

my real estate business just as its condition may be at the time of my decease, including the accounts receivable, office furniture and commission business.

FOURTH. To my beloved wife, Anna G. Barber, I give, devise and bequeath, absolutely and in fee simple, my garage property on Atlantic Avenue, near Missouri Avenue, Atlantic City, New Jersey, with an outlet on Missouri Avenue; two properties on North Kentucky Avenue, between Atlantic and Arctic Avenues, known and designated as Nos. 23 and 25 North Kentucky Avenue; five properties on North Kentucky Avenue, near Mediterranean Avenue, known and designated as Nos. 242, 244, 246 and 248 and 250 North Kentucky Avenue; and my property on Mediterranean Avenue, designated as No. 1604 Mediterranean Avenue, Atlantic City, New Jersey.

FIFTH. I give, devise and bequeath to my executor and trustee hereinafter named all the rest, residue and remainder of my estate, in trust, however, for the following purpose:

1. After the payment of any debts out of the rest, residue and remainder, which I may owe at the time of my death, I direct my executor and trustee to pay to my brother Howard Barber Five Hundred Dollars per year for ten years until the total sum of Five Thousand Dollars has been paid to him from this rest, residue and remainder of my estate; unless I die seized of the properties on Oakland Avenue, Atlantic City, New Jersey, devised to my brother Howard Barber in item two hereof. Should I die seized of said Oakland Avenue properties, then they are to become the property of my brother Howard Barber, absolutely and in fee simple, in place of this bequest of Five Hundred Dollars per year and the said Five Hundred Dollars per year to my brother Howard Barber is not to become a charge against the rest, residue and remainder of my estate under this item.

After payment of my debts and after settlement with my brother Howard Barber, either by way of the devise of the Oakland Avenue properties or, if I do not die seized of said properties, by way of the cash payment to him of Five Hundred Dollars per year, all the rest, residue and remainder of my estate I hereby give, devise and bequeath, absolutely and in fee simple, to my beloved wife Anna G. Barber, and I direct my executor and trustee to turn the same over to her after the said charges have been met and satisfied by him.

LASTLY. I nominate, constitute and appoint my friend and counsellor, H. Walter Gill, executor and trustee of this my last will and testament, with full power of sale and investment of any trust funds that may come to his hands according to his best judgment, not limiting him to the investments as are prescribed by law, he to act without bond.

IN WITNESS WHEREOF, I, SAMUEL W. BARBER, have hereunto set my hand and seal this nineteenth day of February, A.D., nineteen hundred and twenty-one.

Samuel W. Barber (SEAL)

Signed, Sealed, Published and Declared by the above named Samuel W. Barber to be his last will and testament, in the presence of us, who were both present at the same time, and who, at the request of the testator, have hereunto subscribed our names as witnesses in the presence of the testator and of each other.

Lillie J Leeds, 107 North California Ave., Atlantic City, N.J.

Clarence B. Dixon, Northfield, N.J.

ATLANTIC COUNTY SURROGATE'S COURT.

In the matter of the probate of the alleged) ON PETITION FOR PROBATE.
Will of Samuel W. Barber, deceased.) DEPOSITION OF SUBSCRIBING WITNESS.

State of New Jersey,)
County of Atlantic.) ss.

Lillie J. Leeds, one of the witnesses to the annexed writing, dated February 19, 1921, purporting to be the last will and testament of Samuel W. Barber, deceased, being duly sworn according to law upon her oath deposes and says that she saw Samuel W. Barber, the said testator sign and seal the said annexed writing and heard him publish, pronounce and declare the same to be his last will and testament.

Deponent further says that at the time of the doing thereof the said testator was over the age of twenty-one years, of sound and disposing mind and memory and not under any restraint, so far as deponent knows and as she verily believes; and that Clarence B. Dixon, 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 testator and by him published and declared as and for his last will and testament, as aforesaid, and that the said Clarence B. Dixon and deponent subscribed their names to said will as witnesses at the request of and in the presence of the said testator and in the presence of each other.

Subscribed and sworn to this 12th)

day of August, 1921, at Atlantic) Lillie J. Leeds
City, N.J., before me,)

Albert C. Abbott, Surrogate.

ATLANTIC COUNTY SURROGATE'S COURT.

In the matter of the Estate of) On Petition for Probate.
Samuel W. Barber, deceased.) Oath of Executor.

State of New Jersey,)
County of Atlantic) ss:

H. Walter Gill, executor of the within named Samuel W. Barber, deceased, being duly sworn according to law, did depose and say, that the within writing contains the true last will and testament of Samuel W. Barber, therein named, deceased, so far as he knows and ^{as} he verily believes, that he 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 he 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 his knowledge or possession, or to the possession of any other person or persons for his 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 State aforesaid, the 12th) H. Walter Gill
day of August, A.D. 1921, before me)

Albert C. Abbott,
Surrogate.