

Copy to Marion Martin at Drift, Ky.

Know all men by these presents that I, Grover Martin, of Drift, Ky. Being of sound and disposing mind and memory and not acting under duress, menace, fraud or undue influence of any person whatsoever now residing at legally domiciled in Drift, State of Kentucky.

do hereby make publish and declare this my last Will and Testament in the manner following to wit:

(First) I direct all my last illness and funeral expenses to be paid out of my estate.

(Second) I do not owe any debts to no one whatsoever also I have not sign no notes for anyone in the last five years.

(Third) Also any one claiming that I owe notes or debts will be forfeited up and that I do not owe any one whatsoever after my death.

(Fourth) I hereby will to Emma Martin the following described tract of real estate in this Will as long as the said Emma Martin lived, then this tract of said real estate is to go back to Marion, Martin of Drift, Ky. Will to Emma Martin one half of my money 1/3 one third of my oil & gas lease also 1/3 one third of my coal lease.

Beginning at a beech tree near a large flat rock on the upper side of the County road, thence a line straight across the railroad and bottom to left Beaver Creek, thence up the said Creek meanders to a County Bridge, thence from County Bridge up the hill including Ed Stickler House, known to a white oak tree now standing on the point, thence straight up the point to a high knob, known as the conditional line between William Turner and Joel Martin (Sr) thence from the high knob down the Creek with W. L. Martin and Melvina Martin line heirs to the beginning. Said tract is known by William Turner tract of land and this line in this said boundary.

The coal lease and oil & gas leases is to revert back to Marion Martin of Drift, Ky. after the said Emma Martin death. I hereby give devise bequeath all of my real estate whatsoever situated of which I may die seized or possessed or in which I may have an interest at the time of my death to Marion Martin of Drift, Kentucky, except the described tract I have made to Emma Martin in this will and this described tract is to revert back to Marion Martin of Drift Kentucky after Emma Martin death. I also hereby give devise half of my money to Marion Martin of Drift, Kentucky. I hereby nominate constitute and appoint Marion Martin of Drift, Kentucky as my Administrator and he is not required to give no bond in the performance of his duties. Also will my brothers and sisters as follows:

Will	Florence Martin King Heirs	\$1.00
Will	Lucy Martin Armstrong Heirs	1.00
Will	Perry Martin	1.00
Will	B. D. Martin	1.00
Will	Robert Martin Heirs	1.00
Will	W. S. Martin	1.00
Will	Anna Martin Akers	1.00

Also revoking all former wills made heretofore.

Given under my hand this the 1st day of August, 1950.

GROVER MARTIN

(Witness) EUCKER CONLEY- Aug. 1, 1950

(Witness) MRS. MELBA CONLEY - Aug. 1, 1950

STATE OF KENTUCKY

COUNTY OF FLOYD

ss: S. S.

I, DuRan Moore, Clerk of the County Court in and for the County and State aforesaid, certify that the foregoing Will was on the 23rd day of July, 1956, probated for record, whereupon the same with the foregoing and this certificate have been duly recorded in my office.

Witness my hand, this the 24th day of July, 1956.

DuRAN MOORE, CLERK  
BY *Luna Gable* D. C.

# LAST WILL AND TESTAMENT

IN THE NAME OF GOD, AMEN:

I

I, Marie Minks Archer, being of sound mind and disposing memory and residing in the City of Prestonsburg, Floyd County, Kentucky, do hereby make, declare and publish this as my last will, hereby revoking all of my previous wills. At the present time I am separated from my husband, Ralph T. Archer, against whom I have lodged an action for divorce in the Floyd Circuit Court in June, 1955, praying for a legal separation, but not an absolute divorce. I am the mother of three infant daughters by my said husband, all of whom reside with me, and whose names and ages are as follows: Martha Francis Archer, 17 years; Georgia Lee Archer, 14 years; and Emma Kaye Archer, 9 years.

II

I direct that my proportionate share of the partnership debts of the partnership firm of The Archer Shoppe, of which firm, Sarah Clay Stephens, and I are the sole members, be paid out of the partnership assets, according to the Articles of Partnership of this firm, unless these debts be paid by Sarah Clay Stephens in the purchase of this partnership business, should she survive me and elect to do so, according to the terms of the said Articles.

III

I do hereby appoint and designate my father, Oscar L. Minks, of Scottsboro, Alabama, to be the executor of this, my last will, and direct that he be exempt from giving any surety or sureties on his official bond, and I do further entrust my father with the guardianship of my three infant daughters, Martha Francis Archer, Georgia Lee Archer and Emma Kaye Archer, both as to the care and custody of their persons and as to the management of their estates. In the event that my father shall die in my lifetime, or shall refuse or be unable to act as executor, or as guardian of my three daughters, then I do appoint my brother, Dr. Jack D. Minks, of Scottsboro, Alabama, to act as executor of my will, directing that no surety be required on his bond, and to act as guardian of my three infant daughters, both as to the care and custody of their persons and as to the management of their estates.

MARIE MINKS ARCHER  
Marie Minks Archer

IV

In the event that any of the provisions herein made shall in any form or manner offend any Statute of the Commonwealth of Kentucky, or if by decision of the Court of Appeals of the Commonwealth of Kentucky, or of the Supreme Court of the United States of America, heretofore or hereafter made, any part of my will shall be inoperative, it is my will and desire that this instrument shall operate and be of full force and effect in so far as it does not offend such Statute, and is not contrary to the decision of either of said Courts, and that the provisions of this instrument shall be carried out as far as may be.

V

I do hereby appoint my father, Oscar L. Minks of Scottsboro, Alabama, to serve as Trustee under this Will for the use and benefit of my beloved and infant daughters, Martha Francis Archer, Georgia Lee Archer and Emma Kaye Archer, whose guardianship and custody I have already entrusted to my father, and in the event that my father shall die in my lifetime, or refuse or be unable to act as Trustee, then I do appoint my brother, Dr. Jack Minks, also of Scottsboro, Alabama, to act as Trustee of this, my Will, and request that no surety be required on the bond of either of them, and I do further appoint and empower my Trustee to appoint a person or persons or Trust institution, a Kentucky Corporation, residing and located in Floyd County, Kentucky, of his own choice, to act in his stead as agent and Attorney-in-Fact with regard to the care, custody, rental, revenue, sale, maintenance, and other necessary business concerned with any and all property entrusted to the Trustee by the terms of this Will. I direct my Trustee in regard to the property that shall be devised, bequeathed and appointed to him under the terms of this Will, that he supervise, manage, invest and re-invest this property and distribute the income from this property to the beneficiaries, my daughters, equally employing this income to provide for their education, maintenance, support and clothing as may be suitable and proper in raising, educating and training my daughters; that the said Trustee shall be authorized to encroach on the corpus of the property in the hands of the Trustee at any time and from time to time in such amounts as the Trustee may deem necessary in providing the proper support, comfort and training of my daughters; this Trusteeship shall continue until such time as the youngest daughter surviving me shall have reached the age of twenty-one years, at which time the Trusteeship shall terminate and the entire amount and value of the remaining property, if any, shall be distributed among my surviving daughters

equally. I direct that this Trust property shall be distributed among my three daughters according to the following formula: the Trustee shall bear in mind that the living expenses, necessities and educational expense of my three daughters will increase as they grow older and shall set aside a portion of the Trust property so as to afford each of my 3 daughters an equal amount for the last four years of their infancy and if there should be less than a period of four years remaining before my eldest daughter attains her majority of 21 years at the date of my death, then the amount that she would receive from this said portion of the Trust property shall be reduced in proportion; the remaining portion of the Trust property shall be used primarily for the care and other needs of my two youngest daughters until they have reached the age of 17 years and is to be expended wisely and within the discretion of the Trustee so that each daughter may receive a degree of care and treatment equivalent to that received by each of her sisters in times past insofar as this may be done; and the Trustee is requested to so employ these funds as to leave a surplus for equal distribution at the termination of the Trusteeship. I do hereby devise, bequeath and appoint to the Trustee, for the purposes and benefits as above set out, the following property, all of the rest, residue and remainder of my property of every kind and description, excepting therefrom those particular goods, chattels, heirlooms, and furniture described in the subsequent clause VI of this, my Will, and including all legal and equitable interests, wherever located, including any lapsed or void legacy or devise and any property over which I may have the power of disposition or appointment, and including any surplus moneys that may accrue to myself or my estate from the dissolution or purchase of my share in the partnership firm, known as the Archer Shoppe as mentioned in the foregoing Clause II of this, my Will. I do further include in this Trust property, all of such sums of money and property as may be granted and awarded me by the Court in my present action for a legal separation from my husband for the care and support of myself and my three infant daughters.

## VI

I do bequeath all of my household furniture and furnishings, lines, silverware, kitchenware, clothing, jewelry, books, pictures, objects of art, family heirlooms and antiques, and all of my other personal effects to my three infant daughters, to be distributed equally among them according to the discretion of my Executor of my Will. I am excluding my present husband, Ralph T. Archer, as beneficiary in my Will as I felt that my infant daughters need and deserve all of the property I can leave them, and that he can take care of himself.

## MARIE NINKS ARCHER

In testimony whereof, I, Marie Ninks Archer, have signed the foregoing instrument, as my last Will, contained in one typewritten sheet of four pages of paper, the first and third of which I have signed at the bottom thereof, and do publish this instrument as my last Will and Testament this 23rd day of July, 1955. I do further acknowledge that the corrections, erasures and alterations appearing on the following lines of the various pages of this instrument, viz: lines 3; 6; in Clause I; lines 5 in Clause II; lines 2; 14 in Clause III on page 1; lines 5 in Clause IV; lines 4; 11; 12; 17; 20 on page 2; lines 5; 10; 17; 28 in Clause V; line 2 in Clause VI on page 3; and line 2 of this paragraph on page 4, were all made prior to the execution and signing of this Will by me.

MARIE NINKS ARCHER  
Marie Ninks Archer

The foregoing will, consisting of four pages in one typewritten sheet, was on the 23rd day of July, 1955, signed and acknowledged by Marie Ninks Archer, (The Testatrix) as and for her last Will and Testament in the presence of us, the undersigned witnesses, who at his request and in his presence and in the presence of each other, have signed and subscribed our respective names as witnesses thereto.

CARSEY KIDD  
CARSEY KIDD, Prestonsburg, Kentucky

MRS. FRANCES A. ROSE  
MRS. FRANCES A. ROSE, Prestonsburg, Kentucky

DARLYN DAVID SANOWS,  
DARLYN DAVID SANOWS, Prestonsburg, Kentucky

IN THE NAME OF GOD, AMEN:

I Mrs. Marie Ninks Archer, of the City of Prestonsburg, Floyd County, Kentucky, declare this instrument to be a codicil to my will, which bears the date of July 23rd, 1955.

## I

WHEREAS, the partnership of the Archer Shoppe, which is owned equally by Sarah Clay Stephens and myself, is indebted to my mother, Mrs. Myrtle M. Ninks, for and in consideration of a loan by her to the said partnership firm, I do hereby devise, bequeath and appoint all of my right, title and interest in and to my 50% share of the assets of this partnership firm aforesaid, to my mother, Mrs. Myrtle M. Ninks; it is understood that the acceptance of this said devise by my mother, Mrs. Myrtle M. Ninks, shall serve, insofar as my share of these partnership assets are sufficient to do so, to liquidate or reduce my share of the partnership indebtedness owed to my mother. By the execution of this codicil, I have revoked that portion of provision or paragraph V of my will, whereby the aforesaid partnership assets were devised, bequeathed and appointed to the Trustee of my will, but otherwise and in all other respects I do hereby confirm my said Will and in witness whereof, I have hereunto set my hand this 28th day of August, 1955.

MRS. MARIE NINKS ARCHER  
Mrs. Marie Ninks Archer

The foregoing codicil, consisting of one page, was on the 28th day of August, 1955, signed and acknowledged by Mrs. Marie Ninks Archer as and for a codicil to her last will in the presence of us, the undersigned, who at her request and in her presence and in the presence of each other have subscribed our respective names as witnesses thereto.

CARSEY KIDD  
CARSEY KIDD of Prestonsburg, Kentucky

LEE DAVIS, JR.  
Lee Davis, Jr. of Wheelwright, Kentucky

ESTIL LEE GEARHART  
Estil Lee Gearhart of Prestonsburg, Kentucky

## STATE OF KENTUCKY

BY: S. S.

## COUNTY OF FLOYD

I, DuRan Moore, Clerk of the County Court in and for the County and State aforesaid, certify that the foregoing Will was on the 23 day of July, 1955, approved for record, whereupon the same with the foregoing and this certificate have been duly recorded in my office.

Witness my hand, this the 25th day of July, 1955.

DuRAN MOORE, CLERK  
BY: D. C.

WILL AND TESTAMENT OF MARY HOWELL,  
CRAYNOR, FLOYD COUNTY, KENTUCKY

IN THE NAME OF GOD, AMEN:

I, Mary Howell of Craynor, Floyd County, Kentucky being of sound mind and disposing memory and recognizing the objects of my bounty and realizing the uncertainty of life and the certainty of death, do hereby make, publish and declare this to be my last Will and testament, hereby revoking any and all Wills and codicils thereto heretofore by me made.

## ITEM I

I hereby will and bequeath to my Great-nephew, Fredrick W. Newsome, son of Tivis Newberry Newsome, of Grethel, Floyd County, Kentucky the farm or tract of land owned by me and set out and described in that certain deed of conveyance from Ivan Fraure et al to Mary Howell, dated December 27, 1920 and duly recorded in Commissioner's Deed Book #2, Page 85, Records of the Floyd County, Kentucky Court Clerk's Office containing about three (3) acres, more or less and on which land I now live.