

## LAST WILL AND TESTAMENT.

I, Lawton E. Clark, a legal resident of Prestonsburg, County of Floyd, State of Kentucky, United States of America, now in the active military service of the United States, and being of sound and disposing mind, memory and understanding and under no restraint, do hereby make, publish and declare this to be my last Will and Testament, hereby revoking all prior wills and codicils thereto made by me at any time heretofore.

ITEM I. I direct that all my just debts and funeral expenses be paid as soon after my decease as may be convenient.

ITEM II. All the rest, residue and remainder of my estate, of whatsoever kind and nature, and wheresoever situate, be it real, personal or mixed, whether now owned or hereafter acquired, I hereby give, devise and bequeath unto Ruth O'Neill, my mother, and William C. Clark, my father, share and share alike, absolutely; but if they should both predecease me, then I give, devise and bequeath all my property herein before mentioned to Emery E. Clark, my brother, James V. Clark, my brother, and Gaynell C. Way, my sister, share and share alike, absolutely.

ITEM III. I nominate, constitute and appoint Emery E. Clark, my brother, to act as executor under this my Last Will and Testament, to serve without bond or surety, and with full power to sell, mortgage, pledge, exchange, lease or in any other manner whatsoever to handle or dispose of all or any part of my estate without first procuring an order of court or giving notice thereof.

In witness whereof, I have hereunto set my hand this 1st day of May, 1944, at Harding Field, Louisiana.

LAWTON E. CLARK

Signed, sealed and published and declared by the above named testator Lawton E. Clark, as and for 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, have hereunto subscribed our names as witnesses.

Robert R. Waggoner residing at 539 Henley Drive, Birmingham, Mich.  
Theodore O. Taubert residing at 3227 Bradford Rd., Cleve. Ohio.  
Albert C. Schuller residing at 4 Concordia College, Ft. Wayne, Ind.

STATE OF KENTUCKY

COUNTY OF FLOYD . . SCT.

I, A. B. MEADE, Clerk of the County Court in and for the County and State aforesaid certify that the foregoing will was on the 23 day of April, 1945, Lodged for record; whereupon the same together with the foregoing and this certificate have been duly recorded in my office.

Witness my hand this the 3 day of May, 1945.

Attest, A. B. MEADE, CLERK

BY *Christine Spashin* D. C.

Langley, Kentucky  
March 13th, 1930

This my last Will and Testament:

I first want all my honest debts paid. All my personal property of every kind I bequeath to my daughter, Sarah.

My daughter, Pet Salisbury, has already bought of W. E. Salisbury (my son) his entire interest in the real estate. I therefore bequeath to my daughter Sarah one third of said real property and I direct that soon after my death that the two daughters, Sarah and Pet shall divide same and made Deeds to each other, as follows: Two thirds to Pet Salisbury and One third to Sarah Salisbury.

To my son W. E. Salisbury I bequeath one dollar (1.00) which shall be his entire interest in my said estate, both real and personal.

Should my daughter, Sarah die without leaving any children, I direct that her part of the real property shall go to my daughter Pet Salisbury or her children.

I hereby appoint Sarah Salisbury and Pet Salisbury to take charge of all my property at my death and divide same as mentioned above. They to act without filling any bond.

Witness:

MALICA AUSTIN

J. H. ALLEN  
BERTHA ALLEN

STATE OF KENTUCKY

COUNTY OF FLOYD . . SCT.

I, A. B. MEADE, Clerk of the County Court in and for the County and State aforesaid certify that the foregoing Will was on the 14 day of May, 1945 Lodged for record; whereupon the same together with the foregoing and this certificate have been duly recorded in my office.

Witness my hand this the 16 day of May, 1945.

Attest, A. B. MEADE, CLERK

BY *Christine Spashin* D. C.

LAST WILL AND TESTAMENT  
OF  
CHATTIE L. FITZPATRICK

I, Chattie L. Fitzpatrick, of the City of Miami, County of Dade, State of Florida, (which City I hereby declare to be my place residence, unless I shall in writing evidence my intent to change such place of residence,) being of sound and disposing mind, memory and understanding, but mindful of the uncertainty of human life, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all former Wills and Codicils by me made.

First: I hereby direct that all my just debts, including the expenses of my last illness and funeral, shall be paid by my Executor hereinafter named.

Second: I hereby give, devise and bequeath unto my husband, William J. Fitzpatrick, of Miami, Dade County, Florida, all the rest, residue and remainder of my estate, whether real, personal or mixed, wheresoever situated or located, of which I am now possessed or which I may later acquire.

Third: I hereby nominate and appoint my said husband, William J. Fitzpatrick, as Executor of this my Last Will and Testament, to act without furnishing any bond whatsoever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of February, A. D., 1944, in Miami, Dade County, Florida.

CHATTIE L. FITZPATRICK, (SEAL)  
CHATTIE L. FITZPATRICK, TESTATRIX.

W.E.

The foregoing instrument, contained on the preceding and attached page, was on the 7th day February, in the Year of Our Lord Nineteen Hundred Forty-four signed, sealed, published and declared by the said Chattie L. Fitzpatrick, the Testatrix herein named, as and for her Last Will and Testament, in the presence of us, who, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, having also seen the Testatrix' name written by her in full on the margin on this page.

MRS. GEO. H. FITZPATRICK  
WIFE  
A. E. EDWARDS  
WIFE  
W. O. ROCKWELLER  
WIFE

Rt. Box 287  
ASTORIA, OREGON, Fla.  
1009 Olympia Bldg  
ASTORIA  
Rt. Box 285 Coconut Grove,  
Miami Fla

The foregoing instrument was duly filed March 20th, 1945, and recorded March 21st, 1945, in Record of Wills, Book 115, page 283.

CHATTIE L. FITZPATRICK  
(On margin of page)

W. F. BLANTON, COUNTY JUDGE  
CLAUDE V. SULLIVAN, CLERK  
(C. J. SEAL)

STATE OF FLORIDA

COUNTY OF DADE

I, JENNIE L. BLANTON, Clerk of the County Judge's Court, Dade County, Florida, do hereby certify that within and foregoing is a true and correct copy of the original as it appears on record and file in the office of the County Judge of Dade County, Florida, and that same has been duly executed, proven and admitted to probate and record in and for Dade County according to the laws and usages of the State of Florida Governing such matters.

Witness my hand and Seal of County Judge's Court at Miami, Florida, this the 9th day of August, A. D., 1945.

JENNIE L. BLANTON, CLERK County  
Judge's Court SEAL.

STATE OF KENTUCKY

COUNTY OF FLOYD . . SCT.

I, A. B. MEADE, Clerk of the County Court in and for the County and State aforesaid certify that the foregoing Will was on the 15 day of August, 1945, Lodged for record, whereupon the same together with the foregoing and this certificate have been duly recorded in my office.

Witness my hand, this the 14 day of August, 1945.

Attest, A. B. MEADE, CLERK

BY \_\_\_\_\_ D. C.

CERTIFIED COPY OF WILL

I, Emma Fannin, of Russell, Greenup County, Kentucky, being of full age and of sound mind and memory, do make, publish and declare this to be my last will and testament, hereby revoking all wills by me heretofore made.

Item I. I direct that all my just debts and funeral expenses be paid out of my estate as soon as practicable after the time of my decease.

Item II. All the property, real and personal of every kind and descriptions, wheresoever situate, which I may own or have the right to dispose of at the time of my decease, I give, bequeath and devise to my husband Otto Fannin absolutely and in fee simple.

Item III. I constitute and appoint my husband, Otto Fannin, to be the executor of this, my last will and testament, and I request that no bond be required of him as such. I further request that no inventory of my estate be made or taken in so far as the same may be lawfully omitted.

Dated at Russell, Kentucky, this 7th day of Sept., 1935.

EMMA FANNIN.

Signed by Emma Fannin, and by her acknowledged to her last will and testament in our presence, sight and hearing, who at her request have herunto subscribed our names as witnesses, in his presence, and in the presence of each other, at Russell, Kentucky, this 7th day of September, 1935.

C. H. Bruce, Residing at Russell.  
L. D. Bruce,

STATE OF KENTUCKY

GREENUP COUNTY . . SCT:

I, J. B. BATES, Clerk of Greenup County Court do certify that the foregoing will has been duly recorded in my said office and that the same with the certificate has been duly recorded in my said office with the certificate.

Witness my hand, this 25th day of March, 1930.

J. B. BATES, CLERK

BY E. E. HOWLAND, D. C.

STATE OF KENTUCKY

GREENUP COUNTY . . SCT :

I, J. B. BATES, Clerk of the Greenup County Court, do certify that the foregoing Will of Emma Fannin is a true and correct copy of the same as is on record in my said office in Will Book No. 12, page 387, Greenup County Court Records.

Given under my hand, this the 10th day of May, 1935.

SEAL

J. B. BATES, CLERK

BY VIRGINIA M. THOMAS, D. C.

STATE OF KENTUCKY

COUNTY OF FLOYD . . SCT.

I, A. B. MEADE, Clerk of the County Court in and for the County and State aforesaid, certify that the foregoing Instrument was on the 19 day of August, 1945 Lodged for record; whereupon the same together with the foregoing and this certificate have been duly recorded in my office.

Witness my hand, this the 20 day of August, 1945.

Attest, A. B. MEADE, CLERK

BY Cynthia Holbrook D. C.

LAST WILL AND TESTAMENT  
OF  
CYNTHIA HOLBROOK

I, Cynthia Holbrook, of Fiddle Creek Floyd County, Kentucky being of sound mind and memory do hereby make, publish and declare this to be my last Will and Testament.

FIRST: I do hereby direct that all my just debts and funeral expenses be paid out of my estate.

SECOND: I do hereby give, bequeath and devise all the remainder of my personal property of every sort, nature and kind, to Kelsey Holbrook, Henry M. Holbrook, Walter Holbrook, Jonathan F. Holbrook, Grover C. Holbrook, Minerva H. Spradlin, and Jonathan F. Holbrook as Trustees for Edmund Andre Holbrook, share and share alike.

THIRD: I do hereby give, devise and bequeath all the coal, oil, gas, minerals and subterranean products of every sort or nature, in, upon and under any and all lands which I may own at the time of my death, together with any and all other coal, oil, gas, mineral and subterranean products which I may own at the time of my death, to Kelsey Holbrook, Henry M. Holbrook, Walter Holbrook, Jonathan F. Holbrook, Grover C. Holbrook, Minerva H. Spradlin, and Jonathan F. Holbrook as Trustees for Edmund Andre Holbrook, share and share alike.

FOURTH: ALL the remainder of my property which I may own at the time of my death I desire to descend and to be distributed according to the provisions of the Statute of Descent and Distribution of the State of Kentucky.

FIFTH: The one-seventh of my personal property and of my coal, oil, gas minerals and subterranean products heretofore devised to Jonathan F. Holbrook as Trustee for Edmund Andre Holbrook shall be held by the said Jonathan F. Holbrook, Trustee, and/or his successor as such Trustee, for the use and benefit of the said Edmund Andre Holbrook, upon the following terms, conditions and trusts, to-wit:

(a) Said Trustee shall have, hold, manage and control said properties heretofore devised to him until such time as the said Edmund Andre Holbrook shall arrive at the age of twenty one year, or until such trust is terminated according to the further provisions hereof.

(b) Said Trustee is hereby given power and authority to lease and/or release from time to time and any or all of the coal, oil, gas, minerals and subterranean products heretofore devised to him; to enter into agreement or agreements extending any existing lease or leases upon said properties or any portion of the same-- all upon such terms and conditions as to him may seem proper; to collect from time to time any and all rentals or royalties which may accrue upon or from any existing or future lease upon said properties.

(c) Said Trustee is hereby given power and authority to invest and/or reinvest the principal of the personal properties heretofore bequeathed to him, and any and all income arising from the properties heretofore devised or bequeathed to him; to buy, own hold and sell said properties for such Trust Estate as in his judgment may be proper; which may be legal investments under the Laws of the State of Kentucky.

(d) All income arising from said Trust Estate shall be collected by such Trustee. Said Trustee is hereby authorized from time to time to pay any portion of said income to the Guardian of the said Edmund Andre Holbrook, for the use and benefit of the said Edmund Andre Holbrook, as in the judgment of said Trustee may be just and proper; PROVIDED, however, that the said Trustee shall exercise his judgment and discretion as to whether or not he shall make any such payment or payments and the judgment and discretion of the said Trustee relative thereto shall be final and conclusive, and shall not be controlled by any person or persons or by any court.

(e) In the event of any illness of the said Edmund Andre Holbrook, the Trustee, aforesaid is authorized and empowered BUT NOT DIRECTED, to use such portion or portions of the said trust estate, including income or principal, as in his judgment or discretion may be necessary or advantageous to be expended for said Edmund Andre Holbrook on account of such illness.

(f) Said trustee aforesaid, is authorized and empowered, BUT NOT DIRECTED to use such portion or portions of said trust estate, including principal or income, or both, as in his judgment or discretion may be necessary or advantageous to be expended for the education of the said Edmund Andre Holbrook.

(g) When the said Edmund Andre Holbrook shall arrive at the age of twenty-one year, then the said Trustee heretofore named, or his successor in office, shall convey to the said Edmund Andre Holbrook the legal title to the coal, oil, gas minerals and subterranean products heretofore devised and bequeathed to such Trustee, and shall account for, pay over and deliver to the said Edmund Andre Holbrook all moneys coming into his hands as such Trustee aforesaid, less any expenses incurred by him in the performance of his duties as such Trustee, and shall depart this life prior to the time the said Edmund Andre Holbrook shall arrive at the age of twenty one year, then the trust estate heretofore provided for him shall cease and determine and terminate, and in that event the said Trustee aforesaid, or his successor in office, shall convey the legal title to said coal, oil, gas, minerals and subterranean products to the said Kelsey Holbrook, Henry M. Holbrook, Walter Holbrook, Jonathan F. Holbrook, Grover C. Holbrook and Minerva H. Spradlin, share and share alike,