

## The Last Will & Testament of David Garrigus

In the name of God Amen. I, David Garrigus, of Butler County and State of Ohio being weak in body but of perfect [1 word crossed out] mind and memory blessed be God for the same; calling to mind the uncertainty of life and knowing it is appointed for all men once to die and touching the worldly estate wherewith it hath pleased God to bless me with in this life. I hereby dispose in the following manner that is to say, But first and foremost I recommend my soul into the hands of Almighty God that gave it, and my body to the grave to be buried in a plain decent manner at the discretion of my Executors hereafter named, Item. I will and bequeath to my son Jephtha Garrigus the sum of one thousand dollars, five hundred dollars there to be paid in one year after the taking effect of this Will, and five hundred dollars there to be paid three years after the taking effect of this Will. Item. I will and bequeath to my Grand Daughter Abigail Garrigus the sum of twenty-five dollars. Item. I will and bequeath to my Grand Daughter Mary Garrigus the sum of twenty-five dollars. Item. I will and bequeath to my Grand Daughter Sally Terry Garrigus the sum of twenty-five dollars the same Grand Children being the children of my Son Jephtha Garrigus and their said legacies to be paid to them as they arrive at the age of eighteen years respectively. Item. I will and bequeath to my grandson Solomon Garrigus the sum of fifty dollars. Item. I will and bequeath to my Grandson Stephen Garrigus the sum of fifty dollars. Item. I will and bequeath to my Grandson John M. Garrigus the sum of fifty dollars to be laid out to his education and fifty dollars in cash. Item. I will and bequeath unto my Grandson Charles Garrigus the sum of fifty dollars. The same Grandchildren being the children of my son Jephtha Garrigus and their legacies to be paid to them as they respectively arrive to the age of twenty one years. Item. I will and bequeath unto my Son David Garrigus the whole use of the principle and interest of about five hundred dollars which he owes me during his natural life. Item. I will and bequeath unto my Son Silas Garrigus fifty acres of land in the section I now live in, provided him the [sic] Silas moves to this county within ten years from the taking effect of this will. Item. I will and bequeath to the heirs of my daughter Hannah Ayres the sum of five hundred dollars to be equally divided between them when they respectively arrive of full age. Item. I will and bequeath unto my grandson Alfred Clark the sum of one hundred dollars when he arrives to the age of twenty-one years. Item. I will and bequeath to my Son Jacob Garrigus the sum of fifty acres of land in the section I now live on. Item. I will and bequeath unto my Son Abner Garrigus fifty acres of land in the section of land I now live on. Item. I will and bequeath to my son Timothy Garrigus the quantity of fifty acres of land in the section of land I now live on. Item. I will and bequeath to my Daughter Mary Garrigus forty acres of land in the section I now live on. The division of land as aforesaid to be made by Jephtha Garrigus, James Heaton, and Hugh Wilson or the survivors of them. It is my will, order and desire that after a settlement and payments of my debts be made that if there remains on hand any monies over and above the several legacies before mentioned that the some be divided between any several legatees before mentioned in proportion to the several legacies before mentioned, to wit, those whose legacy is in money to have their dividend of overplus out of the overplus arising out of the debts and money coming to the estate; and those whose legacy is in land, to thave their overplus dividend out of the monies arising from the sale of the overplus land. Item. I will and bequeath to my Grand

Daughter Jane Garrigus, daughter of my son Jeptha, the sum of twenty-five dollars on the same principle as her sister aforesaid. And it is my will and order that from the monies arising from the sale of my personal property wehresoever, that a dividend be made agreeable to the foregoing and first mentioned plan. I nominate and appoint Jeptha Garrigus and James Heaton and Hugh Wilson my true and lawful Executors to carry into effect this my Last Will and Testament revoking all others. In testimony whereof I have set my hand and seal November the sixth eighteen hundred and twelve.

Signed, sealed, published, pronounced      David Garrigus {Seal}

And delivered by the said David Garrigus as his last Will and Testament who at his request and in his presence have subscribed our names as witnesses to the same ~

Joseph Potter  
William Wallace

I the within named Hugh Wilson do renounce the probate of the within written last will and testament given under my hand the 16th day of October 1815 ~ Hugh Wilson

The State of Ohio Butler County

Be it remembered that at a Special Court of common pleas of the county of Butler aforesaid holden at Hamilton in the said County of Butler on the sixteenth day of October one thousand eight hundred and fifteen before Ezekiel Ball, Daniel Milliken, and Robert Lytle Esquires Associates Judges of our said Court of Common Pleas the within written last Will and Testament of the within named David Garrigus now deceased being presented by Jeptha Garrigus and James Heaton two of the Executors therein named, and proved by Joseph Potter and William Wallace the two subscribing witnesses thereto, who on their solemn oaths do depose and say and each of them for himself deposeth and saith that in the presence of them the said Joseph Potter and William Wallace the said David Garrigus the Testator signed and acknowledged the within written Last Will and Testament as and for his Last Will and Testament, and that at the time of the signing and acknowledging of the same that the said David Garrigus was of sound mind, memory and Judgement. Whereupon it is Ordered that the same be rendered ~

By the Court ~

Source: The Genealogy of a Garrigues Family, Electronic Library, online (<http://www.garrigus-family.com>), Robert Garrigus, [rgarrigus@hotmail.com](mailto:rgarrigus@hotmail.com) (9579 Sea Shadow, Columbia, MD 21046), downloaded (add date). Mr. Garrigus further cites: David Garrigus' will (November 6, 1812), Butler County Will Record Book 1: 106, 107, 109, County Clerk's office, Hamilton, Butler County, OH, this transcription is taken from photocopies graciously provided by family researcher Darlene Sadler in October 2002. The record in the Butler County Will Book shows that the Will was signed on November 6, 1812 and that it was probated on October 16, 1815