

SIGNED, SEALED, PUBLISHED AND DECLARED, by the said James M. Raftery, to be his last will and testament, after having the same read to him in the presence of us, and who, at his request, and in his presence and in the presence of each other, do subscribe our names as witnesses hereto:

Joan Minicy                      Residing at                      Wilmington, N. C.  
Frank G. Harris                      "                      "  
W. K. Rhodes, Jr.                      "                      "

STATE OF NORTH CAROLINA  
ROCKINGHAM COUNTY

IN THE SUPERIOR COURT

A paper writing purporting to be the last Will and Testament of Ernest Day Pitcher, deceased, is exhibited before me the undersigned Assistant Clerk of the Superior Court for said county, by Catherine Nash Pitcher, the executrix therein mentioned, and the due execution thereof by the said Ernest Day Pitcher is proved by the oath and examination of Jas. T. Smith and B. E. Ivie, the subscribing witnesses thereto, who being duly sworn, do depose and say, and each for himself depose and saith, that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of Ernest Day Pitcher; that the said Ernest Day Pitcher, in the presence of this deponent, subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 7th day of June, 1948.

AND THIS DEPONENT FURTHER SAITH, That the said Ernest Day Pitcher the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing so subscribed by him and exhibited to be his last Will and Testament, and this deponent did thereupon subscribe his name at the end of said Will, as an attesting witness thereto, and at the request and in the presence of said testator. And this deponent further saith that at the same time when the said testator subscribed his name to the last Will as aforesaid, and at the time of the deponent's subscribing their names as attesting witnesses thereto, as aforesaid, the said Ernest Day Pitcher was of sound mind and memory, of full age to execute a Will, and was not under any restraint, to the knowledge, information or belief of this deponent: And further those deponents say not.

Severally sworn and subscribed this 24th day of May, 1949, before me.

Rama Williams  
Assistant Clerk Superior Court

Jas. T. Smith

B. E. Ivie

NORTH CAROLINA  
ROCKINGHAM 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 Ernest Day Pitcher, deceased. Let the said Will, together with the probate, be recorded and filed.

This 24th day of May, 1949.

Rama Williams  
Assistant Clerk Superior Court

*Recorded through error.  
already recorded pg. 477*

THE PEOPLE OF THE STATE OF NEW YORK

TO ALL TO WHOM THESE PRESENTS SHALL COME OR MAY CONCERN,

SEND GREETING:

KNOW YE, That having inspected the records and proceedings in our Surrogate's Court of our County of Queens, we do there find remaining the Last Will and Testament of LELIA W. WILLIAMS, late of our said County of Queens, deceased, and the proceedings, proofs and examinations taken and had in our said Surrogate's Court relating to the probate thereof, and also letters testamentary granted thereon, in the words and figures following, that is to say:

THE PEOPLE OF THE STATE OF NEW YORK

TO BEATRICE WILLIAMS POTTER

SEND GREETING:

WHEREAS, the last Will and Testament of LELIA W. WILLIAMS, deceased, was duly admitted to probate by a Decree of the Surrogate's Court of Queens County, on the 26th day of September 1949, which directed the issuance to you of Letters Testamentary upon your qualifying according to law.

NOW THEREFORE, KNOW YE, that you are hereby authorized to administer the estate of the said deceased subject to the jurisdiction and supervision of this Court.

WITNESS, HON. ANTHONY P. SAVARESE,

Surrogate of the County of Queens,  
this 27th day of September, 1949.

F. C. HARRIS  
Clerk of the Surrogate's Court.

At a Surrogate's Court held in and for the County of Queens, at Jamaica, in said County, on the 26th day of September one thousand nine hundred and forty nine.

Present:  
HON. ANTHONY P. SAVARESE, Surrogate

FILE NO. 2370/49

IN THE MATTER OF PROVING THE LAST WILL AND  
TESTAMENT OF LELIA W. WILLIAMS, DECEASED.

DECREE GRANTING PROBATE

Satisfactory proof having been made of the due service of the citation herein upon, or of the due appearance herein by, all persons entitled to notice of this proceeding and FLORENCE WALTON special guardian, having appeared in person for ROBERT A. WILLIAMS and MARSHA WILLIAMS, infants, and having filed her report, and an order having been made herein on August 11, 1949, directing that a commission issue to RACHEL TODD CORIETTE, Notary public at Southport, North Carolina, to examine under oath THOMAS W. ST. GEORGE, LUCY W. WHITE SHELTON and MERCEDES WATTS SELL, and said commission having been duly issued, executed, returned and filed, and said THOMAS W. ST. GEORGE, LUCY W. SHELTON and MERCEDES WATTS, the witnesses to said last Will and Testament bearing date July 6, 1939 having been sworn and examined by said commissioner, their examination reduced to writing and filed, and it appearing by such proof that said Will was duly executed, and that the Testatrix, at the time of executing it, was in all respects competent to make a Will, and not under restraint; and this Court being satisfied of the genuineness of the said Will and the validity of its execution; and the probate thereof not having been contested, and ADELAIDE POTTER, one of the executrices named in said Will, having duly renounced her appointment by an instrument in writing duly filed herein,

IT IS ORDERED, ADJUDGED AND DECREED, that the instrument offered for probate herein be, and the same hereby is, admitted to probate as the last Will and Testament of the said LELIA W. WILLIAMS, deceased, valid to pass real and personal property, and that the said Will and this Decree be recorded, and that Letters Testamentary be issued to the Executrix who may qualify thereunder, and that said executrix pay to FLORENCE WALTON, special guardian, the sum of Thirty-five (\$35.00) dollars as and for her reasonable compensation herein.

A. P. SAVARESE,  
Surrogate.

Surrogate's Court, QUEENS COUNTY

IN THE MATTER OF PROVING THE LAST WILL  
AND TESTAMENT OF LELIA W. WILLIAMS,  
DECEASED.

OATH OF EXECUTOR

STATE OF NEW YORK  
COUNTY OF NEW YORK

I, BEATRICE WILLIAMS POTTER, executrix named in the last will and testament of LELIA W. WILLIAMS, late of 159-12 Grand Central Parkway, Jamaica, the County of Queens, deceased, do depose and say that I am a resident of No. 159-12 Grand Central Parkway, Jamaica in the County of Queens in the City and State of New York; that I am a citizen of the United States and I am over twenty-one years of age; and that I will well, faithfully and honestly discharge the duties of executrix of said last will and testament.

Beatrice Williams Potter

Sworn to this 16th day of May, 1949.  
John Santora, Notary Public

I, Beatrice Williams Potter, an executrix, named in the last will and testament of Lelia W. Williams, a resident of 159-12 Grand Central Parkway, Jamaica, the County of Queens deceased, do hereby designate the Clerk of the Surrogate's Court of the County of Queens, and his successor in office, as a person on whom service of any process issuing from the Surrogate's Court of the County of Queens may be made, in like manner and with like effect as if it were served personally upon me, whenever I cannot be found and served within the State of New York after due diligence used. I am a resident of 159-12 Grand Central Parkway, Jamaica, New York.

Beatrice Williams Potter

STATE OF NEW YORK

COUNTY OF NEW YORK

On the 16th day of May, 1949, before me personally came BEATRICE WILLIAMS POTTER, to me known to be the individuals described in and who executed the foregoing instrument, and she acknowledged to me that she executed the same.

John Santora, Notary Public

At the Surrogate's Court of the County of Queens in the General Court House, 88-11 Sutphin Boulevard, Jamaica, New York, in said County, on the 11th day of August, 1949.

PRESENT:

Honorable Anthony P. Savarese  
Surrogate

IN THE MATTER OF PROVING THE LAST WILL  
AND TESTAMENT OF LELIA W. WILLIAMS, DECEASED

ORDER FOR COMMISSION  
2370 - 1949

On reading and filing the annexed affidavit of GRANT HOERNER, verified August 2, 1949, it is

On Motion of Grant Hoerner, Attorney for the Petitioner herein

ORDERED, that a commission issue in this proceeding, directed to Rachel Todd Corlette, a Notary Public in the State of North Carolina, residing in Brunswick County, at Southport, North Carolina, to examine under oath, upon interrogatories to be annexed thereto, Thomas W. St. George, Lucy W. White, also known as Lucy W. White Shelton and Mercedes Watts, also known as Mercedes Watts Sell, all residing in Southport, North Carolina, as subscribing witnesses to an instrument to be offered for probate as the Last Will and Testament of the above named decedent.

A. P. Savarese  
Surrogate

I hereby consent to the foregoing order.

Dated: Jamaica, N. Y. August 11, 1949.

Florence Walton  
Special Guardian for  
Robert A. Williams and  
Marshall A. Williams, Infants

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 )  
COUNTY OF NEW YORK ) S.:

GRANT HOERNER, being duly sworn deposes and says:

That he is the attorney for BEATRICE WILLIAMS POTTER, proponent of the last Will of the above-named decedent.

That he makes this affidavit for an order that a commission issue out of this Court to Rachel Todd Corlette, a Notary Public in the State of North Carolina, residing in Brunswick County at Southport, North Carolina to examine under oath, upon interrogatories to be annexed thereto, Thomas W. St. George, Lucy W. White, also known as Lucy W. White Shelton and Mercedes Watts, also known as Mercedes Watts Sell, all witnesses to an instrument to be offered herein as the Last Will and Testament of the above-named decedent.

Deponent further says that said Southport, North Carolina, is about 300 miles from Jamaica, New York and on account of distance of said witnesses from this Court, business, household and family duties, said witnesses will be unable to attend before the Surrogate, to be examined in this matter as deponent is informed and verily believes, by said Beatrice Williams Potter, the executrix herein, who formerly resided in Southport, North Carolina.

That no previous application has been made for the relief asked for herein.

WHEREFORE, deponent respectfully asks the Surrogate to make an offer directing that a Commission issue out of this Court to said Rachel Todd Corlette, to examine, under oath, upon interrogatories to be annexed thereto, Thomas W. St. George, Lucy W. White, also known as Lucy W. White Shelton and Mercedes Watts, also known as Mercedes Watts Sell, all subscribing witnesses to a paper to be offered for probate as the Last Will and Testament of the above-named decedent.

Grant Hoerner

Sworn to before me this,

2nd day of August, 1949.

Anna Higgins, Notary Public

SURROGATE'S COURT : QUEENS COUNTY

IN THE MATTER OF PROVING THE LAST WILL  
AND TESTAMENT OF LELIA W. WILLIAMS, DECEASED

2370 - 1949  
INTERROGATORIES

Interrogatories to be administered to Thomas W. St. George of Southport, North Carolina, who is a witness to be examined under the annexed commission in support of the Will in the above entitled proceeding:

FIRST INTERROGATORY: What is your name, where do you reside, and what is your age?

Thomas W. St. George, Southport, N. C., 46 years.

SECOND INTERROGATORY: What is your occupation?

Fisherman

THIRD INTERROGATORY: Were you acquainted with Lelia W. Williams, late of the Borough of Queens, City and State of New York.

Yes

FOURTH INTERROGATORY: For how long prior to July 6, 1939, the date of the instrument offered for probate, had you known Lelia W. Williams?

20 years.

FIFTH INTERROGATORY: Look at the instrument in writing dated July 6, 1939, which purports to be and is offered for probate as the Last Will and Testament of said Lelia W. Williams, deceased, and say whether or not you were present as a witness at the time of the execution of the said original instrument which is herewith shown to you? Did you see the said Lelia W. Williams subscribe her name to the said original instrument or did she acknowledge or declare to you that the signature of Lelia W. Williams at the foot of said original instrument was her signature?

Yes, I was present and saw Lelia W. Williams sign the original instrument.

SIXTH INTERROGATORY: Did the said Lelia W. Williams, at any time, declare the said original instrument, dated July 6, 1939, so described by her to be her Last Will and Testament? If so, state how she declared it to be her Last Will and Testament, to the best of your recollection, what words were used by her in making such declaration; also state at what place said original instrument was executed.

"This is my Will".

SEVENTH INTERROGATORY: State if you were requested by said Lelia W. Williams, at the time of the above-mentioned subscription or declaration to sign said original instrument dated July 6, 1939, as subscribing witness, and if you did thereupon sign as such witness, and if any of the signatures of the witnesses to said original instrument is your signature; and if so, specify which one.

Yes, First.

EIGHTH INTERROGATORY: Who was present when the said original instrument dated July 6, 1939, was declared by Lelia W. Williams to be her Last Will and Testament and to whom was such last declaration made, in whose presence were you requested to sign and in whose presence did you sign as witness?

She declared it to be her last will and testament in my presence and in the presence of the other two witnesses & asked each of us in the presence of the others to sign.

NINTH INTERROGATORY: Did you see the other subscribing witnesses, to the said original instrument, dated July 6, 1939, sign their names, and, if so, state their names, and if they signed the same in the presence of Lelia W. Williams and if she declared to said other witnesses that the original instrument was her Last Will and Testament?

Yes

TENTH INTERROGATORY: Was the said Lelia W. Williams 21 years of age at the time of executing said original instrument, dated July 6, 1939; was the said Lelia W. Williams of sound mind, memory and understanding at the time of executing such instrument; was she at such time under any restraint whatsoever; and was she in any respect incompetent to devise real property.

Yes, she was 21 years of age and of sound mind and understanding and signed same without any restraint whatsoever.

ELEVENTH INTERROGATORY: Do you know of any other matter or thing relative to the execution of the said original instrument, dated July 6, 1939, by the said Lelia W. Williams, or to the condition of the mind of the said Lelia W. Williams at the time of such execution? Answer fully and particularly.

No.

The foregoing interrogatories are allowed.  
Dated: August 11, 1949.

A. P. Savarese  
Surrogate

I hereby consent to the foregoing interrogatories.  
Dated: Jamaica, N. Y. August 11, 1949.

Florence Walton  
Special Guardian for Robert A.  
Williams and Marsha A. Williams,  
Infants.

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE LAST  
WILL AND TESTAMENT OF LELIA W.  
WILLIAMS, DECEASED. )

COMMISSIONER'S CERTIFICATE

I, RACHEL TODD CORLETTE, a Notary Public for Brunswick County, North Carolina, having been commissioned by the Surrogate Court of New York on the 4th day of August 1949 to take the foregoing interrogations, do hereby certify that I summoned Thomas W. St. George before me and after he was duly sworn did then read the questions to him set forth on the preceding three pages and that the answers as set forth under the questions are the answers which he gave. This is to further certify that the signature of the witness on the foregoing three sheets is his genuine signature and that his genuine signature also appears on the last will and testament of Lelia W. Williams, deceased. At the time of my questioning Thomas W. St. George there was no one else present.

This the 11th day of August, 1949.

Rachel Todd Corlette  
Commissioner

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE LAST  
WILL AND TESTAMENT OF LELIA W.  
WILLIAMS, DECEASED. )

VERIFICATION

I, THOMAS W. ST. GEORGE, Have read the foregoing interrogations and answers and the said answers are the same as given by me to Rachel Todd Corlette, Notary Public, and the same are true to the best of my knowledge and belief.

Thomas W. St. George  
AFFIANT

Subscribed and sworn to before me,  
this the 11th day of August, 1949.

Rachel Todd Corlette  
NOTARY PUBLIC L.S.

My commission expires: Apr. 5, 1950.

SURROGATE'S COURT : QUEENS COUNTY

IN THE MATTER OF PROVING THE LAST  
WILL AND TESTAMENT OF LELIA W. WILLIAMS,  
DECEASED )

2370 - 1949  
INTERROGATORIES

Interrogatories to be administered to Lucy W. White, also known as Lucy W. White Shelton of Southport, North Carolina, who is a witness to be examined under the annexed commission in support of the Will in the above entitled proceedings:

FIRST INTERROGATORY: What is your name, where do you reside, and what is your age?  
Lucy W. Shelton, Southport, N. C. 42 years.

SECOND INTERROGATORY: What is your occupation?  
Housewife.

THIRD INTERROGATORY: Were you acquainted with Lelia W. Williams, deceased, late of Queens, City and State of New York?  
Yes

FOURTH INTERROGATORY: For how long prior to her death was she offered for probate, had you known her?  
All my life.

FIFTY INTERROGATORY: Look at the instrument to be and is offered for probate of Lelia W. Williams, deceased, and say whether or not you saw the execution of the said instrument or did she acknowledge the instrument or did she acknowledge the instrument at the foot of said instrument?  
Yes, I was present and saw Lelia W. Williams execute the instrument.

SIXTH INTERROGATORY: Did the said Lelia W. Williams, deceased, execute the instrument, dated July 6, 1939?  
If so, state how she declared the instrument, what was the date of your recollection, what was the date at what place said original instrument was executed?  
"I would like for you to witness the execution of the instrument."

SEVENTH INTERROGATORY: State if you were requested by said Lelia W. Williams, at the time of the above mentioned subscription or declaration to sign said original instrument, dated July 6, 1939, as subscribing witness, and if you did thereupon sign as such witness, specify your signature and if any of the signatures of the witnesses to said original instrument is your signature; and, if so, specify which one.  
The second is my signature.

EIGHTH INTERROGATORY: Who was present when the said original instrument dated July 6, 1939, was declared by Lelia W. Williams to be her Last Will and Testament and to whom was such last declaration made, in whose presence were you requested to sign and in whose presence did you sign as witness?  
Other two witnesses, and I signed same before these witnesses.

NINTH INTERROGATORY: Did you see the other subscribing witnesses, to the said original instrument, dated July 6, 1939, sign their names, and, if so, state their names, and if they signed the same in the presence of Lelia W. Williams and if she declared to said other witnesses that the original instrument was her Last Will and Testament?  
Yes

TENTH INTERROGATORY: Was the said Lelia W. Williams 21 years of age at the time of executing said original instrument, dated July 6, 1939; was the said Lelia W. Williams of sound mind, memory and understanding at the time of executing such instrument; was she at such time under any restraint whatsoever; and was she in any respect incompetent to devise real property?  
Yes, she was 21 years old and of sound mind, memory and understanding and under no restraint.

ELEVENTH INTERROGATORY: Do you know of any other matter or thing relative to the execution of the said original instrument, dated July 6, 1939, by the said Lelia W. Williams or to the condition of the mind of the said Lelia W. Williams at the time of such execution? Answer fully and particularly.  
No

The foregoing interrogatories are allowed.  
Dated: August 11, 1949.

A. P. Savarese  
Surrogate

I hereby consent to the foregoing interrogatories.  
Dated: Jamaica, N. Y. August 11, 1949.

Florence Walton  
Special Guardian for  
Robert A. Williams and  
Marsha A. Williams, Infants

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE  
LAST WILL AND TESTAMENT OF  
LELIA W. WILLIAMS, DECEASED. )

COMMISSIONER'S CERTIFICATE

I, RACHEL TODD CORLETTE, a Notary Public, for Brunswick County, North Carolina, having been commissioned by the Surrogate Court of New York on the 4th day of August 1949 to take the foregoing interrogations, do hereby certify that I summoned Lucy W. White Shelton before me and after she was duly sworn did then read the questions to her set forth on the preceding three pages and that the answers as set forth under the questions are the answers which she gave. This is to further certify that the signature of the witness on the foregoing three sheets is her genuine signature and that her genuine signature also appears on the last will and testament of Lelia W. Williams, deceased. At the time of my questioning Lucy W. White Shelton there was no one else present.

This the 11th day of August, 1949.

Rachel Todd Corlette  
Commissioner

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE LAST  
WILL AND TESTAMENT OF LELIA W.  
WILLIAMS, DECEASED. )

VERIFICATION

I, LUCY W. WHITE SHELTON, formerly Lucy W. White, have read the foregoing interrogations and answers and the said answers are the same as given by me to Rachel Todd Corlette, Notary Public, and the same are true to the best of my knowledge and belief.

Lucy W. White Shelton  
AFFIANT

Subscribed and sworn to before me,  
this the 11th day of August, 1949.

Rachel Todd Corlette L.S.  
My commission expires: Apr. 5, 1950.



I hereby consent to the foregoing interrogatories.

Dated: Jamaica, N. Y. August 11, 1949.

Florence Walton  
Special Guardian for Robert A.  
Williams and Marsha A. Williams,  
Infants.

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE LAST  
WILL AND TESTAMENT OF LELIA W.  
WILLIAMS, DECEASED.

COMMISSIONER'S CERTIFICATE

I, RACHEL TODD CORLETTE, a Notary Public for Brunswick County, North Carolina, having been commissioned by the Surrogate Court of New York on the 4th day of August 1949 to take the foregoing interrogations, do hereby certify that I summoned Thomas W. St. George before me and after he was duly sworn did then read the questions to him set forth on the preceding three pages and that the answers as set forth under the questions are the answers which he gave. This is to further certify that the signature of the witness on the foregoing three sheets is his genuine signature and that his genuine signature also appears on the last will and testament of Lelia W. Williams, deceased. At the time of my questioning Thomas W. St. George there was no one else present.

This the 11th day of August, 1949.

Rachel Todd Corlette  
Commissioner

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE LAST  
WILL AND TESTAMENT OF LELIA W.  
WILLIAMS, DECEASED.

VERIFICATION

I, THOMAS W. ST. GEORGE, Have read the foregoing interrogations and answers and the said answers are the same as given by me to Rachel Todd Corlette, Notary Public, and the same are true to the best of my knowledge and belief.

Thomas W. St. George  
AFFIANT

Subscribed and sworn to before me,  
this the 11th day of August, 1949.

Rachel Todd Corlette  
NOTARY PUBLIC L.S.  
My commission expires: Apr. 5, 1950.

SURROGATE'S COURT: QUEENS COUNTY

IN THE MATTER OF PROVING THE LAST  
WILL AND TESTAMENT OF LELIA W. WILLIAMS,  
DECEASED

2370 - 1949  
INTERROGATORIES

Interrogatories to be administered to Lucy W. White, also known as Lucy W. White Shelton of Southport, North Carolina, who is a witness to be examined under the annexed commission in support of the Will in the above entitled proceedings:

FIRST INTERROGATORY: What is your name, where do you reside, and what is your age?

Lucy W. Shelton, Southport, N. C. 42 years.

SECOND INTERROGATORY: What is your occupation?

Housewife.

THIRD INTERROGATORY: Were you acquainted with Lelia W. Williams, late of the Borough of Queens, City and State of New York?

Yes

FOURTH INTERROGATORY: For how long prior to July 6, 1939, the date of the instrument offered for probate, had you known Lelia W. Williams?

All my life.

fifty interrogatory: Look at the instrument in writing dated July 6, 1939, which purports to be and is offered for probate as the Last Will and Testament of said Lelia W. Williams, deceased, and say whether or not you were present as a witness at the time of the execution of the said original instrument which is herewith shown you? Did you see the said Lelia W. Williams subscribed her name to the said original instrument or did she acknowledge or declare to you that the signature of Lelia W. Williams at the foot of said original instrument was her signature?

Yes, I was present and saw Lelia W. Williams sign the original instrument.

SIXTH INTERROGATORY: Did the said Lelia W. Williams, at any time, declare the said original instrument, dated July 6, 1939, so described by her to be her Last Will and Testament? If so, state how she declared it to be her Last Will and Testament, and to the best of your recollection, what words were used by her in making such declaration; also state at what place said original instrument was executed.

"I would like for you to witness my last will and testament".

SEVENTH INTERROGATORY: State if you were requested by said Lelia W. Williams, at the time of the above mentioned subscription or declaration to sign said original instrument, dated July 6, 1939, as subscribing witness, and if you did thereupon sign as such witness, ~~was it your signature~~ and if any of the signatures of the witnesses to said original instrument is your signature; and, if so, specify which one.

The second is my signature.

EIGHTH INTERROGATORY: Who was present when the said original instrument dated July 6, 1939, was declared by Lelia W. Williams to be her Last Will and Testament and to whom was such last declaration made, in whose presence were you requested to sign and in whose presence did you sign as witness?

Other two witnesses, and I signed same before these witnesses.

NINTH INTERROGATORY: Did you see the other subscribing witnesses, to the said original instrument, dated July 6, 1939, sign their names, and, if so, state their names, and if they signed the same in the presence of Lelia W. Williams and if she declared to said other witnesses that the original instrument was her Last Will and Testament?

Yes

TENTH INTERROGATORY: Was the said Lelia W. Williams 21 years of age at the time of executing said original instrument, dated July 6, 1939; was the said Lelia W. Williams of sound mind, memory and understanding at the time of executing such instrument; was she at such time under any restraint whatsoever; and was she in any respect incompetent to devise real property?

Yes, she was 21 years old and of sound mind, memory and understanding and under no restraint.

ELEVENTH INTERROGATORY: Do you know of any other matter or thing relative to the execution of the said original instrument, dated July 6, 1939, by the said Lelia W. Williams or to the condition of the mind of the said Lelia W. Williams at the time of such execution? Answer fully and particularly.

No.

The foregoing interrogatories are allowed.

Dated: August 11, 1949.

A. P. Savarese  
Surrogate

I hereby consent to the foregoing interrogatories.

Dated: Jamaica, N. Y. August 11, 1949.

Florence Walton  
Special Guardian for  
Robert A. Williams and  
Marsha A. Williams, Infants

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE  
LAST WILL AND TESTAMENT OF  
LELIA W. WILLIAMS, DECEASED.

COMMISSIONER'S CERTIFICATE

I, RACHEL TODD CORLETTE, a Notary Public, for Brunswick County, North Carolina, having been commissioned by the Surrogate Court of New York on the 4th day of August 1949 to take the foregoing interrogations, do hereby certify that I summoned Lucy W. White Shelton before me and after she was duly sworn did then read the questions to her set forth on the preceding three pages and that the answers as set forth under the questions are the answers on the foregoing three sheets is her genuine signature and that her genuine signature also appears on the last will and testament of Lelia W. Williams, deceased. At the time of my questioning Lucy W. White Shelton there was no one else present.

This the 11th day of August, 1949.

Rachel Todd Corlette  
Commissioner

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE LAST  
WILL AND TESTAMENT OF LELIA W.  
WILLIAMS, DECEASED.

VERIFICATION

I, LUCY W. WHITE SHELTON, formerly Lucy W. White, have read the foregoing interrogations and answers and the said answers are the same as given by me to Rachel Todd Corlette, Notary Public, and the same are true to the best of my knowledge and belief.

Lucy W. White Shelton  
AFFIANT

Subscribed and sworn to before me,  
this the 11th day of August, 1949.

Rachel Todd Corlette L.S.  
My commission expires: Apr. 5, 1950.

SURROGATE'S COURT: QUEENS COUNTY

IN THE MATTER OF PROVING THE )  
LAST WILL AND TESTAMENT OF ) 2370 - 1949  
LELIA W. WILLIAMS, DECEASED ) INTERROGATORIES

Interrogatories to be administered to MERCEDES WATTS, also known as Mercedes Watts Sell, of Southport, North Carolina, who is a witness to be examined under the annexed commission in support of the Will in the above entitled proceedings:

- FIRST INTERROGATORY: What is your name, where do you reside, and what is your age?  
Mercedes W. Sell, Southport, N. C., 36 years.
- SECOND INTERROGATORY: What is your occupation?  
Beautician
- THIRD INTERROGATORY: Were you acquainted with Lelia W. Williams, late of the Borough of Queens, City and State of New York?  
Yes.
- FOURTH INTERROGATORY: For how long prior to July 6, 1939, the date of the instrument offered for probate, had you known Lelia W. Williams?  
All my life.
- FIFTH INTERROGATORY: Look at the instrument in writing dated July 6, 1939, which purports to be and is offered for probate as the Last Will and Testament of said Lelia W. WILLIAMS, Deceased, and say whether or not you were present as a witness at the time of the execution of the said original instrument which is herewith shown you? Did you see the said Lelia W. Williams subscribed her name to the said original instrument or did she acknowledge or declare to you that the signature of Lelia W. Williams at the foot of said original instrument was her signature?  
Yes, I was present and saw the said Lelia W. Williams sign the original instrument.
- SIXTH INTERROGATORY: Did the said Lelia W. Williams, at any time, declare the said original instrument, dated July 6, 1939, so described by her to be her Last Will and Testament? If so, state how she declared it to be her Last Will and Testament, and to the best of your recollection, what words were used by her in making such declaration; also state at what place said original instrument was executed.  
"I would like for you to witness my last will and testament."
- SEVENTH INTERROGATORY: State if you were requested by said Lelia W. Williams, at the time of the above mentioned subscription or declaration to sign said original instrument, dated July 6, 1939, as subscribing witness, and if you did thereupon sign as such witness, and if any of the signatures of the witnesses to said original instrument is your signature; and, if so, specify which one.  
Third signature.
- EIGHTH INTERROGATORY: Who was present when the said original instrument dated July 6, 1939, was declared by Lelia W. Williams to be her Last Will and Testament and to whom was such last declaration made, in whose presence were you requested to sign and in whose presence did you sign as witness.  
The other two witnesses. I signed same before these other two witnesses.
- NINTH INTERROGATORY: Did you see the other subscribing witnesses, to the said original instrument, dated July 6, 1939, sign their names, and, if so, state their names, and if they signed the same in the presence of Lelia W. Williams and if she declared to said other witnesses that the original instrument was her Last Will and Testament?  
Yes. (No) (NO)
- TENTH INTERROGATORY: Was the said Lelia W. Williams 21 years of age at the time of executing said original instrument, dated July 6, 1939; was the said Lelia W. Williams of sound mind, memory and understanding at the time of executing such instrument; was she at such time under any restraint whatsoever; and was she in any respect incompetent to devise real property?  
She was of sound mind and 21 years old and in my opinion under no restraint.
- ELEVENTH INTERROGATORY: Do you know of any other matter or thing relative to the execution of the said original instrument, dated July 6, 1939, by the said Lelia W. Williams, or to the condition of the mind of the said Lelia W. Williams at the time of such execution? Answer fully and particularly.  
No.
- The foregoing interrogatories are allowed.

Dated August 11, 1949.

A. P. Savarese  
Surrogate

I hereby consent to the foregoing interrogatories.  
Dated; Jamaica, N. Y. August 11, 1949

Florence Walton  
Special Guardian for  
Robert A. Williams and  
Marsha A. Williams, Infants

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE )  
LAST WILL AND TESTAMENT OF )  
LELIA W. WILLIAMS, DECEASED ) COMMISSIONER'S CERTIFICATE

I, RACHEL TODD CORLETTE, a Notary Public for Brunswick County, North Carolina, having been duly commissioned by the Surrogate Court of New York on the 4th day of August, 1949 to take the foregoing interrogations, do hereby certify that I summoned Mercedes W. Sell before me and after she was duly sworn did then read the questions to her set forth on the preceding three pages and that the answers as set forth under the

questions are the answers which she gave. This is to further certify that the signature of the witness on the foregoing three sheets is her genuine signature and that her genuine signature also appears on the last will and testament of Lelia W. Williams, deceased. At the time of my questioning the said Mercedes W. Sell there was no one else present.

This the 11th day of August, 1949.

Rachel Todd Corlette  
Commissioner

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

IN THE MATTER OF PROVING THE LAST )  
WILL AND TESTAMENT OF LELIA W. ) VERIFICATION  
WILLIAMS, DECEASED )

I, MERCEDES W. SELL, formerly Mercedes Watts, have read the foregoing interrogations and answers and the said answers are the same as given by me to Rachel Todd Corlette, Notary Public, and the same are true to the best of my knowledge and belief.

Mercedes W. Sell  
AFFIANT

Subscribed and sworn to before me  
this the 11th day of August, 1949.

Rachel Todd Corlette  
Notary Public

My commission expires: Apr. 5, 1950.

TO RACHEL TODD CORLETTE, NOTARY PUBLIC  
Southport, North Carolina

Know Ye, that we, with full faith in your prudence and competency have appointed you Commissioner and by these presents do authorize you Rachel Todd Corlette to examine THOMAS W. ST. GEORGE, LUCY W. WHITE, also known as Lucy W. White Shelton and MERCEDES WATTS, also known as Mercedes Watts Sell, all of Southport, North Carolina, as witnesses in a proceeding pending in the Surrogate's Court, County of Queens, entitled, "In the Matter of Proving the Last Will and Testament of Lelia W. Williams, deceased, as a will of real and personal property, on the part of the Proponent on oath, upon the interrogatories annexed to this Commission, and to take and certify the deposition of the witnesses and return the same and this commission according to the directions given in or with the Commission, and hereunto annexed.

The Commission when executed is to be returned by registered mail to F. C. Harris, the Clerk of the Surrogate's Court, County of Queens, at his office, General Court House, 88-11 Sutphin Boulevard, Jamaica, New York

Witness, Honorable ANTHONY P. SAVARESE, Surrogate of the said Court the 11th day of August, one thousand nine hundred and forty-nine.

A. P. SAVARESE, CLERK

IN THE MATTER OF PROVING THE LAST WILL )  
AND TESTAMENT OF LELIA W. WILLIAMS, DECEASED. ) REPORT OF SPECIAL GUARDIAN

TO THE SURROGATE'S COURT OF THE COUNTY OF QUEENS:

I, FLORENCE WALTON, having been appointed the Special Guardian of the following named persons who are ROBERT A. WILLIAMS, an infant over the age of 14 years and MARSHA A. WILLIAMS, an infant under the age of fourteen years, neither of whom have a general or testamentary guardian by an order made by the Surrogate on the 21st day of July, 1949, for the purpose of acting for and representing them in the above entitled proceeding in which said infants, by citation issued out of and under the seal of this Court, duly cited to appear; do report to this Court the following facts and nature of service performed in acting for and representing said ROBERT A. WILLIAMS AND MARSHA A. WILLIAMS, infants.

FIRST: Before entering upon my duties as Special Guardian, I signed and filed my consent to so act as required by statute.

SECOND: I examined the proofs of service of the citation herein, from which I find that legal service was made on said infants and that, therefore, this Court has jurisdiction over the person of said infants and the subject matter of this proceeding.

THIRD: That I have rendered the following described services herein and was actually and necessarily engaged before the Court or in the examination of the record the number of days and dates herein itemized, exclusive of such days on which the hearing of this proceeding was adjourned to some other day and date:

On the 25th day of July, 1949, I appeared before the Probate Clerk and qualified. I examined the following papers:

The petition of BEATRICE WILLIAMS POTTER duly executed the 16th day of May, 1949, and learned that the decedent died a resident of Queens County on the 6th day of February 1949. That her Will dated July 8th, 1939, was drawn and published in Southport, North Carolina, in the presence of three subscribing witnesses.



**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 }  
COUNTY OF QUEENS } SS.:

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.