

Will of James Marrs, Decd

I, James Marrs, of Boyle County, Kentucky, being in feeble health, but of sound ~~and disposing~~ mind and memory, do make this to be my last will and Testament, hereby revoking all wills heretofore made by me.

1st I desire all my just debts to be paid out of any estate I may have at the time of my death.

2d I am indebted to Thomas Cotton in the sum of Two Hundred Dollars, to be paid on the 25th day of December, 1858, and in the further sum of Two Hundred Dollars, to be paid on the 25th day of December, 1859, and if my son James R. Marrs shall pay said debt to Cotton, then I give and bequeath to him, in consideration of the payment thereof, my Negro Woman Charity, subject to the estate hereinafter given to my wife Nancy Marrs, in said Negro Woman, during the life of my wife.

3d In the event my son James R. Marrs should die before arriving at the age of 21 years, then I desire my daughter Nancy to have said Negro Woman Charity, she accounting to and paying each one of my legatees, except my wife, a sum equal to their interest in said Charity, said Negro Woman to be valued at Two Hundred Dollars, if she should remain sound and healthy, but at less, if she is not worth so much, but in no event at more; and the other legatees to be paid their portions of her value after my daughter Nancy should come into possession of her.

4th I give and bequeath to my beloved wife Nancy Marrs, during her life, the house and lot in which we now reside in Danville Kentucky, bought of Thomas Cotton, and my Negro Woman Charity being all the estate I own.

5th After the death of my wife, Nancy Marrs, I wish the house and lot given to her for life to be sold, and out of the proceeds I wish first, a sum to be paid to my son James R. Marrs equal to the interest on Two Hundred Dollars, if he shall pay that amount to Cotton, the interest to be calculated from the 25th day of December, 1859, until the death of my wife, at which time my said son James R. is to come into possession of the Negro Woman Charity, heretofore given him. I then wish Eighty Dollars each to be paid to my son James R. and my daughter Nancy Marrs, having heretofore given to each of my other children property and ~~money~~ ^{equal} in value to that amount, the remainder arising from the sale of said house and lot, I then desire to be equally divided amongst the following persons - to-wit: My daughter Mary Ellen, wife of Paul J. Doneghy; my daughter Jane Depeau, wife of John Depeau; my daughter Ophelia Zimmerman, wife of James Zimmerman; my son John R. Marrs; my daughter Nancy Marrs, my son James R. Marrs, and my grandson

George Doneghy.

I hereby appoint my wife Nancy Marrs, and my son, James R. Marrs, Executors of this my last will and Testament and request the Judge of the Boyle County Court to permit either or both of them, to qualify without giving security; and that whether my son James R. shall have arrived at the age of 21 year or not, at the time of admitting this my will to records.

In testimony of which, I have herewith set my hand and seal, this the 23d day of July, 1858

James Marrs ~~Decd~~

Attest:

N. J. Moore }
John Cowan }

State of Kentucky

Boyle County Court - called Term - 1858 - (August)

I, James G. Zimmerman, clerk of the County Court for the County aforesaid, do certify that the foregoing instrument of writing, purporting to be the last will and Testament of James Marrs, deceased, was produced at the above Term of this Court, and duly proved by the oaths of John Cowan and N. J. Moore the subscribing witnesses thereto, and the same was adjudged by the Court to be the last will and Testament of said James Marrs, deceased, and as such ordered to records. Whereupon the same, together with this Certificate hath been truly recorded in my office. Given under my hand, this 26th day of August, 1858

James G. Zimmerman
clerk of the Court.