting witnesses, the day and date above written (1st March 1905.)

J. E. Erwin
J. M. Fair

The foregoing written instrument was proven in open Court by the oath of J. E. Erwin, one of the subscribing witnesses thereto, on this the 2nd day of July, 1907, and thereupon said written instrument was adjudged declared and decreed by the Court, to be the last will and testament of Nicholas Fair, deceased, and to be recorded in the Book of Wills.

J. M. Fair

Last will and testament

Probated July Term 1907.

Geo. W. Cotter, deceased.

I, Geo. W. Cotter residing about three miles South east of Blountville, Sullivan County Tennessee, being of sound mind and disposing of my property, do hereby make and publish this my last will and testament, hereby revoking all former wills by me at any time made. I direct that all my just debts including funeral expenses and expenses of administration be paid by my executor.

I give devise and bequeath to my beloved wife Barbara A. Cotter, all my property both real and personal wherever situated to be held, managed and controlled by her during her natural life. After the death of my said wife, I direct and will that all the estate in land and personal property be held and owned by my son Emmet E. Cotter, and my daughter