

Mar 2nd

Steve B^d

Mar 21st

11 June 5th

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Wm 8th

at the age of twenty two years do hereby shew my wife during her life and the living of my children die without children or Representation of children then the property designated this will I desire to revert to and become a part of my estate

I Give bequeath and devise to my beloved wife Adeline B. Simmons all the remaining portion of my Estate of any kind and description both Real personal and mixed for and during her natural life subject to the incumbrances that from the bequeath of the same to my minor daughter shall be Educated boarded and clothed and supported in every respect in a manner corresponding with their pecuniary condition subject also to the provisions contained in the 1st story And at her death that the same be divided into four equal parts or into as many parts as I shall have living children or Representation of children And that the said parts or shares shall go to and vest in my hereinafter named Executors or Trustees in trust for my said named children or the Representation of these children for and during the natural life of my said children respectively and for the support of themselves and families and the education of their children free from the debts contracts and obligations of their respective husbands and at their death to be equally divided among their children or representations of their children

Wm 9th

I hereby constitute appoint and ordain and nominate my nephew William Simmons and Brothers in law Hughiah Withers and William B. Withers ^{Executors} and my beloved wife Adeline B. Simmons Executrix of this my last will and testament with full power to execute and carry out the same according to the provisions herein contained and in their discretion to vest money in lands or negroes or both In witness whereof Jesse Simmons have to this my last will and testament consisting of the four pages and this the fifth page I have set my hand and seal this 25th day of September 1858

Jesse Simmons

Signed sealed Published and declared by the above named Jesse Simmons as his last will and testament in the presence of us who at his request in the presence of each other have subscribed our names as witnesses thereto

James P. Madrell
J. L. Branch
E. L. Whiston

Court of Ordinary June Term 1858

Georgia } In Open Court Came James P. Madrell John L. Branch and Edmund Whiston
Plaintiffs } the Subscribing witnesses to the last will and testament of Jesse Simmons late of Polk County
Defendants } deceased who being duly sworn depose and testify that they saw and saw Jesse Simmons sign and publish the same as his last will on the day and year there stated as presented by him that they witnessed the same at his request in his presence and in presence of each other that the same was voluntarily executed by him while he was of sound and disposing mind and memory

J. P. Madrell
J. L. Branch
E. L. Whiston

Georgia } I William B. Withers do solemnly swear that the annexed writing is a true and correct copy of the last will of Jesse Simmons deceased so far as I know or believe that I will well and truly execute the same by paying first the debts and then the legacies contained in said will as far as his goods and chattels will thereunto extend and then the charge on and that I will make a true and perfect inventory of all such goods and chattels to help me God

William B. Withers

Sworn to and Subscribed before me
June 25th A.D. 1858

Stephen A. Burdick Clerk

(1858-1861)

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