

Atlantic County Orphans' Court.

In the matter of the estate of Annie Sproul, deceased. One Petition representing the estate, to be insolvent, rule to bar creditors having been heretofore obtained, lands having been heretofore sold in order to pay debts and for leave to pass final account on date that estate is decreed insolvent.

To the Orphans' Court of the County of Atlantic: The petition of William W. Eldredge respectfully shows:

1. That he is the executor of the estate of Annie Sproul, deceased, late of the city of Atlantic City; that on the twentieth seventh day of May, A. D. Nineteen hundred and seven, the Surrogate of the County of Atlantic, made an order directing petitioner to give public notice to the creditors of the said estate, to bring in their debts, demands and claims against the said estate under oath, within nine months from the date of said order.

2. That subsequently, petitioner discovered that the personal estate of decedent was insufficient to pay the debts against it; that on the eighth day of October, A. D. Nineteen hundred and seven, petitioner presented his petition to this court, exhibiting the debts of said estate and the amount of personal estate and real estate of which decedent died seized; that on the eighteenth day of December, A. D. Nineteen hundred and seven, an order was entered in this court decreeing that petitioner sell at either public or private sale, the lands of which decedent died seized; that subsequently petitioner learned that decedent died seized of only a one half interest in said real estate, decedent possessing only a life interest in the other one half interest; that on the fifteenth day of July, A. D. Nineteen hundred and eight, petitioner presented a petition to this court for relief against mistake made as to the amount of interest of decedent in lands already sold and to be sold; that on the nineteenth day of August, A. D. Nineteen hundred and eight, an order was entered in this court granting relief to petitioner in matter of mistake made, and directing petitioner to sell and account for only the one half interest in said lands of which decedent died seized.

3. That on the twelfth day of February and the thirteenth day of October respectively, A. D. Nineteen hundred and eight, there were entered reports made to this court, concerning the private sales of the lands of which decedent died seized, and orders confirming said sales were entered on said respective dates; that said sales confirmed on said dates disposed of all the lands of which the said decedent, Annie Sproul, died seized, and that by an order heretofore made on this eighth day of December, A. D. Nineteen hundred and eight, the mistake made by petitioner in regard to the lands sold to Morris Midlansky and confirmed by order entered on said twelfth day of February, A. D. Nineteen hundred and eight, and corrected by an order entered on the nineteenth day of August, A. D. Nineteen hundred and eight, was corrected and the action of petitioner in paying the sum of six hundred and fifty dollars ratified by this court.

4. That it now transpires by reason of the fact that decedent, Annie Sproul, died seized of only an undivided one half interest in said lands, subject to her debts, that the personal estate of decedent plus the moneys paid petitioner for the one half interest of decedent in all other said lands heretofore sold as set forth in Paragraph three, are not sufficient to pay the debts of decedent.

5. That by reason of the fact that all of the interest in all of the lands of which the said Annie Sproul died seized has been disposed of and sold by petitioner under orders of this court to sell lands in order to pay debts, and the personal estate of decedent has all been sold and disposed of, and the moneys for same in hands of petitioner, that a decree barring creditors and a nine months rule has been heretofore entered, petitioner is now prepared to make his final report to the court, on the same day that the estate of decedent is decreed insolvent.

6. Petitioner therefore prays that this court will decree the estate of Annie Sproul, deceased, to be insolvent at some future date to be fixed by the court; that on said date so fixed, subsequent to the decree of insolvency, petitioner may be permitted to present his final account in said estate and have the same passed upon by this court, and for such other and further order and decree, and relief in the premises as are by law required and as to this court shall seem meet.

Atlantic City, N. J.
December A. D. 1908.

Wm. W. Eldredge.

State of New Jersey }
County of Atlantic } ss.

William W. Eldredge being first duly sworn according to law upon his oath deposed and said, that he is the petitioner named in the foregoing petition, and that the matters and things therein set forth are true to the best of his knowledge and belief.

Sworn and subscribed to before me this Fifth day of December, A. D. 1908.

Wm. W. Eldredge.

Charles S. Moore
Atty at Law of N. J.