

ARTICLE 4: I will and bequeath the principle of \$3,000.00 which was given or bequeathed to me by my deceased sister, Josie L. Davidson, to Lucy P. Powers and Grace D. Ford, share and share alike. It is my intention to deposit or invest said \$3,000.00 and use the income or interest for my support. It is further my intention to keep said \$3,000.00 intact and separate from my other property and funds.

ARTICLE 5: I do not by this will devise or bequeath the bank stock bequeathed to me by the will of my deceased sister, Josie L. Davidson, or the proceeds of that bank stock should the transfer of same procured from me by fraud or the will of A. J. Davidson be held good and binding on me, because I have heretofore sold and transferred said bank stock to Lucy P. Powers, my daughter, in compliance with the expressed desire of my deceased sister, Josie L. Davidson. I devise said bank stock, or the proceeds thereof, to my daughter, Lucy P. Powers.

ARTICLE 6: I will that all of my just debts and funeral expenses be first paid out of my estate, first out of the money and personal property referred to in Article 3 above, but if that is not sufficient same shall be paid out of the \$3,000.00 referred to in Article 3 and Article 4 above.

IN TESTIMONY WHEREOF, I herein subscribe my name, this the 12th day of November, 1928.

LAVINA FORD

WITNESSES:

A. B. Combs
E. E. Clark
S. Munnery

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 23rd day of January, 1933, 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 1st day of April, 1933.

Attest, A. B. MEADE, Clerk
By Maggie Bailey D. C.

WILL OF BENJAMIN W. BAKER

TO THE GLORY OF THE GRAND ARCHITECT OF THE UNIVERSE: I, Benjamin W. Baker being of sound and disposing mind and memory, do now make, publish and declare this my LAST WILL AND TESTAMENT: Viz:

1. I direct that all my just debts and funeral expenses be first paid.

2. In accordance with my solemn obligation at the altar of Scottish Rite Masonry, I give and bequeath the ring which I have worn and cherished throughout my life to Mrs Elizabeth Baker and charge her to cherish the same as the symbol of my compact with those "Whom virtue hath joined and death shall never separate."

That homestead go to my wife and so house and lot joining homestead go to my mother and daughter Carolyn D. Baker that my insurance be paid to Mrs Elizabeth Baker my Coal stock of St Paul Coal Co., be equal divided between Ben W. Baker Jr. and Carolyn D. Baker the watch I wear goes to Ben Jr.,

I nominate Mrs Elizabeth Baker to be the Executor of this my Last Will and Testament.

IN WITNESS WHEREOF, I have hereunto set my hand at Covington, Kentucky this 21st day of Nov 1919.

B. W. Baker Sr.

Signed and acknowledged by B. W. Baker Sr., in our presence as and for his Last Will and Testament, and signed by us as witnesses thereto at his request and in his presence and in the presence of each other.

Callot A. Dorsey
P. H. Brinkman

STATE OF KENTUCKY,
COUNTY OF FLOYD, SCT:

I, A. B. Meads, Clerk of the County Court in and for the County and State aforesaid certify that the foregoing Will was on the 27th day of March, 1933, Lodged for record; whereupon the same together with the foregoing and this certificate have been duly recorded in my office.

Witness my hand this 26th day of April, 1933.

A. B. Meads, Clerk
By W. B. Martin D.C.

WILL OF MARY J. FRAZIER

I, Mary J. Frazier, wife of William S. Frazier, of Floyd County and Kentucky, being of sound mind but of infirm health do judge it be best to make and accordingly do hereby make this my last will and testament.

I give, devise and dispose of all my real estate in the following manner:

I give to my husband, William S. Frazier, the following described real estate a certain tract or parcel of land lying on Beaver Creek in Floyd County and described as follows: Beginning on a stake at corner of Effie D. Maggard's lot branch to a marker, a fork of branch to a stake or stone marked, thence up left branch to a marker, a polar tree, thence a straight line to an elm tree marked; thence across point to next hollow, a foot of cliff; thence to center of point south west 40 feet; thence with center of point a straight direction to top of ridge to a cross on a rock to line of Jacob Mayes' line; thence with said line to corner of Jacob Crisp's and Dr. W. D. Osborn's line; thence with Dr. W. D. Osborn's line to white oak at corner of Claiborne Bailey's and Dr. W. D. Osborn's land; thence with white oak to grave yard lot; thence with said grave yard lot line to corner of Effie D. Maggard's line; thence with said line to beginning, containing 25 acres more or less.

I also give William S. Frazier Lots No. 1 and 2 in Frazier addition to new Martin.

The above is part of land conveyed to me by Towsel Combs and wife by deed bearing date Sept 22, 1923 and recorded in deed book 64 page 500.

The balance of my real estate I give to the following who are all my children; a Farm on Johnn Creek to Minnie Frazier Smith and Calvin F. Frazier divided according to a deed which I have already made.

I give the balance of my real estate to my other children named as follows, Dr. W. D. Osborn, Effie D. Maggard, Thomas M. Frazier, Myrtle Flanery, Edith L. Frazier and Alton O. Frazier to be divided equally between them and each one that builds a house is to have the house in the divide but the value of the house is not to be considered in making the divide.

In the divide Alton P. Frazier is to have the home place and the house in which we live and Minnie Frazier Smith and Calvin Frazier are to share equal with the other children in the mineral oil and gas.

In Testimony whereof, I the said Mary J. Frazier have to this my last will and testament, contained on the two sheets of paper and to every sheet thereof, subscribed my name, and to this the last sheet thereof, I have subscribed my name, and affixed my seal this 1 day of Dec., 1932.

MARY J. FRAZIER

Signed, sealed, published, and declared by the said Mary J. Frazier 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 subscribed our names as witnesses thereto.

Susie Collins
J. L. Hunter
D. S. Osborn

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 27th day of March, 1933, Lodged for record; whereupon the same together with the foregoing and this certificate have been duly recorded in my office.

Witness my hand this 26th day of April, 1933.

Attest: A. B. Meads, Clerk
By W. B. Martin D.C.

WILL OF TOBE T. WEBB

TO THE GLORY OF THE GRAND ARCHITECT OF THE UNIVERSE:

I, Tobe T. Webb, being of sound and disposing mind and memory, do now make, publish and declare this my Last Will and Testaments Viz:

1. I direct that all my just debts and funeral expenses be first paid.

2. In accordance with my solemn obligation at the altar of Scottish Rite Masonry, I give and bequeath the ring which I have worn and cherished throughout my life to my wife Hattie Webb and charge her to cherish the same as the symbol of my compact with those "Whom virtue hath joined and death shall never separate."

3. All the rest of my estate, I give and bequeath unto my wife Hattie Webb.

I nominate my wife Hattie Webb to be the Executrix of this my Last Will and Testament, without bond and request that no inventory of my property be made.

IN WITNESS WHEREOF, I have hereunto set my hand at Covington, Kentucky, this 16 day of March, 1931.

TOBE T. WEBB

Signed and acknowledged by Tobe T. Webb in our presence as and for his Last Will and Testament, and signed by us as witnesses thereto at his request and in his presence and in the presence of each other.

FRANK P. COLVILLE
B. B. WEBSTER

STATE OF KENTUCKY

COUNTY OF FLOYD S.C.T.

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 30th day of May 1933 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 26th day of June, 1933.

Attest, A. B. MEADE, Clerk

By Maggie Bailey D. C.

WILL OF JOHN C. B. AUXIER

IN THE NAME OF GOD, AMEN:-

I, the undersigned, John C. B. Auxier, of Prestonsburg, Floyd County, Kentucky, being of sound mind and disposing memory, but realizing the uncertainty of this life, do make, publish and declare this to be my last will and testament, hereby revoking any, and all, other wills heretofore made by me.

FIRST: I give and bequeath unto my beloved wife, Mollie B. Auxier, one-half of all of my personal property, wheresoever said personal property may be situated, and which shall include, but shall not be limited to, cash, notes, accounts, choses in action, stocks, bonds and all other personal property of every kind and character which I shall own or possess at the date of my decease.

SECOND: I will and direct that all of my just debts, funeral expenses and costs of administration of my said estate be paid out of the remaining one-half of my said personal property, and, after the full payment and discharge thereof, I give and bequeath the remainder of my said personal property, if any there be, to my children, Anna Lee Auxier, Emma Gertrude Theobold, Samuel Robert Auxier and John Friend Auxier, and to my grand-daughter, Mary Luck, an equal one-fifth interest each, share and share alike.

THIRD: I give and devise unto my beloved wife, Mollie B. Auxier, for and during her natural life, one-third of all of my real estate which I shall own at the date of my decease, and wheresoever situated.

FOURTH: Subject to the life estate given and devised unto my beloved wife, Mollie B. Auxier, set out and contained in the THIRD paragraph hereinabove set out, I give and devise unto my children, Anna Lee Auxier, Emma Gertrude Theobold, Samuel Robert Auxier and John Friend Auxier, and to my grand-daughter, Mary Luck, the equal one-fifth interest, share and share alike, in and to all of my real estate which I shall own at the date of my decease, and wheresoever situated, subject, however, to the following conditions, limitations and restrictions, viz:

(a) I will and direct that none of the devisees hereinabove, and in the FOURTH paragraph hereof, specifically, designated and named, shall sell, alien, convey, mortgate or encumber, any, or all, of the said real estate so devised to them, any of them, for a period of five (5) years next following the date of my decease, provided, that any one, or more, of said devisees may sell, alien, convey, mortgate or encumber the interest, or interests, of such devisee, or devisees, in said real estate to one, or more, of the other devisees named her in within such five (5) year period, and if any of said devisees shall sell, or shall attempt to sell, alien, convey, mortgate or encumber any, or all, of the said real estate so devised to them, any of them, for a period of five (5) years next following the date of my decease, except to one, or more, of the other devisees named herein, then, and upon the happening thereof, I give and devise the interest of such devisee, or devisees, to my daughter, Anna Lee Auxier, in fee simple.

(b) For the purpose of aiding the said devisees hereinabove, and in the FOURTH paragraph hereof, specifically, designated and named, in securing a larger and better income from the said real estate so devised to them during the five (5) year period in which they are limited and restricted in the matter of alienation, mortgaging and encumbering the said real estate so devised to them, I hereby authorize and empower my beloved wife, Mollie B. Auxier, to execute, acknowledge and deliver contracts and leases for the development, operation, drilling, and mining of any, and all, coal, minerals, oils and gases upon, in and under any, and all, of my said real estate which she may deem proper and profitable, and upon such terms and conditions as will, in her judgment, secure the largest and best income from said real estate. To this end she is authorized, directed and empowered to collect any, and all, income, rents and royalties accruing under said contracts and leases, and distribute and disburse the same among said devisees, as their interests shall appear

upon the date, and dates, of such disbursement and distribution. In the event my beloved wife, Mollie B. Auxier, shall not be living at the date of my decease, or in the event she shall be living at the date of my decease, but shall die before the expiration of the five (5) year period hereinabove set out and referred to next following the date of my decease, then, and in that event, I authorize, direct and empower my daughter, Emma Gertrude Theobold, to do and perform, even, and all, of the acts and doings hereinabove authorized, directed and empowered to be done and performed by my beloved wife, Mollie B. Auxier, for, and during, the said period of five (5) years hereinabove provided, and upon the same terms and conditions.

FIFTH: Until the interest mentioned and referred to in the THIRD paragraph hereof shall have been set apart and laid off to my beloved wife, Mollie B. Auxier, she is authorized and empowered to lease and rent all of my said real estate and collect the rentals accruing from said lease contracts, and for her services in so doing she shall have the right to retain an amount equal to one-third thereof, and the remaining two-thirds thereof she will disburse and distribute among my children, Anna Lee Auxier, Emma Gertrude Theobold, Samuel Robert Auxier and John Friend Auxier, and my grand-daughter, Mary Luck, in the proportion of an equal one-fifth each.

SIXTH: I hereby nominate and appoint my beloved wife, Mollie B. Auxier, as Executrix of this my Last Will and Testament, and request that she be allowed and permitted to qualify as such Executrix and administrator my estate without any bond being required of her as such. In the event my beloved wife, Mollie B. Auxier, shall not survive me, then I hereby nominate and appoint my beloved daughter, Emma Gertrude Theobold, as Executrix of this my Last Will and Testament, and request that no bond be required of her as such.

IN TESTIMONY WHEREOF, I have hereunto set my hand this the 16th day of January, A. D. 1933.

JOHN C. B. AUXIER

Signed by John C. B. Auxier, and by him acknowledged to be his Last Will and Testament, in our presence, sight and hearing, and at his request have herunto subscribed our names as witnesses thereto in his presence, and in the presence of each other, at Prestonsburg, Floyd County, Kentucky, this the 16th day of January, A. D. 1933.

HENRY STEPHENS, Jr.

J. C. HORNKINS
Both of Prestonsburg, Kentucky.

Codicil No. 1

It appearing from the foregoing will, executed by me on January 16, 1933, that I have failed to nominate and empower in case my wife, Mollie, becomes incapacitated, or declines to act, my daughter, Emma Gertrude Theobold, as executrix, with all the powers given therin and, it being my desire that my said daughter act as such, I do hereby add on page 3, paragraph 4, line 11, between the words "decease" and "then" the following:

"Or if she shall become incapacitated, or decline to act"

So that, in any of such events, my said daughter shall be empowered to act as fully and completely in the premises as my said wife could have done.

Executed at Prestonsburg, Kentucky, this 16th day of June, 1933.

The above Codicil No. 1, to the will of J. C. B. Auxier was signed and acknowledged by him in our presence, and at his request witnessed by us and our names as attesting witnesses thereto were signed in the presence of each other and in said testator's presence, this 16th day of June, 1933.

HENRY STEPHENS, Jr.
RUSSELL HAGWOOD
Attesting witnesses to Codicil No. 1

STATE OF KENTUCKY,
FLOYD COUNTY.....

I, Russell Hagwood, a Notary Public, within and for the County and State aforesaid, do hereby certify that the within codicil No. 1 to the will of J. C. B. Auxier, was produced to me by the said J. C. B. Auxier, and duly signed and acknowledged by him and of his own free will and record for the purpose therein stated. Given under my hand and Seal this June 16th 1933.

RUSSELL HAGWOOD
Notary, Public, Floyd County, Ky.
My Commission expires on January 16th
1936.