

Georgia I, Cornelius W. Callaghan being of Cobb County sound and disposing mind and memory do make this my last will and testament, hereby revoking all wills heretofore made by me.

Item 1st I desire my body after death to be decently buried at the settlement burial ground in Gordon County Ga near Lily Pond post office in the same lot where my father, mother & brother are buried and my soul I commend to the God who gave it.

Item 2nd - I desire all debts against me or my estate to be paid by my executor first in the order of priority established by law out of the assets of my estate. (I attach a list to this will as a memorandum marked exhibit "A" which are of force now March 13th 1891 against me & I owe something beside if memorandum "A" gets lost the total amount on it is \$119.75.

Item 3rd - After the debts are paid as in Item 2nd above I desire that out of the remainder of my estate my executor purchase plain Marble head and foot stones and have them placed at the graves of my father, mother, brother & my own when ready in the settlement grave yard, in Gordon County as stated in Item 1st and also that the graves be enclosed by a fence so as to protect them. I don't want the head and foot stones for each grave to cost more than \$5.00 & I prefer for an Iron fence to be placed around the graves, but if in the opinion of the executor there is not enough money for this and to carry out my other purposes he can use cheaper material for the fencing.

Item 4th I have now a gold watch that is nearly new and that cost me \$60.00 I give this to my Aunt Mary Pearson who now lives in Gordon County Ga. Provided that my executor if he needs it to pay debts or fit up graves may be using it.

sole Judge, demand of \$2.00 for these purposes before assenting to or executing this bequest.

Item 5th I give and bequeath the balance of my property to my Aunt Maggie Jennings who so faithfully waited on me when I was sick in Marietta Ga on or about March 13th 1891.

Item 6th I nominate J. A. Coley as my executor to execute this will without bond or security and to sell any property of my estate that it may be necessary to sell at private or public sale as he thinks best without any order of the Ordinary having jurisdiction of him. I do not wish any appraisement of my estate to be had, but if my executor wishes to have an inventory and appraisement to be had he can do so in his discretion. - I desire him to make only one return (unless heirs and legatees or a majority of them request him in writing to do so, that is to make a return each year) The one return referred to is to be after he has executed this will and is ready to apply for letters of dismission.

In testimony whereof I have hereto set my hand this March 13th 1891.

Cornelius W. Callaghan
Signed and published by Cornelius W. Callaghan as his last will and testament in our presence, as witnesses hereto by his request this March 13th 1891 we signing as witnesses in his presence and in the presence of each other

J. Y. Alexander U.P. 20 3/3

W. R. Lyon
H. S. Cheney

Filed in office May 5th 1891

H. H. Black

Ordinary

Exhibit "A"

Subscribed of C. W. Callaghan

D. C. Jacob Bradley Adairville Ga.

Thos. Johnson

\$50.00

35.00

T. J. Kelliam Blue Ridge "

15.00

Mrs C. A. Havett Way Cross "

10.00

\$119.75

In re Mary Ann Pearson: Application for Probate of Will of C. W. Callaghan, Common form In Gordon, Court of Ordinary.

Interrogatories to be exhibited to O. S. Chauey a material witness on the part of propounder, and who does not reside in Gordon County, but does reside in the County of Cobb State of Georgia.

Intg 1st Did you know C. W. Callaghan in his lifetime?

Intg 2nd Please examine the attached written instrument and state if you saw Cornelius W. Callaghan sign and publish the same as his last will and testament.

Intg 3rd Did you subscribe said paper as a witness of its due execution? If so at whose instance and request? Was it at instance and request of the said Cornelius W. Callaghan the testator? And did you sign same in his presence?

Intg 4th Did you see W. R. Lyon and J. Y. Alexander W. P. & of J. P. subscribe said paper as witnesses to the execution thereof and did they with you see said Cornelius W. Callaghan sign and publish said attached paper as his last will and testament, And did they sign or subscribe same as witnesses in his presence at his special instance and request?

Intg 5th Did said Cornelius W. Callaghan sign said paper freely and voluntarily and was he at the time of the signing of the same of sound and disposing mind and memory.

O. P. Rankin
Atty for Propounder

Commissioners for Interrogatories
State of Georgia Gordon County
By his Honor W. H. Black

Judge of the Court of Ordinary for the
County and State aforesaid

To J. Y. Alexander W. P. & J. P. W. S. Neal
Whereas Mary Ann Pearson has propounded
for Probate in said Court of Ordinary the
last will and testament of Cornelius W.
Callaghan And whereas W. T. Cheney a
resident of the County of Cobb said State,
material witness to prove said will in said
suit, and cannot attend our said Court
in person without manifest inconvenience
Now know ye that we reposing special
trust and confidence in your prudence and
fidelity have appointed you and you, or
any two or more of you are hereby
authorized and required to cause said
witness personally to come before you and
after being duly sworn to examine him
concerning the said suit, agreeably to the
interrogatories herunto annexed and the
answer to the same being plainly and
distinctly written, you are to send the
same, closed up under your hands and
seals to our said Court of Ordinary to be
held on the first Monday in August next
together with this Writ.

Witness the Honorable W. H. Black Judge
of said Court of Ordinary the 20th day of
July 1891

W. H. Black

Ordinary & Ex officio Clerk

In re Mary Ann Pearson

Application for Probate of Will of C. W.
Callaghan Common form. In Gordon Court
of Ordinary.

State of Georgia } By virtue of a Commission
County of Cobb } from the Honorable Court
of Ordinary of Gordon
County Georgia to us directed, we have
caused W. S. Cheney the witness in said
Commission named to come before us
and being duly sworn have advised to

make to the undersigned said Commission
 annexed deposes and answers as follows.

To the first Interrogatory he answers - Yes
 " " second " " " " " " I have
 examined the annexed will and identify it as
 the one I saw C. M. Callaghan sign and
 publish as his last will and testament.

To the 3rd He answers - I subscribed said paper
 as a witness to its due execution, at the
 instance and request of C. M. Callaghan and
 in his presence.

To the 4th He answers: I saw Mr. B. Lyon and
 J. Y. Alexander U.P. & Ex of J.P. subscribe said
 paper as witnesses to the execution thereof
 and they saw Cornelius M. Callaghan sign &
 publish the attached paper as his last will
 and testament and they signed and subscribed
 same as witnesses in his presence and at
 his special instance and request.

To the 5th he answers. Cornelius M. Callaghan
 signed said paper freely and voluntarily
 and was at the time of the signing of
 the same of sound mind and disposing mind
 and memory.

W. S. Cheney

Answered, sworn to and subscribed before
 me this 24th day of July 1891

J. Y. Alexander U.P. & Ex Commissioner of
 W. S. Neale " " " " " "

Recorded this January 1st 1892.

W. H. Black

Notary.