

Atlantic County Orphans' Court.

In the matter of the Estate of } An petition for sale of land  
Jacob Matter, deceased. } to pay debts.

Decree for sale.

The order to show cause made in this matter on the 14th day of November, nineteen hundred and five, having been advertised and published according to law, and notice being given to Annie B. Matter, widow of said Jacob Matter on the twenty seventh day of December, nineteen hundred and five, of the intention to apply for an order directing the sale of the premises hereinafter described, free and discharged from all claims by virtue of her right of dower in said premises for the purpose of paying the debts of said decedent, and the Court having heard and examined the allegations and proofs of Guaranty Trust Company, the administrator of the estate of Jacob Matter, deceased and of the parties interested, and it appearing on full examination that the personal estate of Jacob Matter, the said intestate, is not sufficient to pay his debts, and that the said Guaranty Trust Company, administrator as aforesaid, has applied all of the personal estate that has come to his hands to the payment of said debts, and that there is a deficiency amounting to the sum of Twenty-five hundred dollars; It is therefore, on this eighteenth day of January nineteen hundred and six, Ordered that the said Guaranty Trust Company, administrator as aforesaid, sell the following tract of land to-wit: A certain tract of land situate in the city of Atlantic City, county of Atlantic, and state of New Jersey, bounded and described as follows: Beginning at the north-west corner of Arctic Avenue and Matter's Alley, and runs thence (1) northwardly along the westerly line of Matter's Alley one hundred and fifty feet; thence (2) westwardly parallel with Arctic Avenue fifty feet to a point; thence (3) southwardly parallel with Matter's Alley, one hundred and fifty feet to the northerly line of Arctic Avenue; thence (4) eastwardly along the northerly line of Arctic Avenue fifty feet to the place of beginning to raise the aforesaid sum of Twenty-five hundred dollars, and that after making such sale, the said Guaranty Trust Company report the same to this Court for its approval and confirmation. And it appearing to the Court that under all the circumstances of the case, and having regard to the interests of all persons interested, that the lands hereinbefore described should be sold free and clear of the dower interest of Annie B. Matter, widow of said Jacob Matter, deceased, and that the purchaser, his heirs or assigns, should hold such premises free and discharged from all claims by virtue thereof; It is further ordered that the said premises be sold free and discharged from all claims by virtue of the right of dower in said premises of said Annie B. Matter, and that her estate and interest shall pass thereby, and that the purchaser, his heirs and assigns, shall hold such premises free and discharged from all claims by virtue of her said dower interest.

And it further appearing to the Court that there is a mortgage on said premises in the sum of seven

hundred and sixty dollars made by decedent to Charles A. Baake dated January 6, 1904, and of record at Mays Landing, New Jersey in Book 76 of Mortgages, page 62, etc., and that said mortgage is a lien on said premises, and that there is due on the said mortgage one year's interest amounting to Forty five dollars and sixty cents which was due on January 6, 1906. And it further appearing to the Court that there is a mortgage in the sum of One thousand dollars which is a lien upon the said premises, which said mortgage was executed by Jacob Matter to Charles A. Baake on July 7, 1903, recorded at Mays Landing, New Jersey in Book 72 of Mortgages, page 185, and which said mortgage has been since assigned to one Charles D. Saalmann, and that there is one year's interest due on said mortgage amounting to Sixty dollars, which interest was due on January 7, 1906. And it further appearing that the said Charles A. Baake and Charles D. Saalmann have filed a claim upon the debt secured by their respective mortgages under oath with Guaranty Trust Company, administrator of said decedent, which said claims were each under oath, and which said claims were filed under section 87 of the Revision of the Orphans' Court Act of 1898.

And it further appearing to the said Court to be necessary to sell the lands and premises encumbered by said mortgages free and clear of the encumbrance of said mortgages.

It is further ordered that the said lands and premises be sold free and clear of the encumbrance of said mortgages, and also ordered that the money arising from such sale be first applied to the payment of the said mortgage debts, and the balance, after paying the same to be assets in the hands of said administrator.

E. C. Hughes  
Judge.

Filed + Recorded Jan. 19. 1906.  
Emanuel C. Stoner  
Surrogate.