

In the name of God Amen  
 I, James Simmons of the county of Newton and  
 State of Georgia, being of sound and disposing  
 mind and memory and being desirous to  
 settle my worldly affairs while I have strength  
 as to do, do make and publish this my last  
 will and testament, hereby revoking all  
 wills by me at any time heretofore made.  
 And first I commit my soul to God who  
 gave it, hoping and trusting in his  
 infinite mercy for salvation and my  
 body I desire to be buried in a decent  
 and christianlike manner And my  
 worldly estate I dispose of as follows:

- First It is my will and desire that all my just  
 debts be paid.
- Second It is my will and desire that my beloved  
 wife Mary L. Simmons shall have and possess  
 my entire estate both real and personal  
 also whatever money may be received from  
 my life insurance policies, both from  
 the Knights of Honor and Legion of Honor,  
 for and during her life.
- Third It is my will that there be no inventory  
 or appraisement of my estate, and my  
 Executive shall not be required to make  
 returns to the Ordinary, but that my wife,  
 the Executive of my will, to sell and invest  
 as may seem best to her, and manage  
 the estate as will add most to her comfort  
 and happiness, with the right to not only  
 all of the Rents, issues and profits, but  
 to encroach upon and use the corpus, if  
 necessary.
- Fourth It is my will and desire that at the death  
 of my wife, that my daughter Alice Lee  
 Simmons shall receive the sum of Five Hundred  
 dollars to make her equal with her brother  
 and then whatever is remaining to be  
 equally divided share and share alike  
 between my two children James P.

and she be thimms  
 I do hereby appoint  
 my last will and testament  
 In witness whereof I the said James P. Simms  
 to this my will, consisting of the five pieces  
 hereinafter have set my hand and  
 seal this the fourteenth day of February 1857.  
 J. P. Simms

signed, sealed, published and declared by  
 the above named James P. Simms as his  
 last will & testament in presence of us  
 who at his request in presence of each other  
 have subscribed our names as witnesses here  
 J. P. Harris  
 E. F. Edwards  
 Jno. B. Davis

Georgia }  
 Newton County } I, Jno. B. Davis do swear that  
 as well as E. F. Edwards and  
 Jno. P. Harris saw the within  
 named J. P. Simms sign and publish the  
 within paper as his last will and testa-  
 ment, that I subscribed the same as a  
 witness thereto at the special instance and  
 request of the said J. P. Simms and in his  
 presence, as did also E. F. Edwards and Jno.  
 P. Harris, that the said J. P. Simms signed  
 the same freely and voluntarily and was  
 at the time of such signing of sound  
 and disposing mind and memory.  
 I swore to & subscribed } Jno. B. Davis  
 before me this 25<sup>th</sup> of  
 June 1857  
 E. F. Edwards  
 Ordinary

Georgia Newton County  
 I Mary Nancy Simms do solemnly swear that  
 the within named James P. Simms last will of  
 as far as I know & believe, and that I  
 will well and truly execute the same in  
 accordance with the laws of this State  
 I help me God  
 I swore to & subscribed }  
 before me July 27<sup>th</sup> 1857 }  
 E. F. Edwards }  
 Ordinary }

Proven in common form of law and  
 admitted to Record July Term 1857 of the  
 Court of Ordinary of Newton County Georgia  
 E. F. Edwards  
 Ordinary  
 Recorded Folio Will Page 261, 262 & 263  
 July 27<sup>th</sup> 1857.  
 E. F. Edwards  
 Ordinary