

## Will of Joseph Bottenfield

| Name in Record       | Reason for Being in Record   | Date of Record |
|----------------------|--|----------------|
| Joseph Bottenfield   | Of Montgomery Co., Ohio; about 70 years old; makes last will       | Oct. 27, 1884  |
| Susan Iams           | Relation not stated; inherits 1000.00                              |                |
| Jacob Iams           | Relation not stated; inherits 1000.00                              |                |
| Ellen Iams           | Relation not stated; inherits 1000.00                              |                |
| Inez Iams            | Relation not stated; inherits 1000.00                              |                |
| Alfred Iams          | Relation not stated; released of indebtedness                      |                |
| Samuel Bottenfield   | Nephew; shares balance of estate                                   |                |
| Samuel Bottenfield   | Nephew; appointed guardian of sister's children                    |                |
| Mrs. John Dell       | Deceased niece   |                |
| John Dell            | Husband of deceased niece  |                |
| Samuel Bottenfield   | Nephew; appointed executor of will of Joseph Bottenfield           |                |
| Alfred Iams          | Friend; appointed executor of will of Joseph Bottenfield           |                |
| Alfred Iams          | Of Dayton, Ohio; witnessed Joseph Bottenfield making his last will |                |
| Oliver Iams          | Of Dayton, Ohio; witnessed Joseph Bottenfield making his last will |                |
| William T. Alexander | Witnessed Joseph Bottenfield making his last will                  |                |
| William T. Alexander | Subscribing witness; oath of death & validity of will              | Nov. 5, 1884   |
| Oliver Iams          | Subscribing witness; oath of death & validity of will              |                |
| W. D. McKenny        | Probate Judge of Montgomery Co., Ohio; application to admit will   | Nov. 5, 1884   |
| Wm. D. McKenny       | Probate Judge of Montgomery Co., Ohio; will admitted to probate    | Nov. 18, 1884  |
| Wm. D. McKenny       | Probate Judge; oath of true copy of will                           | Nov. 18, 1884  |
| Wm. D. McKenny       | Probate Judge; oath of being clerk at time of admitting will       | March 1, 1887  |
| John H. Lenhart      | Clerk of Adams Co., Indiana; copy of will admitted to record       | Feb. 8, 1895   |

#520

Joseph Bottlenfield's Will.  
In the Matter of the Will of Probate Court  
Joseph Bottlenfield deceased of Harrison County, O.  
Dayton O. Nov. 5<sup>th</sup> A.D. 1884.

This day an instrument of writing purporting to be the last Will and Testament of Joseph Bottlenfield late of Harrison Township in this County deceased was produced in open Court for Probate. It is now ordered that the said Will be filed in this Court and that due notice thereof and of the application to admit the same to Probate and Records be given to the next of kin of the Testator resident of the state of Ohio one day prior thereto. That said application will be for hearing before this Court on the 10<sup>th</sup> day of November A.D. 1884 at 2 o'clock P.M.

W. B. McKenney  
Probate Judge

And afterwards to wit: on the 10<sup>th</sup> day of November A.D. 1884 the findings and orders of this Court relative to the last Will and Testament of Joseph Bottlenfield deceased were entered on the Journal in words and figures following to wit:

In the matter of the last Will of } November 10<sup>th</sup> A.D. 1884  
Joseph Bottlenfield deceased }

Be it remembered that heretofore to wit on the 5<sup>th</sup> day of November A.D. 1884 an instrument of writing purporting to be the last Will and Testament of Joseph Bottlenfield late of Harrison Township in this County deceased was produced in open Court for Probate and was then filed. And now it being shown to the satisfaction of the Court that due notice of the filing of said Will and of the application to admit the same to Probate and record in this Court has been given to the next of kin of the testator, pursuant to a former order of this Court thereupon on this day came William F. Alexander and Oliver Adams two of the subscribing witnesses to said Will who being duly qualified, testified to the due execution and attestation of said Will, which testimony was reduced to writing and by them signed and filed with said Will. A further hearing upon the application to admit said Will to Probate is continued until the 15<sup>th</sup> day of

November 18th at 3 O'clock P.M. and afterwards to wit.  
 on the 18<sup>th</sup> day of November 1854. This came on to be  
 further heard upon the application to admit said to  
 Probate the said Alfred James one of the Subscribing witnesses  
 to said Will was not produced and sworn as a witness  
 because he claimed to be a deceased under said Will.  
 Whereupon the Court finds that the aforesaid instrument of  
 writing is the last will and Testament of said Joseph Butterfield  
 deceased that the same was duly executed and attested that  
 the said Testator at the time of signing the same was of  
 lawful age of sound and disposing mind and  
 memory and under no undue or unlawful restraint  
 whatsoever. It is therefore by the Court ordered that the  
 same be admitted to Probate and that the same together with  
 the testimony of the witnesses above named be entered of  
 Record in this Court.  
 Wm B McHenry  
 Probate Judge.

In the name of the beloved Father of all men  
 I, Joseph Butterfield, of the Township of Harrison, County of  
 Montgomery and State of Ohio, being about seventy years  
 of age and being of sound and disposing mind and  
 memory, do, make, Publish and declare this my last Will  
 and Testament, hereby revoking and striking null and void  
 all other last wills and Testaments by me made heretofore.  
 First: My will is that all my just debts and funeral  
 expenses shall be paid out of my estate, as soon after my  
 decease as shall be found convenient;  
 Second: I give, devise and bequeath to Susan James  
 the Sum of one Thousand dollars (\$1000) to be paid out of  
 my estate, and also I bequeath to Jacob S James (500) dollars  
 and Ellen James I bequeath (500) dollars. I bequeath to  
 Lucy James one thousand (1000) dollars to be paid out of  
 my estate. I also release Alfred James all indebtedness  
 I hold against him. I hereby authorize my Executors  
 hereinafter named to execute said sums of money  
 for the use and benefit of the persons heretofore named in  
 my Will.

Item 3<sup>rd</sup>, I give and bequeath to my Nephew Samuel  
 Butterfield and the Children of my niece now deceased  
 was married to John Bell, but now dead, living in

Pennsylvania Plain be all of the balance of my entire  
 estate personal and real. I may the seized of. I appointed  
 my nephew Samuel Butterfield as guardian of the children  
 of his sister deceased who was married to John Bell. I hereby  
 authorize my executors to sell at public or private sale my  
 or all real estate I may be seized of, and to execute debt  
 or conveyance therefore to the purchase thereof.  
 I do hereby nominate and appoint my  
 nephew Samuel Butterfield and my friend Alfred James  
 my Executors of this my last Will and Testament, author-  
 izing and empowering them to do all valid acts and  
 so bond requisite of my said Executors.

In Testimony whereof I have set my hand to this my last  
 Will and Testament at Harrison Township this 27<sup>th</sup> day  
 of October in the year of our Lord one thousand eight  
 hundred and eighty four  
 Joseph Butterfield

The foregoing instrument was signed by the said  
 Joseph Butterfield in our presence and by him published  
 and declared as such for his last Will and Testament  
 and at his request and in our presence and in  
 the presence of each other we hereunto subscribe our names  
 as witnesses at his residence this 27<sup>th</sup> day of October  
 A.D. 1854.

Alfred James, residence at Dayton O.  
 Oliver S James resides at Dayton Ohio  
 Wm S Alexander,

Testimony

The Subscribing witnesses to said Will, after being duly  
 sworn to speak the truth, the whole truth and nothing but  
 the truth, in relation to the execution of said Will  
 testified thereto in open Court, which testimony was  
 reduced to writing, and by me respectively Subscribed, and  
 is in words and figures following to wit:

The State of Ohio }  
 Montgomery County } ss: Probate Court

Personally appeared in open Court Oliver S James  
 and William S Alexander, two of the Subscribing witnesses  
 to the last Will and Testament of Joseph Butterfield deceased  
 who being duly sworn according to law to speak the truth  
 the whole truth, and nothing but the truth, in relation



to the execution of said will, before and say, that the paper before them purporting to be the last Will and Testament of Joseph Battenfield now deceased is the will of said deceased, that they were present at the making of said Will, and at the request of the Testator subscribed their names to the same, and in his presence and in the presence of each other, that they saw the said Joseph Battenfield deceased sign and seal said Will and heard him acknowledge the same to be his last Will and Testament. That the said Joseph Battenfield at the time of making, signing and sealing said Will, was of legal age and of sound and disposing mind and memory, and under no undue or unlawful restraint whatsoever as they truly believe.

Wm. J. Alexander  
 Oliver C. Darrow.

Subscribed in open Court, this 5th day of November A. D. 1884.

Wm. D. McKenny, Probate Judge

The State of Ohio, Montgomery County ss.  
 I, Wm. D. McKenny, Judge of the Probate Court within and for said County, hereby certify the foregoing to be a true copy of the last Will and Testament of Joseph Battenfield deceased, as the same remains on file and record in said Court together with the entry of Probate thereof and the testimony of Witnesses to prove the same, as recorded in record of Wills Vol. M, page 14.  
 Witness my official Signature and the seal of said Court at Dayton this 15<sup>th</sup> day of November A. D. 1884

Wm. D. McKenny Probate Judge

The State of Ohio, Montgomery County ss.  
 I, Wm. D. McKenny, Sole Judge of the Probate Court within and for said County of Montgomery, the same being a Court of law and Record in and for said County of Montgomery, do hereby certify that Wm. D. McKenny, is Clerk & Officer of said Court, and was such Clerk at the time of making and subscribing the foregoing Certificate, and that the attestations of said Clerk in the form of law and by the proper Officer, his testimony whereof I have herewith subscribed my name and affixed the seal of said Court, at Dayton

Wm. D. McKenny Judge of the Probate Court of Montgomery County Ohio.

The State of Ohio, Montgomery County ss.  
 I, Wm. D. McKenny, Esq. Officer, Clerk of the Probate Court within and for said County of Montgomery, do hereby certify that Wm. D. McKenny whose name is subscribed to the foregoing Certificate was at the time of subscribing the same, Sole Judge of the Probate Court within and for the said County of Montgomery in the State of Ohio, duly commissioned and qualified, and that full faith and credit are due to all his official acts as such.

His Testimony whereof I have the Ex-Officio Clerk of record, have herewith set my hand and affixed the seal of said Court, at Dayton in the said County, this 15<sup>th</sup> day of March 1887.

Wm. D.

Wm. D. McKenny, Esq. Officer, Clerk and Judge of the Probate Court of Montgomery County, Ohio.

Be it remembered that on the 5<sup>th</sup> day of February 1885, the same being the 17<sup>th</sup> judicial day of the January Term 1885 of the Adams Circuit Court Honorable Daniel S. Heller Sole Judge of said Court Reciting the following proceedings were had in relation to the Will of Joseph Battenfield deceased and entered of record in said Court to wit:

Census now John H. Leubach and submits to the court a copy of the last Will and Testament of Joseph Battenfield late of Montgomery County, in the State of Ohio, deceased together with the certificate of Probate thereof before the Probate Court of said Montgomery County Ohio, all duly authenticated and asks the court to admit the same to record in this court and the Court having examined said copy of said will and certificate of Probate together with the authentication thereof, and being satisfied that said instrument might to be allowed as the last Will of said Deceased it is therefore ordered and affixed by the Court that the said copy of said will of Joseph Battenfield, and the certificate of Probate thereof be by the Clerk of this Court filed and entered of record in this Court which is so done this day.

State of Indiana County of Adams ss. I, John Shankart Clerk of the Adams Circuit Court do hereby certify the foregoing to be a true copy of the record of the proceedings to admit to Probate Record the copy of the last Will of Joseph Battenfield deceased, on the day and year above written, as the same remains of record in my office, Witness my name this 5<sup>th</sup> day of February 1885.  
 John H. Leubach Clerk  
 Adams Circuit Court