

**The Will.** That said Will devised the decedent's real estate in Southport, North Carolina, to her sister Beatrice W. Potter. The other brothers and sisters were mentioned in said Will and to each the decedent left \$1.00. All the rest, residue and remainder was bequeathed to decedent's niece Adelaide Potter.

Said Will also named the decedent's sister Beatrice Williams Potter and her niece Adelaide Potter as co-executrices.

Other sisters, nephews, nieces and a grand-nephew and grand-niece who are not mentioned in the Will, are cited.

The petition names two infants. ROBERT A. WILLIAMS AND MARSHA A. WILLIAMS, who are living with their mother FLORENCE WILLIAMS at 205 South Jackson Street, Wilmington, Delaware.

The affidavit of Beatrice Williams Potter dated and duly executed June, 1949, gives the family tree:

A brother Frank Williams predeceased the decedent and left him surviving JAMES A. WILLIAMS AND HUBERT F. WILLIAMS.

HUBERT F. WILLIAMS died on the 6th day of March, 1945, and left him surviving his widow Florence Williams and his two infant children Robert A. Williams and Marsha A. Williams. These infants are respectively grand-nephew and grand-niece of the decedent and my special wards.

The same affidavit is full and explanatory of nieces and nephews who had to be cited to complete this proceeding: Surviving children of predeceased sister.

On July 25th, I also examined the following waivers and consents of:

1. JAMES A. WILLIAMS, nephew of the decedent duly executed in Philadelphia, Pa. on the 9th day of April, 1949.
2. Ruby E. Irving, niece duly executed in Jersey City, N. J. on the 11th day of April, 1949.
3. Mary Moody, niece duly executed in Williamstown, N. J. on the 13th day of April, 1949.
4. George T. Reaves, nephew duly executed in Washington, N. J. on the 9th day of April, 1949.
5. Joseph A. Reaves, nephew duly executed in Denver, Colorado.
6. Melvin W. Reaves, nephew duly executed in Jersey City, N. J. on April 11, 1949.
7. Adelaide Potter, niece duly executed on the 14th day of April 1949, in which she also renounced her appointment as Executrix under the Last Will and Testament, thereby leaving the petitioner Beatrice Williams Potter as sole Executrix.

On the 4th day of August 1949, I was served with a copy of the interrogatories and commission to be submitted to the Surrogate on August 9th, 1949.

Said commission to take testimony of the subscribing witnesses in Southport, North Carolina was granted and on the 11th day of August 1949, I signed my consent to said order as Special Guardian for the infants. At the same time I examined the separate interrogatories that were to be administered to the three subscribing witnesses and signed my consent at the foot of each complete interrogatory.

On August 31st, 1949, I again visited the Probate Clerk and examined the file herein. I read the letter dated August 12th, 1949, addressed to Rachel Todd, Esq. of Southport, North Carolina, by our Chief Clerk of the Surrogate's court, enclosing the original will of the decedent - the commission issued to her and certified copy of the order authorizing her to take the testimony of the three subscribing witnesses. She was further directed to return the Commission with the will when executed.

That I returned to the Probate Clerk on the 9th day of September 1949, and examined the interrogatories as answered by each of the subscribing witnesses.

It is apparent on the face of the papers that the person who inserted the answers was totally unfamiliar with deposition by interrogatories. The answers should have on another sheet of paper. Instead she tried to crowd in the only space available. Result: a question which should have been answered at length to make it clear and apparent was shortened to fit the space. Brevity and conciseness clouds.

I have read all the answers to all the interrogatories. These are a simple people, a fisherman, a housewife, and a beautician who have answered them. They are not educated nor experienced with our legal phraseology and terminology. Behind it all it is obvious that the witnesses did know her and believed she was of sound mind and memory; she was of age and knew what she was doing.

I am satisfied that the technical requirements of the statute were complied with.

My wards do not benefit materially under the will, Their father was bequeathed one and 00/100 (\$1.00) Dollar, and they share equally Fifty (.50) Cents each.

They would benefit considerably more if the will were denied probate and they could take intestate because the decedent, their great aunt left her surviving only one sister and surviving children of a predeceased brother and sister. Another brother died childless. Their estimated intestate share would be one-half each of one-sixth of estimated value of the estate of \$1228.00.

But there are no valid objections to the probate of the will herein.

Respectfully Submitted.

Florence Walton  
Special Guardian

CITY AND STATE OF NEW YORK  
COUNTY OF QUEENS

FLORENCE WALTON, being sworn says she is the above mentioned Special Guardian; that she has made a full and complete investigation of the interests of the infants herein; has represented them herein and acted for them in every respect to the best of her knowledge and ability; and in every way conserved their interest; that the foregoing report is true in every respect, and that the services performed herein were in every respect necessary to properly conserve the interests of said infants.

Florence Walton

Sworn to before me, this 15th  
day of September, 1949.

John L. Batterman, Notary Public  
State of New York  
Term expires: March 30, 1951.

SURROGATE'S COURT: QUEENS COUNTY

IN THE MATTER OF PROVING THE LAST WILL AND TESTAMENT OF LELIA W. WILLIAMS, DECEASED	}	2370 / 1949
STATE OF NEW YORK	}	SS.:
COUNTY OF QUEENS	}	

BEATRICE WILLIAMS POTTER, also known as Beatrice Potter, deposes and says that she resides at 159-12 Grand Central Parkway, Jamaica, New York; that she is a sister of the above named decedent and is named executrix under said decedent's Will.

Deponent further says that she is familiar with the dates of death of her brothers and sister and the issue each left him or her surviving. They are:

Deponent's brother, Frank Williams, predeceased the above-named decedent and left him surviving James A. Williams, nephew of above-named decedent, and Hubert F. Williams.

Hubert F. Williams, nephew of above-named decedent, died on March 6, 1945, and left him surviving Florence Williams, his widow, and Robert A. Williams a son, born December 1, 1933, and a daughter, Marsha A. Williams, born March 10, 1935, grand-nephew and grand-niece of above named decedent.

Raymond S. Williams, mentioned in the Will of the above decedent as decedent's brother died on April 24, 1945, and left him surviving no issue.

Viola Williams Reaves, mentioned in the Will of the above-named decedent as decedent's sister, died on February 22, 1947, and left her surviving the following children.

Ruby E. Irving, daughter and niece of above decedent.  
Mary E. Moody, daughter and niece of above decedent.  
George T. Reaves, son and nephew of above decedent.  
Joseph A. Reaves, son and nephew of above decedent.  
Melvin W. Reaves, son and nephew of above decedent.

That none of the foregoing children is an infant or incompetent.

That the petition heretofore filed in this proceeding correctly states the kinship of the persons therein named to the above decedent; that the above-decedent left her surviving no brother or sister other than deponent, Beatrice Potter; that said petition correctly states all of the children of the deceased brothers and deceased sisters of the above named decedent.

Beatrice Williams Potter L.S.

Sworn to before me, this 15th day of June, 1949.  
Alexander E. Pedersen  
Notary Public State of New York  
Residing in Queens County  
Queens Co. Clerk's No. 8566 Reg. No. 75 P-Q  
Commission expires March 30, 1950.