

STATE OF NORTH CAROLINA
BRUNSWICK COUNTY

IN THE SUPERIOR COURT

It is therefore considered and adjudged by the Court that the said paper-writing and every part thereof is the last Will and Testament of Charles S. Wirtz, deceased, and the same, with the foregoing examination and this certificate, are ordered to be recorded and filed.

This 22 day of January, 1952.

B. J. Holden
Asst. Clerk Superior Court

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

J. E. COOKE and ODELL WILLIAMSON, being duly sworn, says that he is well acquainted with the handwriting of Jack K. White, one of the subscribing witnesses to the paper-writing purported to be the Will of Charles S. Wirtz, deceased, which is hereto attached, dated the 21st day of January, 1950, having often seen him write, and that the name of said Jack K. White subscribed as a witness to said Will is in the genuine handwriting of the said Jack K. White; and affiants further swear that he is well acquainted with the handwriting of Charles S. Wirtz, deceased, whose Will the attached paper-writing, dated the 21st day of January, 1950, purports to be, having often seen him write, and that the name of the said Charles S. Wirtz, subscribed to said Will is in the genuine handwriting of the said Charles S. Wirtz.

J. E. Cooke
Odell Williamson

Subscribed and sworn to before me,
this the 21st day of January, 1952.

Amaretta Burr
Deputy Clerk Superior Court

STATE OF OHIO
CITY OF COLUMBUS

I, MARVIN F. WIRTZ, being designated as Executor in the Will of the late Charles S. Wirtz, do hereby renounce my right as executor of the said estate, for the reason that I am a non-resident of the State of North Carolina, and request the Court to appoint Mrs. Elizabeth Wirtz, of Shallotte, North Carolina, widow of the late Charles S. Wirtz, to serve as administratrix of the said estate.

This the 8th day of October, 1951.

Marvin F. Wirtz

Subscribed and sworn to before me,
this the 8th day of October, 1951.

(NP SEAL)
My commission expires:
March 14, 1952.

Lawrence A. Ramey
Notary Public, State of Ohio
(Lawrence A. Ramey)

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICKWILL

I, Charles S. Wirtz, of the County of Brunswick, and State of North Carolina, do hereby revoke all former will and codicils made by me, and do hereby make, publish, and declare this, my last will and testament in manner and form as follows:

ITEM ONE: I will devise, and bequeath unto my wife, Elizabeth Francis Allen Wirtz, all of my real estate, all the household and kitchen furniture together with the personal effect, for and during her natural life, and then to Marvin Frank Wirtz, absolutely and in fee simple.

ITEM TWO: I will devise, and bequeath unto Marvin Frank Wirtz, 160 South Main Avenue, Columbus, Ohio, all of my property of every sort and kind both real and personal, absolutely and in fee simple.

ITEM THREE: I hereby constitute and appoint Marvin Frank Wirtz, the executor of this my last will and testament, and hereby giving and granting unto my said executor all power and authority to sell any or do any act, which in his opinion is for the best interest of my estate, without bond.

In testimony whereof, I, the said Charles S. Wirtz, have hereunto set my hand and seal this the 21 day of January, 1950.

Charles S. Wirtz. (SEAL)

signed, sealed, published, and declared by the said Charles S. Wirtz, to be his last will and testament in the presence of us who at his request and in his presence and in the presence of each other do hereto set our hands as witnesses.

Jack K. White
Connie L. Leonard
J. B. Hewett

STATE OF NORTH CAROLINA
NEW HANOVER COUNTY

BEFORE A. L. MEYLAND, CLERK

IN THE MATTER OF THE ADMINISTRATION OF
THE ESTATE OF MAUD P. GALLOWAY.

Mary G. Willson being duly sworn, doth say: That Maud P. Galloway late of New Hanover County, died on the 12th day of Oct. 1948 leaving a last Will & Testament & Codicil thereto, and that Mary G. Willson the Executrix named therein, is the proper person entitled to Letters Testamentary on the estate of the said Maud P. Galloway. Further, that the value of the personal effects of said Estate as far as can be ascertained at the date of this application is about \$3,000.00 Dollars, and the real estate consists of House & Lot in Washington, D.C., two lots at Colonial Beach, Va., two or three lots at or near Oyster Bay, N. Y., house & lot at Wrightsville Beach, N.C., and a lot in the Town of Southport, N. C., and that Mary G. Willson, sister, Mae S. Fisher, Lottie P. Bell and Maud W. Soverel, nieces, are entitled as legatees and devisees thereof.

Mary G. Willson

Sworn to and subscribed before me this
3rd day of Nov. A.D. 1948.

(SEAL) Lois J. Ward, Asst.
Clerk Superior Court, New Hanover County

STATE OF NORTH CAROLINA
NEW HANOVER COUNTY

SUPERIOR COURT
BEFORE CLERK

You swear that you believe this writing to be and contain the last Will and Testament of Maud P. Galloway and that you will well and truly execute the same by first paying her debts and then her legacies as far as the said estate shall extend or the law shall charge you, and that you will well and faithfully execute the office of Executrix agreeable to the trust and confidence reposed in you according to law; So help me God.

Mary G. Willson

Sworn and subscribed before me this
10th day of November, 1948.

Lois J. Ward
Asst. Clerk Superior Court, New Hanover County

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

IN THE SUPERIOR COURT
BEFORE A. L. MEYLAND, CLERK

IN THE MATTER OF THE ADMINISTRATION
OF THE ESTATE OF MAUD P. GALLOWAY:

Mary G. Willson being duly sworn, doth say: That Maud P. Galloway, late of New Hanover County, died on the 12th day of October, 1948, leaving a last Will and Testament, together with a Codicil attached, with Maude H. Olmsted and Paul B. Elcan as subscribing witnesses to the Will, and Margaret B. Summersall as subscribing witness to the Codicil; that Maude H. Olmsted, one of the subscribing witnesses to the Will is now dead, and Paul B. Elcan, the other subscribing witness thereto, resides in the City of Washington, District of Columbia, which is more than seventy-five miles from the County seat of New Hanover County at Wilmington, North Carolina, at which place the Will is to be probated; and that Mary G. Willson, the Executrix named therein, is the proper person entitled to Letters Testamentary on the estate of the said Maud P. Galloway.

Further, that the value of the personal effects of the said Estate as far as can be ascertained at the date of this application is about Three Thousand and No/100(\$3,000.00) Dollars, and the real estate consists of a house and lot in Washington, D. C., two lots at Colonial Beach, Virginia, two or three lots at or near Oyster Bay, New York, a house and lot at Wrightsville Beach, New Hanover County, North Carolina, and a lot in the Town of Southport, North Carolina; and that Mary G. Willson, Mae S. Fisher, Lottie P. Bell and Maud W. Soverel, all of Wilmington, North Carolina, are entitled as legatees and devisees thereof.

Sworn to and subscribed before me,
this 3rd day of November, 1948.

Lois J. Ward, Asst.
Clerk Superior Court
New Hanover County

Mary G. Willson

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

IN THE MATTER OF THE ADMINISTRATION
OF THE ESTATE OF MAUD P. GALLOWAY

IN THE SUPERIOR COURT
BEFORE A. L. MEYLAND, CLERK

ORDER

Upon reading the foregoing Affidavit of Mary G. Willson, the Court finds as a fact that Maude H. Olmsted, one of the subscribing witnesses to the Will of Maud P. Galloway, deceased, is now dead, and that Paul B. Elcan, the other subscribing witness to said Will, resides in the City of Washington, District of Columbia, which is more than seventy-five miles from the County seat of New Hanover County at Wilmington, North Carolina, at which place the Will is to be probated, and that it is necessary for a Commissioner-Notary Public to be appointed to take the depositions of Paul B. Elcan, the subscribing witness, and of Paul B. Elcan and A. J. Olmsted, of Arlington, Virginia, witnesses to prove the handwriting of Maude H. Olmsted, the deceased subscribing witness, and also the handwriting of the testator.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Naomi Wheeler, Columbian Building Washington, D. C., be, and she is, hereby appointed Commissioner-Notary Public to take the deposition of Paul B. Elcan, the subscribing witness to said Will, and the depositions of Paul B. Elcan and A. J. Olmsted as to the handwriting of Maude H. Olmsted, the deceased subscribing witness, and the hand-writing of the testator, and make due return under her seal of said depositions, together with the Original Commission to the Clerk of the Superior Court of New Hanover County, at Wilmington, North Carolina.

Dated at Wilmington, North Carolina, this 3rd day of November, 1948.

A. L. Meyland
Clerk Superior Court
New Hanover County, North Carolina

(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

IN THE MATTER OF THE ADMINISTRATION
OF THE ESTATE OF MAUD P. GALLOWAY

IN THE SUPERIOR COURT
BEFORE A. L. MEYLAND, CLERK

TO NAOMI WHEELER, COLUMBIAN BUILDING, WASHINGTON, D.C., GREETING:

We, reposing special trust and confidence in your integrity, do authorize and empower you to cause Paul B. Elcan, a subscribing witness to the Will of the late Maud P. Galloway, to appear before you at such time and place as you may appoint, and the said Paul B. Elcan on oath to examine, touching all such matters and things as he shall know above, concerning a certain paper-writing purporting to be the last Will and Testament of Maud P. Galloway, of which the said Paul B. Elcan is one of the subscribing witnesses thereto along with Maude H. Olmsted, now deceased, and on oath to examine said Paul B. Elcan as to the act of the testator in signing said paper-writing as her last Will, and as to his act in signing as subscribing witness to the said Will.

And we further authorize and empower you to cause Paul B. Elcan and A. J. Olmsted to appear before you and on oath to examine said witnesses as to the handwriting of Maude H. Olmsted, the deceased subscribing witness, and her act in signing as a subscribing witness and to prove the handwriting of Maud P. Galloway, the testator.

And the depositions in writing, by you so taken, the same to transmit, seal with your seal, to the Clerk of the Superior Court of New Hanover County, at Wilmington, North Carolina.

WITNESS the hand and seal of the Clerk of said Court at office in Wilmington, North Carolina, this 3rd day of November, 1948.

A. L. Meyland
Clerk of Superior Court
New Hanover County, North Carolina

(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

IN THE MATTER OF THE ADMINISTRATION
OF THE ESTATE OF MAUD P. GALLOWAY.

IN THE SUPERIOR COURT
BEFORE THE CLERK

TO THE HONORABLE SUPERIOR COURT OF NEW HANOVER COUNTY, NORTH CAROLINA:

I, Naomi Wheeler, a Notary Public of Columbian Building, Washington, D. C., leave to report to the Honorable Court that, pursuant to the annexed Commission, I caused Paul B. Elcan and A. J. Olmsted to appear before me at my said office in the Columbian Building, Washington, D. C., at 1:00 o'clock A.M. on the sixth day of November, 1948, and did then and there examine the said witnesses on or touching all such matters and things as they, or each of them, knew concerning a certain paper-writing purporting to be the last Will and Testament of Maud P. Galloway and did then and there take examination and evidence of the said witnesses in writing as follows:

DEPOSITION OF PAUL B. ELCAN

Paul B. Elcan, being first duly sworn, the truth to say concerning the matters and things touched upon in this examination, did depose and say as follows:

Q. State your name, age, and place of residence.

A. My name is Paul B. Elcan. I am 55 years of age and reside in Washington, District of Columbia.

Q. Were you personally acquainted with Maud P. Galloway, who lately died in the City of Wilmington, North Carolina?

A. Yes

Q. I exhibit to you a paper-writing, dated February 16, 1938, purporting to be the last Will and Testament of Maud P. Galloway and purporting to have been signed as Testatrix by Maud P. Galloway and purporting to have been subscribed to as witnesses by Maude H. Olmsted and Paul B. Elcan, and ask you if you signed the said paper-writing as subscribing witness, and if you did, to state the circumstances under which said paper-writing was signed by the Testatrix and by the said witnesses.

A. I signed the paper-writing referred to in the foregoing question under the following circumstances: on February 16, 1938, I was requested to go to a room in the home of Maud P. Galloway, 1118 Virginia Avenue, S.W., in Washington, D. C. Present in the room at said time were Maud P. Galloway, Maude H. Olmsted and myself. Maud P. Galloway then exhibited to me and to Maude H. Olmsted the paper-writing above referred to and stated that the same was her Will and that she desired to sign it before us as witnesses and requested us to witness same. Maud P. Galloway did then and there, in my presence and in the presence of Maude H. Olmsted, sign and subscribe her name to the said paper-writing upon each of the two sheets thereof, and did, then and there, publish same as and declare same to be her last Will and Testament and she did then and there request each of said two subscribing witnesses to sign same. The said paper-writing was then and there subscribed by myself and Maude H. Olmsted as witnesses in the presence of Maud P. Galloway and at the request of Maud P. Galloway and in the presence of each other.

Q. At the time that she signed and published the said paper-writing as her last Will and Testament, state whether Maud P. Galloway was of full age, of sound mind and memory, and competent to make and publish her Will.

A. She was.

Q. Please state if you are well acquainted with the handwriting of Maud P. Galloway, and whether you have often seen her write.

A. Yes

Q. Please state whether the name of Maud P. Galloway subscribed to said Will and on the second sheet thereof, is in the genuine hand-writing of the said Maud P. Galloway, and is said handwriting generally known to the acquaintances of the said Maud P. Galloway?

A. Yes.

Q. Were you personally acquainted with Maude H. Olmsted?

A. Yes

Q. State whether or not Maude H. Olmsted is dead?

A. She is.

Q. Please state if you are well acquainted with the handwriting of Maude H. Olmsted, and whether you have often seen her write.

A. Yes.

Q. Please state whether the name of Maude H. Olmsted signed as a subscribing witness to said Will is in the genuine handwriting of the said Maude H. Olmsted, and is said handwriting generally known to the acquaintances of the said Maude H. Olmsted?

A. Yes. The handwriting of Maude H. Olmsted signed as a subscribing witness to the said Will is in her genuine handwriting and was signed in my presence as hereinbefore testified to.

And further deponent saith not.

Paul B. Elcan

Sworn to and subscribed before me,
this 6th day of November, 1948.

Naomi Wheeler
Notary Public D. C.

My commission expires: Nov. 14, 1948.
(Notarial Seal)