

coops, the other half belonging to my son Andrew J. Pursuant to an agreement between us made upon his return from the west, he sold at public or private sale as to my Executors May seem best. 4th It is my will and desire that all the timber now being on all my land except that herebefore set apart to my devoted wife, be sold at private sale to the highest and best bidder and on such terms as to my Executors May seem best, and that the proceeds of said timber and the proceeds of my personal property be divided equally between each of my four children, namely Andrew J., Susan E., Bettie D., Sallie M. and Nancy A.

It is my will that the timber on the land set aside for my wife and the proceeds thereof be entirely at her disposition.

5th I will and bequeath all the residue of my real estate and personal property of any, not herein disposed of, to my said four children, Andrew J., Susan E., Bettie D., Sallie M. and Nancy A., share and share alike, and in case they can not effect a satisfactory division of same ~~by among~~ themselves, it is my will and desire that the same be partitioned by three Commissioners, one of whom shall be my Executor Mr. R. King, the other two to be agreed on if possible, by my said children, otherwise to be appointed by the Probate Court, and said Commissioners are hereby authorized to employ and pay Surveyors and such other assistance as they may deem necessary.

6th I hereby make and constitute my son Andrew J. and my Nephew Wm. Rutledge King, as joint Executors of this my last will and Testament and such being my confidence in the said Executors, I hereby waive bond and direct that they qualify and serve without bond.

In testimony whereof I hereunto set my hand this the 5th day of June A.D. 1907.

Witness

W. R. King,

A. J. Cowan

J. Rutledge Cowan,

The foregoing written instrument was proven in open Court by the oath of W. R. King and A. J. Cowan, subscribing witnesses thereto, on this

the 1st day of Oct. 1907, and thereupon said written instrument was approved, declared and decreed by the Court to be the last will and Testament of J. Rutledge Cowan, deceased, and ordered to be recorded in the Book of wills.

J. H. LeBeure
Clerk of the Court

Last Will & Testament

of
W. B. St. John, deceased.

Testated Dec. Term. 1907.

I W. B. St. John, of the County of Sullivan, and State of Tennessee, being of sound and disposing mind and memory, do make and publish this as my last will and Testament, hereby revoking and making void all others by me at any time made.

First—I direct that all my just debts be paid by my Executors as soon after my death as may be convenient.

Second—It is my will, and I so direct, that my eight unmarried children, to wit: Fannie E., Mattie C., Bettie R., Cora F., Leoda E., John C. R., Stella R. and Bartlett St. John, shall remain upon my farm, where I now live, so long as they, any of them, shall remain single, and until the youngest shall become twenty-one years of age; my purpose being to keep my family together until the youngest is of age, but this arrangement is to continue only until the youngest child shall arrive at its majority.

Third—I will and direct that there shall be no sale of my personal property of any kind or description, until my youngest child, then living, shall become twenty-one years of age; unless my Executors hereinafter named, shall, in their discretion, deem it for the best interest of themselves and my other children that a sale or sales of personal property be made, I leave it entirely to their (my Executors) discretion as to whether any, and if so what, personal property shall be sold; and if sold, when and upon what terms.

Fourth—I give and bequeath to my married son, George W. St. John, the sum of twenty-five hundred (\$2500.00) dollars, fifteen hundred of which amount shall be paid to him as soon after my death as may be practicable, and the remaining one thousand dollars some time in the fall of 1908. Said \$2500.00 shall be accounted for in the general distribution of my personal estate.

when my youngest child arrives at 21 years of age; but my said Son shall not be charged with interest on same. If, in the final distribution of my personal estate, it should appear that said sum of \$500⁰⁰ is more than my said Son's portion, he shall not be charged with such excess, in the distribution; but if it be less than his distribution share, he shall have a sufficient sum in addition thereto to make him equal with the other children. As each of my children, now single, shall marry, I direct that my executors shall pay to each one so marrying his or her proportionate part of my personal estate that shall, at the time of such marriage, be in the form of money, either on hand or loaned out; but no personal property in kind and unseised shall be taken into consideration in making such payments to my children as they marry. This arrangement will result in some children getting, at their marriage, more than others; but this can be, and I direct that it shall be, equalized in the final distribution of my personal estate, when same shall be distributed, at the date of the majority of my youngest living child. No child receiving a portion of his or her distribution share, on marrying as aforesaid, shall be charged with interest on the amount so received.

Sixth—It is my will, and I so direct, that no division, partition or sale of the real estate, of which I shall die seized and possessed, shall be made until my youngest living child shall become twenty one years of age; at which time I give and devise same to my then living children and the heirs of such as may have died, leaving child or children surviving them. The child or children of any one so dying to take the share or interest their deceased parents would have taken, if then living. Said real estate is to be equally divided among my children and the heirs and representatives of deceased children. But the children of any deceased child shall take jointly only such interest as their deceased parent, if living at the aforesaid date of partition, would have taken. If, when the youngest child becomes 21 years of age, any one or more of my children should then be unmarried, the share or shares of such unmarried children in my real estate shall

be allotted and assigned to them in kind so as to include the residence in which I now live, **Seventh**—I will and direct that my executors, hereafter appointed, shall have full and complete management, possession and control of all my real estate, and receive the rents and profits of same, until my youngest living child shall become twenty one years of age. Out of such rents and profits, they shall maintain and support all the unmarried children, the value included while they remain single, pay the expenses incident to death, &c. Keep in good and sufficient repair the buildings and fences, pay taxes, and keep the land in good condition. But any amount expended on the education of any one of the children shall be accounted for in the final distribution, and those receiving same shall be charged therewith. If after all these expenses are met and provided for, there should remain a surplus, such surplus shall be put on interest, with good real estate security, and so remain until the date hereinafore fixed for the final distribution of my personal estate. But this provision is made subject to that herebefore made with reference to paying to my children, as they marry, their proportionate part of the money on hand, or out on interest, at the date of marriage. My executors shall, in their discretion, keep out of the rents and profits, they shall not be required to make loans in smaller amounts than five hundred dollars; but may do so, if they deem it advisable. But they shall have the right to let the surplus rents and profits accumulate, until some shall amount to the sum of \$500⁰⁰, before making a loan. My unmarried children receiving their maintenance and support off of the real estate as aforesaid shall not be charged with same in the final distribution of my personal estate. **Eighth**—I will and direct that, should any one or more of my children die unmarried, and before the youngest arrives at 21 years of age, the interest of the one or ones so dying, in both the real and personal estate, shall be equally divided among the surviving children and representatives of deceased children, who marry and/or leaving issue. **Ninth**—In the final distribution of my personal estate

each child having received a portion on his or her marriage shall account for same, without interest, and shall receive in addition to the amount so received on marriage a sufficient sum to equalize him or her with the other children.

Fourth - I direct that my Executors keep on interest all moneys on hand or that they may collect as executors, except a sufficient amount to pay my indebtedness.

Fifth - I hereby nominate and appoint ^{and} ~~Famini~~ ^{James D.} St John Executor of this my last will and testament, and direct that they be not required to execute bond as such.

In witness whereof I do ^{to} this, my wife, set my hand, this the 28th day of November, one thousand nine hundred and seven (1907).

All erasures and interlineations in the foregoing will were made before same was signed.

W. B. St John.

Signed and published in our presence, and we have subscribed our names hereto in the presence of the testator and at his request this, the 28. day of November, 1907.

J. R. Masengill.

W. A. Miller.

E. A. Brown.

The foregoing written instrument was shown in open Court by the oath of J. R. Masengill, W. A. Miller & E. A. Brown, subscribing witnesses to said paper writing, this, on this the 19 day of Dec. 1907, and upon said written instrument, was adjudged, declared, and decreed by the Court to be the last will and testament of W. B. St John, deceased, and ordered to be recorded in the Book of wills.

Attest S. J. Nye, Com
By R. A. Hargis, d.c.

Last Will & Testament, Probated December
of 1907.
John P. Briscoe dec'd.

The last will and Testament of John P. Briscoe, of Sullivan County, Tennessee. I the undersigned, John P. Briscoe, being of sound mind and memory, and considering the uncertainty of this mortal life, do make, declare and publish this my last will and Testament, hereby revoking and declaring void any and all other wills by me at any time heretofore made.

First - I give, devise and bequeath to my two sons John Franklin Briscoe and Arthur Preston Briscoe, and to my daughter, Carrie Emma Briscoe, the farm upon which I now reside, situated in the Second Civil district of Sullivan County, Tennessee, known as the George W. Bell's place, and which farm was recently purchased by me George Samuel Milcraig and wife, the George to have their fee simple estate and equal one third share.

Second - I give, devise and bequeath to my said two sons, John Franklin Briscoe and Arthur Preston Briscoe, and to my said daughter, Carrie Emma Briscoe, in equal one third shares, one and all other property of which I may be seized and possessed and wherever situated, including household and kitchen furniture, cattle, horses, mules, hogs, grain, hay and farming utensils and implements, to be their absolute property.

Third - I give, devise and bequeath to A. R. Briscoe, one dollar (\$1.00) to Walter C. Briscoe, one dollar (\$1.00) to Edward C. Briscoe, one dollar (\$1.00) to Mrs. Essie McCallan, one dollar (\$1.00) to Claude R. Briscoe, one dollar (\$1.00) and to Earnest Metcalf, one dollar (\$1.00); these several bequests of one dollar (\$1.00) to be paid to said parties, respectively, by said John Franklin Briscoe, Arthur Preston Briscoe and Carrie Emma Briscoe, and to be in full of all their claims against my estate.

Fourth - I expressly require and provide that John Franklin Briscoe, Arthur Preston Briscoe and Carrie Emma Briscoe shall take care of me and my wife, Margaret A. Briscoe, and provide for our wants as long as we live; and