



[Stearns County \(Minn.\)](#)
[Probate Court: Probate case](#)
[files and index.](#)

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

State of Minnesota

SS.

County of Stearns.

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town,

Decedent.

Petition for Allowance and
Probate of Will

To the Probate Court in and for said County:

Your petitioner represents and alleges to the Court:

FIRST—That your petitioner is a resident of City of St. Cloud, (1) in the County of Stearns, State of Minnesota, and is an adult and is interested in the estate of decedent in this, to-wit: that she is the surviving spouse of decedent and is the executrix named in his last will and testament and one of his devisees and legatees.

SECOND—That said decedent died at St. Cloud County of Stearns State of Minnesota, on the 8th day of December, 1930, aged 68 years and at the time of his death was a citizen of the Country of United States and a resident of City of St. Cloud, in the County of Stearns and State of Minnesota, and left estate in the County of Stearns, State of Minnesota.

THIRD—That said decedent died leaving a last Will and Testament which Will is herewith presented and filed for Probate.

FOURTH—That the estate of decedent at the time of his death consisted of (3) personal property of the estimated value of \$ 54,830.00 divided as follows:

- | | |
|-------------------------------|-------------------------------------|
| 1. Household goods, \$ 500.00 | 2. Wearing apparel, \$ nil |
| 3. Stock, \$ 36,000.00 | 4. Notes, bonds, etc., \$ 12,350.00 |
| 5. Miscellaneous, \$ 5980.00 | |

That said estate also included (4) real estate of the estimated worth and probable value of \$ 16,300.00 situated in said County of Stearns State of Minnesota, to-wit:

- | | |
|-------------------|-----------------------------------|
| 1. City Property | Lots without buildings, \$ |
| | Lots with buildings, \$ 12,800.00 |
| 2. Rural Property | Acres unimproved lands, \$ |
| | Acres improved land, \$ |
| 3. Homestead | \$ 3,500.00 |

NOTE 1st—City, Village, Borough or Township.

" 2nd—Executor, Heir or Devisee.

" 3rd—If no property insert word "No" and strike out unnecessary words.

" 4th—If no real estate, insert "No" and strike out remainder.

000100009

Fourth (a)- That petitioner does ^{hereby} not consent to the provisions of the said last will and testament of said decedent and hereby reserves her privilege and right to refuse to take under said will and to take under the statute, if she so elects within the statutory period.

FIFTH-That the names, ages, residences and relationship of the heirs, legatees and devisees of said decedent, so far as known to your petitioner are as follows:

NAMES	Ages Years	Residence	Post Office Address	Relation- ship
✓ Julia F. Town, ✓	48	St. Cloud, Minnesota.	St. Cloud, Minn.	widow-
✓ Ella M. Repulski ✓	35	Sauk Rapids, Minnesota.	Sauk Rapids, Minn.	Daughter
✓ Allen E. Town, ✓	33	St. Cloud, Minnesota.	St. Cloud, Minn.	Son.
✓ Marion D. Guptil ✓	31	Minneapolis, Minnesota.	Minneapolis, Minn.	Daughter.
✓ Mabel A. Carlson ✓	29	Minneapolis, Minnesota.	Minneapolis, Minn.	Daughter.
Lettie L. Hanson, ✓	26	Minneapolis, Minnesota.	Minneapolis, Minn., 1515 2 Ave. S.	Daughter.

SIXTH-That Julia F. Town, whose Post Office address is St. Cloud, Minnesota, is ~~xxx~~ named in said Will as execut ~~Be~~ _{FILE} thereof and ^{is} ~~xxx~~ suitable and competent person...to be execut ^{or} ~~FILE~~ of said Will.

WHEREFORE, Your petitioner prays that said last Will and Testament be allowed and admitted to probate; and that said Julia F. Town be appointed execut ~~xxx~~ _{FILE} thereof; and that, upon due qualifications as provided by law, letters testamentary be issued to the said Julia F. Town.

Dated December 15, 1930.

Julia F. Town.

Petitioner.

State of Minnesota,
County of Stearns. } ss.

Julia F. Town,

being duly sworn, on oath says that she is the petitioner named in the foregoing petition; that the said petition is true of her own knowledge except as to the matters therein stated on information and belief, and as to those matters she believe it to be true.

Subscribed and sworn to before me this 15th day of December, 1930.

Julia F. Town.

Notary Public, Stearns County, Minnesota.

My Commission expires Feb-29th, 1936.

State of Minnesota,

County of Stearns.

IN PROBATE COURT
Petition for Allowance and
Probate of Will

IN THE MATTER OF THE ESTATE OF

ERWIN E. TOWN,

Decedent.

Filed this 16th day of

Dec., 1930

James A. Lahr
Clerk of Probate.

State of Minnesota,

County of Stearns }

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town

Decedent. }

Order for Hearing on Petition for Adjustment of
Final Account and for Final Decree
of Distribution.

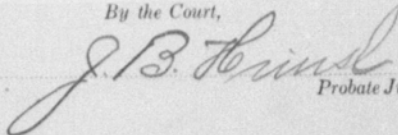
The petition of Julia F. Town

as representative of the above named decedent, together with her final account of the administration of said estate, having been filed in this Court, representing, among other things, that she has fully administered said estate, and praying that said final account of said administration be examined, adjusted and allowed by the Court, and that the Court make and enter its final decree of distribution of the residue of the estate of said decedent to the persons entitled thereto:

It is Ordered, That said petition be heard, and said final account examined, adjusted and allowed, by the Court, at the Probate Court Rooms in the Court House, in the City of St. Cloud County of Stearns State of Minnesota, on the 14th day of August 19 31, at nine o'clock A. M., and that the citation of this Court issue to all persons interested in said hearing and in said matter, and that such citation be served by the publication thereof in St. Cloud Daily Times according to law and by mailed notice as provided by the rules of this Court.

Dated July 22nd, 19 31

By the Court,



Probate Judge.

000100011

8927.

State of Minnesota,

County of *Stearns*

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town

Order for Hearing on Petition for Allowance of Final Account and for Decree of Distribution

Filed this *15th* day of

July, 19 *31*

Jacob A. Lehs
Clerk—~~Judge~~ of Probate

No. 3621*

00010012

State of Minnesota

SS.

County of Stearns

PROBATE COURT

In the Matter of Proving the Last Will and Testament of the Estate of

Erwin E. Town

Proof of Will

Decedent.

State of Minnesota,

SS.

County of Stearns

J. P. Patterson, being
duly sworn on behalf of the proponent of the Will, doth depose and say: that he is one of the
subscribing witnesses to the instrument now shown him, bearing date the 8th

day of January A. D. 1919 and purporting to be the Last Will and
Testament of Erwin E. Town of the County
of Stearns and State of Minnesota now here presented
for probate; that he knew

and was well acquainted with the said Decedent, in his lifetime and at the time of his death,
that on the day and date of said instrument, to-wit, the 8th day of January

A. D. 1919 the said instrument was signed, sealed, executed and then and there acknowledged,
published and declared by the said decedent, to be his Last Will and Testament, in the
presence of deponent and of A. A. Lippmeyer

the other subscribing witness, thereto, and that deponent and the said
A. A. Lippmeyer
the other subscribing witness... did then and there, in the presence of the said defendant, and at
his request, severally subscribe said instrument as witness... thereto.

Deponent further says that at the time of the execution of said instrument as aforesaid, the
said Decedent was of sound and disposing mind, memory and understanding, of lawful age and
under no restraint to the best of deponents knowledge, and as he verily believes.

And further deponent saith not.

Subscribed and sworn to before me this

9th day of January, A. D. 1919

J. P. Patterson
Judge of Probate.

No. 8927

State of Minnesota.

County of

Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE LAST WILL AND
TESTAMENT OF

Erwin E. Town
Decedent.

TESTIMONY OF

J. B. Patterson
Subscribing Witness to Will.

Taken, sworn, subscribed and filed
this 9th day of

Jan 1931

Jacob A. Kohn
Clerk Judge of Probate.

000180019

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town

Decedent.

LETTERS TESTAMENTARY

To Julia F. Town

GREETING:

Whereas, You have been appointed executrix of the last will and testament of the above named decedent, by the order of this court, and have duly qualified as such:

Now Therefore, Reposing full faith and trust in your competency, ability and integrity, these letters testamentary are issued to you by the court, authorizing you to execute and carry into effect the said will of said decedent, according to the true intent thereof, and granting unto you all the powers, duties and responsibilities incident to said trust, in substance as follows, to-wit:

FIRST—To take possession of all the estate of said decedent, both real and personal, excepting that which may be set aside by the court for the surviving spouse or children of said decedent; to collect and receive all the rents, issues, increase and profits of said estate; to demand, receive, collect, sue for and recover all the debts, claims, rights, and choses in action, which to said decedent at the time of his death did belong; and, in within three months from the date hereof, to make and file in this court a true, verified, inventory of all the estate of said decedent, and cause the same to be appraised according to law.

SECOND—To manage, care for, and administer the said estate, to the end that the same may be preserved, kept, and increased, in the most economical and efficient manner; and to keep in good condition of repair all the buildings and improvements on the real estate of decedent.

THIRD—To cause to be paid, according to the provisions of said will as far as possible, and where not possible, then according to law, out of the personal estate of decedent if the same be sufficient therefor, and if not sufficient, then out of the real estate of decedent to be sold under the license of this court, the following charges, demands, and debts, in the order following, to-wit: the expenses of the administration of said estate; the expenses of the funeral of said decedent; the expenses of the last sickness of said decedent; all the debts of decedent having preference under the laws of the United States; all taxes that shall be legally levied upon the estate of decedent; all other debts of decedent due to his creditors that shall be duly proved and allowed by the court, if said estate be sufficient therefor, otherwise to pay the same pro rata; all legacies given and provided by said will of decedent, if his said estate be sufficient therefor.

FOURTH—To make and file in this court, whenever requested by the court so to do, and at the completion of said trust, full and true accounts, with itemized statements, under oath, of all said estate and the increase thereof, that shall come into your hands, and of all disbursements made by you and of all the residue that remains in your hands, together with the value and condition thereof; and, at the completion of said trust, to turn over all the residue of said estate in your hands to those declared thereunto entitled by the court.

Witness, The Judge of this Court, and the seal thereof, this

13th

day of

January

, 19 31



J. B. Hermsel
Probate Judge.

8927.

State of Minnesota,

County of *Oscar*.

PROBATE COURT

IN THE MATTER ON THE ESTATE OF

Erwin E. Town

LETTERS TESTAMENTARY (LONG FORM)

Filed this *12th* day of

June, 19 *31*, and Recorded
in Book "*2*" of Letters, Page *310*

Joseph A. Lahn
Clerk-Judge of Probate Court.

State of Minnesota,
County of _____ } ss.

IN PROBATE COURT

I, _____, Judge of the Probate Court, in and for said County, and State aforesaid, do hereby certify that I have compared the within and foregoing paper writing with the original Letters Testamentary in the matter therein entitled, now remaining of record in my office, and that the same is a true and correct copy of said original, and the whole thereof.

WITNESS, my hand and seal of said Court, at _____

day of _____

, A. D. 19____

this

Probate Judge.

910081000

STATE OF NORTH DAKOTA,
County of Dickey

IN COUNTY COURT,
Before Hon. Geo. H. Fay
Judge.

In the Matter of the Guardianship of Ella M. Town, Allen E. Town, Marion D. Town,
Mabel A. Town and Lettie L. Town,
Minor^s.

Erwin E. Town

vs.

Petitioner.

Ella M. Town, Allen E. Town Marion D.
Town, Mabel A. Town and
Lettie L. Town,

Respondent^s.

Petition to Appoint Guardian.

To the Hon. Geo. H. Fay Judge of the County Court within and for the
County of Dickey and State of North Dakota:

The petition of Erwin E. Town respectfully shows that your petitioner
is the father of above named respondents

minor children of Mollie N. Town late of the Township
of Spring Valley in the County of Dickey and State of North Dakota, deceased;

That the said minor^s have not a guardian legally appointed by any competent Court having jurisdic-
tion thereof, and they are resident of the Township of Spring Valley
in the County of Dickey in the State of North Dakota and have
estate within the County of Dickey and State of North Dakota, which needs and requires
the care and supervision of a fit and competent person to care for and manage the same.

That the estate of said minor^s consist^s of being beneficiaries in a certain
insurance policy in the Royal Neighbors of America of \$1000.00 and
certain real estate belonging to their mother Mollie N. Town in her
life time.

And therefore it is necessary that a guardian be appointed of the person^s and estate^s of said minor^s.

That the said Ella M. Town was of the age of 13 years on the
fifth day of Sept. A. D. 1907.

That the said Allen E. Town was of the age of 11 years on the
30th day of June A. D. 1907.

That the said Marion D. Town was of the age of 9 years on the
9th day of January A. D. 1908.

That the said Mabel A. Town was of the age of 6 years on the day of
A. D. 190.

That the said Lettie L. Town was of the age of 3 yrs old the
10th day of April 1908.

That the only relatives of said minor^s residing within the County of Dickey
and State of North Dakota, are Mrs. Crowley and your petitioner

Wherefore, your petitioner prays that your Honor appoint your petitioner
who is a resident of the Township of Spring Valley in the County of Dickey
and State of North Dakota, and whose postoffice address is Forbes, N. D.
guardian of the person^s and estate^s of said minor^s.

And your petitioner will ever pray, etc.

Erwin E. Town

Dated March 23rd 1908.

STATE OF NORTH DAKOTA,
County of Dickey } ss:

Erwin E. Town being duly sworn, says that he has heard read the foregoing petition by him subscribed, and knows the contents thereof, that the same is true of his own knowledge, except the matters therein stated upon his informaion and belief, and that as to those matters he believes it to be true.

Subscribed and sworn to before me this 23rd
day of March A. D. 1910

E. E. Cassels, Notary Public
Dickey County, N. D.

Erwin E. Town.

My comission expires March 12 1913
(SEAL)

Nominations by Minors Over 14 Years

STATE OF NORTH DAKOTA,
County of _____ } ss:

IN THE COUNTY COURT.

To the Hon. _____ Judge of the County Court, within and for the
County of _____ and State of North Dakota:

We, the undersigned minors above the age of fourteen years, hereby nominate and respectfully request
your Honor to appoint _____
of the _____ of _____ in the County of _____
and State of North Dakota, the guardian of our person and estate.

Dated _____ 191 _____

No. 300

IN COUNTY COURT,

County of Dickey
STATE OF NORTH DAKOTA.

In the Matter of the Guardianship of
Ella M. Town
et al.

Minor _____

Petition to Appoint Guardian

STATE OF NORTH DAKOTA,
County of Dickey } ss:
IN COUNTY COURT.

I hereby certify that the within was filed in
the County Court, in and for said County, on the
the 23rd day of March
A. D. 1910 and recorded in Book 1
of Guardian Records of said Court on
Page 127

Geo. H. Fay
Judge. of the County Court.

Attorney for 1/2

WALKER BEGS & HENRY FARROW, P. D.
9-117-16

STATE OF NORTH DAKOTA
County of **Dickey**

IN COUNTY COURT,
Before Hon. **Geo. H. Fay**

Judge.

In the Matter of the Estate of **Mollie N. Town**, Deceased.

Erwin E. Town

Vs.

Petitioner.

Ella M. Town, Allen E. Town, Marion D. Town,

Mabel A. Town and Lettie L. Town,

Order Appointing Administrator

Respondent **S**

The petition of **Erwin E. Town**
praying that letters of administration of the estate of **Mollie N. Town**
deceased, be issued to **Erwin E. Town**

coming on regularly to be heard; and
due proof having been made to this Court that due notice of the time and place of the hearing of said petition has
been given as required by law and the order of this Court of date **March 23rd**

A. D. 19**08**, and said matter being duly called, appears in Court **Erwin E. Town, guardian**
of said Respondents and **E. E. Cassels** his attorney

and it being proved by the testimony of **Erwin E. Town**
that the said **Mollie N. Town** died on the **16th** day of
March A. D. 19**08**, intestate, in the **Township** of **Spring Valley** in the
County of **Dickey** and **State** of **North Dakota**, that ~~she~~ was a
resident of the **Township** of **Spring Valley** in the County of **Dickey**
and State of North Dakota, at the time of ~~her~~ death, and that ~~she~~ died seized of certain estate within the
County of **Dickey** and State of North Dakota, and within the jurisdiction of this Court:

That the said **Erwin E. Town** ~~is~~ legally competent and is the
husband surviving of said deceased, and

entitled to letters of administration of said estate.

That the personal property within the jurisdiction of this Court is the value of **nil**
Dollars and that the annual rents and profits of
the real estate is of the probable value of _____ Dollars.

IT IS ORDERED, ADJUDGED AND DECREED, That letters of administration of the estate of said
Mollie N. Town deceased, intestate, issue to
Erwin E. Town of **Spring Valley**
Township

as prayed for in said petition, upon **his** filing the oath of office as such administrator and upon
giving a bond as administrator ~~or~~ to the State of North Dakota, as required by law, in the penal sum of
300.00 Dollars
with two or more sufficient sureties, to be approved by the Judge of this Court.

IN TESTIMONY WHEREOF, We have caused the seal of the County Court of said County to be hereunto
affixed.

WITNESS, Hon. **Geo. H. Fay** Judge of the
County Court, of the County of **Dickey**, in the State of
North Dakota, at the Court Room of said Court, in the **City** of
Ellendale in said **Dickey** County, this
20th day of **April** A. D. 19**08**

Geo. H. Fay

Judge of the County Court.

(SEAL)

No. 393

IN COUNTY COURT

County of **Dickey**
STATE OF NORTH DAKOTA

In the Matter of the Estate of

Mollie N. Town

Deceased.

ORDER APPOINTING ADMINISTRATOR *or*

STATE OF NORTH DAKOTA, } ss:
County of **Dickey**

IN COUNTY COURT

I hereby certify that the within was filed in
the office of the Judge of the County Court, in
and for said County, on the **20**

day of **April** A. D. 19**08** and
recorded in Book "**2**" of **Adm.**

Records of said Court, on page **201**

Geo. H. Fay

Judge of the County Court.

Attorney for

8/13

STATE OF NORTH DAKOTA,
County of Dickey

IN COUNTY COURT,
Before Hon. Geo. H. Fay
Judge.

In the Matter of the Guardianship of Ella M. Town, Allen E. Town, Marion D. Town,
Mabel A. Town and Lettie L. Town, Minors.

Erwin E. Town vs. Petitioner
Ella M. Town, Allen E. Town, Marion D. Town,
Mabel A. Town and Lettie L. Town,
Order Appointing Guardian.

Erwin E. Town, father of the above respondents

minor children
of Mollie N. Town late of the Township of Spring Valley
in the County of Dickey in the State of North Dakota, deceased, having on the
23rd day of March A. D. 1910⁸ made application, by petition, to the Judge of the
County Court of the County of Dickey and State of North Dakota, for the appointment of
Erwin E. Town of the Township of Spring Valley in the
County of Dickey and State of North Dakota, as the guardian of the persons and estate of
said minor s; and afterwards, on this, the 23rd day of March A. D. 1910⁸, said
petition coming on regularly to be heard, and upon due proof that due notice had been given of the time and
place of hearing said petition as required by law and as directed by the Judge of this Court, said Judge pro-
ceeded to the hearing of said application; and it duly appearing that the said minor s are of the age
as follows, to-wit: Ella M. Town 13 yrs, Allen E. Town 11 yrs, Marion D. Town 9 yrs,
Mabel A. Town 6 yrs, & Lettie L. Town 3 yrs.

that the said minor s have no guardian legally appointed; and that they are residents of the
Township of Spring Valley in the County of Dickey and State of North
Dakota, and that they have estate within the said County of Dickey and State
of North Dakota, which need the care and attention of some competent and proper person; and it appearing
from the evidence adduced that the said Erwin E. Town
is a fit and competent person to act as such guardian.

IT IS HEREBY ORDERED, That said Erwin E. Town
be, and he is hereby appointed guardian of the persons and estate of said Minors
and that Letters of
Guardianship of the persons and estate of the said minor s be issued to him upon his giving
bond to the ~~Sheriff of the County~~ said Minors in the penal sum of Two Thousand
Dollars, with good and sufficient sureties to be approved by the Judge of this
Court, and upon his taking and subscribing an oath, as such guardian, as required by law.

IN TESTIMONY WHEREOF, We have caused the seal of the County Court of said County to be here-
unto affixed.

WITNESS, The Hon. Geo. H. Fay Judge of the
said County Court, at the City of Ellendale in said County, this
23rd day of March A. D. 1910⁸.

(SEAL)

Geo. H. Fay
Judge of the County Court.

No. 390

IN COUNTY COURT

County of Dickey

STATE OF NORTH DAKOTA

In the Matter of the Guardianship of

Ella M. Town,

et al.

Minor

ORDER APPOINTING GUARDIAN

STATE OF NORTH DAKOTA,

County of Dickey }

IN COUNTY COURT.

I hereby certify that the within Order was
filed in the County Court, in and for said County.

on the 23rd day of Mch

A. D. 1908, and recorded in Book " 1 "

of Guardians Records of said Court, on
page 129

Geo. H. Fay

Judge

of the County Court.

Attorney for

WALKER BROS. & HARDY, FARGO, N. D.
3-14-17

228081000

State of Minnesota,
County of Stearns } SS.

In Probate Court

In the Matter of the Estate of Erwin E. Town Deceased:

THE LAST WILL AND TESTAMENT of said deceased having been this day admitted to probate by this Court, and Julia F. Town named as executrix of said Will, having applied for Letters Testamentary thereon:

IT IS ORDERED, That the said Julia F. Town give bonds to the Judge of this Court in the sum of Thirty Thousand and no/100 Dollars, conditioned that he will faithfully execute the duties of her trust according to law, with sufficient sureties, to be approved by said Judge, and that thereupon Letters Testamentary to be her issued.

Dated at St. Cloud Minnesota the 12th day of January
A. D. 1930

By the Court,

J. B. Hemish
Judge of Probate.

Attorney for Petitioner.

00010023

No. 8827

IN PROBATE COURT

County of Shearus

IN THE MATTER OF THE ESTATE OF

Erwin E. Town
Deceased.

ORDER FOR EXECUTOR'S BOND

Filed this 9th day of

June A. D. 1931, and

recorded in Book..... of Orders,

on page.....

Jaroba Lake
Clerk—~~Judge~~ of Probate.

000180024

STATE OF NORTH DAKOTA
County of Dickey

IN COUNTY COURT,
Before Hon. Geo. H. Fay Judge.

In the Matter of the Guardianship of Ella M. Town, Allen E. Town, Marion D. Town,
Mabel A. Town, and Lettie L. Town, Minors.
Erwin E. Town,

vs. Petitioner
Ella M. Town, Allen E. Town, Marion D. Town,
Mabel A. Town and Lettie L. Town, Guardian's Bond.
Respondent

KNOW ALL MEN BY THESE PRESENTS, That we Erwin E. Town
as principal, and

as sureties, all of the County of Dickey, in the State of North Dakota, are held and firmly bound
unto the State of North Dakota in the penal sum of Two Thousand (\$2000)

Dollars,
lawful money of the United States, to be paid to the said State of North Dakota; for which payment well and truly
to be made, we hereby jointly and severally bind ourselves, our and each of our heirs, executors and administrators,
jointly and severally, firmly by these presents.

The condition of the above obligation is such, that, whereas, by an order of this Court, duly made and
entered on the 23rd day of March A. D. 1908, the above bounden
Erwin E. Town was appointed Guardian of the person

and estate of Ella M. Town, Allen E. Town, Marion D. Town, Mabel A. Town and
Lettie L. Town,

minor children of Mollie N. Town late of the Township
of Spring Valley in the County of Dickey and State of North
Dakota, deceased, and Letters of Guardianship, were directed to be issued to h in the said
Erwin E. Town upon h is executing a bond according to
law, in the said sum of Two Thousand Dollars.

NOW, THEREFORE, If the said Erwin E. Town
as such Guardian as aforesaid, shall execute all the duties of said trust as such Guardian, according to law, then
this obligation to be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 23rd day of
March A. D. 1908.

Signed and Sealed in presence of

Erwin E. Town (Seal)
B. R. Crabtree (Seal)
G. E. Lane (Seal)
(Seal)

STATE OF NORTH DAKOTA,
County of Dickey ss
A. D. 1908, before me, a County Judge
and State of North Dakota, personally appeared
B. R. Crabtree and G. E. Lane

known to me, (or proved to me on the oath of _____),
to be the persons who are described in and who executed the above and foregoing bond, and who, each for himself,
personally acknowledged to me that they executed the same freely and voluntarily.

(SEAL)

My commission expires _____ 19____ Judge Geo. H. Fay

00010025

STATE OF NORTH DAKOTA,
County of Dickey } ss:
On this 23rd day of March
A. D. 1908, before me appeared B.R. Crabtree
and Geo. E. Lane being first duly sworn, upon oath
and each for himself doth say: That he is one of the sureties on and who executed the within and foregoing bond.
That he is a freeholder in the State of North Dakota, and a resident of the County of Dickey
; that he is worth the sum of Two Thousand Dollars,
over and above all his debts and liabilities, and exclusive of all his property exempt by the laws of this State from
levy and sale on execution or attachment.
Subscribed and sworn to before me this 23rd
day of March A. D. 1908
Geo. H. Fay
(SEAL) Judge.
My commission expires 192

STATE OF NORTH DAKOTA, } ss:
County of Dickey IN THE COUNTY COURT.
Upon filing and examining the within and foregoing bond, it is ordered and adjudged that the said bond be
and is hereby approved, and that the same be recorded in the records of this Court.
IN WITNESS WHEREOF, We have caused the seal of the County Court of said County to be hereunto
affixed.
WITNESS, The Hon. Geo. H. Fay, Judge of the
County Court of the said County of Dickey, at his office
in the City of Ellendale in the said County, this
23rd day of March A. D. 1908
Geo. H. Fay
(SEAL) Judge of the County Court.

No. 390

IN COUNTY COURT,

County of Dickey

STATE OF NORTH DAKOTA

In the Matter of the Guardianship of

Ella M. Town

et al

Minor

BOND OF GUARDIAN

STATE OF NORTH DAKOTA, } ss:

County of Dickey

IN THE COUNTY COURT

I hereby certify that the within was filed in
the office of the Judge of the County Court in
and for said County on the 23rd day of
March A. D. 1908 and

recorded in Book " 1 " of Guard,

Records of said Court, on page 129

Geo. H. Fay

Judge of the County Court.

Attorney for

WALKER BROTHERS FARGO
IN-11-20

000180026

LAST WILL AND TESTAMENT OF ERWIN E. TOWN.

I, Erwin E. Town, a resident of the City of St. Cloud, in the County of Stearns and State of Minnesota, being of sound mind and memory, do make, publish and declare this to be my last will and testament; hereby revoking all former wills by me made.

First- I order and direct my Executrix hereinafter named to first pay my funeral expenses and all my just debts allowed in the due course of the administration of my estate.

Second- I give, devise and bequeath unto my beloved wife, Julia F. Town, our home being Lot Five (5), less 13-3/4 feet, of Block Thirty-nine (39), in the Town of St. Cloud City (now a part of the City of St. Cloud), T. A. Curtis Survey, Stearns County, Minnesota, owned by us jointly, together with all the household furniture, articles and goods and all my personal effects and wearing apparel, also Lot Nine (9), which I have placed in her name, and Lot Eight (8), all in Block Three (3), in McClure & Whitney's Addition to St. Cloud, Stearns County, Minnesota, and sixty (60) shares of the capital stock of Monumental Sales and Manufacturing Company, to have and hold in fee simple and absolutely.

Third- I give, devise and bequeath unto my daughter, Ella M. Repulski, Lot Five (5), in Block Twenty (20), in the Town of St. Cloud City (now a part of the City of St. Cloud), T. A. Curtis Survey, Stearns County, Minnesota, and also sixty (60) shares of the capital stock of Monumental Sales and Manufacturing Company, to have and hold in fee simple and absolutely.

Fourth- I give, devise and bequeath unto my son, Allen E. Town, Lot Six (6), in Block Three (3), in McClure & Whitney's Addition to St. Cloud, Stearns County, Minnesota, and Lot Six (6), in Block Three (3), in Reichert's Addition to St. Cloud, Stearns County, Minnesota, and also sixty (60) shares of the capital stock of Monumental Sales and Manufacturing Company, to have and to hold in fee simple and absolutely.

Fifth- I give, devise and bequeath unto my daughter Marion D. Guptil, sixty (60) shares of the capital stock of Monumental Sales and Manufacturing Company, in fee simple and absolutely.

Sixth- I give, devise and bequeath unto my daughter, Mabel

A. Town sixty (60) shares of the capital stock of Monumental Sales and Manufacturing Company, in fee simple and absolutely.

Seventh- I give, devise and bequeath unto my daughter, Lettie L. Hanson, sixty (60) shares of the capital stock of Monumental Sales and Manufacturing Company, in fee simple and absolutely.

Eighth- I give, devise and bequeath all the rest, residue and remainder of my property and estate, of which I die seized and possessed, and to which I may be entitled at the time of my death, of every nature and wheresoever situate, unto my wife, Julia F. Town, and my children, Ella M. Repubski, Allen E. Town, Marion D. Guptil, Mabel A. Town and Lettie L. Hanson, in equal parts, share and share alike, in fee simple and absolutely.

Lastly- I do hereby make, constitute and appoint my said wife, Julia F. Town, to be the executrix of this my last will and testament.

In witness whereof, I have hereunto subscribed my name to this my last will and testament this eighth day of January, A. D. 1929.

Erwin E. Town

This instrument, consisting of two typewritten pages inclusive of the one on which this attestation clause is written, was, on the day of the date thereof, signed, published and declared by the testator, Erwin E. Town, to be his last will and testament in our presence, who, at his request, have hereunto subscribed our names as witnesses in his presence and in the presence of each other.

A. A. Lippmeyer residing at St. Cloud, Minnesota.

W. Patterson residing at St. Cloud, Minnesota.

LAST WILL AND TESTAMENT

OF

ERWIN E. TOWN,

OF

ST. CLOUD, MINNESOTA.

Dated January-8-1929.

000100028

State of Minnesota,
County of Stearns

IN PROBATE COURT
CERTIFICATE OF PROBATE

In the Matter of the Estate of Erwin E. Town Decedent

Be it Remembered, That on the day of the date hereof at a Special Term of said Probate Court, pursuant to the notice duly given, the last will and testament of Erwin E. Town Decedent, late of said County of Stearns bearing date the 8th day of January 19 29, and being the annexed written instrument, was duly proved before the Probate Court, in and for the County of Stearns aforesaid; and was duly allowed and admitted to probate by said Court according to law; as and for the last Will and Testament of said Erwin E. Town deceased, which said last Will and Testament is recorded and the examination taken thereon filed in this office.

In Testimony Whereof, The Judge of the Probate Court of said County has hereunto set his hand and affixed the seal of said Court at St. Cloud in said County, this 9th day of January 19 31



J. B. Hennel
Judge of Probate.

00010030

Exht 8927-

State of Minnesota,

County of Hearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town

Decedent.

Certificate of Probate of Will

Filed this 9th day of

June, 1931, and recorded,

together with the will attached in Book

" of Records of Wills, Page 60

Jacob A. Lahr
Clerk Judge of Probate.

000100034

State of Minnesota,
Stearns

County of

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town

Decedent

Order Admitting Will to Probate

The above entitled matter came on to be heard on the 9th day of January 1931

upon the petition of Julia F. Town

for the allowance of an instrument filed therewith purporting to be the last will and testament of the above named decedent; and the court having duly heard the same and all the evidence produced in support thereof, and having duly considered the same, finds as follows:

FIRST—That the citation of this court, dated the 16th day of December 1930 has been duly served and published as directed therein and required by law.

SECOND—That said decedent died on the 8th day of December 1930, and at the time of his death was a resident of St. Cloud in the County of Stearns and State of Minnesota and left estate in the County of Stearns State of Minnesota.

THIRD—That the subscribing witness to said purported last will and testament of said decedent, to-wit:

J. B. Pattison

was duly sworn and examined, and his testimony reduced to writing, subscribed by him and filed herein.

FOURTH—That said instrument presented for probate as aforesaid was duly executed by said decedent as his last will and testament, according to law; and that said decedent, at the time he executed the said instrument, was of sound mind and free from undue influence, of lawful age, and under no restraint

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the said instrument presented and proved as aforesaid be and the same hereby is, established and allowed as the last will and testament of the above named decedent, and is hereby admitted to probate.

Dated January 9th 1931

J. B. Hensel
Judge of Probate.

8827.

State of Minnesota. }
County of *Stearns* }
PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town
Decedent.

Order Admitting Will to Probate

Filed this *9th* day of

January 1931, and recorded
in Book " *61* " of Orders, Page *99*.

Joseph A. Lohr
Clerk Judge of Probate.

STATE OF NORTH DAKOTA, } IN COUNTY COURT.
 County of Dickey } Before Hon. Geo. H. Fay Judge.
 In the Matter of the Estate of Mollie N. Town, Deceased.
 Erwin E. Town vs. Petitioner }
 Ella M. Town, Allen E. Town, Marion D. Town, Letters of Administration.
 Mabel A. Town, and Lettie L. Town Respondent }

THE STATE OF NORTH DAKOTA, To all to whom these presents shall come or may concern, and especially to Erwin E. Town, of the Township of Spring Valley in the County of Dickey, in the State of North Dakota Greeting:

KNOW YE, That whereas Mollie N. Town, late of the Township of Spring Valley in the County of Dickey and State of North Dakota lately died intestate, and being at the time of her death a resident of the County of Dickey and State of North Dakota and possessed of certain real estate within the County of Dickey and State of North Dakota, by means whereof the ordering and granting administration of all and singular the goods, chattels, rights, credits and estate whereof said intestate died possessed, in the State of North Dakota, and also the auditing, allowing and final discharging the account thereof, is within the jurisdiction of the County Court of said County of Dickey

And we being desirous that the goods, chattels, rights, credits and estate of the said intestate may be well and faithfully administered, the oath and a good and sufficient bond having been filed in and approved by the said County Court,

WE THEREFORE, Reposing full confidence in your integrity and ability, do grant the administration of all and singular the goods, chattels, rights, credits and estate of the said deceased unto you, the said Erwin E. Town

HEREBY AUTHORIZING AND EMPOWERING you to take and have possession of all the real and personal estate of said deceased, and to receive the rents, issues and profits thereof, until said estate shall have been settled, or until delivered over by order of said County Court to your successor in trust, or to the heirs of said deceased; and to demand, collect, recover and receive all and singular the debts, claims, demands, rights and choses in action, which to the said deceased while living and at the time of her death did belong, or which her estate has subsequently acquired;

AND REQUIRING you to keep in good repair and condition all houses, buildings and improvements on said real estate which may or shall be under your control, to cause all legal tax or taxes thereon to be paid within the time provided by law and without penalty or loss to the said estate by your delay thereof, to make and return into this Court immediately, or as soon as can be, a true and perfect inventory of all and singular the goods, chattels, rights, credits and estate, both real and personal, of the said deceased, which shall come to your possession or knowledge, or to the possession of any other person for you, to give under the direction and order of this Court, to be hereafter made, due notice for the presentation and proof of all claims against the said deceased, to render a just and true account and exhibit of your administration to this Court at the third term hereafter, at the expiration of one year and at any time when required by this said County Court, to obey all orders and decrees of said Court and to perform all the duties appertaining to your office and trust as administrator of the estate of said deceased as required by law.

IN TESTIMONY WHEREOF, We have caused the seal of the County Court of the County of Dickey and State of North Dakota, to be hereunto affixed.

WITNESS, Hon. Geo. H. Fay, Judge of the County Court of the said County of Dickey at his office in the City of Ellendale in the said County, this 20th day of April A. D. 1908

Attest: (SEAL) Geo. H. Fay Judge of the County Court.
 Clerk of the County Court.

STATE OF NORTH DAKOTA,
County of Dickey } ss: I, Erwin E. Town
do solemnly swear that I will support the Constitution of the United States and Constitution of the State of
North Dakota, and that I will discharge all and singular the duties of administrator or of the estate of
Mollie N. Town, late of the Township
of Spring Valley, in the County of Dickey, and State of
North Dakota, deceased, according to law, to the best of my knowledge and ability.
So help me God.

Subscribed and sworn to before me this 20th
day of April A. D. 19 08

Erwin E. Town

E. E. Cassels, Notary Public,
Dickey Co. N. D.

My commission expires March 12th 19 13

(SEAL)

No. 393

IN COUNTY COURT

County of Dickey
STATE OF NORTH DAKOTA.

In the Matter of the Estate of

Mollie N. Town

Deceased.

Letters of Administration.

STATE OF NORTH DAKOTA, } ss:
County of Dickey
IN COUNTY COURT.

I hereby certify that the within was filed in
the County Court, in and for said County, on
the 20th day of April
A. D. 19 08, and recorded in Book "2"
of Administrator's Records of said Court, on
page 202

Geo. H. Fay

Judge of the County Court

Attorney for

4/20

WALTER REOR.

FARGO, N. D.

STATE OF NORTH DAKOTA,
County of Dickey

IN COUNTY COURT,

Before Hon. Geo. H. Fay

In the Matter of the Guardianship of Ella M. Town, Allen E. Town,
Marion D. Town, Mabel A. Town and Lettie L. Town, Minor

Erwin E. Town

vs.

Petitioner.

Ella M. Town, Allen E. Town,

Marion D. Town, Mabel A. Town,
and Lettie L. Town,

Letters of Guardianship.

Respondent. S

THE STATE OF NORTH DAKOTA, To all to whom these presents shall come or may concern, and especially to Erwin E. Town
of the Township of Spring Valley in the County of Dickey
in the State of North Dakota. Greeting

KNOW YE, That reposing especial trust and confidence in the integrity and ability of Erwin E. Town, who has complied with the order of this Court of date the 23rd day of March A. D. 1908.

WE DO HEREBY GRANT LETTERS OF GUARDIANSHIP of the person S and estate S of Ella M. Town, Allen E. Town, Marion D. Town, Mabel A. Town and Lettie L. Town,

minor child ren of Mollie N. Town late of the Township
of Spring Valley in the County of Dickey in the State of North Dakota
deceased, unto the said Erwin E. Town
of the Township of Spring Valley in the County of Dickey
in the State of North Dakota in accordance with the order of this Court in the matter of said Guardianship, of date the 23rd day of March A. D. 1908.

IN TESTIMONY WHEREOF, We have hereunto affixed the seal of the County Court of the County of Dickey and State of North Dakota.

WITNESS, Hon. Geo. H. Fay Judge of the County Court of said
County of Dickey at his office in Ellendale in said County, on
the 23rd day of March A. D. 1908.

(SEAL)

Geo. H. Fay.

Judge of the County Court.

STATE OF NORTH DAKOTA,
County of Dickey ss.

I, Erwin E. Town

do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of North Dakota, and that I will discharge all and singular the duties of Guardian of the person and estate of the above named Ella M. Town, Allen E. Town, Marion D. Town, Mabel A. Town,
and Lettie L. Town,

minor, according to the tenor and effect of my accompanying bond, and according to law, to the best of my knowledge and ability. So help me God.

Subscribed and sworn to before me this 23rd
day of March A. D. 1908.

Geo. H. Fay

Erwin E. Town.

Geo. H. Fay

Judge of the County Court.

(SEAL).

00010036

No. 390

IN COUNTY COURT,

County of Dickey

STATE OF NORTH DAKOTA

In the Matter of the Person^s and Estate... of

Ella M. Town

Minor

LETTERS OF GUARDIANSHIP

STATE OF NORTH DAKOTA

County of Dickey

IN THE COUNTY COURT.

I hereby certify that the within was filed in the
County Court, in and for said County, on the

23rd day of March

A. D. 1905, and recorded in Book " 1 "

of Guardian's Records of the said Court, on page
120

Geo. H. Fay

Judge of the County Court.

Attorney for

120

00010037

STATE OF NORTH DAKOTA, }
County of Dickey } ss.
IN THE MATTER OF THE ESTATE OF Mollie N. Town, DECEASED

IN COUNTY COURT,
Before Hon. James M. Austin,
Judge.

Allen E. Town,

vs. Petitioner
Ella M. Repulski, formerly Ella M. Town, Marion D. Guptill, formerly Marion D. Town, Mabel A. Carlson, formerly Mabel A. Town, Lettie L. Hanson, formerly Lettie L. Town, and Mrs. Erwin E. Town, surviving widow and heir at law of Erwin E. Town, deceased. Respondent
Letters of Administration.

STATE OF NORTH DAKOTA, }
County of Dickey } ss.

THE STATE OF NORTH DAKOTA, to all whom these presents shall come or may concern:

WHEREAS, H. H. Perry was duly appointed Administrator of the estate of the above named Mollie N. Town, Deceased, by order of the County Court of said Dickey County, North Dakota, of date August 17, 1931, and has been duly qualified accordingly.

NOW, THEREFORE, Know ye, that he the said H. H. Perry is authorized to enter upon the discharge of his duties as such administrator and continue thereon until the revocation of these letters.

IN WITNESS WHEREOF, the signature of the Judge of said Court is hereto subscribed and attested by the seal of said Court in the City of Ellendale in the County of Dickey and State of North Dakota, this 17th day of August, 1931.

By the Court:

(Seal of the Court)

James M. Austin,
Judge of the County Court.

STATE OF NORTH DAKOTA, }
County of Dickey } ss.

I, H. H. Perry

do solemnly swear that I will support the Constitution of the United States and Constitution of the State of North Dakota, and that I will faithfully and according to the law, to the best of my ability perform all the duties of my trust and office as the administrator of the estate of Mollie N. Town, late of the Township of Spring Valley in the County of Dickey and State of North Dakota Deceased,

Subscribed and sworn to before me this 17th day of August, 19 31.

James M. Austin,
(SEAL) Judge of the County Court.

H. H. Perry,

XXXXXXXXXXXX

No.

IN DISTRICT COURT

County of Dickey
STATE OF NORTH DAKOTA.

In the Matter of the Estate of
Mollie N. Town,
Deceased.

Letters of Administration

STATE OF NORTH DAKOTA, }
County of Dickey } ss.

IN COUNTY COURT

I hereby certify that the within was
filed in the County Court, in and for
said County on the 17th
day of August 19 31, and
recorded in Book "6" of Ad-
ministrator's Records of said Court, on
page 624

R. E. Grosin
1. clerk of the County Court

C. A. Whipple
Attorney for Administrator
Ellendale, North Dakota.

STATE OF NORTH DAKOTA, }
 County of Dickey }
 IN THE MATTER OF THE ESTATE OF Mollie N. Town, DECEASED
Erwin E. Town
 vs. ⁶⁸ Petitioner
Ella M. Town, Allen E. Town, Marion D. Town, Mabel A. Town and Lettie L. Town
 Respondent ⁶⁸

Bond of Administrator

KNOW ALL MEN BY THESE PRESENTS, That we Erwin E. Town
 as principal, and

as sureties, all of the County of Dickey in the State of North Dakota, are held and firmly bound unto the State of North Dakota in the penal sum of _____ Dollars, lawful money of the United States, to be paid to the said State of North Dakota; for which payment well and truly to be made, we hereby jointly and severally bind ourselves, our and each of our heirs, executors and administrators, jointly and severally firmly by these presents.

The condition of the above obligation is such, that, whereas, by an order of this Court duly made and entered on the 20th day of April, 1908, the above bounden Erwin E. Town was appointed Administrator

of the estate of Mollie N. Town late of the Township of Spring Valley in the County of Dickey State of North Dakota, deceased, and letters were directed to be issued to him the said Erwin E. Town

upon his executing a bond according to law, in said sum of Three Hundred (\$300) DOLLARS.

NOW, THEREFORE, If the said Erwin E. Town as such administrator ^{or} shall execute all the duties of said trust as such administrator ^{or} according to law, then this obligation to be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, We have hereunto set our hands and seals, this 20th day of April, 1908

Signed and Sealed in Presence of

Erwin E. Town (SEAL)
G. E. Lane (SEAL)
Richard Crabtree (SEAL)
 (SEAL)
 (SEAL)

STATE OF NORTH DAKOTA, }
 County of Dickey } ss.

On this 20th day of April, 1908, before me, a Notary Public within and for the County of Dickey and State of North Dakota, personally appeared Erwin E. Town, G. E. Lane & Richard Crabtree

known to me (or proved to me by oath of _____) to be the persons who are described in and who executed the above and foregoing bond, and who, each for himself personally acknowledged to me that they executed the same freely and voluntarily.

(SEAL)

E. E. Cassels, Notary Public

My commission expires March 12th 1913.Dickey Co. N. D.

000180040

STATE OF NORTH DAKOTA, }
County of Dickey } ss.
On this 20th day of April 19 08, before me appeared

G.E.Lane & Richard Crabtree

and being first duly sworn, upon oath, each for himself doth say:
That he is one of the sureties on, and who executed the within and foregoing bond. That he is a freeholder in the
State of North Dakota, and a resident of the said County of Dickey. That he is
worth the sum of Four Hundred (\$400) Dollars
over and above all his debts and liabilities and exclusive of all his property exempt by the laws of this state from levy
and sale on execution or attachment.

Subscribed and sworn to before me this 20th
day of April, 19 08
E.E.Cassels
Notary Public, Dickey Co.N.D.
(SEAL)
My commission expires March 12th 19 13

G.E.Lane
Richard Crabtree

STATE OF NORTH DAKOTA, }
County of Dickey } ss. IN THE COUNTY COURT

Upon filing and examining the within and foregoing bond, it is ordered and adjudged that the said bond be and
is hereby approved, and that the same be recorded in the records of this Court.

IN TESTIMONY WHEREOF, We have caused the seal of the County Court of said County to be hereunto
affixed.

WITNESS, Hon. Geo.H.Fay Judge of the
County Court of the said County of Dickey at his office in the State
of North Dakota in the said County, this 20th
April 19 08

Geo.H.Fay
Judge of the County Court.

(SEAL).

No. 393

In County Court

County of Dickey

STATE OF NORTH DAKOTA

In the Matter of the Estate of

Mollie N.Town

Deceased.

Bond of Administrator

STATE OF NORTH DAKOTA, } ss.

County of Dickey

IN COUNTY COURT

I hereby certify that the within was
filed in the office of Judge of the County
Court, in and for said County, on the
20th day of April,
19 08, and recorded in Book " 2 "

of Adm. Records of
said Court, on page 201

Geo.H.Fay

Judge of the County Court.

Attorney for 100

STATE OF NORTH DAKOTA, 13M 731

00010041

State of Minnesota, }
 County of Stearns. }
 IN THE MATTER OF THE ESTATE OF
 Erwin E. Town,

IN PROBATE COURT

BOND

Decedent.

Know All Men by These Presents, That we Julia F. Town,

, as principal,
 and New York Casualty Company,

a corporation organized under the laws of the State of New York,
 and holding the certificate of the Insurance Commissioner of the State of Minnesota showing that it is
 authorized to contract as surety upon bonds in said State of Minnesota, as surety, are held and firmly
 bound unto Hon. J. B. Himel, as Judge of Probate of the County of
 Stearns, Minnesota, in the sum of Thirty thousand and no/100
 Dollars, lawful money of the United States, to be paid to said Judge of Probate, or his successor in
 office; for which payment well and truly to be made, we bind ourselves and each of our heirs, executors,
 administrators, successors, and assigns, firmly by these presents.

The Condition of This Obligation is Such, That if the above bounden

Julia F. Town, who has been appointed repre-
 sentative of the estate of the above named, Erwin E. Town, deceased, shall well and
 faithfully discharge all the duties of her trust as representative of said estate according to
 law, then this obligation shall be void; otherwise it shall remain in full force and virtue.

In Witness Whereof, said principal has hereunto affixed her hand and seal;
 and the said surety has caused these presents to be signed by its Resident Vice-President and
 Resident Ass't. Secretary and its corporate seal to be hereto attached by authority of its Board
 of Directors, this 9th. day of January, 1931.

Signed, Sealed and Delivered in Presence of

Julia F. Town as to principal
W. Lindall
O. Holtz

Julia F. Town. (Seal)
 (Seal)

NEW YORK CASUALTY COMPANY.

By *Stearns* J. G. Lewis
 Resident Vice-PresidentAttest *Stearns* R. O. Peterson
 Resident Assistant Secretary,

ACKNOWLEDGMENT OF PRINCIPAL at Minneapolis, Minn.

State of Minnesota, } ss.
 County of Stearns.

On this 9th. day of January, 1931, before me personally
 appeared Julia F. Town, to me well known
 to be the person who executed the foregoing bond as principal, and she acknowledged
 that she executed the same for the uses and purposes herein expressed as her free act and
 deed.

Notary Public, *Watson* J. B. Pattison

Stearns County, Minnesota.

My Commission Expires February 29th. 1936.

ACKNOWLEDGMENT OF SURETY

State of Minnesota, } ss.
 County of Hennepin.

On this 10th day of
 January, 1931, before me appeared J. G. Lewis and
 R. O. Peterson, to me personally known, who being by me
 duly sworn, did say that they are Resident Vice-Pres. and Res. Ass't. Sec'y.
 of New York Casualty Company, a corporation; that the seal affixed
 to the foregoing instrument is the corporate seal of said corporation, and that said instrument was exe-
 cuted in behalf of said corporation by them, by authority of its Board of
 Directors; and the said J. G. Lewis and R. O. Peterson
 acknowledged said instrument to be the free act and deed of said corporation.

Notary Public,

County, Minnesota.

My Commission Expires

19

G. M. KLABO

Notary Public, Hennepin County, Minn.
 My Commission Expires April 24, 1931.

00010042

APPROVAL

I hereby approve the within bond and the surety thereon, this 12th day of January, 1931.

J. B. Hennel
Probate Judge.

OATH OF REPRESENTATIVE

State of Minnesota, }
County of Stearns. } ss.

I, Julia F. Town,

do swear that I will faithfully and justly perform all the duties of the office and trust which I now assume as executrix of the last will and testament of the above named Erwin E. Town, decedent, to the best of my ability and according to law, so help me God.

Julia F. Town.

Subscribed and sworn to before me this 9th day of January, 1931.

J. B. Pattison.
Notary Public Stearns County, Minnesota.

My Commission Expires Feb-29-1936. 19

Feb 8
State of Minnesota,
County of Stearns.

PROBATE COURT

In the Matter of the Estate of

Erwin E. Town,

Decedent.

Bond and Oath of Representative
(SURETY COMPANY FORM)

Filed the 12th day of January, 1931, and said bond recorded in Book 10 of

Bonds, page 158 of Probate Records.

Jacob de Lahr
Clerk of Probate.

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT.

In the Matter of the Estate of

Erwin E. Town

Decedent.

Order Appointing Appraisers

To J.E. Kinsella and P.H. Collignon

Greeting:

Whereas, Julia E. Town

as Representative of the Estate of the above named decedent, has applied to this Court for the appointment of appraisers to appraise the said estate, and this Court is desirous that the said estate be appraised as provided by law:

Now, Therefore, trusting in your integrity and disinterestedness, this Court by these presents, does appoint you

J.E. Kinsella and P.H. Collignon

appraisers of all the property and estate of the said Erwin E. Town decedent as described in the inventory thereof to be furnished you by the said Representative of said estate; and you are hereby required to first take and subscribe the oath prescribed by law, and thereupon to faithfully and honestly, and according to your best ability, appraise the said property at its full value in cash, and to set down in figures opposite each item in said inventory the value thereof in money, and to foot up by itself the amount of each class as shown by said inventory, and to certify to said appraisal as required by law and to return the said inventory, with your appraisal duly certified thereon, to the said Representative of said estate, with all convenient speed.

Dated this 15th day of July A.D., 1931

By the Court,

(Court Seal)

J.B. Hemsl
Judge of Probate

State of Minnesota,

County of _____

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Decedent

Order for Appointment of Appraisers in Estates

Filed this _____

day of _____ A. D. 19__

and recorded in Book _____ of orders

page _____

Clerk—Judge of Probate.

No. 3536*

54001000

STATE OF MINNESOTA)
COUNTY OF STEARNS)

ss.

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE
OF ERWIN E. TOWN, DECEDENT.

AMENDMENT OF INVENTORY.

Your petitioner, Julia F. Town, respectfully represents and shows to the Court:

1. That your petitioner is the representative of the estate of the above named decedent.
2. That as such representative she duly made and reddered to this Court an inventory of the property of the estate of said decedent, but that through inadvertence and mistake there was omitted from said inventory the following described real property situate in the County of Stearns and State of Minnesota, to-wit:

✓ An undivided one-half of The Westerly 61.21 feet of the un-numbered Block (commonly designated as Block 10), lying between Block 6, and Block 11, of Lake Side Park, platted on a part of section Two (2), Township 123 N. of Range 29 W., on the Northwestern shore of Pleasant Lake, according to the plat and survey of said Lake Side Park on file and of record in the office of the Register of Deeds in and for Stearns County, Minnesota; said tract hereby conveyed being described by metes and bounds as follows: Beginning at the Northwestern corner of said unnumbered Block (commonly designated as Block ten (10), thence Northeasterly along the Northwestern line of said Block 61.21 feet, thence at right angles southerly and parallel with the Southwesterly line of said Block to the shore of Pleasant Lake, thence Southwesterly along the shore of said Pleasant Lake 61.21 feet; thence Northwesterly along the Southwest line of said Block to the point of beginning, together with the north-easterly one-half of that part of Park Street extending from Lake Avenue to Pleasant Lake between Block 6, and said unnumbered Block (commonly designated as Block 10), in said Lake Side Park, said Park Street having been vacated and the title thereto reverted to the adjoining owner, ----- \$ 921.88

WHEREFORE, Your petitioner prays that said inventory be amended by the addition of the above described real estate.

Dated May 27th, 1932.

Julia F. Town
Petitioner.

STATE OF MINNESOTA)
) ss.
COUNTY OF STEARNS)

JULIA F. TOWN, being first duly sworn, says that she is the petitioner named in, and the person who subscribed the foregoing petition; that she has read the same, and knows the contents thereof, and that the same is true of her own knowledge.

Julia F. Town

Subscribed and sworn to before me
this 27th day of May, 1932.

A. A. Lipsmeyer
A. A. LIPPSMEYER,
Notary Public, Stearns County, Minnesota,
My commission expires Feb. 12, 1937.

STATE OF MINNESOTA)
) ss.
COUNTY OF STEARNS)

IN PROBATE COURT.

In The Matter of the Estate
of ERWIN E. TOWN, Decedent.

AMENDMENT OF INVENTORY.

Filed: _____, 1932.

Clerk of Probate.

000180048

STATE OF MINNESOTA }
COUNTY OF STEARNS }

ss.

IN PROBATE COURT.

In the Matter of the Estate of
ERWIN E. TOWN, Deceased.

INVENTORY AND APPRAISEMENT.

STATE OF MINNESOTA }
COUNTY OF STEARNS }

ss.

OATH OF APPRAISERS.

J. E. Kinsella and P. H. Collignon, do hereby swear, each for himself, that I will faithfully and justly perform all the duties of the office which I now assume as appraiser of the estate of Erwin E. Town, decedent, to the best of my ability, So Help Me God.

Subscribed and sworn to before
me this 15th day of July, 1931.

A. A. Hoffmeyer
Notary Public, Stearns County, Minn.

My commission expires Feb-12th-1937.

J. E. Kinsella
P. H. Collignon

The undersigned representative of the estate of the above named decedent represents and shows to the court: That the following is a true and correct inventory of all the property of the above named estate, both real and personal, which has come into her possession and of which she has knowledge, after diligent search and inquiry concerning the same, classified as follows, to-wit:

CLASS I. (REAL ESTATE)

(a) The Homestead of decedent, being in the County of _____, State of Minnesota, described as follows, to-wit:

None ----- Nil

(b) All other real estate, being in the County of Stearns, State of Minnesota, described as follows, to-wit:
Lot Six (6), in Block three (3), in Reichert's Addition to St. Cloud ----- \$ 2,200.00

Lot Five (5), in Block Three (3), in Reichert's Addition to St. Cloud, ----- \$ 1,800.00

Lot Fifteen (15) and Sixteen (16), in Block fourteen
(14), in Normal Park Addition to St. Cloud ----- \$ 1,450.00

Lot Five (5), in Block twenty (20), in Town of St.
Cloud City (now a part of the City of St. Cloud) T. A.
Curtis Survey, ----- \$ 3,000.00

Lot Six (6), in Block Three (3), in McClure and Whitney's
Addition to the City of St. Cloud, ----- \$ 2,700.00

Lot Eight (8), in Block three (3), in McClure and
Whitney's Addition to St. Cloud, ----- \$ 2,600.00

TOTAL VALUE OF REAL ESTATE ----- \$ 13,950.00

CLASS II.

Furniture and Household goods, described as follows:

1 Coxwell chair- 1 library table- 1 bookcase- 5 rockers-
1 dining table- 6 dining chairs- 1 victrola- 1 buffet-
1 cupboard- 1 kitchen table- 1 kitchen stand- 3 double beds-
1 single bed- 3 small centre tables- 3 dressers- 1 commode-
1 chiffoner- 4 over stuffed chairs- 1 bathroom chair- 1 gas
stove- Fern stand- washing machine- sweeper- 1 rocker-
1 center table- 1 bed- 1 dresser- 1 chair- 1 small heater-

Total value of furniture and household goods ----- \$ 450.00

CLASS III.

Wearing apparel and ornaments, described as follows, to-wit:

None of any value ----- *Nil*

Total value of wearing apparel and ornaments ----- \$ Nil

CLASS IV.

Stocks in Banks and other corporations:

360 shares of the Capital Stock of the Monumental Sales and Manufacturing Company, evidenced by certificate No. 7 - - - - -

\$ 36,000.00

Total value of Stock - - - - - \$ 36,000.00

CLASS V.

Mortgages, bonds, notes and other evidences of debt.

- | | |
|--|-----------------------------------|
| (1)- Check of Monumental Sales & Mfg. Co. #25367 payable to Erwin E. Town, | \$ 30.00 |
| (2)- Check of Monumental Sales & Mfg. Co. #25442 payable to Erwin E. Town, | \$ 2,880.00 |
| (3)- Check of Monumental Sales & Mfg. Co. #25466 payable to Erwin E. Town, | \$ 748.00 |
| (4)- Note of Monumental Sales & Mfg. Co., dated Dec. 1, 1928, due on demand, bearing interest at 6% per annum, interest indorsed paid to June-2-1930- payable to E. E. Town, | \$ 2,880.00 |
| (5)- Note of Monumental Sales & Mfg. Co., dated Dec. 2, 1929, due on demand, bearing interest at 6% per annum, interest indorsed paid to June 2, 1930, | \$ 2,880.00 |
| (6)-Note of George Guy and Marie Guy, dated August 10th. 1928, due one year after date, bearing interest at 7% per annum, payable to E. E. Town- Indorsements | |
| May-29-1929- | \$250.00 |
| May 27-1929- | \$125.00 |
| June-5-19 | \$125.00 |
| Oct-10-1929- | \$151.00 (int. pd to Aug-10-1929) |
| Dec-31-1929- | \$ 50.00 |
| Feb-10-1930- | \$ 50.00 |
| Mar-20-1930- | \$ 50.00 |
| Apr-30-1930- | \$ 50.00 |
| May-25-1930- | \$ 40.00 |
| (Notation- Balance due May 25-1930- \$1529). George Guy was adjudicated a bankrupt on June-24-1931 in Fourth Division of U. S. District Court of Minnesota, and has no assets. | \$ Nil |

- (7)- BROWN MORTGAGE- Note for \$1950.00, dated Sept-8, 1930, made by James F. Brown and Mary E. Brown, payable to the order of E. E. Town, secured by a

mortgage, dated Sept-8th-1930-, made by James F. Brown and Mary E. Brown, mortgagors, to E. E. Town, mortgagee, filed for record in the office of the register of deeds of Stearns County, Minn., on Sept-10-1930- at 3 P. M., and recorded in Book 111 of Mortgages on page 15, covering Lots 15, 16, 17, 18, 19 and 20, in Block 8, in Cottage Place Addition to St. Cloud, - - - - - \$ 1,950.00

(8)- JESOK MORTGAGE Note for \$1,400.00, dated April-8th. 1928, made by Walter Jesok and Mary Jesok, payable to the order of E. E. Town, due on or before April 9, 1938, bearing interest at 4% per annum, payable annually- ~~xxxxxxx~~ Interest indorsed paid to April 9, 1930- Secured by a mortgage, dated April 9, 1928, made by Walter Jesok and Mary Jesok, mortgagors, to E. E. Town, mortgagee, filed for record in the office of the register of deeds of Benton County, Minnesota, on April 10, 1928, at 2 P. M., and recorded in Book 45 of Mortgages on page 384- covering the following lands in Benton County, Minnesota, viz:- W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 25, Twp. 38, Rge. 31, excepting therefrom a tract described as follows: Beginning at a point on the north lge of said tract 20 rods east of the northwest corner thereof, thence south 16 rods, thence east 20 rods, thence north 16 rods to the north line of said tract, thence west 20 rods along said north line to the point of beginning- \$ 1437.34

(9)- LAGERGREN MORTGAGE Note for \$3,400.00, dated June 16, 1924, made by Hildur W. Lagergren and Amil A. Lagergren to E. E. Town, due June 16, 1924, bearing interest at 7% per annum- (Interest paid to Executrix \$119.00 on Dec-16-1930) secured by mortgage, dated June 16, 1924, made by Hildur W. Lagergren and Amil A. Lagergren, mortgagors, To E. E. Town, mortgagee, filed for record in the office of the register of deeds of Stearns County, Minnesota, on June 16, 1924, at 1:30 P. M., and recorded in Book 100 of Mortgages on page 211- covering the following lands in Stearns County, Minnesota, viz:- Lot 14 in Bensen's Re-Subdivision of Block 5 of Metzroth's Addition to St. Cloud- \$ 3519.00

(10)- RECEIVER'S CERTIFICATE of proof of claim #1274, issued by the receiver of The First National Bank of St. Cloud, dated Sept-9-1925, to E. E. Town, for deposit of \$451.08- Dividends paid and indorsed- April-13-1926- \$45.11 Aug- 21-1928- \$45.11 \$ 45.11

(11)- Total value of mortgages, bonds, notes, and other evidences of debt - - - - - \$ 16,369.45

CLASS VI.

ALL OTHER PERSONAL PROPERTY.

Cash on deposit (on checking account) in Zapp State Bank,
St. Cloud, Minn., in name of E. E. Town, at date of death
of decedent - - - - - \$516.32

Cash from Julia F. Town, being balance of monies received
by her during decedent's last illness for maintaining
household, - - - - - 38.87

One row boat - - - - - 25.00

One 1929 Plymouth automobile - - - - - 132.00

Total value of all other personal property - - - - - \$712.19

S U M M A R Y.

The total value of all the real estate of decedent as
valued by the appraisers herein is - - - - - \$13,950.00

The total value of all the personal property of the
decedent, as valued by the appraisers herein, is - - - - - 53,531.64

The total value of the entire estate of decedent as
valued by the appraisers herein is, - - - - - 67,481.64.

Respectfully submitted,

Julia F. Town -
Representative.

STATE OF NORTH DAKOTA, } IN COUNTY COURT,
 County of Dickey } Before Hon. Geo. H. Fay, Judge
 IN THE MATTER OF THE ESTATE OF Mollie N. Town, DECEASED.
Erwin E. Town

vs.

Petitioner.

Ella M. Town, Allen E. Town, Marion D. Town, Mabel A. Town and Lettie L. Town.

Inventory and Appraise-
ment.

Respondent B

The following is a true inventory of all the real and personal property of Mollie N. Town, late of the Township of Spring Valley in the County of Dickey and State of North Dakota deceased, which has come to the knowledge of the undersigned Administrator including a list of all bonds, mortgages, notes, book accounts and other sureties or evidences of debt which appear by the books and papers of the deceased to be unsettled, with statement of the sum credited thereon, if any, and also the amount of money which said decedent died possessed.

No.

REAL PROPERTY

Appraised
Value

The East half (E $\frac{1}{2}$) of Section Eleven (11) Township
 One Hundred twenty nine (129) Range Sixty five (65) in
 Dickey Co. N.D.

6000.

HOMESTEAD

~~That the following described tract of land is occupied and claimed as a homestead.~~

No.

PERSONAL PROPERTY ABSOLUTELY EXEMPT

Appraised
Value

none

ADDITIONAL EXEMPT PROPERTY

none

OTHER PERSONAL PROPERTY

none

Dated the 20th day of April 1905

Erwin E. Town

Administrat. of of the estate of
Mollie N. Town, Deceased.

00010056

STATE OF NORTH DAKOTA,

County of Dickey

ss.

Erwin E. Townbeing first duly sworn, says that he

is the Administrator of the estate of Mollie N. Town Deceased;
 that the within and foregoing inventory by him contains a true statement of all the estate of the said Mollie N. Town, deceased, to his knowledge and possession, and particularly of all money belonging to the said decedent, and of all just claims of the said decedent, against him, this affiant.

Subscribed and sworn to before me this 20day of April 1908E. E. CasselsErwin E. Town

Notary Public, Dickey Co. N.D.

(SEAL)

My commission expires March 12th 1913

STATE OF NORTH DAKOTA,

ss.

County of DickeyWe, G. W. T. Webb, D. E. Geerand B. R. Crabtree, appraisers,being duly sworn, depose and say ~~xxxxxxxxxxxx~~

that pursuant to the warrant issued to us in the above entitled matter, having first taken and subscribed the oath required by law, we personally examined and have appraised all the property described and mentioned in the within and foregoing inventory; that the value appearing in figures opposite each item was entered by us and is the true value agreed upon as our appraisal, ~~xxxxxxxx~~.

Subscribed and sworn to before me this 20thday of April 1908E. E. CasselsGeo. WebbD. E. Geer

Notary Public, Dickey Co. N.D.

(SEAL)

My commission expires March 12th 1913B. R. Crabtree

Appraisers.

ESTATE OF Mollie N. Town

DECEASED.

TO Erwin E. Town, APPRAISER, DR.

To compensation for services in appraising said estate as follows:

To 1 days services at \$2.00 per day each \$ 6.00

To \$

To \$

STATE OF NORTH DAKOTA,

County of DickeyB. R. Crabtree, D. E. Geer

and

Geo. T. Webb

the above named appraisers, being duly sworn each

for himself, says that the foregoing bill of items for their services rendered in appraising the estate of

deceased, is just and true; that such services have been rendered, and the disbursements made therein set forth.

Subscribed and sworn to before me this 20thday of April 1908E. E. CasselsB. R. CrabtreeD. E. Geer

Notary Public, Dickey Co. N.D.

(SEAL)

My commission expires March 12 1913Geo. WebbNo. 393

In County Court

County of Dickey

STATE OF NORTH DAKOTA

In the Matter of the Estate of

Mollie N. Town

Deceased.

INVENTORY
AND APPRAISEMENT

STATE OF NORTH DAKOTA,

County of Dickey

ss.

IN COUNTY COURT

I hereby certify that the within was
 filed in the County Court, in and for
 said County, on the 22

day of April 1908

and recorded in Book "

of Records of

said Court, on page

Geo. H. Fay

Judge of the County Court.

Attorney for Petitioner.

North Dakota.

4/20/08

00010057

State of Minnesota, }
County of Stearns. } ss.

PROBATE COURT.

In the Matter of the Estate of Erwin E. Town, Deceased:

To the Probate Court within and for the County of Stearns,
in the State of Minnesota:

The Petition of Julia F. Town,
of the County of Stearns and State of Minnesota, respectfully shows
and states that she is the widow of Erwin E. Town,
late of the County of Stearns deceased. That said deceased died on the
8th. day of December, 19 30 That on the 12th
day of January, 19 31, Letters testamentary upon the
estate of said Erwin E. Town
were duly issued by this Court to Julia F. Town,
of said County of Stearns.

That the said deceased left surviving, your petitioner, who is his widow, and the following named
children, viz: five children all of full age and no members of decedent's
family at the time of his death.

That said children all reside ~~with your petitioner in the~~ in their own homes and are not
dependent on said estate for their maintenance, and that your petitioner
of constitutes ~~the estate of~~

State of ~~and her said children and your petitioner constitute the~~
family of said deceased.

That said family are entirely dependent upon said estate for their maintenance during the settle-
ment of said estate. That the sum of \$ 100.00 per month is a reasonable sum for the support
and maintenance of said family during the settlement of said estate.

Wherefore, Your petitioner prays that this Court issue its order allowing to said widow and
children constituting the family of said deceased the sum of \$ 100.00 per month during the
settlement of said estate.

Dated January 12th. , A. D. 19 31

Julia F. Town.

State of Minnesota, }
County of Stearns. } ss.

Came personally before me Julia F. Town and being
duly sworn doth depose and say: That she is the above named petitioner; that she has heard the fore-
going Petition read, and that the same is true of her own knowledge, except as to the matters therein
stated on information and belief, and as to those matters that she believes the same to be true.

Julia F. Town.

Subscribed and sworn to before me this 12th. day of January , A. D. 19 31.

My commission expires 19

John B. Pettison
State Senator
45th. District, Minnesota.
My term expires January-1-1935.

000180058

No. 8927

IN PROBATE COURT.

County of Stearns.

IN THE MATTER OF THE ESTATE OF

Erwin E. Town,

Deceased.

Petition of Widow for Allowance
to Maintain Family During
Settlement of Estate.

Filed this 12th. day of

January, A. D. 1931.

1
Jacob H. Lohr
Clerk ~~Judge~~ of Probate.

State of Minnesota }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town

Decedent.

ORDER FOR MAINTENANCE OF FAMILY
OF DECEDENT

The above entitled matter came on for consideration by the Court, upon the petition of
Julia F. Town surviving widow
of said decedent, praying that an allowance be made for the support and maintenance of herself
family, during the settlement of said estate.

Said Petitioner appeared and by her attorney J.B. Pattison Esq. .

and the Court, having considered said petition, all the evidence produced for and against the same,
the value and condition of said estate and the claims against the same so far as they can now be
ascertained, and the circumstances and mode of life of said family, finds as follows:

FIRST—That the following named person.....constitute..... the family of said decedent who are
entitled to support and maintenance out of his estate pending settlement thereof, to-wit:
herself as the surviving widow of deceased.

SECOND—That the sum of One Hundred Dollars per month is a
reasonable and necessary sum for the support and maintenance of said family, during the settle-
ment of said estate.

It is Therefore Ordered, That the sum of ~~One Hundred~~ One Hundred
Dollars per month be, and the same hereby is, allowed for the support and maintenance of said
family during the settlement of said estate; that said allowance commence on the 8th
day of December 1930, and continue thereafter until said estate is settled, or until
otherwise ordered by the Court; provided, however, that in case said estate is, or shall be ascer-
tained to be insolvent, said allowance shall continue only for one year from the date administra-
tion is granted upon said estate; and provided further, that said allowance shall not continue after
the distributive share of the and not exceeding eighteen Months
shall have been assigned to them

It is Further Ordered, That the representative of said decedent pay over and deliver to.....
Julia F. Town each month, the sum hereby allowed for the
purpose above specified, during the time herein limited.

Dated January 12th 19 31

J.B. Pattison
Probate Judge.

No. 8927

IN PROBATE COURT

County of Heard

IN THE MATTER OF THE ESTATE OF

Erwin E. Town
Decedent.

Order for Maintenance of Family of
Decedent During Settlement
of Estate.

Filed this 12th day of
January, A. D. 1934
Recorded in Book "46" of Orders
on page 569.

Jacob A. Lahr
Clerk of Probate.

1900-1000

State of Minnesota }
County of Stearns. } ss.

IN PROBATE COURT,

In the Matter of the Estate of

Erwin E. Town,

Decedent.

PETITION FOR SETTING APART HOMESTEAD
AND PERSONAL PROPERTY

Your petitioner Julia F. Town,
represent s and state s to the court:

FIRST—That your petitioner is the widow

of decedent

SECOND—That said decedent left surviving him his (1)
spouse, your petitioner. (2)
(3)

THIRD—That said decedent, at the time of his death, was the owner of ^{no} a homestead which he occupied as such to the time of his death; and which consists of — — — — — tract or parcel of land lying in the County of — — — — —, State of Minnesota, described as follows, to-wit: The property occupied by decedent at the time of his death as his homestead was owned by decedent and your petitioner as joint tenants and the title vested in your petitioner at the death of decedent.

FOURTH—That your petitioner hereby select s the following described personal property of said decedent to be set apart and allowed to her

, to-wit:

Household Furniture of said decedent of the description and appraised value following, to-wit: Household furniture as listed in the inventory appraised at \$450.00.

All the wearing apparel of decedent.

Other personal property of decedent of the description and appraised value following, to-wit: Cash in the sum of \$500.00.

Your petitioner... therefore pray S that the homestead of said decedent described be, by the order of this court, set apart to your petitioner, Julia F. Town,

as the surviving spouse of said decedent; and that the personal property above selected be, by the order of this court, set apart and allowed to said Julia F. Town.

as the surviving spouse of said decedent.

Julia F. Town.

Petitioner

State of Minnesota,

County of Stearns.

} ss.

Julia F. Town,

being duly sworn, on oath say S, that she is the person who made and signed the foregoing petition; that she ha S read the same and know S the contents thereof, and that the same is true of her own knowledge, except as to those matters therein stated on information and belief, and as to those matters S he believe it to be true.

Subscribed and sworn to before me this 10th. day of July, '9 31.

John T. Harrison
State Senator, 4th District, Public
Minnesota County, Minnesota

My Commission Expires July 1, 1905.

My term expires Jan 1, 1901-

Note (1) Insert "him his" or "Her her" or "Him no" or "Her no," as case may be.

Note (2) In case there is a spouse, insert "your petitioner."

Note (3) In case decedent left no spouse, but left children, insert "but left surviving _____ children, whose names and ages are as follows, to-wit:," then follow with the names and ages, after which add "your petitioners," if they are of age; if not of age, add "who are minors and for whom your petitioner is guardian."

No. 8927
IN PROBATE COURT

County of Stearns.

In the Matter of the Estate of

Erwin E. Town,

Decedent.

Petition for Setting Apart Home-
stead and Personal Property

Filed the 15th day of

July, A. D. 19 31.

Jacob A. Lake
Clerk - Judge of Probate.

00010063

State of Minnesota, } ss.
 County of Stearns }

IN PROBATE COURT

In the Matter of the Estate of

Erwin E. Town

Decedent.

Order Setting Apart Personal Property
of Surviving Spouse

On reading and filing the petition Julia F. Town
 , surviving widow of the above
 named decedent, praying for allowance of the personal property of said decedent therein described and selected
 to her as surviving widow of said decedent,
 and upon due consideration of the same;

IT IS ORDERED, That the personal property selected by said Julia F. Town
 surviving widow of said
 decedent, and herein described, be, and the same hereby is set apart and allowed to the said
 Julia F. Town surviving widow
 of said decedent, to-wit:

First, Household furniture of said decedent of the descriptions and the appraised value following, to-wit:

All thereof at the appraised value of \$450.00

Second, All Wearing Apparel of said decedent of the appraised value of \$

Third, All other personal property of said decedent of the descriptions and the appraised value following,
 to-wit: Cash in the sum of \$500.00

Dated at St. Cloud, Minnesota, this 15th day of July 1931

J. B. Kinnick
 Judge of Probate.

00010064

No. 8927

IN PROBATE COURT

County of Sherburne

In the Matter of the Estate of

Erwin E. Town
Decedent

Order Setting Apart Personal
Property to Spouse

Filed this 15th day of

July 19 31

Recorded in Book "58" of Orders

on page 213 thereof.

James A. Galt
Clerk of Probate.

590001000

STATE OF NORTH DAKOTA,
County of Dickey

IN COUNTY COURT,
Before Hon. Geo. H. Fay
Judge.

In the Matter of the Estate of Mollie N. Town, Deceased.

Erwin E. Town	}	Petition for License to Sell Real Estate.
vs.		
Petitioner		
Ella M. Town, Allen E. Town, Marion D. Town, Mabel A. Town and Lettie L. Town		
Respondent		

To the Judge of said Court:

The petition of Erwin E. Town respectfully represents that the total amount of personal estate that has come to his hands as such administrator as assets, is the sum of no DOLLARS; that there remains thereof undisposed of the sum of no Dollars; that the debts now outstanding and unpaid against the estate of said deceased amount to about the sum of no DOLLARS, as your petitioner believe; that the amount due upon the family allowance, or that will be due after the same has been in force one year, is the sum of no DOLLARS; that the debts, expenses and charges of administration already accrued, amount to about One Hundred Dollars, and it is estimated that there will accrue during the administration the sum of Two Hundred DOLLARS; that said deceased died seized of the following described real estate, situate, lying and being in the County of Dickey and State of North Dakota, to-wit:
East one half of Section eleven (11) Township one hundred twenty nine of Range Sixty five

That the names of the legatees, devisees and heirs of said deceased are Erwin E. Town, Ella M. Town, Allen E. Town, Marion D. Town, Mabel A. Town and Lettie L. Town

and it would be for the best interest of all heirs to sell all of said Real Estate

That it is necessary to sell all of said real estate in order to pay said debts, and your petitioner would therefore pray that license be to him be granted to sell the whole of said real estate at public sale.

Dated at Ellendale N. D. the 3rd day of Feby A. D. 1909

Ella M. Town
Allen E. Town
Marion D. Town
Mabel A. Town
Lettie L. Town
By E. E. Town Their guardian
Erwin E. Town.

STATE OF NORTH DAKOTA,
County of Dickey }

On this 3rd day of Feby A. D. 1909, before me personally appeared
the above named Erwin E. Town

and made oath that he has heard the above and foregoing petition, subscribed
by him as guardian and for himself and knows the contents thereof, and that the same is true of his own knowledge,
except as to the matters which are therein stated to be on his own information and belief and as to
those matters he believe s it to be true.

Subscribed and sworn to before me this 3rd
day of Feby A. D. 1909

Erwin E. Town

E. E. Cassels, Notary Public in
Dickey Co. N. D.

My commission expires March 12th 1913

(SEAL)

No. 393

IN COUNTY COURT,

County of Dickey

STATE OF NORTH DAKOTA.

In the Matter of the Estate of

Mollie N. Town

Decedent.

Petition for License to Sell
Real Estate.

STATE OF NORTH DAKOTA,

County of Dickey }

IN COUNTY COURT.

I hereby certify that the within petition was
filed in the County Court, in and for said County,

on the 3rd day of Feby

A. D. 1909, and recorded in Book " 1 "

of Sales Records of said Court, on

page 65

A. G. Wilson

Clerk of the County Court.

Attorney for

WALKER BROS. & HARTY, FARGO, N. D.
3-14-11.

00010067

STATE OF NORTH DAKOTA, }
 County of Dickey }
 In the Matter of the Estate of Mollie N. Town, Deceased.
 Erwin E. Town }
 vs. } Petitioner
 Ella M. Town, Allen E. Town, Marion D. Town, }
 Mabel A. Town and Lettie L. Town, }
 Respondents }

Order of License to Sell
 Real Estate

Erwin E. Town Administrator of
 the estate of Mollie N. Town, deceased,
 having, on the 3rd day of February A. D. 1909,
 presented to the Judge of this County Court a petition in due form, verified by his oath, praying for an
 order to sell so much and such parts of the real estate belonging to the estate of said deceased as this Court should
 judge necessary or beneficial.

And, it having appeared to the Judge of this Court, by said petition, that it is necessary to sell the whole or
 (and that it is for the best interest of all person interested in said
 some portion of the real estate, such petition was filed, and thereafter, on the 3rd day of
 estate that the same be sold)
 February A. D. 1909, at 2 o'clock P. M., and at the Court Room of this
 Court said Erwin E. Town

appearing in person, and by his counsel, E. E. Cassels Esq.,
 and the petition having been duly signed by all the heirs and they having
 upon satisfactory proof in the Court of the due publication of a copy of the said order to show cause, in a newspaper
 consented thereto
 successive weeks, and as ordered by the Judge of this Court, and as required by law, being
 filed herein, this Court proceeded to the hearing of said petition, and heard and examined the allegation and proofs
 of the petitioner, and other documentary proof were offered and put in evidence; and Erwin E. Town
 guardian and E. E. Cassels attorney for said minors,

having appeared on the hearing, as aforesaid, and in open Court assented to this order, and no person interested
 in said estate or otherwise having made or filed any objection thereto; and it duly appearing that all the proceedings
 upon his application have been in all respects strictly conducted in accordance with law; on motion of said counsel
 for said Erwin E. Town

it is hereby ordered, adjudged and decreed that said
 Erwin E. Town the Administrator
 of the estate of Mollie N. Town

deceased, be and he is hereby authorized to sell, either in one parcel or in sub-divisions, as the said
 Erwin E. Town shall judge most beneficial to said estate, the
 following real estate belonging to said estate at private sale
 to the highest bidder, upon the
 following terms, to-wit: cash

And it is further ordered, that before making such sale, the said Erwin E. Town
 shall execute an additional bond to the State of North Dakota, with two or more sufficient sureties, in the penal
 sum of Sixteen thousand and No/100 Dollars,

conditioned that the said Erwin E. Town shall faithfully account for all the proceeds of the sale, and to dispose of the same according to law, and faithfully execute the duties of his trust according to law.

The following is the real estate hereby authorized to be sold, being situated in Dickey County,
North Dakota

and bounded and described as follows, to-wit:

East one half (E $\frac{1}{2}$) of Section eleven (11) Township one hundred
twenty nine (129) of Range sixty five (65)

IN TESTIMONY WHEREOF, We have caused the seal of the County Court of the County of

Dickey and State of North Dakota, to be hereunto affixed.

WITNESS, The Hon. Geo. H. Fay, Judge of the
County Court of the said County of Dickey at his office in the
City of Ellendale in the said County, this
3rd day of February A. D. 1909

(SEAL)

Geo. H. Fay

Judge of the County Court.

No. 393

IN COUNTY COURT,

County of Dickey

STATE OF NORTH DAKOTA

In the Matter of the Estate of

Mollie N. Town

Deceased.

ORDER OF LICENSE TO SELL REAL ESTATE

STATE OF NORTH DAKOTA, } ss:
County of Dickey }

IN COUNTY COURT.

I hereby certify that the within License was filed
in the office of the Judge of the County Court, in and
for said County, on the 3rd
day of February A. D. 19 09, and
recorded in Book " 1 " of Sales
Records of said Court, on page 66

A. C. Wilson

Clerk

of the County Court.

Attorney for

WALKER BROTHERS, PABCO, N. D.
Incorporated
8-8-15-18.

00010069

State of North Dakota

In County Court

County of Dickey

IN THE MATTER OF THE ESTATE OF MOLLIE N. TOWN, DECEASED.

Erwin E. Town, Petitioner

vs

Ella M. Town, Allen E. Town, Marion D. Town,
Mabel A. Town, and Lettie L. Town,

Respondents

The above entitled matter coming on to be heard before the Court on the application of the Administrator and all persons interested in the Said estate for an order shortening the time of the notice of sale of certain lands belonging to said estate on the petition of all persons interested therein and the Court having heard the arguments of Counsel and being satisfied that it is for the best interests of all persons interested in said estate that the same be sold at private sale for cash and it having been made to appear to the Court that it is for the best interests of said estate that the time and notice of sale may be shortened as provided by section 8137 of the Codes and on motion of petitioner's attorney it is by the Court

Ordered that the said sale may be made on or after the 16th day of Feby 1909 and that notice of such sale be give by publication in the Dickey County Leader on the 4th day of Feby 1909.

Dated Feby. 3rd 1909.

BY THE COURT.

Geo . H. Fay
Judge.

(SEAL)

1000000000

(SEAL)

Noted Feb. 14, 1909.

BY THE COURT.

Geo. H. Fox

The District Judge on the 14th day of Feb. 1909.

of Feb. 1909 and that notice of such sale as the law requires in

Order that the said sale may be made on or after the 14th day

motion of defendant's attorney, it is by the Court

sale may be postponed as provided by section 1713 of the Code and on

is for the best interests of said estate that the time and notice of

sale for cash and it having been made to appear to the Court that it

all persons interested in said estate that the same be sold at private

of Counsel and being satisfied that it is for the best interests of

all persons in estate of estate and the Court having heard the statements

of sale of certain lands belong to said estate and the decision of

in the said estate for an order appointing the time of the notice

on the execution of the administrator and all persons interested

The above certificate of the Court is hereby filed before the Court

Recorded in the office of the County Judge in Book 1 sales

Recorded in the office of the County Judge in Book 1 sales

Recorded in the office of the County Judge in Book 1 sales

Recorded in the office of the County Judge in Book 1 sales

Recorded in the office of the County Judge in Book 1 sales

Recorded in the office of the County Judge in Book 1 sales

Recorded in the office of the County Judge in Book 1 sales

STATE OF NORTH DAKOTA,) ss
COUNTY OF DICKEY.
IN COUNTY COURT.

I hereby certify that this instrument was duly filed in my office on the 3rd day of Feb. A.D. 1909
A.G. Wilson
Clerk of the County Court.

Recorded in the office of the County Judge in Book 1 sales
Record on page 64.

502

AFFIDAVIT OF PUBLICATION.

STATE OF NORTH DAKOTA, }
COUNTY OF DICKEY }

I, F. S. GODDARD, OF

SAID COUNTY AND State, being first duly sworn, on his oath, says, That the DICKEY COUNTY LEADER AND ELLENDALE COMMERCIAL is a weekly newspaper of general circulation, printed and published in the City of Ellendale, in said County and State, by F. S. Goddard, and has been such newspaper during the times hereinafter mentioned; and that I, F. S. Goddard, the undersigned, am the publisher, and during all such times have been the publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed Sale of Land and a printed copy of which is hereunto attached, was printed and published in said newspaper for a period of 2 consecutive weeks, to-wit:

Feb. 4 1909, Feb. 11 1909, 190-.
190- 190- 190-.

F. S. Goddard

Subscribed and sworn to before me this 3rd day of February 1909.

My Commission expired
March 12, 1913.
(SEAL).

E. E. Cassels, Notary Public,
Dickey County, N. D.

50

SALE OF LAND.

Notice is hereby given that under authority of an Order of sale granted by the Honorable Geo. H. Fay, Judge of the County Court of the County of Dickey.

State of North Dakota, dated the 3rd day of February, A. D. 1909, the undersigned, the administrator of the estate of Mollie N Town late of township of Spring Valley in the County of Dickey and State of North Dakota, deceased, will sell at private sale to the highest bidder, for cash subject to confirmation by the Judge of said County Court, the following described lands, to-wit:

East one half (E $\frac{1}{2}$) of Section eleven (11) Township one hundred twenty nine (129) of Range sixty five (65) Dickey County, North Dakota.

The sale will be made on or after the 16th day of February, A. D. 1909.

All bids must be in writing, and may be left at the office of E. E. Cassel Ellendale, North Dakota or filed with the Judge of said County Court, or delivered to the undersigned personally.

Erwin E. Town

Administrator of the estate of Mollie N. Town,
Deceased.

Dated February 3rd, A. D. 1909.

50

SALE OF LAND.

NOTICE IS HEREBY GIVEN, That under authority of an Order of Sale Granted by the Honorable Geo. H. Fay, Judge of the County Court of the County of Dickey, in the State of North Dakota, dated the 3rd day of February A.D. 1909, the undersigned, the Administrator of the Estate of Mollie N. Town late of the Township of Spring Valley in the County of Dickey and State of North Dakota, deceased, will sell at private sale to the highest bidder, for cash, subject to confirmation by the Judge of said County Court, the following described lands, to-wit:

East one half (E $\frac{1}{2}$) of Section Eleven (11) Township one hundred twenty nine (129) of Range sixty five (65) Dickey County, North Dakota.

The sale will be made on or after the 16th day of February, A.D. 1909

All bids must be in writing, and left at the office of E. E. Cassels Ellendale, North Dakota or filed with the Judge of said County Court, or delivered to the undersigned personally.

Erwin E. Town, Administrator of
the estate of Mollie N. Town,
Deceased.

Dated February 3rd, A.D. 1909.

State of North Dakota,) ss
County of Dickey) W. H. Cassels being duly sworn, deposes
and says that he is a citizen of the United States of America, and is
of the age of twenty one years, and upwards, and that on the 4th day of
February 1909, in the City of Ellendale, N.D. he posted up at each of
the following named places, viz: in Post Office lobby on front door of
Court House and on front door of City Hall, being three of the most
public places in the County of Dickey, in the State of North Dakota, a
true copy of the within and foregoing notice.

Subscribed and sworn, to before me } W. H. Cassels.
this 4th day of Feb. A.D. 1909. }
(SEAL) E. E. Cassels, Notary Public,
Dickey Co. N.D. }

My Commission expires March 12th, 1913.

\$1.00

In County Court.
County of Dickey
State of North Dakota.

In the Matter of the Estate of
Mollie N. Town, Deceased.

NOTICE OF SALE OF LAND,
PRIVATE SALE.

STATE OF NORTH DAKOTA, } ss
COUNTY OF DICKEY

IN COUNTY COURT.

I hereby certify that the
within Notice was filed in
the County Court, in and for
said County, on the 23rd day of
Feb. A.D. 1909, and recorded in
Book " 1 " of Sales Records of
said Court, on page 68.

A.G. Wilson
Clerk of County Court.

delivered to the undersigned persons as follows:

William N. Town, of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

All the said land being situated in the County of Dickey, State of North Dakota, and being the same as described in the within Notice.

The said land being situated in the County of Dickey, State of North Dakota, and being the same as described in the within Notice.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

And the said (Jas.) of Dickey County, North Dakota, the husband of said Mollie N. Town, deceased.

500000000

STATE OF NORTH DAKOTA,
County of Dickey

IN COUNTY COURT,

Before Hon. Geo. H. Fay

Judge.

In the Matter of the Estate of Mollie N. Town

, Deceased.

Erwin E. Town

vs.

Petitioner.....

Ella M. Town, Allen E. Town, Marion D.
Town, Mabel A. Town and Lettie L. Town.

Notice Hearing Report of
Sale of Land at Public
Auction.

Respondent E

The State of North Dakota to the above named Respondents and all Persons interested in said Decedent's Estate:

Pursuant to an order of this Court, made the 23rd day of Feb. A. D. 1909
notice is hereby given, that mon day, the 5th day of March

A. D. 1909, at 10 o'clock A. M., of that day, at the Court Room of this Court, at the Court House
in the City of Ellendale, County of Dickey and State of
North Dakota, have been appointed as the time and place for a hearing upon the return of the proceedings of
Erwin E. Town, Administrator of the Estate of Mollie N. Town

~~xx~~ deceased, under an
order of this Court, dated the 3rd day of February A. D. 1909, authorizing the
sale at private sale
~~public sale~~ of certain real estate, situate, lying and being in the Township of Spring Valley
County of Dickey and State of North Dakota, and described as follows, to-wit:

The East One-half (2½) of Section Eleven (11) Township one Hundred
twenty nine (129) of Range Sixty five,

which said Real Estate private sale
was sold at ~~public sale~~
for the sum of Eight Thousand (\$8000.00) Dollars,
to the person named in his said return, to which reference is made for further particulars;

And you, the above named respondents, and each of you, are hereby cited and required then and there
to be and appear before this Court and show cause, if any you have, why said sale should not be confirmed.

Dated the 23rd day of Feb. A. D. 1909

By the Court,

(SEAL)

Geo. H. Fay.

Judge of the County Court.

STATE OF NORTH DAKOTA, }
County of Dickey } ss:

E.E.Cassels being duly sworn, deposes and says,
that he is a citizen of the United States of America, and is the age of 21 yrs. years
and upwards, and that on the 23rd day of Feb. 1909,
he posted up at each of the following named places, viz.: at Post Office Lobby, on front
door of Court House and front door of City Hall all in City of Ellendale

being three of the most public places in the County of Dickey, in the State of North
Dakota, a notice of which the hereto annexed is a true copy.

Subscribed and sworn to before me this 23rd
day of Feb. A. D. 1909 } E.E.Cassels
A.G.Wilson
(SEAL) Clerk of County Court

My commission expires 19

STATE OF NORTH DAKOTA, }
County of Dickey } ss:

Erwin E.Town being duly sworn, says that at
Spring Valley on the day of 19 ,
he personally served the within Citation upon

by then and there delivering to and leaving with each
true copy of the same; and that he knows the person so served to be the same person named and men-
tioned in said Citation.

Subscribed and sworn to before me this 23rd
day of February A. D. 1909 } Erwin E.Town
E.E.Cassels } Personal Service of the above Citation
(SEAL) Notary Public, Dickey Co. N.D. } admittes at Ellendale, N.D.
My commission expires Expires 1913 } Erwin E.Town
as guardian of Ella M.Town Allen E.
Town, Marion D.Town, Mabel A.Town and
Lettie L.Town.

No. 393

IN COUNTY COURT,
County of Dickey
STATE OF NORTH DAKOTA.

In the Matter of the Estate of
Mollie N.Town Deceased.

Notice Hearing Report of Sale
of Land at Public Auction,
and Affidavit of Service.

STATE OF NORTH DAKOTA, }
County of Dickey }
IN THE COUNTY COURT.

I hereby certify that the within was filed in
the County Court in and for said County, on
the 23rd day of Feb.
A. D. 1909, and recorded in Book "1"
of Sales Records of said Court,
on page 75

A.G.Wilson
Clerk of the County Court.

Attorney for

WALLACE BAIRD & HARDY, ATTORNEYS, S. D.
5-3331-07

STATE OF NORTH DAKOTA,
County of Dickey

IN COUNTY COURT,
Before Hon. Geo. H. Fay

Judge.

In the Matter of the Estate of Mollie N. Town, Deceased.

Erwin E. Town

vs.

Petitioner.

Ella M. Town, Allen E. Town, Marion D. Town,
Mabel A. Town and Lettie L. Town

Report of Sale of Land.

Respondents

To the Judge of the County Court of the County of Dickey and State of North Dakota:

Erwin E. Town

the Administrator

of the Estate of Mollie N. Town

deceased, respectfully makes

the following return of his proceedings under the order of this Court, dated the 3rd day of February
day of A. D. 19 09, authorizing said Administrator

to sell certain real estate, and reports as follows, to-wit:

That in pursuance of said order of sale he caused notice of the terms of such sale, the time when and place where bids would be received, to be posted in three of the most public places in the City of Ellendale and County of Dickey in which the land ordered to be sold is situated, and to be published in the Dickey County Leader a newspaper printed and published weekly in the City of Ellendale in said County of Dickey for one ~~two~~ weeks successively (or and more than eight days)

next before such sale, in which notice the lands and tenements to be sold were described with common certainty;

That said administrator or, pursuant to said order of sale and of notice duly given, offered for sale at private sale, and on the 23rd day of February A. D. 19 09, sold the same in one parcel, judging it most beneficial to the estate, to the highest bidder, upon the following terms, to-wit: for Cash

and subject to confirmation by this Court, the real estate described in said order of sale and in said notice; which said real estate is described as follows, to-wit: The East One-half (E $\frac{1}{2}$) of Section Eleven (11) Township One Hundred twenty nine (129) of Range Sixty five (65) in Dickey County North Dakota

That at such sale B. R. Crabtree of the City of Ellendale in the County of Dickey in the State of North Dakota became the purchaser of said real estate for the sum of Eight Thousand (\$8000.00) Dollars, he being the highest and best bidder, and the said sum being the highest and best sum bid:

_____ Dollars, conditioned, that the said
shall faithfully execute the duties of the trust according to law.

Deceased

Dickey County, N. D.

WALKER BROS. & HARDY, FARGO, N. D.
3-8-17-'09

DOCUMENT NO. 29044

STATE OF NORTH DAKOTA,

IN COUNTY COURT,

County of D i c k e y.

Before Hon. G e o . H . F a y,

Judge.

In the Matter of the Estate of M o l l i e N . T o w n,

Deceased.

E r w i n E T o w n,

vs.

Petitioner.

E l l a M . T o w n, A l l e n E . T o w n, M a r i a n

Order Confirming Sale of Land.

D T o w n, M a b e l A . T o w n and L e t t i e

L . T o w n,

Respondent.

An order having been made by this Court on the 3rd day of February A. D. 1909, authorizing E r w i n E . T o w n, Administrator of the Estate of M o l l i e N . T o w n, deceased, to sell certain real estate belonging to said estate, and afterward, to-wit: On the 23rd day of February A. D. 1909, said A d m i n i s t r a t o r, having made to this Court, and filed in the office of the Judge thereof, a return of h i s proceedings under the said order of sale, and duly returned to this Court an account of sales, verified by affidavit, and the matter, after due notice made and given as required by law and to the satisfaction of this Court and filed herein, coming on regularly to be heard, this 8th day of March A. D. 1909

The Court having examined the said return, and having in open Court also examined

E . E . C a s e l a, B . R . C r a b t r e e and E r w i n E T o w n,

and it duly appearing to the satisfaction of this Court:

That, in pursuance of said order of sale, said E r w i n E . T o w n, Administrator, caused due and sufficient notice of the time, and place of holding said sale to be posted up in three of the most public places in E l l e n d a l e, in the County of D i c k e y and State of North Dakota, in which the land ordered to be sold is situated, and to be published in the D i c k e y C o u n t y Leader,

a newspaper printed and published in the City of E l l e n d a l e, the County of D i c k e y and State of North Dakota, o n c e a n d m o r e t h a n e i g h t d a y s successively, next before such sale, in which notice the lands and tenements to be sold were described with common certainty;

That at the time and place of holding such sale, specified in said notice, the said A d m i n i s t r a t o r caused to be sold in o n e p a r c e l (judging it to be most beneficial to said estate), at p r i v a t e s a l e to the highest bidder, upon the following terms, to-wit: c a s h

and subject to confirmation by this Court, the whole of the real estate described in said order of sale and in said notice, to-wit: The East One-half (E $\frac{1}{2}$) of Section Eleven (11), in Township One Hundred Twenty-nine (129) of Range Sixty-five (65) in Dickey County, North Dakota.

That at such sale B R. Crabtree, 82, of the City of Ellendale, in the County of Dickey and State of North Dakota became the purchaser of said real estate for the sum of Eight Thousand (\$8000.00) dollars, he being the highest and best bidder and said sum being the highest and best sum bid; That the said sale was legally made and fairly conducted; that the sum bid was not disproportionate to the value of the property sold, and that no sum exceeding such bid at least 10 per cent, exclusive of the expenses of a new sale cannot be obtained; And that the said Erwin E. Town, Administrator, in all things proceeded, and conducted and managed such sale as by the statute in such case made and provided, and by said order of sale as directed and required; And no objection to the confirmation of said sale being made or filed,

It is hereby ordered, adjudged and decreed, that the said sale be and the same is hereby confirmed and approved and declared valid;

And the proper and legal conveyances of said real estate are hereby directed to be executed to said purchaser by the said Erwin E. Town, Administrator.

IN TESTIMONY WHEREOF, We have caused the seal of the County Court of the County of Dickey and State of North Dakota, to be hereunto affixed.

WITNESS, Hon. Geo. H. Fay, Judge of the County Court of said County of Dickey at his office in the City of Ellendale, in the said County, this (SEAL) 8th. day of March A. D. 1909.

Geo. H. Fay, Judge of the County Court.

I hereby certify that the within instrument was filed for record in this office on the 11th. day of March A. D. 1909, at 2: o'clock P. M., and was duly recorded in Book E of Miscellaneous, on page 352.

Cesar D. Beggs, Register of Deeds.

No.
IN COUNTY COURT,

County of
STATE OF NORTH DAKOTA.

In the Matter of the Estate of

Deceased.

Order Confirming Sale of Land

STATE OF NORTH DAKOTA, }

County of

IN COUNTY COURT,

I hereby certify that the within was filed in the County Court, in and for said County, on the day of

A. D. 19 and recorded in Book of Records of said Court, on page

 of the County Court.

Attorney for

WALKER REG. & CLERK, FARGO, N. D.
3-2-16-10.

00010081

MAKE REPORT IN DUPLICATE—MAIL ONE COPY TO STATE AUDITOR AND ONE TO ATTORNEY GENERAL

INHERITANCE TAX RECORD—PROBATE COURT

File No. 0927Stearns County

Name of Decedent	Date of Death	Place of Death	Name of Executor or Administrator
Erwin E. Town	Dec. 9, 1930	St. Cloud, Minn.	Julia F. Town

VALUE OF PROPERTY OF DECEDENT

Estimated in First Petition		Determined by Estate's Appraisers on General Inventory		Determined by Inheritance Tax Appraisers		Fixed by Probate Court	
Real \$	16 300.00	Real \$	13 950.00	Real \$		Real \$	14921.88
Personal \$	54 830.00	Personal \$	53 531.04	Personal \$		Personal \$	54594.63
Total \$	71 130.00	Total \$	67 481.04	Total \$		Total \$	69506.50

DISBURSEMENTS DEDUCTED BEFORE DETERMINING TAX

(Do not include bequests under this heading)

(a) Claims against estate allowed by court - - - - - \$	1 078.02	Brought forward - - - - - \$	2 030.02	1. Maintenance of family - - -	1 800.00
(b) Expense of last sickness and funeral - - - - -	702.00	2. Selection of widow - - -	950.00	3. Cash paid appraisers - - -	30.00
(c) Attorney's Fees - - - - -	900.00	4. Cash paid publication of orders	20.80	5. Cash paid for certified copies	13.00
(d) Fees of administrator or executor		6. Cash paid for recording - - -		7. Cash paid taxes (if lien) - -	608.00
(e) Miscellaneous expenses of administration	Enter in next column	8. Federal Estates Tax - - -		9.	
Total carried to next column - \$	2 680.02	Total disbursements - - - - - \$	5 900.50	Net Estate for distribution - - - - - \$	63 606.00

HEIRS AT LAW—LEGATEES AND DEVISEES BY WILL

Date Tax paid _____

Name	Residence	Relationship	Amount of Legacy (Personal Property)	Estimated Value of Real Property Devised	Inheritance Tax Assessed
Julia F. Town	St. Cloud	Widow	\$ 16 238.04	\$ 4 973.96	\$ 174.04
Ella M. Repulski	Sauk Rapids	Daughter	6 491.22	1 989.58	--
Allen E. Town	St. Cloud	Son	6 491.22	1 989.58	--
Marion D. Guphill	Minneapolis	Daughter	6 491.22	1 989.58	--
Hazel A. Carlson	Minneapolis	"	6 491.22	1 989.58	--
Lottie L. Hanson	Minneapolis	"	6 491.22	1 989.58	--
			48 684.14	14 921.86	

00010082

File No. *8927*

PROBATE COURT

Shearns COUNTY

INHERITANCE TAX REPORT

Name of decedent:

Erwin E. Town

I hereby certify that the within is a true and correct transcript from the INHERITANCE RECORD in my office.

Dated at *St. Cloud* this

5th day of *July* 192*7*

Jacob A. Lohr
Clark Judge of Probate.

Received and filed this

day of _____ 192_____

(Send this report to State Auditor and to Attorney General on Determining Tax)

Recorded in
134th of Inheritance
on page 190

X Copy

000180083

MAKE REPORT IN DUPLICATE—MAIL ONE COPY TO STATE AUDITOR AND ONE TO ATTORNEY GENERAL

INHERITANCE TAX RECORD—PROBATE COURT

File No. 8927

County _____

Name of Decedent

Date of Death

Place of Death

Name of Executor
or AdministratorErwin E TownDec 8, 1920St Cloud MinnJulia D. Town

VALUE OF PROPERTY OF DECEDENT

Estimated in First Petition		Determined by Estate's Appraisers on General Inventory		Determined by Inheritance Tax Appraisers		Fixed by Probate Court	
Real	\$	✓	1630000	Real	\$	✓	1395000
Personal	\$	✓	5483000	Personal	\$	✓	5353164
Total	\$	✓	7113000	Total	\$	✓	6748164
Real	\$			Real	\$		
Personal	\$			Personal	\$		
Total	\$			Total	\$		

Real \$ ✓ 1492188

Personal \$ ✓ 5458467

Total \$ 6950650

DISBURSEMENTS DEDUCTED BEFORE DETERMINING TAX

(Do not include bequests under this heading)

(a) Claims against estate allowed by court - - - - - \$	107802	Brought forward - - - - - \$	268002
(b) Expense of last sickness and funeral - - - - -	70200	1. Maintenance of family - - - - -	160000 ✓
(c) Attorney's Fees - - - - -	90000	2. Selection of widow - - - - -	95800 ✓
(d) Fees of administrator or executor -		3. Cash paid appraisers - - - - -	2000 ✓
(e) Miscellaneous expenses of administration	Enter in next column	4. Cash paid publication of orders	2880 ✓
		5. Cash paid for certified copies	1300 ✓
		6. Cash paid for recording - - -	
		7. Cash paid taxes (if lien) - -	60868 ✓
		8. Federal Estates Tax - - - - -	
		9.	
Total carried to next column - \$	268002	Total disbursements - - - - - \$	590050
		Net Estate for distribution - - - - - \$	6360600

HEIRS AT LAW—LEGATEES AND DEVISEES BY WILL

Date Tax paid _____

Name	Residence	Relationship	Amount of Legacy (Personal Property)	Estimated Value of Real Property Devised	Inheritance Tax Assessed
Julia D. Town	St Cloud	widow	\$ 1622804	\$ 497396	\$ 17404
Ellen M Repulski	Sank Rapids	Daughter	649122	198958	—
Allen E. Town	St Cloud	Son	649122	198958	—
Marion D. Guphill	Mpls.	Daughter	649122	198958	—
Mabel A. Carlson	Mpls	"	649122	198958	—
Ruth L. Hanson	Mpls	"	649122	198958	—
			4868414	1492186	

File No. 8927

PROBATE COURT

Shawano COUNTY

INHERITANCE TAX REPORT

Name of decedent:

Erwin E. Town

I hereby certify that the within is a true and correct transcript from the INHERITANCE RECORD in my office.

Dated at St. Cloud this

5th day of July 1927

Jacob A. Kalk
Judge of Probate.

Received and filed this

day of _____ 192__

(Send this report to State Auditor and to
Attorney General on Determining Tax)

580001000

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Erwin E. Town, Decedent

NOTICE OF ORDER DETERMINING INHERITANCE TAX

To the Attorney General of Minnesota, the Treasurer of the above named County and to all other persons interested in the above named estate:

You are hereby notified that the above named Court by an order made and filed on the 5th day of June, 1932, assessed and determined the inheritance taxes due the State of Minnesota from the above named estate and from all heirs and beneficiaries thereof.

Dated this 5th day of June, A. D. 1932

(L. S.)

J. B. Keim
Judge of Probate,
Stearns County, Minnesota.

Due service of the above notice by copy is hereby admitted at St. Cloud Minn. this 5th day of June, A. D. 1932

S. J. Kost
Treasurer of Stearns County, Minn.

Due service of the above notice by copy is hereby admitted at St. Paul, Minn., this 7th day of July, A. D. 1932

Staggord King
State Auditor.
By _____

INHERITANCE TAX RECORD
Due service of the above notice and of the order determining inheritance tax by copy of each is hereby admitted at St. Paul, Minn., this 7th day of July, A. D. 1932

John T. Bone
Assistant Attorney-General
In charge of Inheritance Tax Matters

Due service of the above notice by copy is hereby admitted at _____ day of _____, A. D. 1932

J. B. Pattison, St. Cloud Minn.
Has other notice
Attorney for Estate of above named Decedent.

A Copy of the Order of the Court Determining the Tax shall accompany this Notice to the Attorney-General.

8927

State of Minnesota,
County of Shannon.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town
Decedent.

Notice of Order Determin-
ing Inheritance Tax

Filed this 12th day of

July 1932
Harold A. Fale Clerk
1 RECEIVED
Clerk - Judge of Probate.

JUL - 6 1932
Inheritance Tax Dept.
Atty. General's Office
State of Minnesota

18801000

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town, Decedent }

Order Determining Inheritance Tax

The above entitled matter duly came on for consideration by this Court for the determination of the amount of the inheritance tax to be paid by the—heirs-at-law—legatees, devisees and beneficiaries—of the above named decedent who died on the 8th day of December, 1930; and it appearing that more than thirty (30) days had elapsed since the furnishing to the County Treasurer and the Attorney General of a copy of the General Inventory and Appraisal herein; and after examining the files and records in said estate and having duly considered the same—including the report of the inheritance tax appraisers—and such other proof relating to the matter before this Court,

IT IS HEREBY ORDERED, ADJUDGED AND DETERMINED as follows:

1. That the full and true value of the entire estate of the decedent is - - \$ 63,808.50
2. That the properly deductible expenses of administration, funeral expenses and claims duly allowed and paid are - - - - - \$ 5,900.50
3. That the net value of the estate for distribution is - - - - - \$ 63,808.00
4. That the full and true value of all inheritances, bequests, devises and legacies from the decedent, and the amount of tax to which each is liable are as follows:

Inheritance of Julia F. Town
(Name of heir or legatee)

Relation to decedent surviving widow

Full and true value of legacy or inheritance - - - \$ 21,202.00

Exemption - - - - - \$ 10,000.00

Amount subject to tax - - - - - \$ 11,202.00

Tax on same - - - - - \$ 174.04

Inheritance of
(Name of heir or legatee)

Relation to decedent

Full and true value of legacy or inheritance - - - \$

Exemption - - - - - \$

Amount subject to tax - - - - - \$

Tax on same - - - - - \$

There are five children, whose share in the estate is
less than the exemption allowed, and are not taxed No Tax

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DETERMINED that the total amount
of inheritance tax due from said estate to the State of Minnesota is - - - - \$ 174.04
and that all of the inheritance taxes herein determined bear interest at the rate of seven per cent (7%)
per annum from the 8th day of December, 19 31

WITNESS MY HAND AND THE SEAL of said Probate Court this 5th
day of July, 19 31

J. B. Heind
Judge of Probate,
Stearns County, Minn.

INSTRUCTIONS.

1. The Court in making this Order judicially determines the value of the property. It is not bound by the values fixed by the appraisers on the General Inventory.
2. A reasonable amount allowed for the support of the widow and her family out of her deceased husband's estate, pending administration thereof, and the personal property which she, as widow, is entitled by law to select out of the estate, are not subject to the inheritance tax. The widow of a testate who renounces the will and elects to take her statutory one-third must pay the tax thereon less the exemption specified in the law. (137 Minn. Rep. 238.)
3. The Federal Estates tax is a proper deduction. (139 Minn. Rep. 210.)
4. Repairs to real estate and costs of insurance are not proper deductions.
5. All inheritances, whether entirely exempt or not, should be included in this Order, the word "none" inserted to indicate where no tax is imposed on a particular legacy because of its exemption.
6. A duplicate of this Order is to be furnished the Attorney General with the Notice of the making and filing of the Order.
7. The foregoing form of Order is hereby approved.

84-807
State of Minnesota,
County of Stearns

PROBATE COURT

ORDER DETERMINING INHERITANCE TAX

IN THE MATTER OF THE ESTATE OF

Erwin E. Town
Decedent.

Filed this 5th day of

July, 19 31, and re-

corded in Book " 57 " of Orders,

Page 431.

Jacob A. Lahr
Clerk of Probate.

STATE OF MINNESOTA }
COUNTY OF STEARNS }

ss.

IN PROBATE COURT

In the Matter of the Estate }
of Erwin E. Town, Deceased. }

ORDER ALLOWING FINAL ACCOUNT.

The above entitled matter came on for hearing on the 27th day of May, 1932, upon the petition of the representative of the above named estate praying for the allowance of her final account and for distribution of the residue of said estate.

The said representative appeared in person and by J. B. Pattison, Esq., her attorney, and the children and heirs at law of said deceased also appeared in person and by their attorney, J. D. Sullivan, Esq.,

The Court after due consideration of said petition, the evidence adduced in support thereof, and the files and records in said matter, finds the following facts:

First- That due notice of the said hearing of said petition has been given as required by law by the publication of the citation of this Court, for said hearing, dated the 4th day of May, 1932, published in the St. Cloud Daily Times, and proof of said publication of said notice for hearing having been made and filed in this Court.

Second- That the said final account set forth in said petition has been examined, adjusted and settled by the Court, and as so adjusted and settled, is hereby found to be correct; a summary statement of which account is as follows, to-wit:

RECEIPTS.

Personal property as described in inventory	\$ 53,531.64 ✓
Personal property omitted from the inventory	118.39 ✓
Rents collected	2,518.80 x
Received from interest and profits	1,572.04 ✓
Cash	434.59
Correction in Schedule No. 6, page 14	.33
Correction in Schedule No. 1, pages 10 and 11	115.50

STATE OF MINNESOTA }
COUNTY OF STEARNS } ss.

IN PROBATE COURT

In the Matter of the Estate }
of Erwin E. Town, Deceased. }

ORDER ALLOWING FINAL ACCOUNT.

The above entitled matter came on for hearing on the 27th day of May, 1932, upon the petition of the representative of the above named estate praying for the allowance of her final account and for distribution of the residue of said estate.

The said representative appeared in person and by J. B. Pattison, Esq., her attorney, and the children and heirs at law of said deceased also appeared in person and by their attorney, J. D. Sullivan, Esq.,

The Court after due consideration of said petition, the evidence adduced in support thereof, and the files and records in said matter, finds the following facts:

First- That due notice of the said hearing of said petition has been given as required by law by the publication of the citation of this Court, for said hearing, dated the 4th day of May, 1932, published in the St. Cloud Daily Times, and proof of said publication of said notice for hearing having been made and filed in this Court.

Second- That the said final account set forth in said petition has been examined, adjusted and settled by the Court, and as so adjusted and settled, is hereby found to be correct; a summary statement of which account is as follows, to-wit:

REDEIPTS.

Personal property as described in inventory	\$ 53,531.64
Personal property omitted from the inventory	118.39
Rents collected	2,518.80
Received from interest and profits	1,572.04
Cash	434.59
Correction in Schedule No.6, page 14	.83
Correction in Schedule No.1, pages 10 and 11	115.50

Correction in Schedule No.3, page 12	2.44
Correction in Schedule,page 16	<u>12.63</u>
Total Receipts	\$58,306.86

DISBURSEMENTS.

Selected by surviving widow of deceased	\$ 950.00
Maintenance of family	1600.00
Expenses of Administration	2802.95
Expenses of last sickness	702.00
Taxes	415.02
Claims of creditors of decedent	1078.02
Legacies	24000 .00
Schedule No.2, page 12 ,correction	259.20
" No.2, page 12, correction	28.80
" No.6, page 14 ,correction	4.50
" No.6, page 14, correction on repairs	24.65
" No.5, page 13, correction	3.06
" No.7, page 15, correction	3.45
Correction Amended Final Account, page 5,on taxes	<u>193.66</u>
Total Disbursements	\$32,065.31
	<u>26,241.55</u> ✓
Residue on hand for distribution	
Total credits	\$58,306.86

Third- That all taxes, including personal property tax, assessed against said estate, have been paid so far as there were funds of said estate to pay the same.

Fourth- As a conclusion from the foregoing facts, IT IS HEREBY ORDERED, that said account, as adjusted by the court, be, and the same hereby is, settled and allowed as and for the final account of said representative of said estate.

Dated at St. Cloud, Minnesota, this 27th day of May, 1932.

By the Court:

J. B. Himsel

Judge of Probate.

(Seal)

State of Minnesota, }

County of Stearns }

IN THE MATTER OF THE ESTATE OF }

Erwin E. Town

Decedent. }

IN PROBATE COURT

Order for Hearing on Petition for Adjustment of
Final Account and for Final Decree
of Distribution.

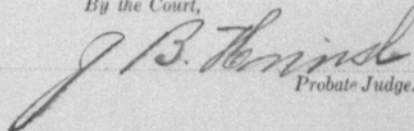
The petition of Julia F. Town

as representative of the above named decedent, together with her final account of the administration of said estate, having been filed in this Court, representing, among other things, that she has fully administered said estate, and praying that said final account of said administration be examined, adjusted and allowed by the Court, and that the Court make and enter its final decree of distribution of the residue of the estate of said decedent to the persons entitled thereto:

It is Ordered. That said petition be heard, and said final account examined, adjusted and allowed, by the Court, at the Probate Court Rooms in the Court House, in the City of St. Cloud County of Stearns State of Minnesota, on the 27th day of May 19 32, at nine o'clock A. M., and that the citation of this Court issue to all persons interested in said hearing and in said matter, and that such citation be served by the publication thereof in St. Cloud Daily Times according to law and by mailed notice as provided by the rules of this Court.

Dated May 4th, 19 32

By the Court,


Probate Judge.

00040093

8927.

State of Minnesota,

County of *Douglas*

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Erwin E. Town

Order for Hearing on Petition for Allowance of Final Account and for Decree of Distribution

Filed this *4th* day of

May, 19 *32*

Jacob A. Lahr
Clerk—Judge of Probate

No. 3621*

00010094

FINAL DECREE

State of Minnesota,

County of Stearns

} ss.

IN PROBATE COURT

Special TERM July 22nd, 1932.

In the Matter of the Estate of Erwin E. Town Deceased.

It appearing to the Court now here, on satisfactory proofs and the evidence, that the necessary expenses of funeral, of last sickness of said deceased, and of administration of said estate, have been fully paid, and that all the debts existing against said deceased, or allowed by the Court, pursuant to law, have been fully paid and satisfied, and that said estate has been fully administered, as by the Final Account of Julia F. Town, Executrix

of said estate, duly audited and allowed by this Court, pursuant to due notice given and served, will appear, reference being had thereto.

And It Further Appearing. That due notice of the application for this Final Decree in said matter, assigning the estate to the persons thereto entitled by law, has likewise been duly given and served pursuant to the law in such case made and provided.

And It Further Appearing. That the said deceased died on the 8th day of December 1930, testate, and the residue of said estate consists of the following described real estate, to-wit: Those tract s or parcel s of land situated and being in the County of Stearns and State of Minnesota, described as follows:

Lot five (5), in Block three (3), in Reichert's Addition to St. Cloud, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for Stearns County, Minnesota.

Also Lot six (6), in Block three (3), in said Reichert's Addition to St. Cloud, Minnesota.

Also Lots fifteen (15) and sixteen (16), in Block fourteen (14), in Normal Park Addition to St. Cloud, according to the recorded plat thereof.

Also Lot five (5), in Block twenty (20), in the Town of St. Cloud City (now a part of the City of St. Cloud), according to the plat and survey thereof made by T. A. Curtis on file and of record in the office of the Register of Deeds in and for Stearns County, Minnesota.

Also Lot six (6), in Block three (3), in McClure & Whitney's Addition to the City of St. Cloud, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for said Stearns County, Minnesota.

Also Lot eight (8), in Block three (3), in McClure & Whitney's Addition to the City of St. Cloud, according to the plat and survey of said Addition on file and of record in the office of the Register of Deeds in and for said Stearns County, Minnesota.

Also the following described tract: An undivided one-half ($\frac{1}{2}$) of the Westerly sixty-one and $\frac{21}{100}$ (61.21) feet of the unnumbered Block (commonly designated as Block 10) lying between Block six (6) and Block eleven (11) of Lake Side Park, platted on a part of Section two (2), in Township one hundred twenty-three (123), North of Range twenty-nine (29) West, on the Northwestern shore of Pleasant Lake, according to the plat and survey of said Lake Side Park, on file and of record in the office of the Register of Deeds in and for Stearns County, Minnesota. Said tract hereby conveyed being described by metes and bounds as follows:-Beginning at the

Northwesterly corner of said unnumbered Block (commonly designated as Block 10); thence northeasterly along the northwesterly line of said block sixty-one and 21/100 (61.21) feet; thence at right angles southerly and parallel with the southwesterly line of said block to the shore of Pleasant Lake; ~~thence southwesterly along the shore of Pleasant Lake~~; thence southwesterly along the shore of Pleasant Lake sixty-one and 21/100 (61.21) feet; thence northwesterly along the southwest line of said Block to the point of beginning, together with the northeasterly one-half of that part of Park Street extending from Lake Avenue to Pleasant Lake between Block six (6) and said unnumbered Block (commonly designated as Block 10), in said Lake Side Park, said Park Street having been vacated and the title there-to reverted to the adjoining owner.

Also personal property amounting to the sum of twenty-six thousand two hundred forty-one and 55/100 (\$26,241.55) Dollars, and consisting of the following items:

One hundred twenty (120) shares of the Capital Stock of the Monumental Sales and Manufacturing Company, of the appraised value of twelve thousand (\$12,000.00) Dollars.

One promissory note for two thousand eight hundred eighty (\$2880.00) Dollars, made by the Monumental Sales and Manufacturing Company, dated December 1st, 1928, due on demand, payable to the order of E. E. Town, bearing interest at the rate of six per cent, interest paid to December 1st, 1931, on which ten per cent of the principal was paid December 2nd, 1930, and on which five per cent of the principal was paid December 2nd, 1931, still due thereon two thousand four hundred forty-eight (\$2448.00) Dollars.

One promissory note for \$2880.00, made by Monumental Sales and Manufacturing Company, dated December 2nd, 1929, due on demand, payable to the order of E. E. Town, bearing interest at the rate of six per cent per annum, interest paid to December 1st, 1931, and on which ten per cent of the principal was paid December 2nd, 1930, and on which five per cent of the principal was paid December 2nd, 1931, still due thereon \$2448.00.

One promissory note made by George Guy and Marie Guy, dated August 10, 1928, due one year after date, bearing interest at seven per cent, payable to the order of E. E. Town, balance due May 26, 1930, \$1529.00, appraised as of no value.

Note for \$1950.00, dated September 8th, 1930, made by James F. Brown and Mary E. Brown, payable to the order of E. E. Town, secured by a mortgage dated September 8th, 1930, made by James F. Brown and Mary E. Brown, Mortgagors, to E. E. Town, Mortgagee, filed for record in the office of the Register of Deeds of Stearns County, Minnesota, on September 10, 1930, at 3 P.M., and recorded in Book 111 of Mortgages, on page 15, covering Lots 15, 16, 17, 18, 19 and 20, in Block 8, in Cottage Place Addition to St. Cloud, of the appraised value of \$1950.00, together with taxes for the year 1930 upon the above described mortgaged premises paid by the Representative on February 11, 1932, to the Treasurer of Stearns County, Minnesota, in the sum of \$44.91.

Note and mortgage for \$288.15, dated October 7th, 1931, made by James F. Brown and Margaret Brown, payable to the order of Julia F. Town, Executrix of the Last Will and Testament of Erwin E. Town, deceased, due in installments of \$10.00 per month, commencing November 7th, 1931, bearing interest at the rate of six per cent per annum, secured by a mortgage dated October 7th, 1931, made by James F. Brown and Margaret Brown, Mortgagors, to Julia F. Town, Executrix of the Last Will and Testament of Erwin E. Town, deceased, filed in the office of the Register of Deeds of Stearns County, Minnesota, on October 7th, 1931, at two o'clock P.M., and recorded in Book 115 of Mortgages, on page 95, covering the following property situated in said Stearns County, Minnesota, to-wit: Lots 15, 16, 17, 18, 19 and 20, in Block 8, in Cottage Place Addition to St. Cloud, (which mortgage was taken by said Representative to secure money advanced by the estate to pay a Mechanic's lien held by Mathew Hall, which lien was paramount to the mortgage held by this estate) of the value of \$288.15

Also note for ninety-nine (\$99.00) Dollars, dated December 1st, 1931, made by James F. Brown and Margaret Brown, his wife, to Julia F. Town, Executrix of the Last Will and Testament of Erwin E. Town, deceased, due on demand, bearing interest at the rate of six per cent per annum, secured by a mortgage dated December 1st, 1931, made by James F. Brown and Margaret Brown, his wife, Mortgagors, to Julia F. Town, Executrix of the Last Will and Testament of Erwin E. Town, deceased, filed for record in the office of the Register of Deeds of Stearns County, Minnesota, on December 1st, 1931, at 5 o'clock P.M., and recorded in Book 115 of Mortgages, on page 153, covering the following described property situated in said Stearns County, to-wit: Lots 15, 16, 17, 18, 19 and 20, in Block 8, in Cottage Place Addition to St. Cloud (which mortgage was taken to secure money advanced by this estate to pay a Mechanic's lien held by the Axell Electric Shop upon said mortgaged property, which lien was paramount to the mortgage held by the estate above described of the value of \$99.00).

A promissory note for \$1400.00 dated April 9, 1928, made by Walter Jesok and Mary Jesok, payable to the order of E. E. Town, due on or before April 9th, 1938, bearing interest at 4 per cent per annum, payable annually, interest endorsed paid to April 9, 1930, secured by a mortgage dated April 9th, 1928, made by Walter Jesok and Mary Jesok, Mortgagors, to E. E. Town, Mortgagee, filed for record in the office of the Register of Deeds of Benton County, Minnesota, on April 10, 1928, at two o'clock P.M., and recorded in Book 45 of Mortgages, on page 384, covering the following described lands in Benton County, Minnesota, viz: The West half of the Northwest quarter ($W\frac{1}{2}$ NW $\frac{1}{4}$) of Section 25, Township 38, Range 31, excepting therefrom a tract described as follows: Beginning at a point on the north line of said tract 20 rods east of the Northwest corner thereof; thence South sixteen (16) rods; thence east twenty (20) rods; thence north sixteen (16) rods to the north line of

said tract; thence west 20 rods along said north line to the point of beginning, of the appraised value of \$1437.34.

Also a promissory note for \$3400.00, dated June 16th, 1924, made by Hildur W. Lagergren and Amil A. Lagergren, to E. E. Town, due June 16th, 1929, bearing interest at seven per cent (Interest paid to December 16th, 1931), secured by a mortgage dated June 16th, 1924, made by Hildur W. Lagergren and Amil A. Lagergren, Mortgagors, to E. E. Town, Mortgagee, filed for record in the office of the Register of Deeds of Stearns County, on June 16th, 1924, at 1:30 P.M., and recorded in Book 100 of Mortgages, on page 211, covering the following described lands in Stearns County, Minnesota, viz: Lot 14, in Benson's Re-Subdivision of Block 5, of Metzroth's Addition to St. Cloud, of the appraised value of (less interest paid), \$3400.00.

Also Receiver's Certificate of Proof of Claim No. 1274, issued by the receiver of the First National Bank of St. Cloud, dated September 9, 1925, to E. E. Town, for the deposit of \$451.08, dividends paid and endorsed, April 13, 1926, \$45.11; August 21, 1928, \$45.11; July 18, 1931, \$27.08, of the appraised value (less dividend of \$27.08 paid to Executrix) of \$18.05

Also a claim against Ray Bennett for rent due said estate, fifty-five (\$55.00) Dollars.

Also note of Donald Kirk and Manila Kirk for \$142.80, dated February 21, 1928, payable to the order of E. E. Town, bearing interest at six per cent, on which the sum of \$85.00 has been paid, secured by a chattel mortgage, dated February 21, 1928, filed in the office of the Register of Deeds of Stearns County, Minnesota, on February 21, 1928, at 11:15 A.M., as Instrument No. 30,944, made by Donald Kirk and Manila Kirk, his wife, to E. E. Town, valued at fifty-seven and 80/100 (\$57.80) Dollars.

Also one row boat of the value of twenty-five (\$25.00) Dollars.

Also one Plymouth automobile of the value of one hundred thirty-two (\$132.00) Dollars.

Also cash in the sum of one thousand eight hundred thirty-eight and 30/100 (\$1838.30) Dollars.

AND IT FURTHER APPEARING, That the following named persons are the persons entitled to all of said estate in accordance with and in pursuance to the terms and provisions of the Last Will and Testament of said deceased viz: Julia F. Town, surviving widow of said deceased, Ella M. Repulski, daughter of said deceased; Allen E. Town, son of said deceased; Marion D. Guptil, daughter of said deceased; Mabel A. Town (now Carlson) daughter of said deceased, and Lettie L. Hanson, a daughter of said deceased.

AND IT FURTHER APPEARING, That by an instrument in writing, Julia F. Town, the surviving widow of said deceased, filed in this Court on the 13th day of May, 1931, renounced and refused to accept the provisions made for her in the Last Will and Testament of said deceased, and elected to take such share of the estate as she is entitled to under the laws of descent and distribution.

AND IT FURTHER APPEARING, That all the legacies bequeathed by the Last Will and Testament of said deceased have been paid.

AND IT FURTHER APPEARING, That the Inheritance Tax assessed against the share going to Julia F. Town, surviving widow of said deceased, and amounting to the sum of one hundred eighty-one and 45/100 (\$181.45) Dollars has been paid, as is shown by a receipt therefor filed in this Court; and that there is no tax against the share going to each of the children of said deceased, as above named.

NOW THEREFORE, On the petition of the representative of the estate of said deceased and pursuant to due notice and the law in such case made and provided, and on motion of J. B. Pattison, attorney in said estate,

IT IS ORDERED, ADJUDGED AND DECREED, And this Court by virtue of the powers and authority vested in the same by law, does hereby order, adjudge and decree, that all and singular the above described real and personal property, together with all other estate of said deceased in the State of Minnesota, if any there be, be, and the same is hereby assigned to and vested in the hereinbefore named surviving widow and children of said deceased as follows:

To and in the said Julia F. Town, surviving widow of said deceased, an undivided one-third ($\frac{1}{3}$) of all the real estate of said deceased herein described, in fee simple forever; and in addition thereto one hundred twenty (120) shares of Capital Stock of Monumental Sales and Manufacturing Company above described, and in addition thereto, one-third ($\frac{1}{3}$) of all the remaining hereinbefore described personal property, absolutely and forever.

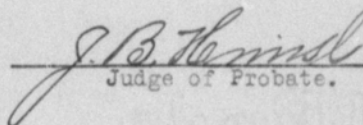
To and in the said Ella M. Repulski, an undivided two-thirds ($\frac{2}{3}$) of Lot five (5), in Block twenty (20), in the Town of St. Cloud City (now a part of the City of St. Cloud) according to the plat and survey thereof made by T. A. Curtis on file and of record in the office of the Register of Deeds in and for said Stearns County, Minnesota, in fee simple forever.

To and in the said Allen E. Town, an undivided two-thirds ($\frac{2}{3}$) of Lot six (6), in Block three (3), in McClure & Whitney's Addition to St. Cloud, and an undivided two-thirds ($\frac{2}{3}$) of Lot six (6), in Block three (3), in Reichert's Addition to St. Cloud, according to the recorded plats of said Additions, in fee simple forever.

To and in the said Ella M. Repulski, Allen E. Town, Marion D. Guptil, Mabel A. Town (now Carlson) and Lettie L. Hanson, son and daughters of said deceased, an undivided two-thirds ($\frac{2}{3}$) of all the hereinbefore described personal property of said deceased, share and share alike, absolutely and forever, excepting however, that portion of the personal property herein assigned to Julia F. Town, surviving widow of said deceased.

The remaining undivided two-thirds ($\frac{2}{3}$) of all other herein described real estate of said deceased, in equal and undivided shares, in the hereinbefore named Ella M. Repulski, Marion D. Guptil, Allen E. Town, Mabel A. Town (now Carlson, and Lettie L. Hanson, children of said deceased, in fee simple forever.

TO HAVE AND TO HOLD THE SAME, Together with all the hereditaments and appurtenances thereunto belonging, or in any wise appertaining to the said above named persons and their heirs and assigns forever.



Judge of Probate.

No. 8927.....

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Erwin E. Town

Deceased.

FINAL DECREE.

Filed this 22nd day of
July, 1932, and recorded in
Book. "44" on page 198 to 205 inc
thereof.

Joseph A. Lahr
Clerk of Probate.

000180404

State of Minnesota,

County of Stearns }

IN PROBATE COURT

In the Matter of the Estate of Erwin E. Town Deceased:

Whereas, It has been made to appear to the satisfaction of this Court that Julia F. Town

as Executrix of the above named estate has fully complied with all the terms and conditions of the final decree of distribution of said estate duly made and filed in this court, and has paid over to the distributees named in said final decree all moneys found due and owing to them by said estate, and has fully complied with all other orders and decrees of this Court relating to said estate, and has in all things well, faithfully and fully administered said estate as such Executrix

It is Therefore Ordered and Decreed, That said Julia F. Town, Executrix of said estate and the sureties on her bond, be, and they hereby are, forever discharged and released from all further duties and liabilities in the matter of said estate and of said trust.

Dated this 17th day of January A. D. 1933.

Paul M. M.
Judge of Probate

Stearns County, Minn.

IN PROBATE COURT

COUNTY OF Stearns

In the Matter of the Estate of

Erwin E. Town

Deceased

Order Discharging Executor or Administrator

Filed this 17th day of

January 1933

Recorded in Book " 65 " of Orders,

Page 491

Jacob A. Laht
clerk Judge of Probate

STATE OF MINNESOTA }
COUNTY OF STEARNS } SS.

IN PROBATE COURT

In the Matter of the Estate of }
Ervin E. Town, Deceased }

The hearing on the Final Account of Julia F. Town, as Representative of the Estate of Ervin E. Town, deceased, was set for a hearing on August 14th, 1931, and on August 3rd, 1931, a Petition was filed in this Court by J. D. Sullivan, Esq., as attorney for the Petitioner, for a stay of proceedings on said Final Account until after the hearing on a Petition for accounting by the Representative of the Estate of Molly N. Town, the wife of Ervin E. Town, who died at Dickey County, North Dakota, and for an extension of time to file a claim against the Estate of Ervin E. Town in the sum of Ten Thousand (\$10,000.) Dollars, by the heirs at law of said Molly N. Town. Said stay being granted by the Court on September 14th, 1931, and that on September 22nd, 1931, said Petition for an extension of time to file a claim against said estate was heard, pursuant to notice duly given. Julia F. Town, Representative of the Estate of Ervin E. Town, appeared and by her attorney, J. B. Pattison, Esq., and R. B. Brower, Esq., and J. D. Sullivan, Esq., appeared for the heirs at law of said Ervin E. Town and Molly N. Town; and after a full hearing in said matter, and from the testimony of the several witnesses and all the files and records in said matter, and the arguments of counsel,

IT IS ORDERED, That the time in which to file claims against the Estate of Ervin E. Town, deceased, be, and the same is hereby extended to October 15th, 1931, and that the heirs of Molly N. Town be, and they are hereby permitted to file their claim as heirs at law of said Molly N. Town, deceased, against the Estate of Ervin E. Town, deceased.

IT IS ORDERED FURTHER, That the hearing on said claim
be, and the same is hereby fixed for November 13th, 1931, at
ten o'clock A.M.

Dated at St. Cloud, Minnesota, this 5th day of October,
1931.

By the Court:

J. B. Himsel
Judge of Probate.

(SEAL)

No. 8927.....

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Ervin E. Town

Deceased.

ORDER EXTENDING TIME TO
FILE CLAIM.

Filed this 5th day of
October, 1931, and recorded
in Book.....on page.....
thereof.

Jacob A. Lahn
Clerk of Probate.

X copy

000100109