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- C O P Y -

Prestonsburg, Kentucky,
August 12", 1924.

Hon. Ed C. O'Rear,
Frankfort, Ky.

Dear Judge: Slone &c vs. Elk Horn Coal Corporation:

Pursuant to my promise in the above matter I will give you the actual facts in it as I understand them from the record.

In September, 1870, Joshua Tackett was the owner of a large boundary of land on the head of Clear Creek including the boundary described in the petition in this case. The tract described in the petition being approximately half of it. Tackett sold this land to Wright Slone by deed of conveyance executed on September 27", 1870, and recorded in Deed Book "I", page 62, Floyd County. Tackett did not have a deed for it, but had a Title Bond from the previous owners. Later Slone procured the legal title from the persons who had executed the Title Bond. This is unimportant, however, except as a part of the history of the tract.

Wright Slone had a brother, Harvey Slone, who died sometime after this deed to Wright Slone leaving three children, a daughter, Louanna and two sons, K. F. Slone and Hiram Slone.

Harvey Slone seems to have lived on this land.

On November 25", 1887, Wright Slone executed a deed to Kenas Slone and Hiram Slone for all the coal, minerals, oil and gas and the customary mining privileges in this entire boundary of land. This deed was recorded in Deed Book "U", page 358, Floyd County Records.

On December 8", 1887, by deed recorded in Deed Book "N", page 329, Wright Slone executed a deed to K. F. Slone for the fee simple title in the upper half of the large tract. This is substantially the land owned by the Blue Beaver Elkhorn Fuel Company at the present time, although a little of it is on the boundary now owned by the Elk Horn Coal Corporation. It has a \$250.00 vendor's lien reserved in the deed.

On the 9th day of February, 1889, Wright Slone conveyed to Hiram Slone approximately the lower half of this large tract by deed recorded in Deed Book "T", page 511, Floyd County Records, reserving a lien of \$250.00 for purchase money. This is the tract that is in controversy in your case, the minerals now being owned by the Elk Horn Coal Corporation.