

STATE OF KENTUCKY,

COUNTY OF FLOYD, Set.

I, A. B. WEADE, Clerk of the County Court in and for the County and State aforesaid, certify that the foregoing Will was on the 28 day of August, 1944, 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 28 day of August, 1944.

Attest, A. B. WEADE, Clerk

By _____ D. C.

WILL

I, Ella Ferguson, of Prestonsburg, Floyd 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, and hereby revoking any and all wills by me heretofore made.

ITEM 1. I direct that all my just debts and funeral expenses be paid out of my estate as soon as practical after the time of my death.

ITEM 2. I will and bequeath to my daughter, Helen F. Martin, my house and lot on First Street, Prestonsburg, Ky., known as the S. C. Ferguson home, where I now live. Subject to the life estate of S. C. Ferguson, as set out in Item No. 8 of this will.

ITEM 3. I will and bequeath to my two Grand Sons, Ben D. Ferguson, Jr., and Charles D. Ferguson, my house and lot on the west side of Main or First Street, Prestonsburg, Ky., where they now live, and known as the Reuben Clark, old home, except the garage and lot on which it stands and the lot in front of the garage, which is to be held by my husband, S. C. Ferguson, during his life time and at his death to go to Ben D. Ferguson, Jr., and Charles D. Ferguson in fee. S. C. Ferguson, is to have supervision over this property during his life but it is to be the home of the boys all the while. But if either of these boys die before he becomes 21 years old and without children, his interest in this property goes to the other boy.

ITEM 4. I will and bequeath to my husband, S. C. Ferguson, all of the land and lots and interest I have in the town of Ferguson and in the S. W. Ferguson Old Home Farm, near Boldman, Ky., in fee.

ITEM 5. I give and bequeath to my husband, S. C. Ferguson, during his life time, but not subject to his debts, my house and lot on the east side of First Street, Prestonsburg, Ky., known as the S. C. Ferguson home, and where we now live, but at his death this property is to go to Helen F. Martin in fee, as set out in Item No. 2 of this will.

ITEM 6. I give and bequeath to my husband, S. C. Ferguson, in fee, the house and lot on Broadway, U. S. Highway 28, just north of the Trimble Branch, Prestonsburg, and being the same land conveyed to S. C. Ferguson by William (Bill) Woods, on February 15, 1928, Deed recorded in Deed Book 77, page 235, Floyd County Clerks office.

ITEM 7. I will and bequeath to my husband, S. C. Ferguson, for life, but not subject to his debts, all of the land I own on the Town Branch, including all the houses, rents and profits, arising therefrom, all the revenue, rents and royalties arising from the gas well or wells or any oil or gas wells that may be drilled on said land hereafter. But at his death, all of this property, rentals, royalties &c including the land shall go one-half to Helen F. Martin or her heirs and the other one-half to go to Ben D. Ferguson, Jr. and Charles D. Ferguson.

ITEM 8. I will and bequeath to my husband, S. C. Ferguson, any and all other land, money and personal property, including household and kitchen furniture that I may own at my death in fee, also any interest I may own in any automobile in which I may have an interest. This covers everything I may own at the time of my death except the other ITEMS specifically set out in this will.

ITEM 9. If my husband, S. C. Ferguson, dies before I die and before this will is probated, and I fail to make another will or disposition of my property, then all of the property willed to him shall be distributed equally, one-half to Helen F. Martin or her heirs and one-half to Ben D. Ferguson, Jr. and Charles D. Ferguson. In using the names Ben D. Ferguson, Jr. and Charles D. Ferguson, together, I also will that they each receive a one-half of the property willed to them, share and share alike.

ITEM 10. If my husband, S. C. Ferguson, is living at the time of my death and when this will is probated, I make, nominate and appoint him to be the executor of this, my last will and testament, and he shall not be required to execute bond in this behalf.

In witness whereof, I have hereunto set my hand, at Prestonsburg, Floyd County, Kentucky.

This the 9th day of March, 1945.

ELLA FERGUSON

Signed and acknowledged by Ella Ferguson, as and for her last will and testament in our presence, and by us subscribed as attesting witnesses in her presence and at her request, and in the presence of each other.

Curtis Clark, Residence, Prestonsburg, Kentucky.
Judy S. Clark, Residence, Prestonsburg, Kentucky.

STATE OF KENTUCKY,

COUNTY OF FLOYD, Set.

I, A. B. WEADE, CLERK OF the County Court in and for the County and State aforesaid, certify that the foregoing Will was on the 28 day of Oct., 1944, 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 9 day of November, 1944.

Attest, A. B. WEADE, Clerk

By _____ D. C.

LAST WILL AND TESTAMENT

In the presence of Almighty God and the witnesses attached to this instrument, being of sound mind, I hereby make this my last will and testament as follows:

Johnny Fraley, W. R. Fraley and Jessie Fraley are to have the following tools and may divide them among themselves as they see fit: Mowing Machine, Cane Mill, Shop Tools, Hored Axe, Iron Square, and Hand Saw.

Maud and her boys are bequeathed all other tools including the Double Shovel Pile and all my furniture except my Organ which is willed to Sylvia Foley (Maud's daughter).

Maud is willed by me all my notes and money after my debts and funeral expenses are paid.

I also bequeath the following real estate of mine as follows: That part of the Joe James Tract bounded as follows: beginning at a Holly Bush, a corner, with Sam Leslie's line; thence running with the branch and Sam Leslie's line to two beeches; thence with said Leslie's line up the branch to where the said Leslie's line leaves the branch on the Left Hand side looking toward head of branch; thence with said Leslie's line on the Left Hand side to the top of the point; thence a straight line to a poplar (with Avery Foley's name cut on it) on the right side of the branch just above a small rivulet; thence a straight line to the top of the ridge to Tommy James' line; thence with Tommy James' line to Sam Leslie's line; thence with said Leslie's line to a holly bush, the beginning. This is willed to Maud Foley, my daughter.

Maud Foley is to have all the oil and gas rentals from my entire real estate to use as she wishes after paying the taxes on my land until this land is re-leased. Then she is only to have the rentals from the tract that I have willed her.

Maud is also to have coal from the large coal bank in the head of the branch sufficient for her needs as long as it remains unsold by my heir or heirs. This applies also to any or all of Maud's heirs.

I hereby bequeath my other three girls all the rest of my real estate not mentioned in this will heretofore to Maud Foley.

It is a condition of this will and a requirement that Maud Foley pay each of these children of Eva Laferty's (deceased), my daughter; Thomas Laferty, Mary Laferty, Harless, Josephine Laferty Scalf, and Ruby Laferty Neal, \$25.00 each as they become of age. My other three daughters are to pay the other four (4) children of Eva's as they or each become of age \$25.00 each, sharing the payments equally to Eva's children.

I make it a part of this will that if Maud should die before my present lease expires I want her children to have all rentals on the same conditions as was granted to Maud above.

I hereby will Jack Laferty one (\$1.00) dollar his entire dowery.

I hereby make Maud My Administratrix to carry out the terms of this will and to close up my earthly business. This "Maud" means Maud Foley.

In testimony to all the above, I hereby attach my name in the presence of the witnesses attached to this will, this the 10 day of June, 1935.

Witnesses: W. D. STEELE
AVERY FOLEY
ROLAND GAIN
SYLVIA FOLEY
TAYNELL FOLEY

SAVAN E. X FRALEY
mark

Attest to signature:
W. D. STEELE, Notary Public, Floyd
Co., Ky.
My Commission expires 3-24-26