

DeMelt Family Documents

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Marshall J. DeMelt and Louise Stewart
Marriage Affidavit and License

Ross Griswold and Esther DeMelt
Affidavit for License to Marry

Michael Gaffety—wife Ann Eliza DeMelt
Will probates

Marshall DeMelt
Will & Letters Testamentary

Estate proceedings of record for Louise DeMelt
Will & Letters Testamentary

NEW YORK STATE DEPARTMENT OF HEALTH
Division of Vital Statistics

PLACE OF REGISTRY
STATE OF NEW YORK

MARRIAGE LICENSE

County of Delaware
Town of Sidney

Registered No. 488

Know all men by this Certificate, that any person authorized by law to perform marriage ceremonies within the State of New York to whom this may come, he, not knowing any lawful impediment thereto, is hereby authorized and empowered to solemnize the rites of matrimony between Marshall J. DeMelt of Sidney Centre in the county of Delaware and State of New York and Louise Stewart of Sidney Center in the county of the Delaware and State of New York and to certify the same to be said parties or either of them under his hand and seal in his ministerial or official capacity and thereupon he is required to return his certificate in the form hereto annexed. The statements endorsed hereon or annexed hereto, by me subscribed, contain a full and true abstract of all the facts concerning such parties disclosed by their affidavits or verified statements presented to me upon the application for this license.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Town at Sidney this 21st day of September nineteen hundred and twenty

SEAL

R W France (Town Clerk)

The following is a full and true abstract of all the facts disclosed by the above named applicants in their verified statements presented to me upon the applications for the above license.

FROM THE GROOM

Full name: Marshall DeMelt
Color: White
Place of residence: Sidney Center NY
Age: 65 yrs
Occupation: Farming
Place of birth: Franklin NY
Name of father: Henry DeMelt
Country of birth: America
Maiden name of mother: Irene Ferris
Country of birth: America
Number of marriage: 2nd

FROM THE BRIDE

Full name: Louise Stewart
Color: White
Place of residence: Sidney Center NY
Age: 64 yrs
Occupation: Housewife
Place of birth: Pennsylvania
Name of father: Henry Finch
Country of birth: America
Maiden name of mother: Mary J Carroll
Country of birth: America
Number of marriage: 2nd

I have not to my knowledge been infected with any venereal disease, or if I have been so infected within five years I have had a laboratory test within that period which shows that I am now free from infection from any such disease.

I have not to my knowledge been infected with any venereal disease, or if I have been so infected within five years I have had a laboratory test within that period which shows that I am now free from infection from any such disease.

Former wife or wives living or dead: Dead
Is applicant a divorced person: No
If so, when and where divorce or divorces
—were granted: ———

Former husband or husbands living or dead: Dead
Is applicant a divorced person: No
If so, when and where divorce or divorces were granted:—

I, A D Finch a Minister of the Gospel, residing at ——— (street address) Sidney in the county of Delaware and State of New York, do hereby certify that I did on this 21st day of September in the year of AD 1920 at Sidney in the county of Delaware and State of New York, solemnize the rites of matrimony between Marshall J DeMelt of Sidney Center in the county of Delaware and State of New York, and Louise Stewart of Sidney Center in the county of Delaware and State of New York in the presence of Ross W. Griswold and Esther B. Griswold as witness, and the license thereof is hereto annexed.

Witness my hand at Sidney in the county of Delaware this twenty first day of Sept A.D. 1920

In presence of

Ross W Griswold

Esther B Griswold (signature of witness)

A true copy of the originals. Recorded December 15, 1920 at — o'clock — M

A D Finch (signature of person performing ceremony)

Sidney NY (address of person performing ceremony)

E J Turnbull (clerk)

STATE OF NEW YORK
Affidavit for License to Marry

STATE OF NEW YORK
County of Delaware
Town of Sidney

No. 488

Marshall J. DeMelt and Louise Stewart applicants for a license for marriage, being severally sworn and say, that to the best the following statement respectively signed by them to true, and that no legal impediment exists as to the right of the applicants to enter into the marriage state.

FROM THE GROOM

Full name: Marshall DeMelt
Color: White
Place of residence: Sidney Center NY
Age: 65 yrs
Occupation: Farming
Place of birth: Franklin NY
Name of father: Henry DeMelt
Country of birth: America
Maiden name of mother: Irene Ferris
Country of birth: America
Number of marriage: 2nd

I have not to my knowledge been infected with any venereal disease, or if I have been so infected within five years I have had a laboratory test within that period which shows that I am now free from infection from any such disease.

Former wife or wives living or dead: Dead
Is applicant a divorced person: No
If so, when and where divorce or divorces were granted: _____
M. J. DeMelt (groom)
Subscribed and sworn to before me this
21 day of Sept. 1920

FROM THE BRIDE

Full name: Louise Stewart
Color: White
Place of residence: Sidney Center NY
Age: 64 yrs
Occupation: Housewife
Place of birth: Pennsylvania
Name of father: Henry Finch
Country of birth: America
Maiden name of mother: Mary J Carroll
Country of birth: America
Number of marriage: 2nd

I have not to my knowledge been infected with any venereal disease, or if I have been so infected within five years I have had a laboratory test within that period which shows that I am now free from infection from any such disease.

Former husband or husbands living or dead: Dead
Is applicant a divorced person: No
If so, when and where divorce or divorces were granted: _____
Mrs. Louise Stewart (bride)

R W France (clerk)

STATE OF NEW YORK
Affidavit for License to Marry

STATE OF NEW YORK
County of Delaware
Town of Sidney

Ross Griswold and Esther DeMelt applicants for a license for marriage, being severally sworn, depose and say, that to the best of their knowledge and belief the following statement respectively signed by us is true and that no legal impediment exists as to the right of the applicants into the marriage state.

FROM THE GROOM

Full name: Ron Griswold
Color: White
Place of residence: Sidney Center NY
Age: 21 yrs
Occupation: Farming
Place of birth: Walton NY
Name of father: Eugene Griswold
Country of birth: America
Maiden name of mother: Lillian Weldon
Country of birth: America
Number of marriage: first
Former wife or wives living or dead: none
Is applicant a divorced person: no
If so, when and where divorce or divorces were granted: none

FROM THE BRIDE

Full name: Esther DeMelt
Color: White
Place of residence: Sidney Center NY
Age: 18 yrs
Occupation: none
Place of birth: Sidney Center
Name of father: Marshall DeMelt
Country of birth: America
Maiden name of mother: Sarah Bidwell
Country of birth: America
Number of marriage: first
Former wife or husband or husbands living or dead: none
Is applicant a divorced person: no
If so, when and where divorce or divorces were granted: none

Ross Griswold (groom)
Subscribed and sworn to before me this
17th day of August 1912

Esther B DeMelt (bride)

Wm Brown (Town Clerk)

PLACE OF REGISTRY

County of Delaware
Town of Sidney

NEW YORK STATE DEPARTMENT OF HEALTH
Bureau of Vital Statistics
CERTIFICATE AND RECORD OF MARRIAGE
Registered No. 169

Know all men by this Certificate, that any person authorized by law to perform marriage ceremonies within the State of New York to whom this may come, he not knowing any lawful impediment thereto, is hereby authorized and empowered to solemnize the rites of matrimony between Ross Griswold of Sidney Center in the county of Delaware and State of New York and Esther DeMelt of Sidney Center in the county of Delaware and State of New York and to certify the same to be said parties or either of them under his hand and seal in his ministerial or official capacity and thereupon he is required to return his certificate in the form hereto annexed.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said town or city at Sidney this 17th day of Aug one thousand nine hundred and 12

Wm Brown (Town Clerk)

I Irving J Smith a minister residing at Sidney Center in the County of Delaware and State of New York, do hereby certify that I did on this 18th day of August in the year A.D., 1912 at Sidney Center in the County of Delaware and State of New York solemnize the rites of matrimony between Ross Griswold of Sidney Center in the county of Delaware and State of New York and Esther DeMelt of Sidney Center in the county of Delaware

and State of New York in the presence of Frank W. Nutt and Mrs. Frank M. Nutt as witnesses and the license therefor is hereto annexed.

Witness, my hand at Sidney Center in the county of Delaware this 18th day of Aug A.D. 1912.

In the presence of

Mrs. F M Nutt

Frank Nutt (signatures of witnesses)

Irving J Smith (signature of person performing ceremony)

Sidney Center, NY

Certification of Consent at bottom of page not filled out.

A true copy of the originals. Recorded September 10, 1912 at – o'clock – M.

W H Maynard (County Clerk)

From Nancy Smith, Surrogate Court Clerk, Delhi NY
Will Probates pg 289 Date Sept 22, 1876
Ladm H 182 Box 26

The People of the State of New York
BY THE GRACE OF GOD FREE AND INDEPENDENT

To Ann E Gaffity of Tompkins, Del Co. NY

Whereas, Michael Gaffity late of Tompkins, as is alleged, lately died intestate, having whilst living, at the time of his death, goods, Chattels and Credits, within this State, by means whereof, the ordering and granting Administration of all and singular the said Goods, Chattels and Credits, and also auditing, allowing and final discharging the Account thereof, doth appertain unto us: And we being desirous that the Goods, Chattels and Credits of the said deceased may be well and faithfully administered, applied and disposed of, do grant unto the said Ann E Gaffity full power, by these presents, to administer and faithfully to dispose of all and singular the Goods, Chattels and Credits—to ask, demand, recover and receive the debts, which unto the said deceased, whilst living, at the time of his death, did belong, and to pay the debts which the said deceased did owe, so far as such Goods, Chattels and Credits will thereto extend, and the law require: HEREBY requiring you to make, or cause to be made, a true and perfect Inventory of all and singular the Goods, Chattels and Credits, of the said deceased, which have or shall come to your hands, possession or knowledge, and the same so made to exhibit, or cause to be exhibited, into the office of the Surrogate of the said County of Delaware at or before the expiration of three calendar months from the date hereof: AND ALSO to render a just and true account of Administration when thereunto required. And we do by these Presents depute, constitute and appoint you, the said Ann E Gaffity Administrator of all and singular the Goods, Chattels and Credits which were of the said Michael Gaffity, deceased.

In Testimony whereof, we have caused the Seal of office of our said Surrogate to be hereby affixed.

Witness, Edwin D Wagner Esquire, Surrogate of the said County at DELHI, the 22d day of Sept in the year of our Lord one thousand eight hundred and seventy six.

Edwin D Wagner, Surrogate

Surrogate's Court—Delaware County

To Isaac H Maynard, Esq, Surrogate of the County of Delaware:

The Petition of Ann e Gaffity of the town of Tompkins in said County, Respectfully Showeth: that she was duly qualified and appointed by the Surrogate of the County of Delaware, as the Administratrix of Michael Gaffity late of the town of Tompkins in the County of Delaware, deceased, on the 22 day of September in the year One Thousand Eight Hundred and Seventy six and that 18 months and upwards have expired since such appointment. That the said deceased left the following heirs and next of kin, vix:

Beriah Gaffity a son and Estella Gaffity a daughter of said deceased and your petitioner his widow all residing in the town of Tompkins in the County of Delaware and State of New York

Your Petitioner Further Shows, that immediately after her appointment as such administratrix she entered upon the duties of the trust thereof: and that she is prepared to render a final account of her proceedings as such administratrix and therefore prays that a Citation may issue out of and under the Seal of this Court to be directed to all persons interested in the estate of the said Michael Gaffity deceased, requiring them to appear in this Court, on a certain day to be therein specified, to attend the final settlement of your Petitioner as such administratrix aforesaid.

And your Petitioner will ever pray,

Dated this, 14th day of January 1881

Annie E Gaffity

Delaware County as:

Ann E Gaffity, the Petition named in the foregoing Petition, being duly sworn, deposes and say that she has heard read the foregoing Petition subscribed by her and knows the contents thereof, and that the same is true of her own knowledge, except as to those matters therein stated upon information and belief, and as to those she

believes it to be true.

Sworn before me, this 17th
day of January 1881

Annie E Gaffity

Daniel P Nilson Justice of the Peace

A True and Perfect Inventory OF ALL THE PERSONAL

Property and effects of Michael Gaffity late of the town of Tompkins in the County of Delaware, deceased, made by Ann E Gaffity administratrix of the estate of the said deceased, with the aid and in the presence of, Charles Jackson and William Dennis they having been previously appointed and sworn as APPRAISERS.

Done at the town of Tompkins in the County of Delaware, this 20th day of October 1876

County of Delaware,ss.

We, Charles Jackson & William Dennis Appraisers, duly appointed by the Surrogate of said County of Delaware, do severally swear and declare, that we will truly, honestly and impartially appraise the personal property and effects of Michael Gaffity late of the town of Tompkins in said County, deceased, which shall be for that purpose exhibited to us, to the best of our respective knowledge and ability.

Sworn before me, this 20th day
Of October 1876

Charles S Jackson
William Dennis

A W Denton Justice of the Peace

STATE OF NEW YORK ss

DELAWARE COUNTY,

Ann E Gaffity administratrix of Michael Gaffity deceased, do swear that the annexed INVENTORY is, in all respects, just and true; that it contains a true statement of all the personal property of the said deceased, which has come to my knowledge, and particularly of all money, bank bills, and other circulating medium, belonging to the said deceased, and of all just claims of the deceased against me, according to the best of my knowledge.

Sworn before me, this 23
day of October 1876

Ann E Gaffity

Frederick W Smith Justice of the Peace

The following articles are stated but not appraised being set apart according to Law for the widow and minor children to wit

One cook stove

Four beds & bedding for the said

One cow five years old (red)

Two hogs

One half ton of hay and twenty bushels of corn to feed cow & hogs

One table, six chairs twelve knives & forks

Twelve plates, twelve tea cups & saucers

Pne sugar dish, one milk pot one tea pot

Twelve bushels of potatoes

The following articles are appraised and set apart for the use of the widow & minor children in addition to those enunciated above in pursuance of the Statue to wit:

550 lbs of butter at 25 c per lb	\$137.50
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One pig	8.00
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One wood shod sled	4.50
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	\$150.00
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The following are enunciated as assets in addition to the above.

Ten tons of hay \$7.50 per ton	\$75.00
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Eight & one half bushels buckwheat 60c	5.10
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Twenty five bushels oats 45c	11.25
Thirty bushels potatoes	15.00
One plow	1.00
Oat straw	2.50
(The above are the Merricksville farm)	
Thirty one tons hay \$8.00	248.00
One & one half tons straw	4.50
Fifteen bushels corn 60c	9.00
Corn stalks	5.00
Seventy bushels bushels 45c	31.50
Ten bushels buckwheat 60c	6.00
Seventy bushels apples	10.00
One black horse	75.00
One black horse	75.00
Eight cows \$22.00 each	176.00
One lumber two horse wagon	40.00
One decorat wagon	40.00
One two horse light sleigh	30.00
One wheel horse rake	30.00
One side hill plow	2.00
One flat land plow	5.00
One mowing machine	10.00
Three bob sleighs	10.00
One double harness	5.00
Two hay forks and one hand rake	1.00
One log chain	1.50
One binding chair	1.00

The following notes and accounts are considered good & collectable

Note against Marilla Weisnor dated May 8 th 1876 for \$25.00 with interest now worth	\$25.79
Accounts against Thomas Forsythe & David Prilver	21.50
One bond given by Minard Freer and Mortgage to secure the same given by said Freer & wife amount \$1,000 now worth with interest	\$1088.40
One bond given by David Glockler & Mortgage to secure the same given by Glockler & wife amount \$1,965.00 now worth with interest	\$2156.91

The following notes are considered worthless.

One note against W T Niles dated Nov 29 th 1875 amount	\$7.66
One note against J W Kelsey dated Nov 20 th 1873 amount	\$10.00
One note against Hiram Baxter dated blank (no date)	\$5.00

Charles S Jackson
William Dennis Appraisers

From Nancy Smith, Surrogate Court Clerk, Delhi NY
Will recorded in Book of Wills 43 at page 172

At a Surrogate's Court, held at the Surrogate's Office in
Walton, in and for the County of Delaware, on the
6th day of September, 1939.

Present: Hon. A. Lindsay O'Connor, Surrogate.

SURROGATE'S COURT—COUNTY OF DELAWARE

In the Matter of Proving
the last Will and Testament of
Marhsall J. DeMelt, Deceased.

A duly verified petition having been presented by Esther B. Griswold (specified in Will as "Grace" B. Griswold and duly filed for probate of a paper writing dated the 30th day of July, 1921, purporting to be the last Will and Testament of Marshall J. DeMelt, late of the Town of Sidney in said County of Delaware, deceased, setting forth the facts upon which the jurisdiction of the Court to grant probate thereof depends and praying that the same might be proved, and is satisfactorily appearing to the Court that all the persons required by law to be cited, or who are interested in this proceeding have by their appearances, consent, or waiver in writing, duly executed and filed, waived the issuance and service upon them of a citation in this proceeding and consented to the probate of such paper writing... , and after hearing the proofs and allegations in support thereof, and due deliberation having been thereon, and the probate thereof not being contested, now on motion of Samuel H. Fancher, attorney for said petitioners, it is

ORDERED, ADJUDGED and DECREED, that the paper writing dated the 30th day of July, 1921 so propounded as the last Will and Testament of said Marshall J. DeMelt, late of the Town of Sidney, in said County of Delaware, deceased, was duly executed; that the said testator was at the time of executing the same in all respects competent to make a will and not under restraint, and it is further

ORDERED, ADJUDGED and DECREED, that said paper writing be admitted to probate as the will of said Marshall J. DeMelt, deceased, valid to pass real and personal property, and that said paper writing and this decree be recorded, and it is further

ORDERED, ADJUDGED and DECREED, that upon due notice pursuant to the provisions of Section 146 of the Surrogate's Court Act that said last Will and Testament has been offered for probate, or probated, being duly filed, together with proof by affidavit of the mailing of a copy of such notice to each and every legatee, devisee, or beneficiary, as set forth in the petition who has not been cited, or has not appeared or waived citation, that letters testamentary thereupon forthwith issue to Esther B. Griswold, one of the executors, therein named upon duly qualifying to law. The said Esther B. Griswold being specified in the Will as "Grace" B. Griwsold. And the other Executrix named, having renounced.

A. Lindsay O'Connor, Surrogate.

LAST WILL AND TESTAMENT

I, Marshall J. DeMelt of the Village of Sidney Center in the County of Delaware and State of New York, being of sound mind and memory, do make, publish and declare this my last WILL AND TESTAMENT, in the manner following, that is to say:

FIRST: I direct that all my just debts and funeral expenses be paid.

SECOND: I give, devise and bequeath unto my wife, Louise DeMelt, the life use of my house and lot situate in the village of Sidney Center, New York, to be used by her during her natural lifetime as she may desire. Upon the death of my said wife, and the termination of her life use in said house and lot, I then give devise and bequeath said house and lot unto my two daughters, Grace B. Hunter and Esther B. Griswold, in equal shares, share and share alike.

THIRD: All the rest, residue and remainder of my said property, both real and personal, of whatsoever kind and description and wheresoever located, I give, devise and bequeath unto my daughters, Grace B. Hunter and Esther B. Griswold, to be divided between them in equal shares, share and share alike. In case either or both

of my said daughters shall have died prior to my decease, leaving child or children surviving, I then direct that the share of said deceased child shall descend to her child or children surviving, shares. In case however, either of my said daughters shall have died prior to my decease, not leaving child or children surviving, I then direct that the share of said deceased child shall go to the survivor.

FOURTH: In case of my said daughters shall have died prior to my decease, not leaving child or children surviving, I then direct that my said property shall go to my wife, Louise DeMelt, to be hers absolutely forever.

FIFTH: The bequests hereinbefore specified to my said wife shall be in lieu of dower.

SIXTH: I authorize and empower my Executors hereinafter named to sell and convey real estate and give all necessary deeds therefor.

LASTLY, I hereby appoint my daughters, Grace B. Hunter and Grace B. Griswold, executors of this, my last Will and Testament: hereby revoking all former wills by me made.

IN WITNESS WHEREOF, I have hereunto subscribed my name the 30th day of July in the year One thousand nine hundred and twenty-one, in duplicate originals.

MARSHALL J. DEMELT

We, whose names are hereto subscribed, DO CERTIFY that on the 30th day of July, 1921, Marshall J. DeMelt, the testator, subscribed his name to this instrument in our presence and in the presence of each of us, and at the same time, in our presence and hearing, declared the same to be his last Will and Testament, and requested us, and each of us, to sign our names thereto as witnesses to the execution thereof, which we hereby do in the presence of the testator and of each other, on the said date, and write opposite our names our respective places of residence.

Sam'l H. Fancher

residing at Sidney Center, Delaware County, NY

Katherine B. Wright

residing at Sidney Center, Delaware County, NY

The People of the State of New York
BY THE GRACE OF GOD FREE AND INDEPENDENT

To all to Whom these Presents Shall Come or May Concern, Send Greeting:

Know Ye, That at a Surrogate's Court, held in and for the County of Delaware, State of New York, on the 6th day of September, One Thousand, Nine Hundred and Thirty-nine before Hon. A. LINDSAY O'CONNOR, Surrogate of said County, the LAST WILL AND TESTAMENT of Marshall J. DeMelt late of the town of Sidney, Delaware County, deceased, was duly proved and admitted to probate; and Esther B. Griswold one of, the Executrices in said Will named as "Grace" B. Griswold, having appeared and qualified as prescribed by law;

Therefore, These Letters and Testamentary upon the said Will are granted unto the said Esther B. Griswold with full power and authority to execute the provisions of said Will.

In Testimony Whereof, We have caused the Seal of the Surrogate's Court of the County of Delaware to be hereunto affixed.

Witness, Hon A. LINDAY O'CONNOR, Surrogate of the County of Delaware, at Delhi, in said County, on the 6th day of September in the year of Our Lord, One Thousand Nine Hundred and Thirty-nine

A. Lindsay O'Connor, Surrogate

Surrogate's Court, County of Delaware:

In the matter of the Petition of
Esther B. Griswold
for the probate of the last will and testament
of

MARSHALL J. DEMELT, deceased

TO THE SURROGATE'S COURT OF THE COUNTY OF DELAWARE:

THE PETITION OF Esther B. Griswold of Sidney Center in the County of Delaware, and State of New York/ respectfully shows:

That Marshall J. De Melt late of the Town of Sidney in the County of Delaware, aforesaid, died on the 9th day of July 1939, at Sidney Center, NY.

The said deceased was at the time of his death a resident of the Town of Sidney in the County of Delaware.

Said deceased left a last will and testament, which is dated the 30th day of July, in the year one thousand, nine hundred and twenty-one..

Your petitioner is one of the name being specified therein as Grace B. Griswold the executors named in said will, . The said deceased left —— his widow(her husband), residing at of New York.

The following named persons are the only distributees of said deceased, and their degree of relationship to the said deceased, their places of residence and post office addresses are respectively as follow, viz:

Esther B. Griswold	daughter	Sidney Center NY
Grace B. Heinbeck	daughter	Rock Island Illinois
(formerly Grace B. Hunter)		

The names and post office addresses of the legatees, devisees, executors, trustees and testamentary guardians other than the persons named above and who are not distributees of said deceased, are as follows: none.

That in the Will the name "Grace" B. Griswold was used as one of the executors instead of "Esther" B. Griswold, and that Grace B. Hunter Heinbeck and Esther B. Griswold are the daughters of testator, there being no Grace B. Griswold.

That there are no other persons than those mentioned interested in the application or proceeding.

That all the above-named persons are of full age and sound mind, except the following, who are infants of the ages respectively as follows, viz:

That the will relates to personal estate, as your petitioners is (are) informed and believes the value of the personal property does not exceed \$4,500.00 and that said deceased left no real estate not exceeding the sum of \$ ____.

That no previous petition for the probate of said will, or for a grant of letters testamentary, or of administration, of the personal property of the decedent, has been filed or presented in any court to the knowledge or belief of your petitioners.

Wherefore your petitioners pray that said last will and testament may be proved, that the same may be recorded and letters of testamentary be granted thereon in pursuance of the statute in such cases made and provided: that said (husband), distributees, and other necessary parties be cited to show cause why said last will and testament should not be admitted to probate.

And your petitioners further pray for an order directing service of a citation herein without the State of New York or by publication upon the persons and corporations named herein as non-residents, or who, or whose residence, are unknown, and upon the persons and corporations named herein as residents who it is shown can not be served within the State of New York.

Dated the 21st day of July, 1939

Esther B. Griswold, Petitioner

COUNTY OF DELAWARE: ss

Esther B. Griswold being duly sworn, say she is the petitioner named in, and who subscribed the foregoing petition; that she has heard the same read, knows the contents thereof, and that the same is true to her own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters she believes it to be true.

Subscribed and sworn to before me this 21st day of July, 1939.

Esther B. Griswold

Livingston S. Latham, Notary Public.

COUNTY OF DELAWARE: ss

I, Esther B. Griswold, one of the Executor, named in the Last Will of Marshall J. DeMelt, late of the Town of Sidney, Delaware County, deceased, do solemnly swear that I am a resident of Sidney, in the State of New York, and am over twenty-one years of age, and I will well, faithfully and honestly discharge the duties of the office of Executrix of the said Last Will and Testament according to law.

Subscribed and sworn to before me this

Esther B. Griswold

21st day of July, 1939

Livingston S Latham, Notary Public

STATE OF NEW YORK,

County of Delaware: ss

I, Esther B. Griswold, residing at Sidney Center, New York, a person to whom letters testamentary are to be issued in the above-entitled Matter, Do Hereby, pursuant to the provisions of Section 95 of the Surrogate's Court Act, designate Emma C. Leslie, Clerk of the Surrogate's Court of Delaware County, or her successor in office, as a person upon whom service of any process issuing from the Surrogate's Court may be served with like effect as if served upon us personally as provided by said Section.

Esther B. Griswold, Sidney Center, NY

STATE OF NEW YORK,

County of Otsego: ss

On this 21st day of July 1939 personally appeared before me Esther B. Griswold to me known to be the same persons described in and who executed the foregoing instrument and they she acknowledged to me they executed the same for the purposes therein mentioned.

Livingston S. Latham, Notary Public

PETITION FOR JUDICIAL SETTLEMENT

Samuel H. Francher, Attorney for Petitioner, Walton, NY

Filed Sept 23, 1940

Surrogate's Court, County of Delaware:

In the matter of the Petition of

Esther B. Griswold

As Executrix of the Will

of MARSHALL J. DEMELT, deceased

TO THE SURROGATE'S COURT OF THE COUNTY OF DELAWARE:

The petition of Esther B. Griswold, residing at Sidney Center in said County of Delaware, respectfully shows:

1. That letters Testamentary of the estate of Marshall J. De Melt late of the Town of Sidney in said County of Delaware, deceased, were duly granted to your petitioner by the Surrogate's Court of Delaware Country, New York on the 9th day of July, 1939.

2. That notice to creditors of said decedent to present claims was duly published by your petitioner for six months to the ——— published at ———, in said County of Delaware and that the time for presentation of claims as fixed by said notice has expired. (That no notice to creditors of said decedent to present claims has been published.)

3. That the names and postoffice addresses of all creditors or persons claiming to be creditors of the decedent, except such as by vouchers filed with the account appear to be paid, of the sureties on the official bond of your petitioner—, the ——— of the decedent, and of the distributees of the decedent, and of all devisees and trustees under the will of decedent, and of all legatees, except such as by release duly executed and filed appear to have been fully paid, are as follows:

Grace Heimbeck	legatee	Rock Island Illinois
Esther B. Griswold	legatee	Sidney Center, N.Y.

4. That there are no other persons than those mentioned in paragraph 3 interested in this proceeding, or who are required to be cited herein.

5. That all of the persons mentioned in paragraph 3 are of full age and sound mind, except ——— who, ———infant ———the age of fourteens years, and who reside ———with ———, at ———, and ———.

6. That the estate herein amounts to more than five thousand dollars.

7. That the proceedings have been instituted for the appraisal of said estate under the provisions of the Tax Law relating to taxable transfers and no tax is due.

8. That the executrix has caused to be erected a suitable monument or marker for the deceased at a cost of \$35.00 and has paid \$— for the perpetual care of the burial lot of the deceased; perpetual care being on said lot prior to death of testatrix.

9. That your petitioner is desirous of rendering to said Surrogate's Court an account of her proceedings.

Wherefore, your petitioner prays that her account be judicially settled and that the parties named in paragraph 3 be cited to show cause why such settlement should not be had; and that an order be made directing that service of such citation upon each of said persons as is hereinbefore stated to be a non-resident of the State be made personally without the State, or by publication, pursuant to the provisions of the Surrogate's Court Act.

Dated, September 18th, 1940

Esther B. Griswold, Petitioner

County of Delaware, ss:

Esther B. Griswold being duly sworn, says that she is the Petitioner named in the foregoing petition; that she has read the petition and knows the contents thereof, and that the same is true to the knowledge of deponent, except as to the matters herein stated to be alleged upon information and belief, and as to those matters she believes it to be true.

Subscribed and sworn to before me, this
18th day of September, 1940.

Esther B. Griswold

Katherine E. Wright, Notary Public

From Nancy Smith, Surrogate Court Clerk, Delhi NY
Will recorded in Book of Wills 43 at page 137

At a Surrogate's Court, held at the Surrogate's Office in
Delhi, in and for the County of Delaware, on the
22nd day of May, 1939.

Present: Hon. A. Lindsay O'Connor, Surrogate.

SURROGATE'S COURT—COUNTY OF DELAWARE

In the Matter of Proving
the last Will and Testament of
Louise I. DeMelt, Deceased.

A duly verified petition having been presented by Esther B. Griswold and E. Louise Stilson Franklin and duly filed for probate of a paper writing dated the 2nd day of December, 1933. purporting to be the last Will and Testament of Louise I. DeMelt, late of the Town of Sidney in said County of Delaware, deceased, setting forth the facts upon which the jurisdiction of the Court to grant probate thereof depends and praying that the same might be proved, and is satisfactorily appearing to the Court that all the persons required by law to be cited, or who are interested in this proceeding have by their appearances, consent, or waiver in writing, duly executed and filed, waived the issuance and service upon them of a citation in this proceeding and consented to the probate of such paper writing. . . , and after hearing the proofs and allegations in support thereof, and due deliberation having been thereon, and the probate thereof not being contested, now on motion of Flaesch & Latham, attorneys for said petitioners, it is

ORDERED, ADJUDGED and DECREED, that the paper writing dated the 2nd day of December, 1933 so propounded as the last Will and Testament of said Louise I. DeMelt, late of the Town of Sidney, in said County of Delaware, deceased, was duly executed; that the said testatrix was at the time of executing the same in all respects competent to make a will and not under restraint, and it is further

ORDERED, ADJUDGED and DECREED, that said paper writing be admitted to probate as the will of said Louise I. DeMelt, deceased, valid to pass personal property, and that said paper writing and this decree be recorded, and it is further

ORDERED, ADJUDGED and DECREED, that letters testamentary thereupon furtherwith issue to Esther B. Griswold, and E. Louise Stilson Franklin the executrices named upon duly qualifying according to law.

A. Lindsay O'Connor, Surrogate.

LAST WILL AND TESTAMENT

I, Louise I. DeMelt of the town of Sidney, in the County of Delaware and State of New York being of sound mind and memory, do make, publish and declare this my last WILL AND TESTAMENT, in manner following, that is to say:

FIRST: I give and bequeath my wearing apparel and articles of personal use and adornment to my daughter, Catherine M. Stillson.

SECOND: I give and bequeath my household furniture now situated in my house at Sidney Center to my husband, Marshall J. DeMelt.

THIRD: All of the rest and residue of my estate, both real and personal, I give, devise and bequeath to my daughter, Catherine M. Stilson, my son Floyd J. Stewart and my son William D. Stewart, share and share alike, if said children are living at the time of my death. Should my daughter, Catherine M. Stilson, or my son Floyd J. Stewart, predecease me, I direct that the share of said deceased child be distributed to the child or children of said deceased child. Should my son, William D. Stewart, predecease me, I direct that his share be distributed to the child or children of said deceased child, him surviving, if any. If not, I direct that his share be distributed between my said daughter, Catherine M. Stilson and my said son, Floyd J. Stewart, share and share alike.

FOURTH: I give to my executrices hereinafter named full power to sell any real estate of which I may die seized, whenever it should be for the best interests of my estate to do so.

LASTLY, I hereby appoint my step daughter, Esther B. Griswold, and my granddaughter, E. Louise

Stilson, executrices of this, my last Will and Testament, hereby revoking all former wills by me made.

IN WITNESS WHEREOF, I have hereunto subscribed my name the 2nd day of December, in the year Nineteen Hundred and thirty-three.

LOUISE I. DEMELT (L.S.)

We, whose names are hereto subscribed, DO CERTIFY, that on the 2nd day of December, 1933 the testator above named, subscribed her name to this instrument in our presence and in the presence of each of us, and at the same time, in our presence and hearing, declared the same to be her last Will and Testament, and requested us, and each of us, to sign our names thereto as witnesses to the execution thereof, which we hereby do in presence of the testator and of each other, on the day of the date of the said Will, and write opposite our names our respective places of residence.

Charles C. Flaesch residing at Unadilla, NY

Martha S. Trumbull residing at Unadilla, NY

Livingston S. Latham residing at Unadilla, NY

The People of the State of New York
BY THE GRACE OF GOD FREE AND INDEPENDENT

To all to Whom these Presents Shall Come or May Concern, Send Greeting:

Know Ye, That at a Surrogate's Court, held in and for the County of Delaware, State of New York, on the 22nd day of May, One Thousand, Nine Hundred and Thirty-nine before Hon. A. LINDSAY O'CONNOR, Surrogate of said County, the LAST WILL AND TESTAMENT of Louise I. DeMelt late of the town of Sidney, Delaware County, deceased, was duly proved and admitted to probate; and Esther B. Griswold and E. Louise Stilson Franklin, the Executrices in said Will named, having appeared and qualified as prescribed by law;

Therefore, These Letters and Testamentary upon the said Will are granted unto the said Esther B. Griswold and E Louise Stilson Franklin with full power and authority to execute the provisions of said Will.

In Testimony Whereof, We have caused the Seal of the Surrogate's Court of the County of Delaware to be hereunto affixed.

Witness, Hon A. LINDAY O'CONNOR, Surrogate of the County of Delaware, at Delhi, in said County, on the 22nd day of May in the year of Our Lord, One Thousand Nine Hundred and Thirty-nine

A. Lindsay O'Connor, Surrogate

Surrogate's Court, County of Delaware:

In the matter of the Petition of
Esther B. Griswold and E. Louise Stilson Franklin
for the probate of the last will and testament
of

LOUISE I. DE MELT, deceased

TO THE SURROGATE'S COURT OF THE COUNTY OF DELAWARE:

THE PETITION OF Esther B. Griswold of Sidney Center in the County of Delaware, and E. Louise Stilson Franklin of 57 Mitchell Street, of Norwich, respectively in the County of Chenango and State of New York/ respectfully shows:

That Louise I. De Melt late of the town of Sidney in the County of Delaware, aforesaid, died on the 4th day of May 1939, at Sidney Center, NY.

The said deceased was at the time of her death a resident of the town of Sidney in the County of Delaware.

Said deceased left a last will and testament, which is dated the 2nd day of December, in the year one thousand, nine hundred and thirty-three.

Your petitioners are the executrices named in said will. The said deceased left Marshall J. DeMelt (her husband), residing at Sidney Center, State of New York.

The following named persons are the only distributes of said deceased, and their degree of relationship to the said deceased, their places of residence and post office addresses are respectively as follow, viz:

E Louise Stilson Franklin	granddaughter	57 Mitchell St., Norwich, NY
Hester Stilson	granddaughter	Sidney Center, NY
Robert Stilson	grandson	Sidney Center, NY
Floyd Stewart	son	Unadilla, NY
William D. Stewart	son	Buena Park, California

The names and post office addresses of the legatees, devisees, executors, trustees and testamentary guardians other than the persons named above and who are not distributes of said deceased, are as follows: none. Catherine M. Stilson, one of the legatees and devisees named in said will, predeceased said Louise DeMelt.

That there are no other persons than those mentioned interested in the application or proceeding.

That all the above-named persons are of full age and sound mind.

That the will relates to personal estate, as your petitioners are informed and believe the value of the

personal property does not exceed \$2500.00 and that said deceased left no real estate.

That no previous petition for the probate of said will, or for a grant of letters testamentary, or of administration, of the personal property of the decedent, has been filed or presented in any court to the knowledge or belief of your petitioners.

Wherefore your petitioners pray that said last will and testament may be proved, that the same may be recorded and letters of testamentary be granted thereon in pursuance of the statute in such cases made and provided: that said (husband), distributees, and other necessary parties be cited to show cause why said last will and testament should not be admitted to probate.

And your petitioners further pray for an order directing service of a citation herein without the State of New York or by publication upon the persons and corporations named herein as non-residents, or who, or whose residence, are unknown, and upon the persons and corporations named herein as residents who it is shown can not be served within the State of New York.

Dated the 9th day of May, 1939

Louise S. Franklin, Petitioner
Esther B. Griswold, Petitioner

COUNTY OF OTSEGO: ss

Esther B. Griswold and E. Louise Stilson Franklin, being duly sworn, say they are the petitioners named in, and who subscribed the foregoing petition; that they have heard the same read, know the contents thereof, and that the same is true to their own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters they believe it to be true.

Subscribed and sworn to before me this 9th day of May, 1939.

Louise S. Franklin Esther B. Griswold

Livingston S. Latham, Notary Public.

COUNTY OF OTSEGO: ss

I, Esther B. Griswold, one of the executrices, named in the Last Will of Louise I. DeMelt, late of the Town of Sidney, Delaware County, deceased, do solemnly swear that I am a resident of Sidney Center, in the State of New York, and am over twenty-one years of age, and I will well, faithfully and honestly discharge the duties of the office of Executrix of the said Last Will and Testament according to law.

Subscribed and sworn to before me this

Esther B. Griswold

9th day of May, 1939

Livingston S Latham, Notary Public

COUNTY OF OTSEGO: ss

I, E. Louise Stilson Franklin, one of the executrices, named in the Last Will of Louise E. DeMelt, late of the Town of Sidney, Delaware County, deceased, do solemnly swear that I am a resident of Norwich, in the State of New York, and am over twenty-one years of age, and I will well, faithfully and honestly discharge the duties of the office of Executrix of the said Last Will and Testament according to law.

Subscribed and sworn to before me this

Louise S. Franklin

9th day of May, 1939

Livingston S Latham, Notary Public

STATE OF NEW YORK,

County of Otsego: ss

We, Esther B. Griswold and E. Louise Stilson Franklin, residing at Sidney Center and 57 Mitchell Street, Norwich, NY, respectively, persons to whom letters testamentary are to be issued in the above-entitled Matter, Do Hereby, pursuant to the provisions of Section 95 of the Surrogate's Court Act, designate Emma C. Leslie, Clerk of the Surrogate's Court of Delaware County, or her successor in office, as a person upon whom service of any process issuing from the Surrogate's Court may be served with like effect as if served upon us personally as provided by said Section.

Esther B. Griswold, Sidney Center, NY

STATE OF NEW YORK,

County of Otsego: ss

On this 9th day of May 1939 personally appeared before me Esther B. Griswold and E. Louise Stilson Franklin to me known to be the same persons described in and who executed the foregoing instrument and they duly acknowledged to me they executed the same for the purposes therein mentioned.

Livingston S. Latham, Notary Public

At a Surrogate's Court held in and for the County of Delaware at the Surrogate's Office in the Village of Delhi, NY on the 22nd day of May, 1939.

Present: HON. A. Lindsay O'Connor, Surrogate

In the Matter of the Appraisal of the Goods,

Chattels and Credits of

Louise I. DeMelt,

late of the town of Sidney, Deceased.

The Executrices of the above entitled estate, having applied to the Surrogate for an order appointing appraisers,

It is hereby Ordered that Carlton Pomeroy of Unadilla, NY and Frank C. Moody of the town of Sidney, NY in the County of Delaware, two disinterested persons, be and they are hereby appointed Appraisers of the personal property of the said Louise I. DeMelt, deceased, to estimate and appraise the same, and they are hereby authorized and required to truly, honestly and impartially appraise the personal property of said deceased which shall be exhibited to them, according to the best of their knowledge and belief.

A. Lindsay O'Connor, Surrogate

County of Delaware, ss:

I, Carlton Pomeroy, of the town of Unadilla, Otsego County an appraiser duly appointed by the Surrogate of Delaware County, do swear that I will truly, honestly and impartially appraise the personal property of Louise I. DeMelt, late of the County of Delaware, deceased, which shall be for that purpose exhibited to me, to the best of my knowledge and belief.

Sworn to before me this

3rd day of June, 1939

Carlton Pomeroy

Livingston S. Latham, Notary Public

County of Delaware, ss:

I, Frank C. Moody, of the town of Sidney in said county, an appraiser duly appointed by the Surrogate of Delaware County, do swear that I will truly, honestly and impartially appraise the personal property of Louise I. DeMelt, late of the County of Delaware, deceased, which shall be for that purpose exhibited to me, to the best of my knowledge and belief.

Sworn to before me this

3rd day of June, 1939

Frank E. Moody

Livingston S. Latham, Notary Public

To the legatees, next of kin and all persons interested in the estate of Louise I. Demelt, late of the town of Sidney, in the County of Delaware, deceased:

Notice is Hereby Given that the undersigned, the Executrices of the estate of the said deceased, with the aid of Carlton Pomeroy and Frank C. Moody, the sworn appraisers appointed by the Surrogate of Delaware County, to estimate and appraise the personal property of said deceased, will proceed to make an appraisal of all the goods, chattels and credits of said deceased at the late residence of said deceased, in the town of Sidney, said county on the 3rd day of June, 1939 at two o'clock in the after noon of that day.

Dated May 25, 1939,

Esther B. Griswold
E. Louise Stilson Franklin
Executrices

County of Delaware,ss:

Esther B. Griswold, of the town of Sidney, said county, being duly sworn, says that at least eight days previous to the 3rd day of June, 1939 she served each of the legatees and next of kin of Louise I. DeMelt, deceased, residing in said county, with a true copy of the foregoing notice by depositing a copy of the said notice, securely enclosed in an envelope, the legal postage on which was fully prepaid in the post office at Sidney Center, New York, properly directed to the said legatees and the next of kin, at their places of residence and post office address respectively, as follows, to wit:

Hester Stilson	Sidney Center, NY
Robert Stilson	Sidney Center, NY
Floyd Stewart	Unadilla, NY

And that she posted a copy of the said notice in three of the most public places in the town of Sidney, in said county, at least five days, previous to the 3rd day of June, 1939, being the day specified in said notice for said appraisalment.

Sworn to before me this
25th day of May, 1939

Esther B. Griswold

SCHEDULES A,B,C AND D,

Nothing.

Nothing is set aside in this inventory to Marshall J. Demelt, surviving spouse of the decedent, due to the fact that by an agreement dated June 2, 1934, signed by decedent and her said husband, Marshall J. Demelt, each released the other from all right of inheritance and agreed that each might dispose of his property in the same manner as if he were not married, with the exception of a life use to decedent in case her said husband predeceased her.

Carl Pomeroy
Frank E. Moody
Appraisers

SCHEDULE E:
(Kitchen)

1 stove	\$6.00	
1 table	3.00	
2 chairs	1.00	
Dishes	10.00	
(Dining room)		
Dining room furniture	15.00	
Silver and linen	2.00	
Table and 6 chairs	15.00	
2 stands and sewing machine	15.00	
(Living room)		
Living room furniture, ½ interest	15.00	
Day bed	2.00	
2 Stands	.60	
2 Chairs	1.00	
Curtains	5.00	
Rug	5.00	
Mirror	3.00	
(Back bedroom)		
Furniture	10.00	
Rug	2.00	
(Front bedroom)		
Furniture	12.00	
Suit and carpet	12.50	
(Small bedroom)		
Furniture	3.00	
3 chairs (old)	1.50	
1 wash stand	1.00	
1 typewriter table	1.00	
Rag rugs	2.50	
Washing machine	25.00	
Electric cleaner-1/2 interest	10.00	
Oil heater	2.00	
Cash	86.00	
Promissory note of Ross Griswold and Esther Griswold, dated May 15, 1938, payable one year after date without interest, in amount of \$360.		360.00
Promissory note of Marshall J. DeMelt, dated January 1, 1935, payable six months after date in amount of \$500.00 without interest.		500.00
Balance due from Floyd Stewart under agreement dated November 5, 1938, between Louise DeMelt and Floyd J. Stewart.		6.16
Bond and mortgage, Ross Griswold and Esther Griswold to Louise I. DeMelt in amount of \$1000., dated December 13, 1924, recorded December 18, 1934, in Liber 99 of mortgages at pace 324, with endorsements of \$200.00 of principal,		820.00
Balance due on agreement between Catherine Stilson, William Stilson and Louise I. DeMelt, dated October 22, 1927.		105.00
	Total	\$2058.16

Carl Pomeroy
Frank E Moody Appraisers.

A True and Perfect Inventory

of all the goods, chattels and credits which were of Louise I. DeMelt late of the town of Sidney, in the County of Delaware, deceased, made by the Executrices of the said deceased, with the aid and in the presences of Carlton Pomeroy and Frank C. Moody both of the County of Delaware, duly appointed and sworn appraisers, containing a full, just and true statement of the personal property of said deceased, which has come to the knowledge of the said Executrices and particularly of all the bonds, mortgages, notes and other securities for the payment of money belonging to the deceased, known to the executor or administrator and of all debts owing by such executor or administrator to the deceased, whether discharged by the will or not, with the name of the debtor in each security, the date, the sum originally payable, the amount due at the decedent's death, and the sum, which in the judgment of the appraisers, is collectable on each security; and of all the moneys belonging to the deceased, which have come to the hands of the executor of administrator. Upon the completion of this inventory, duplicates thereof have been made and signed at the end thereof by the appraisers.

The following articles of property not deemed assets are included and stated in Schedules A, B, C, and D of this inventory, and such property is set off to the widow or husband and minor children of the deceased:

SCHEDULE A

hereto annexed, contains a list of articles so set apart pursuant to subdivision one of Section 200 of the Surrogate's Court Act, in all not exceeding in value \$1000.00

SCHEDULE B

hereto annexed, contains a list of articles set apart pursuant to subdivision two of Section 200 of the Surrogate's Court Act.

SCHEDULE C

hereto annexed, contains a list of domestic animals, with their necessary food for sixty days, the farm machinery and one motor vehicle or tractor not exceeding in value \$450.00 so set apart pursuant to subdivision three of Section 200 of the Surrogate's Court Act.

SCHEDULE D

hereto annexed contains a statement of money or other personal property not exceeding in value three hundred dollars so set apart pursuant to subdivision four of Section 200 of the Surrogate's Court Act.

SCHEDULE E

hereto annexed, contains a list of all assets of the deceased. (Section 202, Surrogate's Court Act)

Certificate of Appraisers

We, the undersigned Appraisers, duly appointed by the Surrogate of Delaware County, do hereby certify that the foregoing is a true and perfect Inventory of the goods, chattels and credits which were of said Louise I. DeMelt, deceased, which have been exhibited to us for appraisal. Each Schedule has been signed by us.

Dated the 3rd day of June, 1939.

Carl Pomeroy
Frank E. Moody
Appraisers

Delaware County, ss:

Esther B. Griswold, of the town of Sidney, Delaware County, New York, being duly sworn says. That she is one of the Executrices of the estate of Louise I. DeMelt, late of the town of Sidney in said county, deceased; that the foregoing is in inventory of the personal property of said deceased; that the said inventory is in all respects just and true; that it contains a true statement of all the personal property of said deceased which has come to the knowledge of this deponent, and particularly of all money belonging to said deceased and of all just claims of said deceased against deponent according to the best knowledge of deponent.

Subscribed and sworn to before me this 3rd day of June 1939.

Esther B. Griswold

Livingstone Latham, Notary Public

Delaware County, ss:

Carl Pomeroy and Frank C. Moody, being duly sworn, say that they were actually and necessarily occupied one

day in making the within appraisal and inventory, and their actual expenses were \$—

Subscribed and sworn to before me this

20day of Feb 1940

Carl Pomeroy

Frank E. Moody

Livingstone S. Latham, Notary Public

ORDERED, that the appraisers above named be and they hereby are allowed \$5.00 each for fees and expenses to be paid by the Executrices herein.

Dated the 26th day of Feb 1940.