

GEORGIA, FULTON COUNTY.

I Charles W. Kirby, of said State and County, being of sound and disposing mind and memory do hereby make this, my last Will and Testament, Revoking and all others that I have heretofore made.

1st. I desire and direct, that all my Just debts be paid, with out unnecessary delay, by my Executor hereafter named and appointed.

2nd. I give and bequeath to my dear and beloved, 2 Daughters, Mary Darby Smith, and Mary Davis Davis, and also Mrs. C.W. Kirby my wife One third each of all my personal, real money, or effects, left after all my debts and expense are paid.

3rd. It is my will and desire that a suitable Stone, be placed on my Grave to mark my last resting place in this world, and I further desire that no one be allowed to bury on my lot at cemetery except my own blood and wife.

4th. And I hereby constitute and appoint my dear and only brother John J. Kirby, now residing at Douglasville, Ga. my sole Executor of this my last will and Testament.

And I expressly confer upon him Power, as such Executor to administer my Estate both real and personal according to the terms of this will, charging him and relieving him from making and Bond, or making inventory, or appraisement, and I expressly relieve him from making any return to the Court of Ordinary, or doing anything that will cause unnecessary expense to my said Estate, and I leave the management and disbursement to the good judgment of my said Executor as ample as I myself were living, and personally managing and directing the premises.

C.W. Kirby.

Declared, published, signed and sealed, by Charles W. Kirby, as his last Will and Testament in the presence of the undersigned, as Witnesses to Charles W. Kirby first signing in our presence and so then at his special instance and request signing in his presence, and in the

presence of each other.

This the 20th. day of December, 1903.

W.H. Emerson, (H.S.)

C.H. Turner (H.S.)

J.E. Turner, W.P. (H.S.)

Fulton, Co. Ga.

STATE OF GEORGIA, DOUGLAS COUNTY.

TO BE IT:

I do solemnly swear that this writing contains the true last will of the within named Charles W. Kirby deceased, so far as I know or believe and that I will well and truly execute the same in accordance with the laws of this State. So help me God.

John J. Kirby.

Sworn to and subscribed before me This April 6th, 1904.

J.H. McLeary.

Ordinary.

oath recorded on Minutes, Page 364.

J.H. McLeary, Ordinary.