

SECOND:

I give and bequeath unto the Widow of my deceased brother, Frieda Wagner, of Charleston, South Carolina, the sum of Five Hundred Dollars.

THIRD:

I give and bequeath unto my nephews, David Lurch, the sum of Eight Hundred Dollars, and William E. Lurch the sum of Five Hundred Dollars.

FOURTH:

I give and bequeath unto the sons of my nephew, William E. Lurch, that is to say, to Alvin Lurch the sum of Two Hundred Dollars and to Arthur Lurch, the sum of Two Hundred Dollars.

FIFTH:

I give and bequeath unto Lizzie Theobald of Atlantic City, New Jersey, the sum of Four Hundred Dollars.

SIXTH:

I give and bequeath unto Leonard Freese, the sum of Five Hundred Dollars.

SEVENTH:

I give and bequeath unto Leonard Freese, in trust for his brother, David Freese, the sum of Three Hundred Dollars, to be expended or held for the benefit of said David Freese as is deemed most advisable by said Trustee.

EIGHTH:

I give and bequeath the sum of Three Hundred Dollars to Mrs. Emmy Eckard and George Eckard, her husband, of Hamonton, New Jersey, to purchase and place a stone plate over the graves of myself and my husband and for the proper cementing and completion of the graves so that the same may be placed in proper order.

NINTH:

I give, bequeath and devise all the rest, residue and remainder of my estate, of whatever the same may consist and wheresoever situate, to my said nephew, William E. Lurch, his heirs and assigns forever.

LASTLY:

I hereby nominate and appoint Gustav A. Kessler, of Atlantic City, Executor of this my last Will and Testament, hereby revoking any and all Wills at any time by me heretofore made, giving and granting unto my said executor full power to sell and convey any or all real estate of which I may die seized.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this Nineteenth day of March, in the Year of our Lord, One Thousand Nine Hundred and Twenty-one.

Signed, Sealed, Published and Declared, by the ) above named Magdalena P. Hertel to be her last ) Will and Testament, in the presence of us, who ) were present at the same time, and at the request ) of the testator have hereunto subscribed our ) names as witnesses, in the presence of the ) testator and of each other. )

Louise Kessler

Albert C. Stephany

ATLANTIC COUNTY SURROGATE'S COURT.

In the matter of the Probate of the alleged ) ON PETITION FOR PROBATE. ) Will of Magdalena P. Hertel, deceased. ) DEPOSITION OF SUBSCRIBING WITNESS.

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

Albert C. Stephany, one of the witnesses to the annexed writing, dated March 19, 1921, purporting to be the last will and testament of Magdalena P. Hertel, deceased, being duly sworn according to law upon his oath deposes and says that he saw Magdalena P. Hertel, 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 and memory and not under any restraint, so far as deponent knows and as he verily believes; and that Louise Kessler, 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 Louise Kessler 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.

Subscribed and sworn to this 24th )

day of February, 1922, at Atlantic )

City, N.J., before me )

Albert C. Stephany

Albert C. Abbott, Surrogate.

ATLANTIC COUNTY SURROGATE'S COURT.

In the matter of the estate of ) On petition for Probate. )

Magdalena P. Hertel, deceased. ) Oath of Executor. )

State of New Jersey, ) ) ss. )

County of Atlantic. )

Gustav A. Kessler, executor of the within named Magdalena P. Hertel, deceased, being duly sworn according to law, did depose and say, that the within writing contains the true last will and testament of Magdalena P. Hertel, therein named, deceased, so far as he knows and 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 24th )

day of February, A.D. 1922, before me. )

Albert C. Abbott.

Surrogate.