

personal estate of the said Charles Cast is insufficient to pay his debts and requesting the aid of the Court in the premises:

It is thereupon on this Twenty-fifth day of September, A.D. 1913 Ordered that all persons interested in the lands, tenements, hereditaments and real estate of said Charles Cast, deceased, appear before this Court at the Court House, at May's Landing, on the Twenty-seventh day of November A.D. 1913, at 10.00 o'clock in the forenoon, to show cause why so much of the said lands tenements, hereditaments and real estate of the said Charles Cast, deceased, should not be sold as will be sufficient to pay his debts.

Witness, Clarence L. Cole, Esq., Judge of said Court, this Twenty-fifth day of September, A.D. 1913.

C.L. Cole, Judge.

Filed and Recorded September 25, 1913.

Emanuel C. Shaner, Surrogate.

4373

ATLANTIC COUNTY ORPHANS' COURT.

In the matter of the estate of Jane) ORDER.

Fortescue, deceased, who died testate.)

The question of the imposition of expenses and counsel fees of the proponent upon the Caveator in the above stated cause, having been reserved in the order of the second day of August, 1913, admitting the will and codicils to probate, and due notice of a motion for an order on the question of costs reserved under the said order having been given, returnable on the 23rd day of August, 1913, and both parties appearing and having been heard, and counsel for the proponent having agreed, in open court, to waive formal notice of a motion to allow a counsel fee to the caveator out of the estate of the decedent, and the Court having considered the matters presented:

It is, on this Twenty-third day of September, 1913, on motion of Joseph Thompson and William M. Clevenger, of counsel with the proponent, ordered that the motion for counsel fees to be allowed to the proctors for the Caveator out of the estate in this cause, be denied, and that the motion to impose costs and expenses upon the caveator be allowed to the extent of all costs and expenses created in the cause, after the proof of the execution of the will and codicils.

C.L. Cole, Judge.

Filed and Recorded September 25th, 1913.

Emanuel C. Shaner, Surrogate.

4387

ATLANTIC COUNTY ORPHANS' COURT.

In the matter of the estate of) Decree of Distribution

James J. McDevitt, deceased.)

The final account of Harriet May Deacon, executrix of the last will of James J. McDevitt, deceased, having been duly filed, exhibiting a balance of (\$5973.06) five thousand and nine hundred seventy-three and 06/100 dollars of the said estate in her hands up to the date of filing the same, and such account having been duly allowed by this Court, and it appearing that the said James J. McDevitt, deceased, in and by his last will, directed that after payment of the debts and expenses of settlement of his estate, the business of heating, roofing and plumbing, including all stock of manufactured material, tools and machinery, carried on at #618 Atlantic Avenue, (appraised at \$1500.00) be left to William H. McDevitt, and also directed that all accounts due said business be collected and all debts due for said business be paid out of the moneys so collected and on deposit in the Guarantee Trust Company of Atlantic City or in any other Trust Company or bank in which the funds of said business may be deposited, and of the balance of said debts due said business and of the moneys so deposited they remaining after payment of said debts of said business, an third part thereof be paid to the said William H. McDevitt, and did

This judgment rendered of record and allowed cancelled by E. M. Shaner & Joseph Thompson Sept 27 1916

bequeathed to the said Harriet May Deacon;

And it appearing to the Court that there remains after all debts and expenses have been allowed and deducted, the sum of (\$5973.06/100) five thousand nine hundred seventy three and six one hundredths dollars in the hands of said Harriet May Deacon, executrix as aforesaid, for distribution in accordance with the terms of said will, the business, appraised at \$1500. having been turned over to William H. McDevitt, in accordance with the terms of the said will; and it further appearing that due notice of this application has been given to all parties in interest.

It is, thereupon, on this Twenty-fifth day of June, 1913, ordered that the aforesaid sum be distributed and paid in accordance with the directions and provisions of the last will of the said James J. McDevitt, deceased, as follows, to wit: sum of Fifteen hundred sixty-four and 60/100 dollars to the said William H. McDevitt and the sum of twenty nine hundred and eight 46/100 dollars, to the said Harriet May Deacon.

C.L. Cole, Judge.

I consent to the making and entering of the above order.

Wm. H. McDevitt.

Erasure on line 18 and 16, before signing.

Filed and Recorded September 25th, 1913.

Emanuel C. Shaner, Surrogate.

4168

ATLANTIC COUNTY ORPHANS' COURT.

In the Matter of the estate of) On Petition, Etc.

William H. Burgess, deceased.) Order to sell Lands.

The order to show cause in this matter made on the 16th day of July, 1913, having been advertised and published according to law, and the matter having come on for hearing on the 25th day of September, 1913, and the Court having heard and examined the allegations and proofs and the testimony of William Colwell as to the location and value of the lands described in the petition filed in this cause, and it appearing on full examination that the personal estate of said William H. Burgess, deceased, is not sufficient to pay his debts, and that the administrator, Hammonton Trust Company has found no other personal property to apply to the payment of the debts, except as stated in said petition, and that there is a deficiency amounting to the sum of \$763.36 besides interest and the costs and expenses of administration.

It is therefore on this 25th day of September, 1913, ordered that the said Hammonton Trust Co. Administrator as aforesaid, sell the following tract of land whereof the said William H. Burgess, died seized to wit:

All that lot or piece of land situate lying and being in the Town of Hammonton, County of Atlantic and State of New Jersey, bounded as follows:- Beginning at a point on the northerly side of Vine Street at the Easterly corner of one Morris (or Woodburn) lot and running thence (1) along the Northerly line of said Vine Street North 47° 2' East Fifty feet, thence (2) north 45° 38' West one hundred and fifty feet thence (3) South 47° 2' West fifty feet to Mrs. Morris northerly corner thence (4) Along Mrs. Morris line South 44° East one hundred and fifty feet to the place of beginning. Also, that certain lot or piece of land lying and being in the Town of Hammonton, County and State aforesaid, bounded and described as follows:- Beginning at a point in the northwest line of Vine Street fifty seven and one half feet Northeast of the easterly corner of said John L. Ballards present lot extending thence (1) Southwesterly along said Vine Street fifty seven and one half feet to said Ballards easterly corner thence (2) Northwesterly along said Ballards line one hundred and fifty feet to said Ballards north corner, thence (3) Northeasterly and parallel with Vine Street fifty two and one half feet to a point, thence (4) Southeasterly in a direct line to Vine Street to the place of beginning.

Being the same lands and premises which Moses Stockwell and wife and Elan Stockwell and wife by deed dated November 23, 1892, of record in the Office of the Clerk of Atlantic County in Book 172 of Deeds page 41, do granted and conveyed unto said William H. Burgess in fee, by virtue of a power of sale contained in the terms of the said deed.