

Atlantic County Orphans Court

In the matter of the estate of Emma Phillips, dec'd

Order for sale of lands to pay debts

The order above cause made in this matter on the sixteenth day of December A. D. 1908 having been advertised and published according to law and the court having examined the allegations and proofs of Katie Heritage, Administratrix of the estate of Emma Phillips, deceased, and of the parties interested and it appearing on full examination that the personal estate of Emma Phillips the said intestate, is not sufficient to pay her debts and that the said Katie Heritage, administratrix as aforesaid, has applied all of the personal estate that has come to her hands to the payment of said debts and that there is a deficiency amounting to the sum of twelve hundred and forty-four dollars and thirty-seven cents;

It is therefore on this seventeenth day of March, A. D. 1909, ordered that the said Katie Heritage, administratrix as aforesaid, sell the following tract of land which the said Emma Phillips, died seized, to wit: All that certain tract or parcel of land bounded and described as follows, Beginning at a point in the Westerly line of Boston Avenue three hundred and thirty-one and twenty-seven one hundredths (311-27/100) feet southwardly from the south-west corner of Boston and Atlantic Avenues and thence thence (1) Westwardly parallel with Pacific Avenue eighty-nine and seventy-five one hundredths (89-75/100) feet; thence (2) Southwardly parallel with Phoenicia Avenue twenty-five (25) feet; thence (3) Eastwardly parallel with Pacific Avenue, ninety-one and forty-four one hundredths (91-44/100) feet to the Westerly line of Boston Avenue, thence (4) Northwardly and in the Westerly line of Boston Avenue, twenty-five and five one hundredths (25-5/100) feet to the place of beginning.

Being the part of the premises conveyed to the said Charles P. Smith and Champion C. Hunter by John H. Parsons and wife by deed dated September 12th, 1899 and recorded in the Clerk's office of Atlantic County, at May's Landing, N. J. in Book 234 of deeds, Folio 163 etc; for the payment of the debts of the said decedent, and that after making such sale that the said Katie Heritage report the same to this court for its approval and confirmation;

And it is further ordered that Katie Heritage, administratrix as aforesaid, be permitted to sell the aforesaid tract of land at public or private sale; and it is further ordered that before selling the aforesaid lands the said Katie Heritage, administratrix as aforesaid, shall first enter into bond to the ordinary with condition according to the statute in such case made and provided in the sum of five thousand dollars, with one or more sufficient sureties, to be approved by this court.

E. A. Higbee  
Judge

Filed and Recorded March 17, 1909.  
Emmanuel C. Shaver  
Surrogate

Atlantic County Orphans Court

In the matter of the estate of Annie Spraul, Dec'd

An Application of Executor representing estate to be insolvent. Decree of Insolvency

It appearing that William H. Eldridge, executor of the estate of Annie Spraul, deceased, has made report to this court of the several claims and demands against said estate, and that he exhibited under oath therewith a true and just account of the moneys, goods, chattels, rights and credits of the said decedent which came to his knowledge, hands or possession; that all of the personal estate of said decedent has been disposed of and that all of the real estate of which the said decedent died seized, and which has come to the knowledge of said executor, has been sold under orders heretofore made by this court, to pay debts of said decedent, and the amounts received in said personal property and said real estate having been properly set forth in said report, and it appearing that the settlement for the last sale of said lands was not had until about March third last, and on the date for the final account to be prepared and filed before the statutory twenty days, in order that it might be passed upon on this seventeenth day of March, as set forth in the order heretofore made in the above entitled cause;

And it further appearing that the said William H. Eldridge, executor as aforesaid, gave due notice to the creditors of the aforesaid estate, to exhibit their claims under the nine month rule for creditors, and it further appearing that said executor gave due notice of his intention to make such report and to apply for a decree adjudging the said estate to be insolvent pursuant to the order of this court and the statute in such case made and provided, and it appearing that said report was filed in the Surrogate's office of Atlantic County twenty days before the day named for presenting the same,

And it further appearing that no objections have been filed to the aforesaid report of claims, account, inventory, &c. and the court having considered the accounts received for the personal and real estate and the value thereof, and it appearing to the court that the amounts received for the sale of said real estate and personal estate are insufficient to pay the debts, and that the said estate is likely to be insolvent, it is therefore on this seventeenth day of March, A. D. 1909, ordered, adjudged and decreed, that the aforesaid estate of Annie Spraul, deceased, is insolvent and the said executor is hereby directed to proceed as if the said estate was insolvent and to present his final account to this court in time for settlement on the twenty first day of April, next, for such action as the court may then deem proper, and as may appear expedient according to the form of statute in such case made and provided.

E. A. Higbee  
Judge

Filed and Recorded March 17, 1909.  
Emmanuel C. Shaver  
Surrogate