

SIGNAL CORPS ASSOCIATION

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Fol. I. SURROGATE'S COURT: ERIE COUNTY.

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In the Matter of the Estate

of

Ebenezer Walden, deceased.

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the petition of Charles D. Marshall, executor of the last Will and Testament of Catherine W. Myer, late of the Town of Hamburg, in the County of Erie and State of New York, deceased, respectfully shows:

That among the assets belonging to the said Catherine W. Myer at the time of her death are the following securities, to wit:-

54 shares of the capital stock of the Erie and Pittsburgh Railroad Company, of the par value of fifty dollars per share, with dividends uncollected thereon since March 10th, 1893, of which twenty shares are represented by certificate No. 1126 standing in the name of the estate of Ebenezer Walden; Ten shares represented by certificate No. 1358 standing in the name of Ebenezer Walden Estate and 24 shares represented by certificate No. 4614 standing in the name of Albert J. Myer and Susan Walden, administrators (they being at the date of its issue the legal representatives as administrator and administratrix of said Ebenezer Walden, deceased; that such certificates of stock are now in the possession of your petitioner.

And your petitioner further shows that the said Ebenezer Walden died intestate on or about the 10th day of November 1857, leaving Susan Walden, his widow; and two children, James

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ERIE CTY SURROGATE COURT Record Room 2<sup>d</sup> Floor



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Walden and said Catherine W. Myer him surviving  
That a few years thereafter the said James Walden died in-  
testate and unmarried leaving him surviving his mother Susan  
Walden, and his sister Catherine W. Myer his only heirs at  
law and next of kin. That the said Susan Walden died intes-  
tate on or about the 7th of July, 1873, leaving her sur-  
viving her daughter said Catherine W. Myer, her only heir at  
law and next of kin. That on the 7th day of December, 1857,  
letters of administration upon the estate of said Ebenezer  
Walden were duly issued out of the Surrogate's Court of  
Erie County, to the said Albert J. Myer and Susan Walden who  
continued to act as such until the death of the said  
Susan Walden. That after her death the said Albert J. My-  
er acted as sole administrator of said estate until his  
death which occurred on the 24th day of August, 1880,  
whereupon the said Catherine W. Myer applied for letters  
of administration upon said estate and was duly appointed  
administratrix thereof by the Surrogate's Court of Erie  
County on the 9th of September, 1880, and took possession  
of all the assets of said estate including the above men-  
tioned certificates of stock. That the said Albert J. Myer  
died on or about the 24th of August, 1880, leaving a last  
will and testament which was duly admitted to probate by  
the Surrogate's Court of Erie County in and by which he  
devised and bequeathed all of his estate, both real and per-  
sonal, to his widow, said Catherine W. Myer, and appointed her  
sole administratrix. That there are no debts or claims  
against the estate of said Ebenezer Walden or the estate of  
the said Albert J. Myer, or the estate of said James Walden.

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7 And the said Catherine W. Myer was, at the time of her death, the sole true and lawful owner of the certificates of stock hereinbefore mentioned. That the said Catherine W. Myer died on or about the 19th day of February, 1893, leaving a last will and testament duly admitted to probate by the Surrogate's Court of Erie County, on the 20th day of March, 1893, in and by which said last will and testament she nominated and appointed your petitioner the sole executor thereof, and letters testamentary thereon were duly issued to him on the 20th day of March, 1893, and he has ever since acted and is now acting as such executor.

That the said certificates of stock are still unadministered and the same together with the uncollected dividends thereon are valued at about \$ 3500.00

That all of the heirs at law and next of kin of the said Catherine W. Myer desire that your petitioner be appointed administrator de bonis non of the goods, chattels and credits of said Ebenezer Walden, deceased, so left unadministered as aforesaid.

8 That the Union Trust Company of New York are the transfer agents of the stock of the Erie and Pittsburg Railroad. That all of the statements herein made are within the personal knowledge of your petitioner and he knows them to be true.

Your petitioner therefore prays that letters of administration de bonis non of the goods, chattels and credits of the said Ebenezer Walden, deceased and so left unadministered as aforesaid, may be granted by the Surrogate of Erie County to your Pe-



itioner.

*Chas D. Marshall*

Petitioner.

Dated Buffalo, N.Y. February  
7th., 1898.

State of New York     )  
County of Erie,       (ss  
City of Buffalo       )

Charles D. Marshall being duly sworn  
deposes and says that he is the petitioner named in and who  
executed the foregoing petition; that he has read the fore-  
going petition and knows the contents thereof and that the  
same is true of his own knowledge.

*Chas. D. Marshall*

Subscribed and sworn to before me,

this 7th day of February, 1898

*Charles A. Ott*  
*Cour. of Seals*  
*Buffalo N.Y.*