

PC-6.3
Commission to Take Deposition of
Witness to Will
formerly SW-26

This form is prepared upon the granting of the Petition for Commission.

Upon granting of the Petition for Commission, the Probate Clerk:

- Prepares **Form PC-6.3, Commission to Take Deposition of Witness to Will.**
- Sends by registered mail **Form PC-6.3** to the Commissioner named in the Petition along with the original will.
- Makes a duly certified copy of the Will to be retained in the estate file until the original is returned with the deposition of the subscribing witness.

Note: The return date for Form PC-6.3, is usually the date of the hearing on the petition for the probate of the Will.



STATE OF RHODE ISLAND
County of _____
Estate of _____

PROBATE COURT OF THE
No. _____
Date _____

COMMISSION TO TAKE DEPOSITION OF WITNESS TO WILL

To. _____
Name of Commissioner

No. Street

City State ZIP

Whereas, _____
Name of Petitioner

No. Street

City State ZIP

has presented to said Court for probate an instrument hereto annexed, purporting to be the last will and testament of the above captioned decedent and has requested that the deposition as a witness of the following may be taken:

Name of Witness

No. Street

City State ZIP

Now therefore, you are by these presents authorized and empowered to take the deposition of the said

_____ and to this end to cause the said deponent to come before you, and the
Name of Witness to Will
deponent after having been sworn to testify the truth, the whole truth, and nothing but the truth, relating to the cause for which the deposition is taken, to be examined and his/her testimony taken in writing. And you are to take such deposition separate and apart from all other persons, and to permit no person to be present during such examination except the deponent and yourself. And you are to put the several interrogatories hereto annexed to the deponent in their order, and to take the answer of the deponent to each fully and clearly before proceeding to the next, and not to read to the deponent nor permit the deponent to read a succeeding interrogatory until the answer to the preceding has been fully taken down. And when you shall have completed the examination aforesaid, the same so taken and subscribed is to be returned, together with this Commission and your doings herein, enclosed, sealed, and directed to the Clerk of said Court at _____ in said state.
City or Town of Probate Court

Date

Signature of Probate Judge

Signature of Clerk

Was the annexed instrument signed (or such signature acknowledged) by the testator and was such signature made or acknowledged by the testator in the presence of yourself and of the other subscribing witness or witnesses all present at the same time?

Answer:

Did you and the other witness or witnesses attest and subscribe the instrument in the presence of the testator, all being present at the same time?

Answer:

Was the testator then of the age of eighteen years and of sane mind?

Answer:

Pursuant to the foregoing commission, I caused the said _____
Name of Witness to Will
to come before me on _____, and after having sworn the said _____
Date Name of Witness to Will
to testify the truth, the whole truth, and nothing but the truth, relating to the cause for which the depositions is taken, I examined the said _____ and reduced his/her testimony to writing. In taking the deposition I put the
Name of Witness to Will
interrogatories to the deponent as directed in the foregoing commission, and in all respects fully and exactly complied with the directions in said commission.

And after said deposition was taken, I carefully read the same to the said _____
Name of Witness to Will
and he/she subscribed it in my presence.

Signature of Commissioner

Printed Name of Commissioner