

**From:** RL Samuel RL3@samuell.com

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Elbert county **Will Book K page 83** with returns on **page 228-231**" and the following **abstract**, the body of which is widely attested to and accurate I think:

"**James Freeman** of Franklin co.

To **John Simmons** 350 acres of land on which he now lives.

To **Holeman Simmons 260 acres on Freeman's creek.**

To **William and James Wheeler**, 250 acres on north fork of Broad river.

To **James Pressel**, 250 acres remainder of said tract.

To **Wiot Cleveland** 120 acres on Freeman's creek.

To **James Simmons** 200 acres in Elbert Co., at the mouth of Coldwater creek.

Slaves to be sold and money divided amongst **my four sisters, Temperance Cleveland, Mary Wheeler, Susannah Pressel and Ann Simmons**, also 450 acres in Abbeville Co., SC.

**John Simmons** and **Robt. Barnwell**, Excrs.

Signed Oct. 21, 1810. Probated May 2, 1814.

E. L. Thomas, Joseph

Dobbins, Berry Page, Test."

I called the Elbert county probate clerk's office and she confirmed the reference and that they do have the record of this will. If after further searching I cannot find my copy, I will obtain another copy of the will which I will put up on my web-site and give you the link.

This will is an important document because it **appears to essentially contradict Junius Hillyer's** recollection that **John Simmon's wife Ann Freeman** was Junius' mother's aunt. **Ann's brother James (of this will) could not possibly be the "Uncle Jimmy" whom Hillyer remembered meeting in 1815**, whose wife was Roda and who died in 1819 since **Ann's brother James Freeman died in 1814 according to probate records!** Hillyer's "Uncle Jimmy" was the James Freeman who was proven to be a descendant of Holman by DNA evidence which I cited in my GenForum article. According to a descendant with whom I corresponded, this James married Roda Watson, they had 7 children and he died in 1819-- this matches Hillyer's recollections.

If Ann was the daughter of Holman Sr's brother John as I think the evidence persuades, then perhaps some folks in those days may have called such a first-cousin "aunt" which explains the discrepancy and removes the contradiction.

ann freeman born 1761, John born 1717 m 1785 to Catherine Carlton  
lots of assumption for that conclusion. John Simmons 1712-abt1800, his son James and/or grandchildren could be referred to in this document.

Actually the will does sound a lot like Hillyer's Uncle Jimmy..

will was written in 1810, this Holman F Simmons was about TWELVE years old.

brother William Freeman will of July 1796 names Miss Ann Freeman (M John Simmons before 1797)

If we could get a look at the original record book, there are a couple of ways we might see a little more. First hope would be that this "abstract" deleted relationships for the male names---probably not since he did name sisters, a long shot, but something to hope for.

second would be good to test the probate date to confirm 1814 and not transcribe error on 1819. The other entries and adjoining pages should have several dates for other records, assuming the Will Book K is sequential entries as most seem to be.

from a real quick search of land records I found *“John IVEY purchased the 138 acres mentioned above, in a deed dated 12 February 1799 (recorded 1803). This land was on both sides of Freeman's Creek adjacent CALL, FREEMAN, and CLEVELAND. Witnesses were Mal. JONES, Moses SANDERS. Lott IVEY's deed is dated 7 June 1799 shows his purchase of 200 acres from WIATT (Wyatt) CLEVELAND on Freeman's Creek, waters of the Broad River, adjacent to James FREEMAN. Witnesses were James FREEMAN and Ann WILLIAMS.”*

and also see James Freeman on the Franklin Tax lists from 1800 thru 1811 and as signing a couple of other things - petitions I think, nothing to help us other than showing he was there for quite a while.

The name Pressel might be the same as Charles Purcell who married a daughter of Samuel Freeman (1795-1870) of Richmond Va-- both Purcell and Freeman are big names in early Richmond. Also plenty of the Quaker names in that branch of Freeman, I see a couple of Charitys in 1850 censu and a reference to a sister of a John Freeman who d1814 is labeled “strick Quakeress” in “Old King William Homes and Families” . Maybe a vague connection to the name “Temperance” in the will or at least a hint to look at the Quakers harder than the saloon keepers!