

In the Matter of the Last Will & Testament of
Virginia McAden Bator, Deceased,
North Carolina & Superior Court
Wake County } D. H. Young, Clerk.
In the Matter of the Last
Will & Testament of
Virginia McAden Bator, Deceased

Abby L. Bator being duly sworn says that
Virginia McAden Bator died domiciled in Wake
County on the 5th day of March 1895 leaving a
Last Will & Testament, that said Last Will
and Testament was made in the year 1891
except the Codicil which was in 1892 in the
City of Baltimore, Maryland, where she was
a resident of said City and the subscribing
witnesses to said Last Will & Testament (except
the Codicil) are William A. B. Allman, Henrietta
McRae & Charles J. Bator, all of whom were then
residents of said City that Charles J. Bator is
now dead and his handwriting can not be
easily to be found in said City that Henrietta
McRae has since moved and now resides
in the State of New York & William A. B. Allman
still resides in Baltimore. The said Last
Will & Testament disposes of Land and
other property within the State, and this affiant
further says that said Codicil is in the hand-
writing of the said Virginia McAden Bator
and that the said will & Codicil were about
the 22nd day of June 1892 delivered by the
testatrix to Charles E. Bator for safe keeping
& that said Charles E. Bator now resides in said
City of Baltimore.

Abby Lee Bator
Known to and substantiated before me this 15th
day of April 1895. D. H. Young, afft.

State of North Carolina.
To G. Evitt Sharden Esq., Commissioner of
Affidavits for North Carolina, resident in
Baltimore Md. Meeting:

Whereas your special trust & confidence in
your integrity do authorize and empower you
to cause William A. B. Allman

and such other witnesses as may be desired to appear
before you at such time and place as you may
appoint and then on oath to examine touching all
such matters and things as they shall know of and
concerning a certain matter of controversy in our Super-
ior Court of the County of Wake, touching the
execution of the Last Will & Testament of Virginia
McAden Bator, Deceased. And the deposition in
writing by you so taken to come to trial with sealed
with your seal to our Superior Court to be held for
our County. Witness D. H. Young Clerk of said
Court at Office in Raleigh this 15th day of April
A.D. 1895. (Sig) D. H. Young, Clerk Superior
Court, Wake Co. N.C.

State of Maryland, D.C.
City of Baltimore

Pursuant to the annexed Commission at my
office 100 East Lexington Street in the City of Balto-
more, and the State of Maryland on the 24th day
of April A.D. 1895 neither of the parties in interest
being present, I proceeded to examine William A. B.
Allman Henrietta McRae & Charles E. Bator the
witnesses named in the Commission.

William A. B. Allman who bring by me duly
sworn upon the Holy Evangelist of Almighty
God deposed as follows, namely:-
Question 1- State your name, age, residence &
occupation. Answer, William A. B. Allman
age 44 years residence Baltimore City and I
am a physician. Question 2- Look at the
paper writing now handed you & marked for
identification by the Commissioner as Exhibit No
1 purporting to be the Last Will & Testament of
Virginia McAden Bator dated April 18th 1891, &
the Codicil dated May 10th 1892 and state all
you may know concerning the same as fully &
particularly as if specially interrogated thereon.
Answer. I recognize the paper shown me, I
was well acquainted with Virginia McAden Bator
and on the 18th day of April 1891, I was requested
by her to be a witness to her Last Will & Testament.
She signed this paper writing as marked by the
Commissioner as Exhibit No. 1 in my presence &
declared it to be her Last Will & Testament and

He requested me to subscribe the same as a witness thereto. I thereupon in his presence subscribed the same as witness to said Last Will and Testament. He was then at the time he subscribed the same as a friend & at the time of my subscribing my name at her request as a friend as an attesting witness as a friend of sound mind and memory, of full age to make a good and valid will and not under any restraint to the knowledge of this deponent. Charles J. Baker was one of the witnesses. He signed it as a witness at the request of the said Virginia McAden Baker in her presence & also in mine. He is now dead.

(Sig.) William A. B. Bellman, M.D.

Charles E. Baker one of the witnesses named in the Commission who bring by me duly sworn on the Holy Evangelist of Almighty God deponent as follows: Question 1:- Please state your name, age, residence & occupation. Answer: Charles E. Baker, age 50, residence Baltimore City and I am a merchant. Question 2:- Lead at the paper-writing shown you and already filed marked Exhibit No. 1, by the Commission which purports to be the Last Will & Testament of Virginia McAden Baker, & state all you may know concerning the same as fully as if specially interrogated thereon. Answer:- I recognize the paper-writing. I know the hand-writing of Mrs. Virginia McAden Baker, from the fact of having seen her write and from the fact of having received numerous letters from her. Charles J. Baker one of the witnesses to the will was my father. He died on 22nd day of September 1894. I have seen him write for the past 40 years, and I know his hand-writing. His signature as a subscribing witness is in his own proper hand-writing. The signature of Virginia McAden Baker to said paper-writing dated April 18th 1891, and May 10th 1892 is in her own proper hand-writing. The whole of that portion of the paper purporting to be a codicil signed &c.

own proper hand-writing. On or about the 22nd day of June 1892 she gave me the will & desired to keep for her with the instructions to deliver it to her husband, Ashley L. Baker in case of her death. I delivered it to him on the 19th day of March 1895. On the said 10th day of May and on the 22nd day of June 1892 so far as affiant is informed and believes and at all times after said 10th day of May 1892 so far as his information extends Virginia McAden Baker was of sound mind of full age to make a will and was not in my knowledge or information under any restraint. (Sig.) Charles E. Baker.

Hurrietta McKee one of the witnesses named in this Commission who bring by me duly sworn on the Holy Evangelist of Almighty God deponent as follows: Question 1:- Please state your name, age, residence Answer: Hurrietta McKee, age 60, residence New York City. Question 2:- Lead at the paper-writing now handed you marked for identification by the Commission as Exhibit No. 1 purporting to be the Last Will & Testament of Virginia McAden Baker dated April 18th 1891 and the codicil dated May 10th 1892 and state all you may know concerning the same as fully and particularly as if specially interrogated thereon. Answer: I recognize the paper-writing shown me marked Exhibit No. 1 by the Commission & already filed. I knew Virginia McAden Baker very well and she requested me on the 18th day of April 1891 to sign as an attesting witness to her Last Will and Testament. I saw her sign the paper already filed marked Exhibit No. 1. She signed the said paper in my presence and said that it was her Last Will and Testament. I subscribed my name as an attesting witness at her request and in her presence. At the time that I subscribed my name to said Last Will & Testament of Virginia McAden Baker she was of sound mind & memory and fully capable of making a good and valid Will, and that she was not under any restraint whatever. Dr. A. B. Bellman and Mr. Charles J. Baker are the other witnesses and they signed in my presence. Mr. Charles J. Baker is now dead, but I recognize his signature and saw him sign the same.

with Dr. H^o A. B. Bellman signed the same as attesting witnesses to the Last will & Testament of Virginia McAden Baker.
(Sig) Henrietta McAden.

Last Will and Testament of Virginia McAden Baker, deceased.

I, Virginia McAden Baker of the City of Baltimore in the State of Maryland being of sound and disposing mind memory and understanding do hereby make, publish & declare this as my last will and Testament.

First: I name and appoint my husband Asbury Lee Baker as the sole executor of this my Last will and Testament and direct that he shall be permitted to act as such without the necessity of giving bond.

Second: I give and bequeath to my little sister Lucy McAden my entire set of pearls as well as one of the pair of bracelets I in to me by my father at the time of my marriage.

Third: I give and bequeath to my sister Mary McAden my large diamond pin given me on my twenty sixth birthday.

Fourth: The second bracelet of the pair of bracelets mentioned in the second clause of this will, I give and bequeath to my husbands niece, Elizabeth Brownman Baker.

Fifth: I give and bequeath my diamond cross to Mary Elizabeth Bonkushough.

Sixth: I give and bequeath my diamond earring to Benjamin Whitely Baker, son of C. E. Baker.

Seventh: I give and bequeath my watch and fob to my niece not yet baptized, who is known as Jennie McAden the daughter of my deceased brother Benjamin.

Eighth: All the rest and residue & remainder of my property of whatever kind & where so ever situated, I give devise & bequeath to my husband Asbury Lee Baker.

In testimony whereof I have hereunto subscribed my name and affixed my seal the eighteenth day of April in the year eighteen hundred and ninety one. (Sig) Virginia McAden Baker.

April 18th 1891.

Baltimore.

Signed, assent published and declared by the above named testatrix as and for her last will and Testament in the presence of us who, at her request, in her presence and the presence of each other have hereunto subscribed our names as witnesses.

(Signed)

Wm A. B. Bellman M.D.

Henrietta McAden

Chas. J. Baker.

In Article 3rd of this my will & Testament I bequeath to my sister Mary McAden a diamond pin, said pin having been disposed of I bequeath to my diamond earring in place of said pin, the now being Mary McAden Davison.

I reserve the bequest to Elizabeth Brownman Baker mentioned in Article 4 and bequeath the said bracelet to my youngest sister Lucy McAden, also silver manicule set to same size, also face-pins.

My Marquis ring I give and bequeath to Marion Baker eldest born child of Frank Baker & I do not leave any emeralds, my husband Asbury Lee Baker is to purchase emeralds to the amount of \$250⁰⁰ out of the money I leave him.

This codicil I write with my own hands being of sound mind.

May 10th 1892.
Signed Virginia McAden Baker, the 10th day of May 1892.

State of Maryland, 3rd

City of Baltimore

I J. Everett Reardon the Commissioner named in said Commission do hereby certify that the witnesses of the testatrix William A. B. Bellman M.D., Charles E. Baker and Henrietta McAden were taken down under oath and sworn to by them in my presence on the 24th day of April 1895 at my office 100 East Lexington Street in the City of Baltimore and that I have personal knowledge of said witnesses. And I further certify that neither of the parties in interest were present at the time of the said certification and that I have been to either of the parties to the action. Witness my hand and seal this 24th day of April 1895.
J. Everett Reardon, A Commissioner of the State of Maryland in the State of Maryland.

(Sig)
(Sig)

Will

First:

Second:

Third:

Fourth:

Fifth:

Sixth:

Seventh:

Eighth:

J. E. Reardon
Commissioner