

I, George McCubbins, of the county of Breckinridge, State of Kentucky, being of sound mind and disposing memory, and being desirous of making a different disposition of my property from that which would be made by law should I die intestate, do make, publish and declare this to be my last will and testament, hereby revoking any and all former wills I may have made.

1. It is my will and desire that all my just debts and funeral expenses, including the erection of a suitable monument to my memory, which shall not exceed Fifty dollars in cost, shall be paid out of my personal estate.

2. It is my will and desire, that upon my death, the title to all of my property, real personal and mixed, wherever situated, shall at once vest in my beloved wife, Malisse A. McCubbins; but she shall have no power or authority to sell, mortgage or otherwise dispose of any of the said property, except to the extent that it shall be necessary for her proper and reasonable support and maintenance, and except as is provided in paragraph three of this will.

3. I request that my wife shall continue my business as a merchant in Stephensport, until her death, and for this purpose she shall have full power and authority to pledge or mortgage all of my property except the dwelling house. I further request that she employ my daughter Georgia A. Fox and her husband, L. D. Fox, to superintend and conduct the said business, and they shall have the right to reside with my wife as long as she shall live, in the homestead free of all rental.

4. Upon the death of my wife, it is my will and desire that the executor of this will erect to her memory a suitable monument at a cost of not exceeding Fifty dollars. There shall then be paid out of my estate, to my daughter, Mittie A. Haswell, the sum of fifty dollars; a like sum of Fifty dollars shall also be paid to my son, I. B. McCubbins. If either or both of them shall die before the death of my wife, the said sum shall be paid to their children then living. All the rest, residue and remainder of my estate, including all property of whatever kind wherever situated, shall then become the absolute property in fee simple of my daughter, Georgia A. Fox and her husband L. D. Fox, jointly. In the event of the death of the said L. D. Fox before the decease of my wife, all of the said property shall vest in my daughter, Georgia A. Fox. If my daughter, Georgia A. Fox, shall die before my wife, I will and desire that one-half of my said property shall descend to her children and the other one-half shall become the absolute property of the said L. D. Fox. In the event that both of them shall die before my wife, all of my property, except that disposed of in the previous section of this will shall descend to their children. I have thought it just and right to make this provision for my daughter, Georgia A. Fox and her husband and their children, because of the fact that they have assisted me for years in my business.

5. I hereby nominate and appoint L. D. Fox to be the executor of this will. If he shall decline to act or fail for any reason to qualify as such, I desire that W. G. Haswell, shall be appointed as such executor.

IN TESTIMONY WHEREOF, witness my hand and seal, this the 5 day of January, 1907.

GEORGE MCCUBBINS.

Signes, sealed and declared to be the last WILL and Testament of George McCubbins, by him in our presence and we have signed our names hereto as witnesses, in his presence and in the presence of each other.  
This the 5th day of January 1907.

L. P. MILNER.  
W. G. BARBEE.

Kentucky, Breckinridge County Court.  
Regular Term, March 27<sup>th</sup> 1911.

An instrument of writing was this day produced to court, purporting to be the last will and testament of George McCubbins, deceased, and was duly proven by the oaths of L. P. Milner and W. G. Barbee the subscribing witnesses thereto, who states that the said George McCubbins signed said will in their presence, and that they at his request signed said will in his presence and in the presence of each other, whereupon it is established as and for the last will and testament of George McCubbins, deceased, and as such was ordered to record, whereupon the same, with the foregoing and this certificate have been duly recorded.

Attest:

*H M Beard*  
Clark Breckinridge County Court.