§ 2507. Reception of wills for safekeeping

1. The court of any county upon being paid the fees allowed therefor by law shall receive and deposit in the court any will of a domiciliary of the county which any person shall deliver to it for that purpose and shall give a written receipt therefor to the person depositing it. An attesting witness to any will may make and sign an affidavit before any officer authorized to administer oaths setting forth such facts as he would be required to testify to in order to prove the will. The affidavit may be written upon the will or on some paper securely attached thereto and may be filed for safekeeping with the will to which it relates. There may also be filed with the will affidavits of certified medical examiners, under the provisions of the mental hygiene law, certifying that the maker of the will was of sound mind at the time of its execution, together with any facts supporting such opinion.

2. The will shall be enclosed in a sealed wrapper so that the contents thereof cannot be read and shall have endorsed thereon the name of the testator, his domicile, and the day, month and year when delivered and shall not on any pretext whatever be opened, read or examined until delivered to a person entitled to it as hereinafter directed.

3. The will shall be delivered only

(a) to the testator in person or

(b) upon his written order duly proved by the oath of the testator which shall be duly acknowledged or

(c) after his death to the persons named in the endorsement on the wrapper of the will, if such endorsement be made thereon or

(d) if there be no such endorsement or if it has been deposited with any other officer than a surrogate, then to the surrogate's court of the county.

4. If the will shall have been deposited with a surrogate's court or shall have been delivered to it as above prescribed the court after the death of the testator shall publicly open and examine the will and make known the contents thereof and shall file it in the court, there to remain until it shall have been duly proved, if capable of proof, and

then to be delivered to the person entitled to the custody thereof or until required by the authority of some competent court to produce the same in such court.