

set in the ground marked X; thence down the hill with a straight line to the marked rock at the beginning, this is Norman's entire interest in the home farm.

And the part set apart for May Allen, our daughter, bounded and described as follows: Beginning at the rock marked X where Norman's line began going a North course with Norman Allen's line and around with the same line to the center of the Mink Branch above the house at the mulberry tree; thence up the branch with the center with Norman Allen's line to where I call the three forks of the branch where a marked rock with an X; thence up the small drain with Norman's line at west course to the top of the ridge between Raccoon and the Mink Branch where Norman's line is located; thence down the ridge between Raccoon and the branch where we live along the center of the ridge with Joel Martin's to Green Turner's line; thence down the ridge with said line to Rebecca Turner Martin's line; thence down the hill with said line to a V shaped place in a rock where once stood a cherry tree only a part of the old stump is to be seen now; thence crossing Salt Lick at Tom Turner's line with a straight line to sycamore and buckeye trees standing together on the south bank of Salt Lick; thence up the hill with said line to the top of the point; the point with said line to a small poplar tree to where a wire fence now is thence down the hill to the center of a small drain and down with the center of same crossing Salt Lick with same to the beginning at the county road and we further stipulate in this Will that Norman Allen and Mae Allen,

Now for the love and respect for Wannie Conley who came to us and has been with and worked for us since he has been ten years old.

We set apart, devise and bequeath him the following boundary of land beginning in the center of the branch known as the Left Fork of Cool Water at Maude Turner Martin's line; thence up the branch with the center of same, which is the main branch to the head of same; thence up the hill with a straight line to a knob at the head of the Cora Gearheart branch and the Lizzie Webb branch; thence around the head of the Lizzie Webb branch with the center of ridge to the knob at the head of the Brice Howard Branch; thence to Rebecca Turner Martin line; thence down the point with said line to Maude Turner Martin line at the Indian Grave Gap; thence down the hill with said line a northeast course to the beginning.

It is understood that Norman Allen, May Allen, our children shall be equal or they are to share equal in the timber and oil and gas in and on this tract should Wannie desire to sell this tract of land it is understood that Wannie is to give Norman and May Allen the first refusal to buy the same.

The east side of said branch is here in set apart granted and bequeathed to Norman Allen and May Allen our children, beginning in the center of the branch with Wannie Conley's line at Maude Turner Martin's line then up said branch with Wannie Conley's line to the knob at the head of Cora Gearheart's and Lizzie Webb's branches; thence down the ridge with a east course along the center of ridge to a high knob at T. J. Turner's line; thence west with T. J. Turner's line to the beginning.

It is understood by all parties this Will is not in effect until both of the testators' deaths, when one of the testators die the title of this land reverts or falls to the one living their lifetime only. This is our last Will and Testament.

Witness: Melcinda Hays DAVID MURPHY ALLEN, SR.  
Catheran Gearheart REBECCA GEARHEART 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 25 day of Jan., 1943, 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 27 day of Jan., 1943.

Attest, A. B. MEADE, Clerk

By *Annabell S. Stinson* D. C.

IN THE MATTER OF THE WILL OF  
MARY CALLIHAN ROSE:

The undersigned, W. A. Rose, surviving husband of Mary Callihan Rose, deceased, tenders herewith and moves the court to file and probate the last Will and Testament of the said Mary Callihan Rose, and in support of said motion states as follows:

That the said Mary Callihan Rose died, testate, a resident of and domiciled in the City of Prestonsburg, Floyd County, Kentucky, on the 23 day of December, 1942; that she left a last Will and Testament, bearing date April 16, 1941, being the will above referred to; that he is the surviving husband of the said Mary Callihan Rose, and resides at Prestonsburg, Kentucky; that the father and mother of the said Mary Callihan Rose predeceased her, and that she left surviving her as her only heirs at law, Gertrude Callihan Cooley, who resides at Maytown, in Floyd County, Kentucky, and William Callihan, who resides at Prestonsburg, Kentucky, but who is now in the United States Army, and his present address is Corp. William R. Callihan, Station Hospital, S. A. 37, 3, Enid Oklahoma; that the said Gertrude Callihan Cooley and William Callihan are the sister and brother of the said Mary Callihan Rose, deceased, and are her next of kin and heirs.

W.A. ROSE

We, WILLIAM A. ROSE AND MARY CALLIHAN ROSE, husband and wife, of Prestonsburg, Floyd County, Kentucky, being of full age and of sound mind and memory do make, publish and declare this to be our last joint and several will and testament, hereby revoking all wills by either of us heretofore made. We jointly and severally devise and bequeath to one another, and each to the other, the following described property, to-wit:

ITEM I - We direct that our just debts and funeral expenses be first paid out of our estates. Said funeral expenses and debts shall be paid out of any other money, property, real estate, or personal property owned by us or either of us, and the executor or executrix is directed to sell at private or public sale, without an order of court.

ITEM II - We jointly and severally devise each to the other all property which we, or either of us may own at the time of our death, whether real, personal or mixed. This shall include all property which we, or either of us may now own or may hereafter acquire, it being our desire that the survivor shall take in fee simple all the property of whatever kind of which the other is possessed at the time of his or her death.

ITEM III - The Testator, William A. Rose, hereby appoints and constitutes Mary Callihan Rose the executrix of his estate, and she shall not be required to execute bond as such, or to make inventory of his estate and settlement thereof as required by Kentucky statutes, unless she so desires.

The Testator, Mary Callihan Rose, hereby appoints and constitutes William A. Rose the executor of her estate and he shall not be required to execute bond as such, or to make inventory or settlement thereof as required by law, unless he so desires.

Dated at Prestonsburg, Kentucky, this 16 day of April, 1941.

WILLIAM A. ROSE  
MARY CALLIHAN ROSE

The undersigned, Mabel Combs and Bert T. Combs, certify that the foregoing joint will of William A. Rose and Mary Callihan Rose was subscribed to and acknowledged by the said William A. Rose and Mary Callihan Rose in our presence and that we subscribed said will in their presence at the request, and in the presence of each other.

MABEL COMBS  
BERT T. COMBS

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 16 day of February, 1943, 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 February, 1943.

Attest, A. B. MEADE, Clerk

By *Annabell S. Stinson* D. C.