

duly sworn according to law upon his oath deposes and says that he saw Mary D. Birnbaum the said testatrix sign and seal the said annexed writing and heard her publish, pronounce and declare the same to be her last will and testament.

Deponent further says that at the time of the doing thereof the said testatrix was over the age of twenty-one years, of sound and disposing mind, understanding and memory and not under any restraint, so far as deponent knows and as he verily believes; and that John B. Black, the other subscribing witness to the said will was present at the same time with deponent when the said will was signed by the said testatrix and by her published and declared as and for her last will and testament, as aforesaid, and that the said John B. Slack and deponent subscribed their names to said will as witnesses at the request of and in the presence of the said testatrix and in the presence of each other, all being present at the same time.

Subscribed and sworn to this 31st day )  
of January 1921 at Atlantic City ) Wm M. Clevenger  
before me. )

Albert C. Abbott, Surrogate.

State of New Jersey )  
County of Atlantic ) ss.

Charles Rudolph Birnbaum and Charles Henry Birnbaum, administrators with the will the will annexed of the within named Mary D. Birnbaum deceased, being duly sworn according to law, did depose and say that the within writing contains the true last will and testament of Mary D. Birnbaum therein named, deceased, so far as they know and as they verily believe; that they will well and truly perform the same by paying first the debts of the said deceased and then the legacies in the said testament specified, so far as the goods, chattels, and credits of the said deceased can thereunto extend, and that they will make and exhibit in the Surrogate's office of the County of Atlantic, at or before the expiration of three calendar months, a true and perfect inventory of all and singular the goods and chattels, rights and credits of the said decedent that have or shall come to their knowledge or possession, or to the possession of any other person or persons for their use; and render a just and true account when thereunto lawfully required; and also diligently and faithfully regard and well and truly comply with the provisions of the act relating to collateral inheritances.

Sworn and subscribed at Atlantic )  
City, County and Said aforesaid ) Charles Rudolph Birnbaum  
the 31st day of January A. D. 1921, ) Charles Henry Birnbaum  
before me,  
Albert C. Abbott,

Surrogate.

ATLANTIC COUNTY SURROGATE'S COURT.

In the matter of the Estate of : On Petition.  
Mary D. Birnbaum, Deceased. : ORDER.

It appearing from the petition of Charles Rudolph Birnbaum and Charles Henry

Birnbaum, filed herein, that Mary D. Birnbaum, late of the City of Atlantic City, in the County of Atlantic and State of New Jersey, died on or about the twenty-fifth day of January, 1921, and more than ten days ago, having first duly made and executed a paper writing purporting to be her last will and testament, bearing date of the Fourteenth day of December, 1910, in and by which she appointed John Duncan, of the City of Philadelphia, in the County of Philadelphia and State of Pennsylvania, the sole Executor thereof; and it further appearing that the said John Duncan has pre-deceased the said testatrix, and the Surrogate having inquired into the circumstances, taken proof, and being satisfied of the genuineness of the will produced, the validity of its execution, and the competency of the testatrix, and no caveat against the probate of said will having been filed, and the said Charles Rudolph Birnbaum and Charles Henry Birnbaum being in the judgment of the Court, fit persons to administer the estate of the said testatrix, and it appearing that the personal estate of the said testatrix will not exceed in value the sum of Forty thousand dollars, (\$40,000.00),

IT IS, on this Fifth day of February, 1921, ORDERED, ADJUDGED and DECREED, that the instrument offered for probate in this matter is the last will and testament of the said Mary D. Birnbaum, deceased, and that the same be and is hereby admitted to probate, and it is further ordered that letters of administration, with the will annexed, be issued thereon to the said Charles Rudolph Birnbaum and Charles Henry Birnbaum, upon the giving by them of a bond to the Ordinary in the sum of Eighty thousand dollars (\$80,000.00) with Sureties according to law, approved by the Surrogate.

Albert C. Abbott,  
Surrogate.

STATE OF NEW JERSEY )  
COUNTY OF ATLANTIC ) ss.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, MARY D. BIRNBAUM, late of the County of Atlantic, in the State of New Jersey, departed this life, having made and executed a last will and testament, which has been duly proved according to law, before the Surrogate of the County of Atlantic; and

WHEREAS, the Executor named therein has predeceased the testatrix;

THEREFORE, I, ALBERT C. ABBOTT, Surrogate of the County of Atlantic, do hereby appoint CHARLES RUDOLPH BIRNBAUM and CHARLES HENRY BIRNBAUM, administrators of all and singular the goods, chattels and credits of the said deceased, who are duly authorized to administer the same agreeably to said will.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this Fifth day of February, in the year of our Lord, one thousand nine hundred and twenty-one.

(SEAL)

ALBERT C. ABBOTT,  
Surrogate.

Filed and recorded February 5th, 1921.

Albert C. Abbott, Surrogate.