

David Bolton's will

The State of Tennessee
Washington County
I David Bolton a citizen of Washington County in said State, being of sound mind and disposing memory, and knowing the certainty of death, and desiring to make disposition of my property after death, do make and publish this my last will and Testament, hereby revoking any and all wills heretofore made by me at any time.

Item First It is my will that my Executors hereinafter named, as soon after my decease as practicable, pay any debts I may owe out of the personal property of my estate.

Item Second I will devise and bequeath unto my child Joseph Bolton, and my daughter-in-law Sarah Phina Bolton, all my lands in said County, now owned by me, and now known and called the David Bolton farm, or little Limestone. during the natural life of said Joseph, and the said Sarah Phina, and in case either of them should die, then I will devise and bequeath said farm and lands before named to the survivor, during life, and it is my will, and I do devise and will that after the death of said survivor that my Executors, do then sell my lands, on such terms as they may think best, and the proceeds of said lands divide among my grand children, who are the children of said Joseph and said Sarah Phina, to wit: David A Bolton, John H Bolton, Elbert W Bolton, Henry W Bolton Susan Caroline Bolton, and Alice Bolton, who are now in life, and to any children of said Joseph, and said Sarah Phina, who may be born hereafter of said marriage to share and share alike, except as I hereinafter will and devise.

Item Third I will and bequeath unto my grand child, Henry W Bolton in addition to what I have devised to him in Item two, of this will, five Hundred Dollars, to be paid to him out of the personal property of my estate, and if there is not a sufficiency of personal property of my estate after my decease to pay said five Hundred Dollars, then it is my desire, and I will that he be paid out of the proceeds of the sale of my lands before the distribution shall be made in Item two, of this my will. said sum of five Hundred Dollars, I make this distinction among my grand children, because said Henry W Bolton is afflicted and will in all probability during life be an invalid.

Item Fourth I devise, will and bequeath all of my personal property, except as hereinbefore willed and devised unto my son Joseph Bolton, and my daughter-in-law Sarah Phina Bolton to be by them owned and used in common, to be disposed of, and sold or ex-

David Bolton's will continued

changed by the written consent of both the said Joseph, and the said Sarah Phina Item Fifth. I make constitute and appoint my two grand sons David A Bolton and John Bolton, Executors of this my last will and Testament. And it is my will that they be not required to give Bond and security for the execution of this will when it shall be probated, I having all confidence in them that they will act honestly and justly in the management of my estate, and in making distribution and division of my estate among their Brothers and Sisters. But if neither of them should qualify, and act as my Executors, and any other than one of my said Grand Children should act as my Executor, then in that case it is my will that my Executors give Bond and security, as the Statute require.

Item Sixth If any of my grand Children should die without children it is my desire and I do will that the share of such deceased Grand Child, shall be paid over by my Executors to my Grand Children who may survive, and if any one of my said grand Children should die leaving children, then the share of said Grand Children shall go to the children of said decedent.

Signed and sealed in the presence of us, who subscribed our names in the presence of the testator and in the presence of each other, and we subscribed our names as subscribing witnesses and at the request of the Testator This January 7th 1870.

E D Willott.
Allen Stout.

David Bolton (Seal)

The foregoing will was presented to the Court for probate at the June term 1870 and proven by the oath of Allen Stout one of the subscribing witnesses, and the signature of E. D. Willott the other subscribing witness, and also the signature of David Bolton the maker of, said will. was duly proven in open Court by the oath of G. W. Safford Esqr. and the Court being satisfied with the probate Ordered the will to be recorded.

J. H. Grisham

(Seal)