

Won After Four Years of Litigation

"MISS SERENA M. MARTIN'S LONG FIGHT FOR HER MONEY SUCCESSFUL - Chicago, Nov 5 - After four years of conflict in the courts, **Miss Serena M. Martin** has at length gained a fortune, the gift of her uncle, **Edward Martin**, whom she served as companion and maid-of-all-work for forty years prior to his death. To her it means more than \$200,000, and it seems now that nothing can prevent her coming into possession of it, unless the Supreme Court of Illinois grants the other heirs a new trial and reverses its own decision.

When **Miss Martin** was nine years old, she entered the household of **Edward Martin**, then a wealthy farmer of Red Hook, New York. That was more than a half-century ago; and from that time up to his death, which occurred on December 3, 1893, she was his constant companion.

The old man was not unmindful of the devotion of his niece and sought to make provision for her during his lifetime. According to the evidence given during the trial, he rented a safety deposit box in a bank at Poughkeepsie, New York, and began to make regular deposits in it, telling his friends at the time he wished it understood that whatever he put into the box was for his niece. At the time of his death, these securities amounted to \$167,000. Of this sum, he made no mention whatever in his will, evidently with the belief, so the court has not decided, that it all belonged to **Miss Martin** and no one would venture to go beyond his expressed desire in the matter.

But the other heirs, of whom there are about twenty-six, were not long in raising their objection to this disposition of the property. The will was filed for probate at Seward, in Kendall County, Illinois, and almost immediately a nephew, **J. Fielding Martin**, began suit to contest it, his contention being that the \$167,000 in the safety deposit box should be counted as a portion of the estate and apportioned among the heirs. From the first, the contested has been a determined one. This was augmented by the disappointment of the heirs, because they had counted that their uncle was easily a millionaire, and it developed that the estate only amounted to \$390,000, which was not much when divided among twenty-six nephews, nieces, grandnephews and grandnieces.

The County Court of Kendall County first decided in **Miss Martin's** favor and against the contestants; then an appeal was taken to the Circuit Court. There the finding of the County Court was reversed and the executors were ordered to turn over to the assets of the estate all the money that the safety box had held. Then the matter went to the Appellate Court. There it was decided that she might hold the real estate mortgages, but the other securities, amounting to \$117,000, would have to be surrendered. Again the case was taken up a step to the Supreme Court and yesterday the decision was handed down, all the Judges concurring, except Judge Magruder. It is held that all the securities in the safety [deposit] box, bonds and mortgages alike, belong to **Miss Martin**.

During the four years of the case pending in the courts, these securities have been accumulating interest until now something like \$20,000 has been added to them. All this, of course, will go to **Miss Martin**, with the principal. But this is not all her wealth, for her uncle took care to provide her a home before he died, and deeded her his farm at Red Hook, New York. This is said to be worth \$20,000 more and no one has disputed her title to it. **Miss Martin** started to-day for Iselin, New Jersey, to visit her parents, satisfied that her fortune is at length secure and that she has earned the right to enjoy it."

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