

Will of S. P. Summers

State of Georgia Fannin County

Last will of Samuel P. Summers resident of said state and county

Item 1st ~~Interesting~~ This will to be a final disposition of my estate, I hereby revoke all wills heretofore made by me

Item 2nd I wish my Executor as soon as possible after my death to pay my debts.

Item 3rd I bequeath to my wife Elizer J. Summers my entire estate which consists entirely of personal property and debts due me which I desire her to keep and use during her natural life and should any be on hand of property I now will to her the remainder to be equally divided among the next of kind of my & her self

Item 4th I hereby constitute and appoint my wife Elizer J. Summers my true and lawful Executor to execute this my last will and testament and authorizing her to sell any of my property that she can spare best either publicly or privately to pay off my just debts.

In testimony where of I have hereunto set my hand and seal this first day of October 1861

Signed sealed delivered and published by Samuel P. Summers as his last will and testament in the presence of his request as witnesses at his request

This 1st day of October 1861

William C. Fain

Wm. D. Legg

Joel H. Legg

Samuel P. Summers

by William C. Fain

Signing at his request

Georgia Fannin County Before me came in open court for the purpose of proving the last will and testament of Samuel P. Summers the witnesses of to said will viz W. C. Fain Wm. D. Legg & Joel H. Legg the will being in court for probate by the executor Elizer J. Summers who has filed a petition for probate of the same that they saw the said Samuel P. Summers requested William C. Fain to sign said will at the special request of the said Samuel P. Summers and that said Summers published the same as his last will and testament and gave them stated as executor by him at the time of the same at his request and in his presence and in the presence of each of them and that the same was voluntarily

Executed by him while he was of sound and disposing mind and memory
 sworn to and subscribed
 January 13th 1862
 James Winicoid Ordinary
 Recorded Feb. 5th 1862 James Winicoid ordinary

William C. Hain
 J. D. Legg
 Joel W. Legg

Bond of Elizer J. Summers

Georgia Fannin County Know all men by these presents that we Elizer J. Summers & Jesse R. Beaver are held and firmly bound unto James Winicoid ordinary & his successors in office in the just and full sum of five hundred dollars for payment of which we bind our selves our heirs executors & assigns jointly & severally signed sealed this thirteenth day of January 1862 The condition of the above bond is such that whereas the said Elizer J. Summers duly appointed and qualified Executor of said deceased has been required by order of this court of ordinary of said county to give security for the faithful performance of her trust now if the said Elizer J. Summers the principal in this bond should faithfully perform all the duty of her trust devolved upon her as Executor of Samuel P. Summers according to law then this above bond to be ~~void~~ null and void also to remain in full force

Signed sealed & acknowledged Elizer J. ^{her} + Summers
 in open Court Jan 13th 1862 ^{mark}
 James Winicoid ordinary J. R. Beavers
 Recorded Feb 5th 1862
 James Winicoid ordinary

Letters Testamentary To Eliza J. Summers

Georgia
 Fannin County By James Winicoid ordinary of said county

Know all whom it may concern that on the second Monday in January 1862 the last will and testament of Samuel P. Summers deceased at the time of his death a resident of said county, was legally proved

at a regular term of said court of Ordinary
 a copy of which is annexed duly certified at which
 time an order was taken to allow Eliza J. Sumner named
 executrix in said will to qualify as such Executrix
 now therefore the said Eliza J. Sumner having taken
 the oath of office and complied with all necessary
 prerequisites of the law said Eliza J. Sumner is legally
 authorized to discharge all the duties of an executrix
 on the will of Samuel P. Sumner to administer the
 property of said deceased which is devised accord-
 ing to the will and the law of the land and said Eliza
 J. Sumner is hereby requested a true and perfect
 inventory and appraisement of all the singular
 the goods chattels rights and credits of said de-
 ceased and make return of the same to the Ordinary
 of Fannin county & further to report Annually to
 the same officer the situation of said Estate her
 doings and doings until her Executorship is fully
 discharged

Given under my hand and official seal
 the 13th day of Jan 1862 James H. McCain Ordinary
 of said county & Ensign of the
 Recorded Feb 5th 1862
 J. H. McCain Ordinary