

each for himself deposes and says, that he is a subscribing witness to the said paper writing now shown him, purporting to be the last will and testament of E.F.Davis and that he saw him execute this writing as his last will and testament and that affiant attested it in the presence and at the request of said E.F. Davis deceased, and that at the time of its execution said E.F.Davis was in affiant's opinion, of sound mind and disposing memory.

F.T.Burrias,  
J.L.Daniels.

Severally subscribed and sworn to before me,  
this the 10th, day of April 1925.

A.T.McKeithan,  
Clerk Superior Court, Brunswick County.

And thereupon it is considered and adjudged by the Court that the said paperwriting and every part thereof is the last will and testament of E.F.Davis deceased, and it is ordered that the same, with the foregoing examination and this certificate, be recorded and filed.

This 10th, day of April 1925.

A.T.McKeithan,  
Clerk Superior Court of Brunswick County

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no. 376

ESSEX COUNTY SURROGATE'S COURT.

In the Matter of the probate of  
the alleged Will of John Wesley Dey,  
Deceased. \* ON PETITION FOR PROBATE.  
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P E T I T I O N.

To the Surrogate of the County of Essex:

The Petition of Nellie E.Dey Thompson who resides at no.108 Broad St., Newark, N.J. and Herbert E.Dey, who resides at no.57m Hillcrest Terrace, East Orange, N.J. respectfully shows that:

1. John Wesley Dey late of the city of Newark in the county of Essex and State of New Jersey, departed this life more than ten days ago, to wit: on the 25th, day of August 1925, having first duly made and executed a paper writing purporting to be his last will and testament, bearing the date of the 6th, day of July 1921, wherein your petitioners were named as executors thereof.

2. The next of kin and heirs at law of the said testator, with their respective residences or postoffice addresses and the manner and degree in which they severally stand related to the said testator, so far as the same are known to your petitioner, are as follows:

Names.	Residences:	Relationship:
No widow surviving		
Jane E.Douglas, wife of George M.	Newark, N.J.	daughter
Charles W.Dey	" "	Son
Herbert E.Dey, one of the applicants		"
Nellie E.Dey Thompson one of the applicants		"
Sarah T.Dey	Newark, N.J.	Daughter
Myrtle E.Smith, wife of Fred'k J.	" "	"

No other sons or daughters nor issue thereof surviving. All of the foregoing are of full age.

Your petitioners therefore pray that the said paper writing be admitted to probate as the last will and testament of the said testator and that letters testamentary thereon be granted to your petitioners.

Dated Newark, N.J. Sept. 18th, 1925.

Nellie E.Dey Thompson,  
Herbert E.Dey.

STATE OF NEW JERSEY. \*  
COUNTY OF ESSEX. \* SS  
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Nellie E.Dey Thompson and Herbert E.Dey, of full age, being duly sworn according to law, upon their oaths depose and say that they are the petitioners in the foregoing petition named and that the matters and things therein contained are true to the best of their knowledge and belief.

Nellie E.Dey Thompson,  
Herbert E.Dey.

Subscribed and sworn to this 18th,  
day of September A.D.1925, at Newark,  
N.J. before me.

John C.Fineran,  
Notary Public of N.J.

I, John Wesley Dey, of the City of Newark, County of Essex and State of New Jersey, being of sound and disposing mind and memory, do make, publish and declare my last will and testament as follows, hereby revoking any and all wills by me heretofore made.

1. I direct my executors hereinafter named to pay all my just debts, funeral and testamentary expenses as soon as conveniently can be done after my decease.

11. I direct that my body be buried in our family plot in the Hancock Cemetery at East Madison, Morris County, New Jersey.

111. I give and bequeath to the Centenary Methodist Episcopal Church, Newark, New Jersey, the sum of Five thousand dollars (\$5,000.) absolutely and with restriction, for the general uses of said church.

IV. I give and bequeath to my beloved daughter, Nellie E. Dey Thompson, one hundred (100) shares of the capital stock of the New Jersey Adamant Manufacturing Company, a corporation of the State of New Jersey.

V. I give and bequeath to my beloved son, Herbert E. Dey, one hundred (100) shares of the capital stock of the said New Jersey Adamant Manufacturing Company.

VI. I give and bequeath to my beloved daughter, Jane E. Dey Douglas, fifty (50) shares of the capital stock of the said New Jersey Adamant Manufacturing Company.

VII. I give and bequeath to my beloved son, Charles Whitfield Dey, fifty (50) shares of the capital stock of the said New Jersey Adamant Manufacturing Company.

VIII. I give and bequeath to my beloved daughter Myrtle E. Dey Smith, fifty (5) shares of the capital stock of the said New Jersey Adamant Manufacturing Company.

IX. I give, devise and bequeath five sixths (5/6) of the rest, residue and remainder of my estate, wheresoever and whatsoever the same may be, unto my said children, Nellie E. Dey Thompson, Herbert E. Dey, Jane E. Dey Douglas, Charles Whitfield Dey and Myrtle E. Dey Smith, to be divided among them in equal parts, share and share alike.

X. I give, devise and bequeath unto my executors hereinafter named, the one sixth (1/6) part of the said rest, residue and remainder of my estate, and fifty (50) shares of the capital stock of the said New Jersey Adamant Manufacturing Company, in trust, nevertheless, and for the following uses and purposes, to wit: that they, in their discretion, shall sell the said one sixth (1/6) part of said rest, residue and remainder of my estate and said fifty (50) shares of capital stock, and invest the proceeds of such sales, and pay the rents, issues, profits, income and dividends from and on said one sixth (1/6) part of my residuary estate, and the said shares of capital stock, and the income, from the proceeds of sale thereof, unto my beloved daughter Sadie E. Dey, during the term of her natural life, and in the discretion of my said executors, to pay said rents, issues, profits, income and dividends for her use and benefit during her natural life; and at her death, I direct my said executors to distribute the principal of the trust created by this paragraph, and any and all income and dividends accrued thereon and remaining unpaid, in such manner and among such persons as my said daughter may have directed in and by her last will and testament.

XI. I hereby nominate, constitute and appoint the said Nellie E. Dey Thompson and Herbert E. Dey, and the survivor of them, executors, without bond of this my will, hereby giving my said executors, and the survivors of them, full power and authority to sell and convey any and all real estate of which I may be seized.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this sixth day of July, in the year of our Lord one Thousand Nine Hundred and twenty one.

John Wesley Dey, (L.S.)

The foregoing instrument, consisting of two and one half (2½) pages, as and for his last will and testament, in the presence of us, who were present at the same time, and who, at his request, and in his presence, in the presence of each other, have hereunto subscribed our names as witnesses, this sixth day of July, in the year of our Lord, one thousand nine hundred and twenty one.

John J. McDonough, Newark, N.J.  
C. Wallace Vail, Newark, N.J.  
J.H. Harrison, 810 Broad Street, Newark, N.J.

STATE OF NEW JERSEY.  
COUNTY OF ESSEX.

\* SS.  
\*

John J. McDonough one of the witnesses to the annexed writing, purporting to be the last will and testament of John Wesley Dey the testator therein named, deceased, being duly sworn on his oath, says that he saw the testator sign and seal the said annexed writing, and heard him publish, pronounce and declare the same as and for his last will and testament.

That at the time of the doing thereof the said testator was of sound and disposing mind, memory and understanding, as far as this deponent knows and verily believes; that C. Wallace Vail and J.H. Harrison the other subscribing witnesses thereof were present at the same time with this 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 C. Wallace Vail and J.H. Harrison and deponent subscribed their names to said will as witnesses in the presence of said testator and of each other, at the request of said testator.

John J. McDonough

Sworn Sept. 18th, 1925 before me

Charles F. Kocher,  
Deputy Surrogate.

STATE OF NEW JERSEY.  
COUNTY OF ESSEX.

\* SS.  
\*

C. Wallace Vail one of the witnesses to the annexed writing, purporting to be the last will and testament of John Wesley Dey, the testator therein named deceased, being duly sworn on his oath, says that he saw the testator sign and seal the said annexed writing and heard him publish, pronounce and declare the same as and for his last will and testament. That at the time of the doing thereof the said testator was of sound and disposing mind, memory and understanding, as far as this deponent knows and verily believes; that John J. McDonough and J.H. Harrison the other subscribing witnesses thereto, were present at the same time with this 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 John J. McDonough and J.H. Harrison and deponent subscribed their names to said will as witnesses in the presence of said testator and of each other, at the request of said testator.

C. Wallace Vail

Sworn, Sept. 18th, 1925, before me,

Charles F. Kocher,  
Deputy Surrogate.

STATE OF NEW JERSEY.  
COUNTY OF ESSEX.

\* SS.  
\*

Nellie E. Dey Thompson and Herbert E. Dey, the executors in the annexed writing named, being duly sworn on their oaths, say, the annexed writing contains the true last will and testament of John Wesley Dey the testator therein named, deceased, as far as they know and as they verily believe; that they will, as executors thereof well and truly perform the same, first by paying the debts of said deceased, and then the legacies therein specified, as far as the goods, chattels and credits of said deceased will thereunto extend, and the law charge them that they will when lawfully required make and exhibit into the Surrogate's Office of the County of Essex a true and perfect inventory of all and singular the said goods, chattels and credits as far as the same have or shall come to their possession or knowledge, or to the possession of any other person or persons to their use, to their knowledge, that they will well and truly account when thereunto lawfully required, and that said testator died Aug. 25th, 1925.

Sworn Sept. 18th, 1925, before me

Charles F. Kocher,  
Deputy Surrogate.

Nellie E. Dey Thompson  
Herbert E. Dey.

ESSEX COUNTY SURROGATE'S COURT.

In the matter of the Probate of the alleged Will of John Wesley Dey Deceased.  
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\* ON PETITION FOR PROBATE.

ORDER FOR PROBATE.

On reading and filing the petition of Nellie E. Dey Thompson and Herbert E. Dey for the Probate of the Last Will and Testament of John Wesley Dey, deceased,

11. I direct that my body be buried in our family plot in the Hancock Cemetery at East Madison, Morris County, New Jersey.

111. I give and bequeath to the Centenary Methodist Episcopal Church, Newark, New Jersey, the sum of Five thousand dollars (\$5,000.) absolutely and with restriction, for the general uses of said church.

IV. I give and bequeath to my beloved daughter, Nellie E. Dey Thompson, one hundred (100) shares of the capital stock of the New Jersey Adamant Manufacturing Company, a corporation of the State of New Jersey.

V. I give and bequeath to my beloved son, Herbert E. Dey, one hundred (100) shares of the capital stock of the said New Jersey Adamant Manufacturing Company.

VI. I give and bequeath to my beloved daughter, Jane E. Dey Douglas, fifty (50) shares of the capital stock of the said New Jersey Adamant Manufacturing Company.

VII. I give and bequeath to my beloved son, Charles Whitfield Dey, fifty (50) shares of the capital stock of the said New Jersey Adamant Manufacturing Company.

VIII. I give and bequeath to my beloved daughter Myrtle E. Dey Smith, fifty (5) shares of the capital stock of the said New Jersey Manufacturing Company.

IX. I give, devise and bequeath five sixths (5/6) of the rest, residue and remainder of my estate, whosoever and whatsoever the same may be, unto my said children, Nellie E. Dey Thompson, Herbert E. Dey, Jane E. Dey Douglas, Charles Whitfield Dey and Myrtle E. Dey Smith, to be divided among them in equal parts, share and share alike.

X. I give, devise and bequeath unto my executors hereinafter named, the one sixth (1/6) part of the said rest, residue and remainder of my estate, and fifty (50) shares of the capital stock of the said New Jersey Adamant Manufacturing Company, in trust, nevertheless, and for the following uses and purposes, to wit: that they, in their discretion, shall sell the said one sixth (1/6) part of said rest, residue and remainder of my estate and said fifty (50) shares of capital stock, and invest the proceeds of such sales, and pay the rents, issues, profits, income and dividends from and on said one sixth (1/6) part of my residuary estate, and the said shares of capital stock, and the income, from the proceeds of sale thereof, unto my beloved daughter Sadie E. Dey, during the term of her natural life, in the discretion of my said executors, to pay said rents, issues, profits, income and dividends for her use and benefit during her natural life; and at her death, I direct my said executors to distribute the principal of the trust created by this paragraph, and any and all income and dividends accrued thereon and remaining unpaid, in such manner and among such persons as my said daughter may have directed in and by her last will and testament.

XI. I hereby nominate, constitute and appoint the said Nellie E. Dey Thompson and Herbert E. Dey, and the survivor of them, executors, without bond of this my will, hereby giving my said executors, and the survivors of them, full power and authority to sell and convey any and all real estate of which I may be seized.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this sixth day of July, in the year of our Lord one Thousand Nine Hundred and twenty one.

John Wesley Dey, (L.S.)

The foregoing instrument, consisting of two and one half (2½) pages, as signed, sealed, published and declared by the said testator, John Wesley Dey at the same time, and who, at his request, and in his presence, in the presence of each other, have hereunto subscribed our names as witnesses, this sixth day of July, in the year of our Lord, one thousand nine hundred and twenty one.

John J. McDonough, Newark, N.J.  
C. Wallace Vail, Newark, N.J.  
J. H. Harrison, 810 Broad Street, Newark, N.J.

STATE OF NEW JERSEY. \* SS.  
COUNTY OF ESSEX. \*

John J. McDonough one of the witnesses to the annexed writing, purporting to be the last will and testament of John Wesley Dey the testator therein named, deceased, being duly sworn on his oath, says that he saw the testator sign and seal the said annexed writing, and heard him publish, pronounce and declare the same as and for his last will and testament.

That at the time of the doing thereof the said testator was of sound and disposing mind, memory and understanding, as far as this deponent knows and verily believes; that C. Wallace Vail and J. H. Harrison the other subscribing witnesses thereof were present at the same time with this 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 C. Wallace Vail and J. H. Harrison and deponent subscribed their names to said will as witnesses in the presence of said testator and of each other, at the request of said testator.

John J. McDonough

Sworn Sept. 18th, 1925 before me

Charles F. Kocher,  
Deputy Surrogate.

STATE OF NEW JERSEY. \* SS.  
COUNTY OF ESSEX. \*

C. Wallace Vail one of the witnesses to the annexed writing, purporting to be the last will and testament of John Wesley Dey, the testator therein named deceased, being duly sworn on his oath, says that he saw the testator sign and seal the said annexed writing and heard him publish, pronounce and declare the same as and for his last will and testament. That at the time of the doing thereof the said testator was of sound and disposing mind, memory and understanding, as far as this deponent knows and verily believes; that John J. McDonough and J. H. Harrison the other subscribing witnesses thereto, were present at the same time with this 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 John J. McDonough and J. H. Harrison and deponent subscribed their names to said will as witnesses in the presence of said testator and of each other, at the request of said testator.

C. Wallace Vail

Sworn, Sept. 18th, 1925, before me,

Charles F. Kocher,  
Deputy Surrogate.

STATE OF NEW JERSEY. \* SS.  
COUNTY OF ESSEX. \*

Nellie E. Dey Thompson and Herbert E. Dey, the executors in the annexed writing named, being duly sworn on their oaths, say, the annexed writing contains the true last will and testament of John Wesley Dey the testator therein named, deceased, as far as they know and as they verily believe; that they will, as executors thereof well and truly perform the same, first by paying the debts of said deceased, and then the legacies therein specified, as far as the goods, chattels and credits of said deceased will thereunto extend, and the law charge them that they will when lawfully required make and exhibit into the Surrogate's Office of the County of Essex a true and perfect inventory of all and singular the said goods, chattels and credits as far as the same have or shall come to in their possession or knowledge, or to the possession of any other person or persons to their use, to their knowledge, that they will well and truly account when thereunto lawfully required, and that said testator died Aug. 25th, 1925.

Sworn Sept. 18th, 1925, before me

Charles F. Kocher,  
Deputy Surrogate.

Nellie E. Dey Thompson  
Herbert E. Dey.

ESSEX COUNTY SURROGATE'S COURT.

In the matter of the Probate of  
the alleged Will of  
John Wesley Dey Deceased.  
\*  
\* ON PETITION FOR PROBATE.  
\*

ORDER FOR PROBATE.

On reading and filing the petition of Nellie E. Dey Thompson and Herbert E. Dey for the Probate of the Last Will and Testament of John Wesley Dey, deceased,



and for Letters Testamentary thereon, and the Surrogate having inquired into the circumstances and taken proof, and being satisfied of the genuineness of the Will produced, the validity of its execution and competency of the testator, and it further appearing that the said testator died on the 25th, day of August nineteen hundred and twenty-five and more than ten days ago, and that no caveat has been filed against the probate of said Will.

It is thereupon on this 18th, day of September nineteen hundred and twenty-five ordered and adjudged that the instrument offered for probate in this matter be and the same hereby is established as the last Will and Testament of the said John Wesley Dey, deceased, and that the same be and hereby is admitted to probate.

It is further ordered that Letters Testamentary thereon be issued to Nellie E. Dey Thompson and Herbert E. Dey, the Executors named in said Will upon their qualifying as such Executors.

E. Garfield Gifford,  
Surrogate.

STATE OF NEW JERSEY.  
ESSEX COUNTY SURROGATE'S COURT.

I, E. Garfield Gifford, Surrogate of the County of Essex, do hereby certify the annexed to be a true copy of the last will and testament of John Wesley Dey, late of the County of Essex, deceased, and that Nellie E. Dey Thompson and Herbert E. Dey the executors therein named, proved the same before me, and are duly authorized to take upon themselves the administration of the estate of the testator agreeably to the said will.

Witness my hand and seal of office, this eighteenth day of September in the year of our Lord, one thousand nine hundred and twenty five.

E. Garfield Gifford,  
Surrogate.

(L.S.)

STATE OF NEW JERSEY.  
ESSEX COUNTY SURROGATE'S COURT.

I, E. Garfield Gifford, Surrogate and Ex-officio Clerk of the Surrogate's Court of the County of Essex and State of New Jersey, do hereby certify that I have compared the annexed copy of the last will and testament of John Wesley Dey late of the County and state aforesaid, deceased; and the annexed copies of the application for probate, the proofs, the qualification of the executor, the order of the Surrogate granting the probate of said will and the letters testamentary granted and issues thereon with the records thereof, now remaining in this office, and have found the same to be a correct transcript thereof.

I further certify that the said last will and testament was duly executed and proven agreeably to the laws and usages of the State of New Jersey.

In testimony whereof, I have hereunto set my hand and affixed my official seal of office this ninth day of February A.D. one thousand nine hundred and twenty six.

(L.S.)

E. Garfield Gifford,  
Surrogate and Clerk of Surrogate Court.

STATE OF NEW JERSEY.  
ESSEX COUNTY SURROGATE'S COURT.

I, E. Garfield Gifford, Surrogate and Judge of the Surrogate's Court of the said County of Essex, in said State, do hereby certify that E. Garfield Gifford whose name, in his own proper handwriting subscribed to the foregoing certificate, is, and was, at the time the same bears date, Surrogate of said County and ex-officio Clerk of the Surrogate's court thereof, and that full faith and credit are due to his official acts. And further, that the seal attached to said certificate is his official seal and the said of the said Surrogate's court, and that the said certificate is in due form and made by the proper officer, and would be received in evidence in the courts of this State.

In witness whereof, I have hereunto set my hand and affixed my official seal of office this ninth day of February A.D. one thousand nine hundred and twenty six.

(L.S.)

E. Garfield Gifford,  
Surrogate and Judge of Surrogate's Court.

STATE OF NEW JERSEY.  
ESSEX COUNTY SURROGATE'S COURT.

I, E. Garfield Gifford, Surrogate and Clerk of the Surrogate's court of the said County of Essex, in said State, do hereby certify that E. Garfield Gifford, whose name is subscribed to the preceding certificate, is Surrogate and Judge of the Surrogate's Court of the said County of Essex, duly commissioned and qualified, and that his signature to said certificate is genuine. To all whose acts as such full faith and credit are due and given, as well in courts of judicature as elsewhere.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal of office, this ninth day of February A.D. one thousand nine hundred and twenty six.

(L.S.)

E. Garfield Gifford,  
Surrogate and Clerk of Surrogate's court.

STATE OF NEW JERSEY.

I, the Governor of the State of New Jersey, having the custody of the Great and Principal Seal of said State, do hereby certify that the Surrogate's Court of the County of Essex is duly constituted and existing under the laws of said State, that the Surrogate of said County is the Judge and Clerk of said

Surrogate's Court, and had at the time of the probate of the Last Will and Testament of John Wesley Dey, deceased, and now has jurisdiction under the laws of the State of New Jersey to admit wills to probate and grant letters testamentary thereon to grant letters of administration upon the estates of intestates, and to grant letters of guardianship etc., that the record of the Petition, Proofs, Oath of Executors, Order for Probate, Will and Letters Testamentary in re Estate of John Wesley Dey, deceased, copies of which are hereunto annexed are kept in the office of said Surrogate pursuant to the laws of said State, that the exemplified copy hereunto annexed is in due form of law and by the proper officer, that the seal appended thereto is genuine, and is the seal of said Court and Surrogate, and that the signatures thereto written and attesting such copy are genuine, as I verily believe.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the Great Seal of the State of New Jersey to be hereunto affixed, at the City of Trenton, in said State, this tenth day of February in the year of our Lord one thousand nine hundred and twenty six and of the independence of the United States the one hundred and fiftieth.

BY THE GOVERNOR.

Thomas F. Martin,  
Secretary of State.

A. Harry Moore,  
Governor.

STATE OF NORTH CAROLINA.  
COUNTY OF BRUNSWICK.

It appearing to the satisfaction of the court from the exemplification of the record hereinafter mentioned that the last will and testament of John Wesley Dey, deceased, a citizen of Essex County, and State of New Jersey, has been duly proved and allowed in the proper court of probate of said County and State, according to the laws of said state, and it further appearing that the said John Wesley Dey left property in the County of Brunswick and the State of North Carolina:

IT IS NOW, THEREFORE, Ordered and adjudged that the exemplification of said will and of its probate in the proper court of Essex County and State of New Jersey, which has been produced and exhibited here duly certified and authenticated be allowed, filed and recorded in this court in the same manner as if the original and not the copy had been produced, proved and allowed before the undersigned Clerk.

And it appearing affirmatively in the certified probate or exemplification of the will aforesaid that the said Will is executed according to the laws of the State of North Carolina, hereupon it is adjudged that the said Will has been duly proved and that the same is the last will and testament of the said John Wesley Dey, and it is ordered that the same, together with this certificate be recorded and filed.

A. T. McKeithan,  
Clerk Superior Court.

This 26th, day of April 1926.