

judgment or the execution issued thereon; that no inventory has been filed, although the time limited by law for so doing, has long since passed; and that said executor is not performing his duties as defined by the statute in such case made and provided.

It is Therefore, on this 20<sup>th</sup> day of July Nineteen Hundred and Eight, Ordered, that the said Thomas J. Anderson, executor as aforesaid, show cause before this Court at Mays Landing on the 19<sup>th</sup> day of August, Nineteen Hundred Eight, why the letters hitherto granted to him, should not be revoked and he forthwith removed from office and at the same time and place he account to this Court for the moneys already received by him as said executor.

It is Further Ordered that a copy of this Order, and petition in said cause, which may be not certified, be served upon said Thomas J. Anderson, within five days from the date hereof.

E. A. Hagbee,  
Judge.

3260

Filed and Recorded July 22nd, 1908.

Emanuel C. Shaner  
Surrogate.

Atlantic County Orphans' Court.

In the matter of the Estate of Jonathan Hand, deceased. } On Petition to sell lands  
} Motion to dismiss petition.

This matter being opened to the Court by Herman L. Hamilton, proctor, with Herman C. Kayser, administrator of the estate of Jonathan Hand deceased, and it appearing that on the 18<sup>th</sup> day of March A. D. 1908, a petition was made and filed with the surrogate of the County of Atlantic, that this Court do make an order to sell the lands, tenements, hereditaments and real estate of the said intestate to pay his debts. And it further appearing that a rule to show cause, why the said lands of the said intestate should not be sold as petitioned, issued out of this Court, and which said rule was returnable on the 17<sup>th</sup> day of June A. D. 1908.

And it further appearing on the said return day, and upon examination of the description of the said lands that the same was faulty, and that under a sale thereof made a good title would not pass to the purchaser.

It is on this 18<sup>th</sup> day of July A. D. 1908, on motions of Herman L. Hamilton aforesaid, ordered, that the said petition be, and the same is hereby dismissed, with leave to file a new petition in the premises.

E. A. Hagbee,  
Judge.

Filed and Recorded July 22nd, 1908.

Emanuel C. Shaner  
Surrogate.

3150

Atlantic County Orphans' Court.

In the matter of the estate of Annie Sproul, Deceased. } On Petition for sale of lands to  
} pay debts.

Petition for relief against mistake made by Executor to amount of interest in lands already sold.

To the Orphans' Court of the County of Atlantic;

1. The petition of William H. Eldridge, Executor of the estate of Annie Sproul, deceased, respectfully shows that on the eighth day of October, Nineteen hundred and seven petitioner presented to this court a petition praying that the lands of the above named decedent be sold in order to pay debts against her estate; that a rule to show cause was allowed and duly published, as required by law, requiring all persons interested to show cause why the lands of said decedent should not be sold and that on the eighteenth day of December A. D. Nineteen hundred and seven, a decree was entered in this Court directing the Executor to sell the lands of decedent in order to pay her debts; that subsequently petitioner did sell a portion of the lands of decedent, as will be shown by report made to this court by petitioner on the eleventh day of February, A. D. Nineteen hundred and eight referred thereunto being had the same will more fully and at large appear and that said sale was confirmed by this court on the twelfth day of February, Nineteen hundred and eight and a deed subsequently delivered to one Morris Kialansky for the premises described in said report and that petitioner received from said sale the sum of thirteen hundred dollars.

2. Petitioner further shows that, as set forth in the original petition presented in this matter on October eighth last, he was under the impression and thought and believed that Annie Sproul, the above named decedent, died seized of the entire interest in the lands described in said original petition and that her title to the same came through the deeds therein recited to herself and her late sister Mary Ann Sproul, and that the interest of Mary Ann Sproul was devised to the said Annie Sproul by the last will and testament of the said Mary Ann Sproul duly probated and recorded in the Surrogate's office of this county. In attempting to sell the remainder of the lands belonging to the said Annie Sproul, petitioner was informed by the attorney of the prospective purchaser of these remaining lands that the said Annie Sproul did not acquire a fee to the one-half interest of her sister, Mary Ann Sproul, under the will of the latter; that an examination of the will of the said Mary Ann Sproul would disclose that the said Annie Sproul acquired only a life estate under her sister Mary Ann's will and that the remainder was vested in the Transit and Building Fund Society of Bishop William Taylor's Episcopal Church, a corporation of the State of New York, that petitioner caused said will to be