



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

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FIFTH—That the following named persons are the heirs at law

of said decedent, and are all of the persons entitled to the residue of said estate of said decedent, to-wit:

Peter Thome, Mary Machtemes, Katherine E. Schmid, Louise A. Omann, Anna Kandels and Kathryn Mergen, children of decedent, and Viola Bechtel, Rita Thome and Dolores Thome, children of a deceased son of decedent.

Now, Therefore, On motion of Harry E. Burns, Esq. attorney for the

representative of said estate, and by virtue of the power and authority vested in this court by law, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, and the said court does hereby ORDER, ADJUDGE AND DECREE, that all and singular the above described personal property be, and the same hereby is, assigned to and vested in the above named persons, in the following proportions and estates, to-wit:

One-seventh (1/7) thereof to each of the said Peter Thome, Mary Machtemes, Katherine E. Schmid, Louise A. Omann, Anna Kandels and Kathryn Mergen, and a one-twenty-first (1/21) thereof to each of Viola Bechtel, Rita Thome and Dolores Thome, absolutely.

And that the title to the above described real estate
 has passed to and is hereby assigned to and vested in the above
 named persons in the following proportions and estates, to-wit:

None for assignment.

To Have and to Hold the Same, together with all the hereditaments and appurtenances thereunto belonging
 or in anywise appertaining to the said above named person s, their heirs and assigns; without prejudice,
 however, to any lawful conveyance of said property or any part thereof by said persons, or any of them, heretofore made.

Dated at St. Cloud, Minnesota, this 2nd day of March, 19 45



[Signature]
 Probate Judge

State of Minnesota,

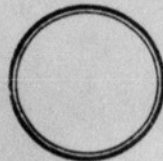
County of

} ss.

PROBATE COURT

I, of the Probate Court
 within and for said County, and Custodian of the Seal and Records of said Court, do hereby certify that I have compared the
 foregoing copy of Final Decree of Distribution with the original record thereof preserved in this office and have found the same
 to be a correct transcript of the whole thereof.

In Testimony Whereof, I have hereunto subscribed my name
 and affixed the Seal of said Court, at
 in said County, this day of 19



..... of the Probate Court.

File No. 13,259

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Barbara Thome
 Deceased.

Final Decree of Distribution

Office of Register of Deeds,
 State of Minnesota.

County of
 I hereby certify that the within Instru-
 ment was filed in this office for record on
 the day of
 19, at o'clock M.,
 and was duly recorded in Book
 of page

Register of Deeds.

By Deputy.

Transfer entered this
 day of 19

County Auditor.

By Deputy.

Filed this 2nd day of March,
 1945, and recorded in Book 87
 of Deeds, page 250

[Signature]
 Clerk of Probate Court.

No. 3331

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth

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 Melrose in the County of Stearns State of Minnesota, and is an adult and is interested in the estate of decedent in this, to-wit: executor named in will of decedent

SECOND—That said decedent was born in the County of Stearns and died at Melrose County of Stearns, State of Minnesota, on the 7th day of July, 1943, aged 75 years and was at the time of her death a native of Wisconsin and a citizen of the Country of United States and a resident of Melrose 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 her death consisted of personal property of the estimated value of \$23,788.57 divided as follows:

1. Household goods, - \$	200.00	2. Wearing apparel, - - \$	
3. Stock, - - - \$		4. Notes, bonds, etc., - - \$	20,486.70
5. Miscellaneous, - \$		6. Cash	\$ 3101.87

That said estate also included real estate of the estimated worth and probable value of \$1500.00 situated in Melrose in said County of Stearns State of Minnesota, to-wit:

1. Homestead in Stearns County, Minnesota, as follows:

A. City Property 1 lot with home buildings \$1400.00

(Give Area)

(or)

B. Rural Property \$

(Give Area)

2. Real Estate other than Homestead:

A. City Property	2 lots	Lots without Buildings	\$ 100.00
		Lots with Buildings	\$
B. Rural Property		Acres improved land	\$
		Acres unimproved land	\$

FIFTH—That the probable amount of debts of decedent is \$ none, consisting of

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

[illegible]

SEVENTH—That Theodore G. Wurst, whose Post Office address is Greenwald, Minnesota is named in said Will as execut~~or~~^{or} thereof and ~~is a~~^{is a} suitable and competent person to be execut~~or~~^{or} of said Will.

WHEREFORE, Your petitioner prays that said last Will and Testament be allowed and admitted to probate; and that said Theodore G. Wurst be appointed execut^{OR}~~OR~~ thereof; and that, upon due qualification as provided by law, letters testamentary be issued to the said Theodore G. Wurst

Dated May 10th, 1944

Petitioner.

State of Minnesota,

County of..... Stearns

33.

Theodore G. Wurst

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

Subscribed and sworn to before me this -10th-

day of May 2, 19 44

Notary Public Stearns County, Minnesota.

My Commission expires August 7th 1948

State of Minnesota,

County of Stearns.

IN PROBATE COURT

In the Matter of the Estate of

KATHARINA SPAETH

Decedent.

Petition for Allowance and Probate of Will

Selection of Newspaper

To the Judge of said Court:

Please cause the notices in said estate to be published in the

Melrose Beacon

Here insert name of newspaper)

Stephens & Lang.

Helrose, Minnesota

Filed this 10th day of _____

Mary 1944

Frank Kersoy

Clerk—Probate Judge.

No. 3916

STATE OF MINNESOTA,

County of Stearns--ss.

IN PROBATE COURT File No. 13,260

In Re Estate of Katharina Spaeth Decedent. -- Order for Hearing on Petition for Probate of Will, Limiting Time to File Claims and for Hearing Thereon

Theodore G. Wurst having filed a petition for the probate of the Will of said decedent and for the appointment of Theodore G. Wurst as Executor, which Will is on file in this Court and open to inspection;

It is Ordered, That the hearing thereof be had on Friday, the 9th day of June, 1944, at nine o'clock A. M., before this Court in the probate court room in the court house in the City of St. Cloud, Minnesota, and that objections to the allowance of said Will, if any, be filed before said time of hearing; that the time within which creditors of said decedent may file their claims be limited to four months from the date hereof, and that the claims so filed be heard on Friday, September 15th, 1944, at nine o'clock A. M., before this Court in the probate court room in the court house in the City of St. Cloud, Minnesota, and that notice hereof be given by publication of this order in the Melrose Beacon, a legal newspaper, and by mailed notice as provided by law.

Dated May 16th, 1944.

(Probate Court Seal) E. J. Ruegamer
Stephens & Lang Probate Judge
Attorneys for Petitioner
Melrose, Minnesota.

Publ. May 18-25-June 1, 1944

STATE OF MINNESOTA, }
COUNTY OF STEARNS } ss

C. W. Carlson, being duly sworn on oath says; that he now is, and during all the times herein stated has been, the publisher of the newspaper known as The Melrose Beacon, and has full knowledge of the facts herein stated.

That for more than one year immediately prior to the publication therein of the printed

Probate citation

hereto attached, said newspaper was printed and published in the English language from its known office of publication within the City of Melrose in the County of Stearns, State of Minnesota, Thursday of each week in column and sheet form equivalent in space to at least 450 running inches of single column two inches wide; has been issued from a known office established in said place of publication equipped with skilled workmen and the necessary material for preparing and printing the same; The Melrose Beacon has had in its makeup not less than twenty-five per cent of its news columns devoted to local news of interest to said community it purports to serve, the press work of which has been done in its said known office of publication; has contained general news, comments and miscellany; has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 248 copies regularly delivered to paying subscribers; has been entered as second class mail matter in the local post office of its said place of publication; that there has been on file in the office of the County Auditor of said county the affidavit of a person having first hand knowledge of the facts constituting its qualifications as a newspaper for publication of legal notices; and that its publishers have complied with all demands of said County Auditor for proofs of its said qualification.

citation

That the printed.....

hereto attached as a part hereof was cut from the columns of said newspaper; was published therein in the English language once each week for.....three.....day of
successive weeks; that it was first so published on the.....18th.....day of
May 1944, and thereafter on.....Thursday.....
of each week to and including the.....1st.....day of.....June.....1944;
and that the following is a copy of the lower case alphabet which is acknowledged to have been the size and kind of type used in the publication of said notice, to-wit:

a b c d e f g h i j k l m n o p q r s t u v w x y z

Subscribed and sworn to before me this.....2nd.....day of.....June.....1944.

Notary Public, Stearns County, Minnesota.

My commission expires.....Aug 7 '48.....

JOHN LANG

Notary Public, Stearns County, Minn.

My Commission Expires Aug. 7, 1948

0023 0703

13.260

Affidavit of Publication

OF

THE MELROSE BEACON

OF

*Order for Hearing
Petition for Allowance
Probate of Will,*

Re:

*Estate of
Katharina Spauth
Deceased*

FILED THIS *9th* DAY
OF *June* A.D. 19 *44*
Frank Kenyon
Clerk of Probate

0023 0704

State of Minnesota,
County of Stearns } ss.

File No. 13,260

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Affidavit of Mailing of Order for Hearing

KATHARINA SPAETH,

on Petition for allowance and

probate of will

Decedent

On hearing for Administration or Probate of
Will mail two copies of order to the Commissioner
of Taxation and

If decedent was not born in the United States, mail
ate.

State of Minnesota,
County of Stearns } ss.

John Lang

being first duly sworn on oath deposes and says that
on the 22nd day of May, 1944,

at Melrose, in said County and
State he mailed two copies of the Order hereto

attached in the above entitled matter, to

Commissioner of taxation and one to
(Commissioner of Taxation)

(Secretary of State or Foreign Consul)

and to all the legatees and devisees and to all
known Heirs-at-law of said decedent, at their last
known address, after exercising due diligence in
ascertaining the correctness of said addresses, by
placing a true and correct copy thereof in a sealed
envelope, postage prepaid and depositing the same in

the U. S. mails at Melrose, Minnesota

and addressed to the following named
persons:

NAME	STREET OR POST OFFICE	CITY	STATE
Pastor St. Boniface Catholic Church		Melrose	Minnesota
Theodore Spaeth		Melrose	Minnesota
Angela Spaeth Kortenbusch	Rt. 2	Melrose	Minnesota
Cecilia Spaeth Klein	142-18 Ave. No.	St. Cloud	Minnesota
William J. Spaeth		Freeport	Minnesota
Alvina Spaeth Schiemann		Melrose	Minnesota
Louis J. Spaeth	Rt. 3	St. Cloud	Minnesota
Amanda Spaeth Wiener	R.F.D.	Sauk Centre	Minnesota

Subscribed and Sworn to before me this 22nd
day of May, 1944
Henry M. Moser
Notary Public, Stearns County, Minn.
HENRY M. MOSER
Notary Public/Seal/Commission Expires Oct. 23, 1949
My Commission Expires Oct. 23, 1949

John Lang

File No. 13,260

State of Minnesota,
County of Stearns

IN PROBATE COURT

In the Matter of the Estate of
Katharina Spaeth

Decedent

AFFIDAVIT OF MAILING

Order for Hearing
on Petition for Probate of Will

Filed June 9th, 19 44

Frank Herzog

Probate ~~Judge~~ Clerk

0023 0706

State of Minnesota

County of

Stearns

} ss.

IN PROBATE COURT

IN the Matter of the Estate of Katharina Spaeth Deceased

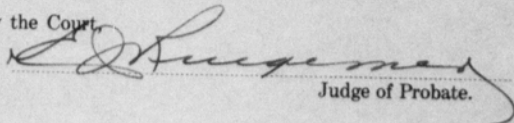
THE LAST WILL AND TESTAMENT of said deceased having been this day admitted to probate by this Court, and Theodore G. Wurst named as execut or of said Will, having applied for Letters Testamentary thereon:

IT IS ORDERED, That the said Theodore G. Wurst give bonds to the Judge of this Court in the sum of Ten Thousand and no/100 - - - - (\$10,000.00) - - - - Dollars conditioned that he will faithfully execute the duties of his trust according to law, with sufficient sureties, to be approved by said Judge, and that thereupon Letters Testamentary be to him issued.

Dated at St. Cloud Minnesota, the 9th day of June

A. D. 19 44 .

By the Court,


Judge of Probate.

Stephens & Lang

Attorney s for Petitioner.

0023 0707

No. 13,260

IN PROBATE COURT

County of Stearns

In the Matter of the Estate of

Katharina Spaeth

Deceased.

Order for Executor's Bond

Filed this 9th day of
June A. D., 1944, and
recorded in Book of Orders, on
page

Frank H. Herzog

Clerk—~~Judge~~ of Probate.

No. 3540*

0023 0708

State of Minnesota, } ss.
County of Stearns

IN PROBATE COURT

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

KATHARINA SPAETH

Decedent

PROOF OF WILL

State of Minnesota, } ss.
County of Stearns

Theodore G. Wurst, 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 herein, bearing date the 14th day of June, 1943, and purporting to be the Last Will and Testament of Katharina Spaeth of the County of Stearns and State of Minnesota now here presented for probate; that he, Theodore G. Wurst, knew and was well acquainted with the said Decedent, in her lifetime and at the time of her death, that on the day and date of said instrument, to-wit, the 14th day of June, 1944 the said instrument was signed, sealed, executed and then and there acknowledged, published and declared by the said decedent, to be her Last Will and Testament, in the presence of deponent and of John Lang, Melrose, Minnesota the other subscribing witness thereto, and that deponent and the said John Lang, the other subscribing witness, did then and there, in the presence of the said decedent, and at her 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 deponent's knowledge, and as he verily believes.

And further deponent saith not.

Subscribed and sworn to before me this

9th day of June 1944
E. J. Rugemer
Judge of Probate

Theodore G. Wurst

13,260

State of Minnesota,
County of Stearns

PROBATE COURT

IN THE MATTER OF THE LAST WILL
AND TESTAMENT OF

KATHARINA SPAETH
Decedent

PROOF OF WILL

TESTIMONY OF

Theodore G. Wurst,
Subscribing Witness to Will.

Taken, sworn, subscribed and filed this

9th day of

June, 1944

Frank Herzog
Clerk Judge of Probate.

By

Deputy.

Last Will and Testament

I, Katharina Spaeth, of the City of Melrose in the County of Stearns and State of Minnesota, do publish and declare this to be my Last Will and Testament and revoke all prior Wills by me made.

First, I Will and direct that my Executor hereinafter named, to first pay all my just debts and funeral expenses as soon after my death as conveniently may be done.

Second, I give, devise and bequeath unto the Pastor of St. Boniface Catholic Church, Melrose, Minnesota, the sum of \$330.00, and I do request therefor, that masses be said for the repose of my soul, including therein 30 Gregorian masses.

Third, I give, devise and bequeath unto the Pastor of St. Boniface Catholic Church, Melrose, Minnesota, the sum of \$100.00, and I do request that therefor, that masses be said for the repose of the soul of my deceased husband, Math Spaeth.

Fourth, I give, devise and bequeath unto my son, Theodore Spaeth, my homestead, described as follows, to-wit: Lot One (1), East Half of Lot Two (2), Lot Fourteen (14), and East Half of Lot Thirteen (13); all in Block Forty-three (43), in Freeman's Addition to City of Melrose, Stearns County, Minnesota; said real estate to go to said Theodore Spaeth in fee.

Fifth, I give, devise and bequeath all the residue, rest and remainder of my estate, real, personal or mixed, of whatsoever kind and nature, and wheresoever the same may be situated, to the following of my children, Angela Spaeth Kortenbusch, Cecilia Spaeth Klein, William J. Spaeth, Theodore Spaeth, Alvina Spaeth Schiemann, Louis J. Spaeth, and Amanda Spaeth Wiener, in equal shares, share and share alike.

I hereby request that my Executor hereinafter named sell my household goods and personal effects to members of my family, i.e., my children at private auction conducted by my said said Executor of my will and the proceeds to be included in the residue of my estate for distribution.

Lastly, I nominate and appoint Theodore G. Wurst, to be executor of this my Last Will and Testament.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal, the Fourteenth day of June, in the year of our Lord one thousand nine hundred forty-three.

Katharina Spaeth (SEAL)

THIS INSTRUMENT, Was, on the day of the date thereof, signed, published and declared by the said Testatrix, Katharina Spaeth, to be her Last Will and Testament in our presence, who, at her request, have subscribed our names thereto as witnesses, in her presence, and in the presence of each other.

John Lang residing at Melrose, Minnesota
Theodore G. Wurst residing at Greenwald, Minnesota

Last Will and Testament
of
Katharina Spaeth

21103200

State of Minnesota,
COUNTY OF Stearns

In Probate Court
CERTIFICATE OF PROBATE

IN THE MATTER OF THE ESTATE OF Katharina Spaeth 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
Katharina Spaeth Decedent, late of said County of Stearns
bearing date the 14th day of June 1943, 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 Katharina Spaeth
deceased, which said last Will and Testament is recorded and the examination taken thereon filed in this office.

COURT
SEAL

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
June 1944

June 19 44
J. D. Hughes
 Judge of Probate.

0023 0713

State of Minnesota, }
County of Stearns }

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth

Decedent.

Certificate of Probate of Will

Filed this 9th day of
June 1944, and recorded,

together with the will attached in Book
K of Records of Wills, Page 542

Frank Perzoy
Clerk Judge of Probate.

0023 0714

State of Minnesota,
County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Katharina Spaeth

Decedent

Order Admitting Will to Probate

The above entitled matter came on to be heard on the 9th day of June 1944

upon the petition of Theodore G. Wurst
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 10th day of May 1944 has
been duly served and published as directed therein and required by law.

SECOND—That said decedent died on the 7th day of July 1943, and
at the time of his death was a resident of Melrose, Minnesota
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:

Theodore G. Wurst

xxx 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 June 9th, 1944

[Signature]
Judge of Probate.

State of Minnesota, }
County of | Stearns }
PROBATE COURT

IN THE MATTER OF THE ESTATE OF
Katharina Spaeth
Decedent.

Order Admitting Will to Probate

Filed this 9th day of
June 1944, and recorded
in Book " 80 " of Orders, Page 579

Frank Herzog
Clerk ~~xxxx~~ of Probate.

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth

Decedent.

LETTERS TESTAMENTARY

To T. G. Wurst

GREETING:

Whereas, You have been appointed execut or 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 one month 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 2nd day of October, 19 44

[Signature]
Probate Judge.



State of Minnesota,

County of

IN PROBATE COURT

} ss.

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.

13,260

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth

LETTERS TESTAMENTARY
(LONG FORM)

Filed this 2nd day of

October, 1944, and Recorded

in Book "K" of Letters, Page 199

Frank Keryog
Clerk of Probate Court.

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer and filed separately if desired.

That the Western Surety Company, a corporation, organized and existing under the laws of the State of South Dakota, does hereby make, constitute and appoint D. J. Kirby

in the city of Rushville, County of Rushville, State of Minnesota, with limited authority, its true and lawful agent and attorney-in-fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as surety and its acts and deed, the following bonds and no others, provided the penalty does not exceed the amount designated.

(A) An original bond required by statute or decree of Court for:

ADMINISTRATOR
EXECUTOR
GUARDIAN
CONSERVATOR

MAXIMUM PENALTY

\$100,000.00

(B) TRUSTEE
REFEREE IN PARTITION
RECEIVER—(excluding Receivers for benefit of creditors in lieu of Federal bankruptcy proceedings)

\$ 50,000.00

(C) TRUSTEE } —in bankruptcy required
RECEIVER } in United States Court

\$ 50,000.00

(D) ANY BOND (excluding Stay, Supersedeas or Open Penalty)

\$ 10,000.00

(E) Any other bond or indemnity (not included in clauses A, B, C & D) provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the President, Vice-President, Secretary, Treasurer or Assistant Secretary of the Western Surety Company of Sioux Falls, South Dakota.

And the acknowledgment and execution of any such document by the said Attorney-in-Fact, shall be as binding upon said Company as fully and amply, to all intents and purposes as if such bond had been executed and acknowledged by the regularly elected officers of the said Company.

All authority hereby conferred shall expire and terminate without notice, at midnight on May 31, 1946.

The WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted and now in force, to-wit: "Section 7. The President, any Vice-President, Secretary, any Assistant Secretary, or Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies or undertakings in the name of the Company, subject to such rules and regulations as such officers may prescribe."

IN WITNESS WHEREOF, the said WESTERN SURETY COMPANY has caused these presents to be executed by its President with its corporate seal affixed this 15th day of February, 1943.

WESTERN SURETY COMPANY,

ATTEST:

D. J. Kirby
Assistant Secretary.

By D. J. Kirby
President and General Manager

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss.

On this 15th day of February, in the year 1943, before me, a Notary Public, personally appeared DAN KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President and General Manager of the said Western Surety Company and acknowledged said instrument to be the voluntary act and deed of said corporation.

E. J. Kirby
Notary Public, South Dakota.

My commission expires 11-10-46

0023 0719

STATE OF Minnesota

COUNTY OF Stearns

ss.

On this 28th day of September A. D. 19 44, before me, a Notary Public, in and for said County, per-

sonally appeared H. F. Gamber to me personally known and being by me duly sworn, did say, that he is the Attorney-in-Fact of the WESTERN SURETY COMPANY, a corporation of Sioux Falls, South Dakota, created, organized and existing under and by virtue of the laws of the State of South Dakota, that the said instrument was executed on behalf of the said corporation by authority of its Board of Directors and that the said

H. F. Gamber acknowledges said instrument to be the free act and deed of said corporation and that he has authority to sign said instrument without affixing the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at _____

Greenwald, Minnesota

the day and year last above written.

H. A. Behnen

H. A. Behnen Notary Public.
Stearns County, Minnesota..

My Commission expires September 21st, 1951.

0023 0720

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth

BOND

Know all Men by these Presents, That we, T. G. Wurst

and Western Surety Company

as principal

a corporation organized under the laws of the State of South Dakota
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 E. J. Ruegemer
Stearns as Judge of Probate of the County of
Minnesota, in the sum of Ten 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

T. G. Wurst

who has been appointed representative

of the estate of the above named Katharina Spaeth shall well and
faithfully discharge all the duties of his 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 his hand and seal;
and the said surety has caused these presents to be signed by its H. F. Gamber, Attorney in Fact
and its corporate seal to be hereto attached by authority of its
Board of Directors, this 28th day of September 19 44

Signed, Sealed and Delivered in Presence of

H. A. Behnen

A. M. Wurst

Western Surety Company

By H. F. Gamber

Acknowledgment of Principal

State of Minnesota,

County of Stearns

ss.

On this 28th day of September 19 44, before me personally
appeared T. G. Wurst, to me well known
to be the person who executed the foregoing bond as principal, and he acknowledged
that he executed the same for the uses and purposes herein expressed as his free act and deed.

My Commission Expires

September 21st, 19 51

H. A. Behnen

Notary Public Stearns

County,

Minnesota.

Acknowledgment of Surety

State of Minnesota,

County of Stearns

ss.

On this 28th day of September 19 44,
before me appeared H. F. Gamber
to me personally known, who being by me duly sworn, did say that he is Attorney in Fact
of Western Surety Company
a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation,
and that said instrument was executed in behalf of said corporation by H. F. Gamber
by authority of its Board of Directors; and the said H. F. Gamber

acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires

September 21st, 19 51

H. A. Behnen

Notary Public Stearns

County,

Minnesota.

0023 0721

Approval

I hereby approve the within bond and the surety thereon, this 2nd day of October, 1944

[Signature]
Probate Judge.

Oath of Representative

State of Minnesota,

County of Stearns } ss.

I, T. G. Wurst

do swear that I will faithfully and justly perform all the duties of the office and trust which I now assume as Executor of the Estate of the above named Katharina Spaeth, to the best of my ability and according to law, so help me God.

Subscribed and sworn to before me, this 28th day of September, 1944

[Signature]

H. A. Behnen
H. A. Behnen

Notary Public Stearns County, Minnesota.

My Commission Expires Sept. 21st, 1951

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth

Decedent.

Bond and Oath of Representative
(Corporate Surety)

Filed the 2nd day of October, 1944, and said bond recorded in Book 27 of Bonds, page 127 of Probate Records.

[Signature]
Clerk, Judge of Probate.

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT
File No. 13,260

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth

Decedent.

Order Appointing Appraisers

On all the files, records, and proceedings in said estate

It is ordered that H. A. Behnen and

A. M. Wurst

be and they are hereby appointed appraisers, to appraise upon oath the estate of the said decedent according to law.

Dated this 11th day of October, 1944.

(PROBATE COURT SEAL)

H. A. Behnen
Probate Judge.

0023 0723

No. 13,260

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth

Decedent

Order Appointing Appraisers

Filed October 11th, 19 44

Frank Henry

Probate ~~marshal~~ Clerk.

0023 0724

State of Minnesota,

County of Stearns

IN PROBATE COURT

File No. 13,260

In the Matter of the Estate of

KATHARINA SPAETH

Decedent.

INVENTORY AND APPRAISAL

Date of Death July 7th, 1943

OATH OF APPRAISERS

State of Minnesota,

County of Stearns

A. M. Wurst

I, H. A. Behnen, and

do solemnly swear that I will honestly, faithfully and im-

partially perform all the duties of the office and trust which I now assume as appraiser of the estate of

Katharina Spaeth

, decedent to the best of my ability, So Help Me God.

Subscribed and sworn to before me this 11th

day of October

, 1944

Notary Public,

Stearns County, Minn.

My commission expires

August 7, 1948

(SEAL)

JOHN LANG

Notary Public, Stearns County, Minn.

INVENTORY AND APPRAISAL

The undersigned representative of the estate of the above named decedent, represent S and show S 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 his possession and of which his 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 Stearns, State of Minnesota, consisting of one-half acres in area described as follows, to-wit:

(give acreage)

Lot One (1), East Half of Lot Two (2), Lot Fourteen (14), and East Half of Lot Thirteen (13), all in Block Forty-three (43), in Freeman's Addition to City of Melrose, Stearns County, Minnesota

Specify Encumbrances and Respective Amounts

Net Value Over Encumbrances

\$ 1500⁰⁰/_{XX}

(b) All other real estate of decedent being in the County of _____, State of Minnesota, described as follows, to-wit:

none

FORWARDED

0023 0725

Estate of Katharina Spaeth - Inventory and Appraisal

EXHIBIT "A"

Class V-Mortgages, Bonds, Notes, etc.

Item	Interest to date death	Principal	Appraised Val. Princ. & Interest
Note T.G. Wurst to Katharina Spaeth, dated 2-11-38 int. 4%	24.33	1500.00	1524.33
Note T.G. Wurst & Louise Wurst, to Kath. Spaeth, dated Sept. 25 '40 int. 4%	78.52	2500.00	2578.52
Note T.G. Wurst to Katharina Spaeth, dated Sept. 17 '40 - int. 4%	35.44	1100.00	1135.44
Note Theo. Spaeth to Kath. Spaeth, Dated March 26, 1937, int. 2½%	7.02	1000.00	1007.02
Note Alvin Schiemann, to Kath. Spaeth, dated June 14, 1943, int. 3%	1.45	757.25	758.70
Note Louis J. Spaeth to Kath. Spaeth, Dated Apr. 28, 1941 int. 3%	125.84	1890.00	2015.84
Note W.J. Spaeth (William J. Spaeth) to Kath. Spaeth, Dated Sept. 2, 1939, int. 3% interest paid to Sept. 2, 1943	-	2500.00	2500.00
Note Math Thielen & Nick Thielen to Kath. Spaeth, Dated March 14, 1942 - int. 4%	25.11	2000.00	2025.11
U.S. Bonds, both Series E, as follows:			
1. No. Q-147118173E payable to Mrs. Kath. Spaeth or Theodore J. Spaeth,		18.75	18.75
2. No. Q-147118172E payable to Mrs. Kath. Spaeth or William J. Spaeth		18.75	18.75
Following Certificates of Deposit, all in Greenwald State Bank, payable to Katharina Spaeth:			
1. dated 12-9-42 at 2%	.58	50.00	50.58
2. dated 5-12-42 at 2%	3.00	150.00	153.00
3. dated 8-1-42 at 2%	109.84	5887.31	5997.15
4. dated 8-19-42 at 2%	2.03	114.64	116.67
5. dated 2-24-43 at 2%	3.69	500.00	503.69
6. dated 4-10-43 at 2%	2.38	500.00	502.38

TOTAL VALUE OF MORTGAGES, BONDS, NOTES, ETC.:

\$ 20,905.93

Total Value of Stock

\$

VERIFICATION

State of Minnesota,

County of Stearns

G.

Theodore/Wurst.

being duly sworn, on oath sa~~s~~ that he is the representative of the estate above specified; that he ha~~s~~ read the foregoing inventory subscribed by him and know~~s~~ the contents thereof and that the same is a true and correct inventory of all of the estate of the decedent that has come to his possession or knowledge.

Subscribed and sworn to before me this 11th day of October, A. D. 1944

Notary Public, Stearns County, Minn.

My commission expires Aug. 7, 1948

JOHN LANG

Notary Public, Stearns County, Minn.

My Commission Expires Aug. 7, 1948

CERTIFICATE OF APPRAISERS

County of Stearns

We, the undersigned appraisers, duly appointed by the

Probate Court of Stearns

County, Minnesota, to appraise the estate of

Katharina Spaeth,

Decedent, having first duly taken and subscribed the oath prescribed by law and hereto annexed, hereby certify and return, that we have carefully examined and considered the inventory of said estate delivered to us by the representative of said estate and the property therein described, and have faithfully and impartially and to the best of our knowledge and ability, appraised the said property, and set down opposite each item thereof in figures the value thereof in money, and have footed up by itself the amount and value of each class of said property, and of the whole of said estate.

Dated this 11th day of October, A. D. 1944

X H. G. Behm

X A. M. Wurst

Appraisers.

File No. 13260

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Katharina Spaeth

Decedent.

Inventory and Appraisal

Total Personal	- \$ 24,352.70
Total Real Estate	- \$ 1,500.00
Total Appraisal	- \$ 25,852.70

Due service of the within inventory and appraisal is hereby admitted this day of 11th, 1944

Deputy-Treasurer of
County, Minnesota.

Filed this 14th day of October, A. D. 1944

Frank H. Hoyer
Probate Judge - Clerk

Stephen J. Lang
Attorney

Michael J. Lang
Attorney

STATE OF MINNESOTA
County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

INHERITANCE TAX RETURN

KATHARINA SPAETH

Decedent

Date of death July 7th, 1943

GENERAL INSTRUCTIONS

This return must be filed with the Probate Court, at or before the time of filing the inventory, by the representative of the estate of every person whose death occurred after April 20, 1939.

All questions must be answered. Where space is insufficient for giving the complete information required, separate sheets should be attached, appropriately marked and referred to by letter or number.

If the estate is, or may be, taxable the return must be made in duplicate and one copy must be delivered to the Commissioner of Taxation under the direction of the Probate Court.

Name and address of the attorney for the estate must appear on the face of the return.

Below appear excerpts from Chapter 338, Session Laws of Minnesota for 1939, amending Mason's Minnesota Statutes of 1927, Section 2295 and Section 2304, relating to Inheritance Tax Return.

"2295 (2). Every representative shall, at the time of filing the inventory as required by law, file with the Probate Court a return under oath, in such form as may be prescribed by the attorney general, of all property within his knowledge and the value thereof at the date of the decedent's death, (a) which the decedent has at any time transferred and which is or may be subject to an inheritance tax, (b) which the decedent held in joint tenancy, (c) which was subject to the exercise of a power of appointment by the decedent. The return shall also contain a list of all policies of insurance on the life of the decedent payable to named beneficiaries, and the amounts thereof, if the total amount thereof exceeds \$32,500."

"2304 (2). In all estates where it appears from the inventory, appraisal and return that an inheritance tax may be imposed, the representative shall, upon the filing thereof, under direction of the court, deliver a copy of each, and of the petition, and will, if any, to the attorney general."

(Note:—Chapter 431, Laws of Minnesota for 1939, transfers duties of attorney general relating to inheritance taxation to the Commissioner of Taxation.)

ALL QUESTIONS ON THIS PAGE MUST BE ANSWERED

INSTRUCTIONS FOR SCHEDULE I

Property held in Joint Tenancy

All personal property of every kind, wherever situated, and all real property situated in Minnesota, held in joint tenancy by the decedent and any other person or persons must be included in Schedule I. If the survivor furnished any part of the consideration the amount and nature of the consideration should be stated. If the property was acquired by the decedent and the survivor as joint tenants, by gift, bequest, devise or inheritance, that fact should be stated. The full value of the property held in joint tenancy should in all cases be given. *Identify the homestead, if any, as such.*

Did the decedent, at the time of his death, own any real or personal property as a joint tenant with the right of survivorship?

Ans. Yes or No. no

INSTRUCTIONS FOR SCHEDULE II

Insurance and Annuities

Schedule II must state all life or accident insurance taken out by decedent and payable on the death of the decedent, to named beneficiaries, where the total amount of insurance payable to named beneficiaries exceeds \$32,500. Insurance payable to the estate of the decedent, whether by the terms of the policy or by reason of the death of the named beneficiary, should be included in Schedule II regardless of the total amount of the insurance payable to named beneficiaries. If any policy was payable only by installments state the terms of the policy with respect to the amount and duration of payments. Schedule all annuities owned by decedent which had a commuted or cash refund value on death.

1. Did the decedent, prior to his death, take out policies of life insurance, payable to named beneficiaries, aggregating in excess of \$32,500?

Ans. Yes or No. no

2. Did the decedent, at his death, have any life insurance payable to his estate?

Ans. Yes or No. no

3. Did the decedent at the time of his death own any annuities which had a commuted or cash refund value?

Ans. Yes or No. no

INSTRUCTIONS FOR SCHEDULE III

Transfers by the Decedent

Schedule III must describe all property which the decedent has at any time transferred and which is, or may be, subject to an inheritance tax. This includes all transfers: (a) In contemplation of death; (b) Intended to take effect in possession or enjoyment at or after death; (c) In trust, where the income, or any part thereof, or the power of revocation, is reserved to the donor.

If the transfer was by deed, give the date of execution and of recording. If the transfer was in trust or to an insurance company for the purchase of an annuity, attach a copy of the instrument or contract and give the age and relationship of all beneficiaries.

1. Did the decedent make any transfer described in the foregoing instructions?

Ans. Yes or No. no

2. Did the decedent, within two years immediately prior to his death, make any transfer of a material portion of his property, without adequate and full consideration in money or moneys worth, in trust or otherwise?

Ans. Yes or No. no

3. Did the decedent, at any time, make a transfer of an amount of \$2500.00 or more, without an adequate and full consideration in money or moneys worth, which the representative believes is not subject to an inheritance tax?

Ans. Yes or No. no

If the answer to question 3 is "Yes" state the date, description of property, value, character of transfer, and motive for making the transfer:

.....
.....
.....
.....
.....

4. Were there in existence at the time of decedent's death any trusts created by him during his lifetime?

Ans. Yes or No. no

INSTRUCTIONS FOR SCHEDULE IV

Powers of Appointment

Under Schedule IV should be stated all property which the decedent at any time held subject to a power of appointment vested in him either by will or by any other instrument. A copy of the instrument granting the power of appointment should be attached and also a copy of the instrument exercising the power of appointment, if not a will previously filed for probate. The return must include all property held subject to a power, whether or not the power was exercised.

If decedent at any time held property subject to a power of appointment prepare a schedule headed "Schedule IV" and give the following information: (1) Date of instrument creating power; (2) Type of instrument creating power; (3) Description of property; (4) Person to whom appointed and relationship to decedent; (5) Estimated value at date of death; (6) If real property county assessor's true and full value at date of death.

1. Did the decedent have power of appointment over any real estate in Minnesota or of any personal property?

Ans. Yes or No. no

2. Did decedent exercise power of appointment?

Ans. Yes or No. -

Katharina Smith
Precedent

PROPERTY HELD IN JOINT TENANCY

List property in the following order: (1) Real estate; (2) Furniture and household goods; (3) Wearing apparel; (4) Corporation stocks (*under description identify by certificate numbers and give class of stock and par value and price per share*); (5) Mortgages, Bonds, Notes and other Written Evidence of Debts (*under description give name of debtor, bond number, rate of interest, maturity date, price per hundred*); (6) All other Personal Property.

Date of transfer to joint tenants	Description	Surviving joint tenant	Relationship to decedent	Liens or encumbrances, etc.	Value at date of death	County Assessors true and full value of real estate as of date of death
		<u>none</u>		\$	\$	\$
Total				\$	\$	\$

0023 0731

Estate of

Katharina Spaeth
Decedent

SCHEDULE II
INSURANCE AND ANNUITIES

Note:—See instructions on inside cover page. Answer all questions fully.

Date Taken Out	Number of Policy	Name of Company	Amount payable at death, including post-mortem dividend or commuted or cash refund value of annuities	Name of Beneficiary and Relationship to Decedent	Did Decedent on July 15, 1957 have right to:	
					(1) Change Beneficiary?	(2) Cash Surrender Value?
		<i>none</i>	\$.....			
			\$.....			

0023 0732
 2510 1200

Estate of

Katharina Spaeth
*Heidm***SCHEDULE III****TRANSFERS MADE BY DECEDENT DURING LIFE**

Note:—See instructions on inside cover page. Answer all questions fully.

Date of Transfer	Description of Property Transferred	How Transferred	Full Name of Transferee	Relationship to Decedent	Liens or encumbrances, etc.	Value at Date of Death	County Assessors true and full value of Real Estate at Date of Death
			<i>none</i>		\$	\$	\$
					\$	\$	\$

AFFIDAVIT

I, the undersigned representative of the estate of the above named decedent do hereby swear that I have carefully examined the foregoing return, including the separate sheets attached, if any, and that, to the best of my knowledge, information and belief, herein is listed all of the property required by law to be included in said return; that all questions have been truly answered; that I have no knowledge of any transfers required to be included in this return except as stated; and that to the best of my knowledge, information and belief the values shown in the foregoing schedules are the true and full values as of the date of the decedent's death; and that all statements made herein are true and correct.

(Signature)

Theodore G. Wurst

THEODORE G. WURST

(Address)

Greenwald, Minnesota.

Subscribed and sworn to before me this

11th

day of

October

, 19 44.

H. A. Behnen

H. A. Behnen,

Notary Public,

Stearns County, Minnesota.,

My commission expires Sept. 21st, 1951.

August 5, 1939.

Form approved by G. Howard Spaeth
Commissioner of Taxation of Minnesota
By Franklin B. Stevens, Director
Division of Inheritance and Gift Taxes

File No. 13,260

STATE OF MINNESOTA

County of Stearns

Re: Estate of

KATHARINA SPAETH

Decedent.

INHERITANCE TAX RETURN

Filed

Oct. 14th 1944

Frank Stevens

Clerk of Probate Court.

Name

Stephens & Lang,

Address

Melrose, Minnesota

Attorney.

0023 0735

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF Katharina Spaeth DECEASED

Whereas, It has been made to appear to the satisfaction of this Court that Theodore G. Wurst as representative 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, funds and property to them awarded by said final decree, 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 representative

It is Therefore Ordered and Decreed, That said representative of said estate and the sureties on his 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 8th day of December A. D. 19 44

A. H. Hughes
Judge of Probate

Stearns County, Minn.

No. 13,260

In Probate Court

County of Stearns

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth

Deceased.

Order Discharging Executor or Administrator and Sureties

(Chap. 289 Laws 1917)

Filed this 8th day of

December 19 44

Recorded in book 75- of orders at
page 276

Frank Herzog

Clerk ~~notary~~ of Probate.

State of Minnesota, } ss.
County of Stearns

IN PROBATE COURT.

In the Matter of the Estate of

Katharina Spaeth,

Decedent,

ORDER ALLOWING FINAL ACCOUNT.

The above entitled matter came on to be heard on the 1st day of December, 1944, upon the petition of the representative of the above named estate praying for the allowance of his final account and for distribution of the residue of said estate.

The said representative appeared in person and by his attorneys, Stephens & Lang, and no one appeared in opposition.

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 6th day of November, 1944, in the Melrose Beacon, proof of publication of said notice of hearing and service by mail having been 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 estate as described in the inventory	\$ 24,352.70
Personal estate omitted from the inventory	\$
Gain by sales above appraised value	\$
Cash from sales of real estate	\$
Cash from rent of real estate	\$
Cash from interest and profits	\$ 331.57
Cash from other sources Collection of outlawed debt	\$ 467.00
Interest earned but uncollected	\$ 121.18
	\$
Total receipts from all sources	\$ 25,272.45

DISBURSEMENTS AND CREDITS

Estate selected for surviving spouse	\$
Maintenance of family of decedent	\$
Expenses of administration	\$ 602.90
Expenses of last sickness	\$
Funeral expenses and last sickness	\$ 603.31
Taxes	\$ 129.30
Claims of creditors of decedent	\$
Legacies	\$ 430.00
	\$
	\$
Residue on hand for distribution	\$ 23,506.94
Total credits	\$ 25,272.45

Third—That all taxes, including personal property taxes, 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 December 1st, 1944

By the Court,
Edw. J. McGuire
Probate Judge.

No. 13,260

State of Minnesota,
County of Stearns

PROBATE COURT.

In the Matter of the Estate of

Katharina Spaeth
Decedent

Order Allowing Final Account.

Filed this 1st day of
December, 1944, and
recorded in Book No. 88 of Orders,
on Page 186

Frank Herzog
Clerk of Probate.

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

IN PROBATE COURTFile No. **13,260**

IN THE MATTER OF THE ESTATE OF

Katharina Spaeth,

Decedent.

Final Decree of Distribution

The above entitled matter came on to be heard on the **1st** day of **December**, **1944**, upon the petition of the representative of said estate for the distribution of the residue of said estate to the persons thereunto entitled.

The representative of said estate appeared in person and by attorney, **S. Stephens & Lang,** and no one appeared in opposition thereto.

And the court having considered the evidence produced at said hearing, the arguments of counsel, and the files and records in said matter, finds the following facts:

FIRST—That notice of said hearing has been duly given and served as required by law and the order of this court for said hearing.

SECOND—That the said estate has been in all respects fully administered, and the expenses of the administration thereof and of the last sickness and burial of said decedent, and all claims allowed against said estate have been fully paid,

and that said representative has filed **his** final account herein which has been settled and allowed by the Court. That all inheritance taxes determined by the Court to be due the State of Minnesota have been paid.

THIRD—That said decedent died **testate** on the **7th** day of **July**, **1943**, and at the time of his death decedent was a resident of the County of **Stearns** and State of Minnesota.

FOURTH—That the residue of the estate of said decedent for distribution consists of the following property, to-wit:

(A) Personal property of the value of \$ **23,506.94** comprising of the following items:

Cash in the sum of \$ **19,604.20**

Note of Theodore Spaeth with interest to Dec. 1, 1944, **\$1017.01**

Note of Alvina Spaeth Schiemann with interest to Dec. 1, 1944, **790.50**

Note of Louis J. Spaeth with interest to Dec. 1, 1944, **2095.23**

(B) Real property described as follows: The homestead of decedent situate in the County of
 Stearns State of Minnesota, described as follows, to-wit:

Lot One (1), the East Half ($E\frac{1}{2}$) of Lot Two (2), all of
 Lot Fourteen (14) and the East Half ($E\frac{1}{2}$) of Lot Thirteen (13), all in
 Block Forty-three (43), in Freeman's Addition to the City of Melrose,
 which was bequeathed to Theodore Spaeth, a son of decedent.

(C) Other tract..... of land lying and being in the County of
 State of Minnesota, described as follows, to-wit:

None.

FIFTH—That the following named persons are the.....residuary devisees and
legatees.....

.....of said decedent, and are all
of the persons entitled to the residue of said estate of said decedent, to-wit:

Angela Spaeth Kortenbusch, Cecilia Spaeth Klein, William J. Spaeth, Alvina Spaeth Schiemann, Louis J. Spaeth, Amanda Spaeth Wiener and Theodore Spaeth, sons and daughters of said decedent.

Theodore Spaeth, Alvina Spaeth Schiemann and Louis J. Spaeth are indebted to the estate in the amounts of their respective notes as hereinbefore itemized under personal property for distribution, and their shares in the cash residue are reduced by such respective amounts.

NOW, THEREFORE, On motion of.....Stephens & Lang, attorneys for the

representative of said estate, and by virtue of the power and authority vested in this court by law, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, and the said court does hereby ORDER, ADJUDGE AND DECREE, that all and singular the above described PERSONAL PROPERTY be, and the same hereby is, assigned to and vested in the above named persons, in the following proportions and estates, to-wit:

To each of the said Angela Spaeth Kortenbusch, Cecilia Spaeth Klein, William J. Spaeth, Amanda Spaeth Wiener the sum of \$3358.13 in cash; and to Alvina Spaeth Schiemann the sum of \$2567.54 in cash and her note; to Louis J. Spaeth the sum of \$1262.91 in cash and his note; and to Theodore Spaeth the sum of \$2341.13 in cash and his note.

And that the title to the above described real estate _____ has passed to and is hereby assigned to and vested in the above named persons in the following proportions and estates, to-wit: _____

All thereof to Theodore Spaeth, in fee simple forever.

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said above named person S. their heirs and assigns; without prejudice, however, to any lawful conveyance of said property or any part thereof by said persons, or any of them, heretofore made.

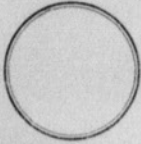
Dated at St. Cloud, Minn., this 1st day of December, 1944



[Signature]
Probate Judge.

State of Minnesota, } ss. PROBATE COURT
County of _____

I, _____ of the Probate Court, within and for said County, and Custodian of the Seal and Records of said Court, do hereby certify that I have compared the foregoing copy of Final Decree of Distribution with the original record thereof preserved in this office and have found the same to be a correct transcript of the whole thereof.



IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Court, at _____

in said County, this _____ day of _____, 19____

_____ of the Probate Court

File No. 13, 260

State of Minnesota,
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF
Katharina Spaeth
Decedent.

Final Decree of Distribution

Office of Register of Deeds,

State of Minnesota,

County of _____
I hereby certify that the within Instrument was filed in this office for record on the _____ day of _____, 19____, at _____ o'clock _____ M. and was duly recorded in Book _____ of _____, page _____

By _____ Register of Deeds.

Deputy.

Transfer entered this _____ day of _____, 19____

By _____ County Auditor.

Deputy.

Filed this 1st day of December, 1944, and recorded in Book _____ of Decrees, page _____

[Signature]
Probate Judge Clerk.

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mary A. Trebtsoske, also known as
Mary A. Trzebiatowski, Decedent.

Petition for Administration

TO THE PROBATE COURT ABOVE NAMED:

Your petitioner, John Trebtsoske
respectfully represents and states to the Court:

First—That your Petitioner is a resident of the City of St. Cloud
in the County of Stearns State of Minnesota, and is an adult who has an
interest in whatever estate the decedent above named may have left at the time of her death, to-wit:
as an heir at law of said decedent

Second—That said decedent was born in the County of West Prussia
and died at St. Cloud, State of Minnesota on the
28 day of June, 1938, aged 76 years and was
at the time of her death a native of Germany, and
a citizen of the County of United States of America
and a
resident of St. Cloud County of Stearns, State of
Minnesota, and was the owner of estate in the County of Stearns
State of Minnesota, at the time of her death.

Third—That said decedent died without leaving a last will and testament.

Fourth—That said estate of decedent, at the time of her death, included personal property of the probable
value of \$ none, divided as follows:

1. Household Goods, \$ none	2. Wearing Apparel, \$ None
3. Stock, \$ "	4. Notes, Bonds, etc., \$ "
5. Miscellaneous, \$ "	6. \$

That said estate included real estate of the estimated and probable value of \$ 200.00 consisting
principally of lands in the County of Stearns, State of Minnesota, described as
follows, to-wit:

1. Homestead in none County, Minnesota, as follows:

A. City Property

(Give Area)

(or)

B. Rural Property

(Give Area)

2. Real Estate other than Homestead:

A. City Property lot 14 in Block 1	Lots without Buildings	\$ 200.00
Collins Addition to St. Cloud	Lots with Buildings	\$
B. Rural Property	Acres improved land	\$
Rural Property	Acres unimproved land	\$

Fifth—That the probable amount of the debts of decedent is \$

0024 0744

Sixth—That the names, ages, relationship, and addresses of the heirs at law of said decedent are as follows, to-wit:

[illegible]

Seventh—That John Trebtocke, whose Post Office address is St. Cloud, Minnesota is a suitable and competent person to administer the said estate, and is lawfully entitled thereto

THEREFORE, Your Petitioner prays that administration of the estate of said decedent be granted by the Court, and that upon due qualification....., letters of administration be issued to the said.....

John Trebtske

State of Minnesota, } ss.
County of Stearns }

John Trebbs
Petitioner.

John Trebtske

being duly sworn, on oath, says, that..... h^e..... is the person who makes the foregoing petition in the above entitled matter; that..... h^e..... has read said petition and knows the contents thereof, and that the same is true of h^e. I s..... own knowledge, except as to those matters therein stated on information and belief, and that as to those matters..... h^e..... believes it to be true.

Subscribed and sworn to before me, this 24th day of April, 1944

John Trebitska
Petitioner

Notary Public.
County, Minn.
My Commission expires, 19

HOWARD I. DONOHUE
Notary Public, Stearns County, Minn.
My Commission Expires Oct. 23, 1946

State of Minnesota,
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mary A. Trebtocke

Decedent.

PETITION FOR ADMINISTRATION

Selection of Newspaper

To the Judge of said Court:

Please cause the notices in said estate to be published in the

(Here insert name of newspaper)

..... (Sign your name here)

Filed this 10th day of _____

Mac 10 44

Frank Penz
Probate Judge-Clerk.

SS.

IN THE MATTER OF THE ESTATE OF

Mary A. Trzebiatowski,

Decedent.

On Hearing for Administration or Probate of
Will mail two copies of order to the Commissioner
of Taxation and
If decedent was not born in the United States,
mail one copy to Foreign Consul or Secretary of
State.

FOR HEARING THEREON
STATE OF MINNESOTA, County of
Stearns.—In Probate Court, File
No. 13,261.

No. 13,261.
IN RE ESTATE OF Mary A. Treb-
toske, also known as Mary A.
Trzebiatowski, Decedent.

ORDER FOR HEARING ON PETITION FOR ADMINISTRATION, LIMITING TIME TO FILE CLAIMS AND FOR HEARING THEREON

John Trebtsoske having filed herein a petition for general administration stating that said decedent died intestate and praying that John Trebtsoski be appointed administrator.

IT IS ORDERED, That the hearing hereof be had on Friday, the 2nd day of June, 1944, at nine o'clock A. M. before this Court in the probate court room in the courthouse in the City of St. Cloud, Minnesota, that at any time within which the presiding of said decedent may file their claims be limited to four months from the date hereof, and that the claims so filed be heard on Friday, the 16th day of September, 1944, at nine o'clock A. M. before this Court in the probate court room in the court house in the City of St. Cloud Minnesota, and that notice hereof be given by publication of this order in the St. Cloud News, a legal newspaper, and by mailed notice as provided by law.

Dated May 10, 1944.

Dated May 10,
(Probate Court Seal)
E. J. RUEGEMER,
Probate Judge
QUIGLEY, DONOHUE & QUIGLEY,
Attorneys for Petitioner
St. Cloud, Minnesota.
5-11-18-25

Commissioner of Taxation

John Trebtske

Peter Trebtske

Joseph Trebtske

Michael Trebtske

Richard Trebtocke

Stella Kosbab

Charles Trebtocke

Paul Trebtske

Subscribed and Sworn to before me this 12th

day of

day of May 19 1914
Howard, Andrew

Notary Public **HOWARD J. DONOHUE** County, Minn.
Notary Public **HOWARD J. DONOHUE**

My commission expires Notary Public, Stearns County, Minn.
My Commission Expires Oct. 23, 1946.

File No.

IN PROBATE COURT

Affidavit of Mailing of Order for Hearing

ON PETITION FOR ADMINISTRATION,

LIMITING TIME TO FILE CLAIM THEREON.

State of Minnesota.

588

County of Stearns

Josephine Bursch, stenographer,
Dorothy B. Bursch &

employed by Quigley, Donohue & Quigley

being first duly sworn on oath deposes and says that on

the 12th day of May, 1944,

at St. Cloud, in said County and State, he mailed two copies of the Order hereto attached

in the above entitled matter, to the Commissioner

of Taxation, St. Paul and one to
(Commissioner of Taxation)

(Secretary of State or Foreign Consul)

and to all the legatees and devisees and to all known Heirs-at-law of said decedent, at their last known address, after exercising due diligence in ascertaining the correctness of said addresses, by placing a true and correct copy thereof in a sealed envelope, postage prepaid and de-

positing the same in the U. S. mails at

St. Cloud, Minnesota

and addressed to the following named persons:

<p> tice as provided by law, Dated May 10, 1944. (Probate Court Seal) E. J. RUEGEMER, Probate Judge QUIGLEY, DONOHUE & QUIGLEY, Attorneys for Petitioner St. Cloud, Minnesota. 5-11-18-25 </p>		STREET OR POST OFFICE	CITY	STATE
Commissioner of Taxation			St. Paul	Minn.
John Trebtoske	200-15th Ave. No.		St. Cloud	Minn.
Peter Trebtoske	41 Granite Street		Portsmouths	N. Ham.
Joseph Trebtoske	c/o Northern Monumental Co.		Duluth	Minn.
Michael Trebtoske	200-15th Ave. No.		St. Cloud	Minn.
Richard Trebtoske	200-15th Ave. No.		St. Cloud	Minn.
Stella Kosbab	448-23rd Ave. No.		St. Cloud	Minn.
Charles Trebtoske			Brainerd	Minn.
Paul Trebtoske	221 West Main Street		Durand	Michigan

Josephine Busch

0024 0746

File No. 13,261

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Mary A. Westbrook

Decedent.

AFFIDAVIT OF MAILING

Adm'r. Ex'ing

Filed May 13th, 1944

Frank Hengert
Probate Clerk

No. 38548

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA
COUNTY OF STEARNS

SS.

ORDER FOR HEARING ON PETITION FOR ADMINISTRATION, LIMITING TIME TO FILE CLAIMS AND FOR HEARING THEREON
STATE OF MINNESOTA, County of Stearns—In Probate Court, File No. 13,261.

IN RE ESTATE OF Mary A. Treb-toski, also known as Mary A. Treb-toski, Decedent.

ORDER FOR HEARING ON PETITION FOR ADMINISTRATION, LIMITING TIME TO FILE CLAIMS AND FOR HEARING THEREON

John Treb-toski having filed herein a petition for general administration stating that said decedent died intestate and praying that John Treb-toski be appointed administrator.

IT IS ORDERED, That the hearing thereof be had on Friday, the 2nd day of June, 1944, at nine o'clock A. M. before this Court in the probate court room in the court house in the City of St. Cloud, Minnesota, that the time within which creditors of said decedent may file their claims be limited to four months from the date hereof, and that the claims so filed be heard on Friday, the 15th day of September, 1944, at nine o'clock A. M. before this Court in the probate court room in the court house in the City of St. Cloud, Minnesota, and that notice hereof be given by publication of this order in the St. Cloud News, a legal newspaper, and by mailed notice as provided by law.

Dated May 16, 1944.
(Probate Court Seal)

E. J. RUEGEMER,
Probate Judge
QUIGLEY, DONOHUE & QUIGLEY,
Attorneys for Petitioner
St. Cloud, Minnesota.
5-11-18-25

Anton Volkmuth, being duly sworn, on oath says; that he is, and during all the times herein stated has been the printer and publisher of the newspaper known as St. Cloud News, and has full knowledge of the facts hereinafter stated; that for

more than one year prior to the publication therein of the Order For Hearing On

Petition For Administration, Limiting Time To File
Claims And For Hearing Thereon

hereinafter described, said newspaper was printed and published in the City of St. Cloud, in the County of Stearns, State of Minnesota, on Thursday of each week; that during all said time said newspaper has been printed in the English language from its known office of publication within the City of St. Cloud in the County of Stearns, State of Minnesota, from which it purports to be issued as above stated in column and sheet form equivalent in space to at least 450 running inches of single column, two inches wide; has been issued on Thursday of each week from a known office established in said place of publication and equipped with skilled workmen and the necessary material for preparing and printing the same; that during all said time in its makeup not less than twenty-five percent of its news columns have been devoted to local news of interest to the community it purports to serve; that during all said time it has not wholly duplicated any other publication, and has not been made up entirely of patents, plate matter and advertisements; has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and has entry as second class matter in its local postoffice; and that there has been on file in the office of the County Auditor of Stearns County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the Order For Hearing On Petition For Administration
Limiting Time To File Claims And For Hearing
Thereon

was cut from the columns of said newspaper, and was printed and published

therein in the English language, once each week, for Three successive weeks;

that it was first so published on Thursday the 11th day of

May 1944, and thereafter on Thursday

of each week to and including the 25th day of May

1944; and that the following is a printed copy of the lower case alphabet from

A to Z, both inclusive, and is hereby acknowledged as being the size and kind of

type used in the composition and publication of said notice, to-wit:.....

abcdefghijklmnopqrstuvwxyz
Anton Volkmuth

Subscribed and sworn to before me this 26 day of May, 1944

Margaret Kurkowski
Notary Public, _____ County, Minnesota.

My Commission expires MARGARET KURKOWSKI 19____

Deputy Register of Deeds
STEARNS COUNTY, MINN.

0024 0198

13,261

STATE OF MINNESOTA)
County of Stearns)

PROBATE COURT
In the Matter of the Estate of
Mary A. Nebtosh
Decedent

Writers Affidavit
Adm & Claims

FILED THIS 26th DAY
OF May, A.D. 1944
Frank Nezyg
Clerk of Probate

0024 0749

State of Minnesota,
County of Stearns }

IN PROBATE COURT,

IN THE MATTER OF THE ESTATE OF
Mary A. Trebtoske, also known as
Mary A. Trzebiatowski,

Decedent. }

Order Granting Administration

The petition of John Trebtoske praying that letters of administration upon said estate be granted to John Trebtoske came duly on for hearing at a Special Term of this Court, held on the 2nd day of June 19⁴⁴. Said petitioner appeared in person, and by his attorneys, Quigley, Donohue and Quigley and no one appeared in opposition.

The Court having duly considered said petition and the evidence adduced in support thereof, finds as follows:

First: That notice of said hearing has been given and served by the publication of the order for said hearing issued herein in the St. Cloud News, a legal newspaper, as by law and the order of this Court provided.

Second: That the said decedent died intestate on the 28th day of June, 19³⁸.

Third: That said decedent was a resident of St. Cloud at the time of her death and left estate within the County of Stearns and State of Minnesota, to be administered upon.

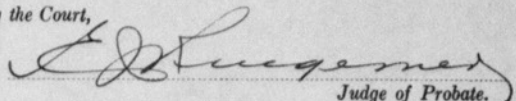
Fourth: That John Trebtoske is by law entitled, a suitable and competent person, to administer upon said estate.

Therefore, It is ordered that said petition be granted and John Trebtoske be and hereby is appointed administrator of the estate of said decedent, and that letters of administration issue to him upon his filing the oath by law required and a bond in this Court in the penal sum of Five hundred and no/100 (\$500.00) Dollars, with sureties to be approved by the Judge of this Court conditioned according to law.

Dated June 2nd, 19⁴⁴

(Court Seal)

By the Court,


Judge of Probate.

State of Minnesota,

County of Stearns

Probate Court,

In the Matter of the Estate of
Mary A. Trebtoke, also known
as Mary A. Trzebiatowski,

Decedent.

Order Granting Administration

Filed the 2nd day of

June 19 44

Recorded in Book 75 of orders

page 166.

Frank Herzog
Clerk Judge of Probate.

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of
Mary A. Trebtsoske, also known as
Mary A. Trzebiatowski,

Decedent.

LETTERS OF ADMINISTRATION

John Trebtsoske

having filed in this Court his bond and oath to act as administrator of said estate, as by law provided;

Now therefore, the said John Trebtsoske

is hereby appointed administrator of the estate of Mary A. Trebtsoske, as aforesaid,
decendent, with full powers and duties as follows:

First. To take possession of all the real and personal estate of the decedent which shall not be set aside for the surviving spouse or children of decedent and to collect all debts and claims due to said decedent.

Second. To receive the rents and profits of the real estate until the estate is settled or until delivered over by an order of the Probate Court to the heirs or persons thereunto entitled.

Third. To keep in tenantable repair all houses, buildings and fixtures of said real estate which may be under his control, and to pay all taxes legally levied on said real estate.

Fourth. To maintain any necessary action for the possession of said real estate or quieting title to the same.

Fifth. Within one month hereafter to make and return a verified inventory and appraisalment of all the real and personal estate of decedent which shall have come to his possession or knowledge.

Sixth. To pay the funeral expenses, and expenses of the last sickness and all just debts of said decedent that shall be proved and allowed herein, to settle and compound the same, and to make defense against any claims that are not just and proper to be allowed.

Seventh. To obey all orders of the Court herein and settle for and account for the property of the decedent within the time prescribed by the Court.

Dated June 3rd, 1944 By the Court,



J. H. H. H. H.
Judge of Probate

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 of Adminis-
tration 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 the seal of said Court, at _____

_____ day of _____, A. D. 19 _____.

Judge of Probate.

IN PROBATE COURT

In the Matter of the Estate of

Mary A. Trebtoske

LETTERS OF ADMINISTRATION

Filed this 3rd day of
June, 19 44 and
recorded in Book _____ of Letters
on page 228
Frank Neryog
Clerk-Judge of Probate.

State of Minnesota, } ss.
County of Stearns

IN PROBATE COURT.

In the Matter of the Estate of }
Mary A. Trebtsoske, also known as }
Mary A. Trzebiatowski, }
Decedent.

BOND

Know All Men by these Presents, That we John Trebtsoske

of the City of St. Cloud

in the County of Stearns

State of Minnesota, as principal, and

Charles E. Trebtsoske, of the City of Brainerd, Crow Wing County,

Minnesota and Roy Benn, St. Cloud, Stearns County, Minn., of said County and State,

as sureties, are held and firmly bound to Hon. E. J. Ruegemar

Judge of Probate of the County of Stearns

Minnesota, in the sum of

Five Hundred and no/100 (\$500.00) - - - - - DOLLARS,

lawful money of the United States, to be paid to the said Judge of Probate or his successors in office for which payment, well and truly to be made, we bind ourselves, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounden John Trebtsoske

, who has been appointed representative of the estate of the above named Mary A. Trebtsoske shall well and faithfully discharge all the duties of his trust as representative of said estate according to law, then this obligation shall be void; otherwise it shall be and remain in full force and virtue.

Witness, our hands and seals this 2nd day of June, A. D. 1944

Signed, Sealed and Delivered in Presence of

Josephine Busch
Howard I. Donohue

John Trebtsoske (SEAL)
Charles E. Trebtsoske (SEAL)
Roy Benn (SEAL)
(SEAL)
(SEAL)

ACKNOWLEDGMENT

State of Minnesota, } ss.
County of Stearns

Be It Known, That on this 2nd day of June, A. D. 1944

personally appeared before me John Trebtsoske, Charles E. Trebtsoske, and Roy Benn

to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

Howard I. Donohue
HOWARD I. DONOHUE
Notary Public, Stearns County, Minn.
My Commission Expires Oct. 23, 1946

My Commission Expires 19 County, Minn.

JUSTIFICATION

State of Minnesota,

County of Stearns

} ss.

Charles F. Trebtoke

of

Brainerd, Minnesota

and Roy Benn

of

St. Cloud, Minnesota

being duly sworn, each for himself says that he is one of the sureties described in and who executed the foregoing bond; that he is a resident and freeholder of the State of Minnesota, and is worth the amount of \$500.00 specified in the foregoing bond above his debts and liabilities and exclusive of his property exempt from execution.

Charles F. Trebtoke

Roy Benn

Subscribed and sworn to before me this

2nd

day of

June

19 44.

Notary Public,

HOWARD I. DONOHUE

Notary Public, Stearns County, Minn.

My Commission Expires Oct. 23, 1946

County, Minnesota.

My Commission Expires

APPROVAL

I do hereby approve the within Bond, this

3rd

day of

June

A. D. 19 44

(Court Seal)

Howard I. Donohue

Judge of Probate.

OATH

State of Minnesota,

County of Stearns

} ss.

I,

John Trebtoke

do swear that I will faithfully and justly perform all the duties of the office and trust which I now assume as Representative of the estate of Mary A. Trebtoke, also known as Mary A. Trzebiatowski to the best of my ability. So help me God.

Subscribed and sworn to before me this

2nd

day of

June

A. D. 19 44

Notary Public, Stearns County, Minn.

Notary Public.

My Commission Expires Oct. 23, 1946

My Commission Expires

19

County, Minn.

State of Minnesota.

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mary A. Trebtoke, also known
as Mary A. Trzebiatowski,
Decedent—Ward

BOND AND OATH OF
REPRESENTATIVE

Filed this

3rd

day of

June

19 44

and said Bond recorded in Book

X

of Bonds, page 273 of Probate
Records.

Frank Herzog

Clerk—Judge of Probate.

No. 3591 *

State of Minnesota,
County of Stearns } ss.

13,262
IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF
Peter August Illies
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 Sauk Centre in the County of Stearns State of Minnesota, and is an adult and is interested in the estate of decedent in this, to-wit: spouse and sole legatee and devisee

SECOND—That said decedent was born in the County of Stearns (Meire Grove) and died at Sauk Centre County of Stearns, State of Minnesota, on the 4th day of December, 1944, aged 73 years and was at the time of his death a native of Minnesota, United States of America and a citizen of the Country of U. S. A. and a resident of Sauk Centre 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 personal property of the estimated value of \$ none divided as follows:

- | | |
|--------------------------|-------------------------------|
| 1. Household goods, - \$ | 2. Wearing apparel, - - \$ |
| 3. Stock, - - - \$ | 4. Notes, bonds, etc., - - \$ |
| 5. Miscellaneous, - \$ | 6. <i>half interest</i> \$ |

That said estate also included real estate of the estimated worth and probable value of \$ 2700.00 1.00 0 situated in Village of Elrosa in said County of Stearns State of Minnesota, to-wit:

1. Homestead in County, Minnesota, as follows:

A. City Property

(Give Area)

(or)

B. Rural Property

(Give Area)

2. Real Estate other than Homestead:

A. City Property	Lots without Buildings	\$ 1000.00
City Property 2	Lots with Buildings	\$ 2700.00
B. Rural Property	Acres improved land	\$
Rural Property	Acres unimproved land	\$

FIFTH—That the probable amount of debts of decedent is \$ 500.00, consisting of funeral bills and expenses of administration of estate

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

NAME	AGE	RELATIONSHIP	POST OFFICE ADDRESS
John Casper Illies	adult	son	Elrosa, Minn.
Mary Josephine Gettel	"	daughter	Lidgewood, N. Dak.
Anna Kathrina Mueller	"	"	5222 42nd Ave. So. Minneapolis Minn.
Kathrina Elisabeth Mueller	"	"	Menomen, Minn.
Gerhard Henry Illies	son	son	Sauk Centre, Minn.
Bernard Illies	"	"	4141 32nd Ave. So., Minneapolis Minn.
William Alois Illies	"	"	Route 10, Minneapolis, Minn.
Michael Henry Illies	"	"	Long Prairie, Minn.
Mary Magdalen Illies	daughter	daughter	Sauk Centre, Minn.
Sister Cyril, O.S.B. (formerly Ann Eleanore Illies)	"	"	St. Joseph, Minn.
Mary Kathrina Gettel	"	"	Sauk Centre, Minn.
Anna Maria Illies	"	spouse	Sauk Centre, Minn.

SEVENTH—That Anna Maria Illies whose Post Office address is is named in said Will as executor thereof and is a suitable and competent person to be executor of said Will.

WHEREFORE, Your petitioner prays that said last Will and Testament be allowed and admitted to probate; and that said Anna Maria Illies be appointed executor thereof; and that, upon due qualification as provided by law, letters testamentary be issued to the said Anna Maria Illies

Dated May 9, 1944

Anna Mary Illies
Petitioner.

State of Minnesota,

County of Stearns

ss.

Anna Maria Illies

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.

Anna Mary Illies

Subscribed and sworn to before me this 9th day of May, 1944

Gerald D. Shiveley

Notary Public Gerald D. Shiveley, Notary Public, Stearns Co., Minn. County, Minnesota.

My Commission expires July 21, 1946

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Peter August Illies
Decedent.

Petition for Allowance
and Probate of Will

Selection of Newspaper

To the Judge of said Court:

Please cause the notices in said estate to

be published in the

Sauk Centre Herald

(Here insert name of newspaper)

Gerald D. Shiveley

(Sign your name here)

Filed this 11th day of

May, 1944

Frank H. Meyer

Clerk - Probate Judge.

No. 3014

Printer's Affidavit of Publication. (Chapter 128, Laws of 1939.)

Order for Hearing on Petition for Probate of Will, Limiting Time to File Claims and For Hearing Thereon.
STATE OF MINNESOTA, County of Stearns, ss.

IN PROBATE COURT
File No. 13,242
In Re Estate of Peter August Illies, Decedent.

Anna Mary Illies having filed a petition for the probate of the Will of said decedent and for the appointment of Anna Maria Illies as Executrix, which Will is on file in this Court and open to inspection;

IT IS ORDERED, That the hearing thereof be had on Friday the 9th day of June, 1944, at nine o'clock A.M., before this Court in the probate court room in the court house in the City of St. Cloud, Minnesota, and that no objections to the allowance of said Will, if any, be filed before said time of hearing; that the time within which creditors of said decedent may file their claims be limited to four months from the date hereof, and the claims so filed be heard on Friday, September 15th, 1944, at nine o'clock A.M., before this Court in the probate court room in the court house in the City of St. Cloud, Minnesota, and that notice hereof be given by publication of this order in the Sauk Centre Herald, a legal newspaper, and by mailed notice as provided by law.
Dated May 11th, 1944.

E. J. Ruegemer,
Probate Judge.
(Probate Court Seal)
Gerald D. Shively, Esq.,
Sauk Centre, Minnesota.
Published May 18, 25, June 1, 1944.

STATE OF MINNESOTA, }
COUNTY OF STEARNS } ss

E. J. Ruegemer
herein stated has been the Manager of the newspaper known as Sauk Centre Herald, and has full knowledge of the facts hereinafter stated; that for more than one year

prior to the publication therein of the *Order for Hearing on Petition for Probate of Will*

hereinafter described, said newspaper was printed and published in the City of Sauk Centre, in the County of Stearns, State of Minnesota, on Thursday of each week; that during all said time said newspaper has been printed in the English language from its known office of publication within the City from which it purports to be issued as above stated and in newspaper format and in column and sheet form equivalent in space to at least 450 running inches of single column, two inches wide; has been issued Thursday each week from a known office established in said place of publication and employing skilled workmen and the necessary material for preparing and printing the same; that the press work on that part of the newspaper devoted to local news of interest to the community it purports to serve has been done in its known office of publication; that during all said time in its makeup not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that during all said time it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and advertisements; has been circulated in (240) copies regularly delivered to paying subscribers and has entry as second class matter in its local postoffice; and that there has been on file in the office of the County Auditor of Stearns County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the *Order for Hearing* hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week, for *three*

successive weeks; that it was first so published on Thursday the *18* day of *May* 19 *44*; and thereafter on Thursday of each week to and including the

25th day of *June* 19 *44*; and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:
abcdefghijklmnopqrstuvwxyz - Six Point
abcdefghijklmnopqrstuvwxyz - 7 Point

Subscribed and sworn to before me this *6th* day of *June* 19 *44*

Gerald D. Shively
Notary Public, Stearns County, Minnesota.
My commission expires *July 11, 1946*

0025 0758

13.262

Affidavit of Publication
of

Sauk Centre Herald

Of Hearing on Will

Peter August Elias

FILED THIS 9th DAY
OF June A.D. 1944
Frank Herzog
Clerk of Probate

6560 5200

State of Minnesota

IN PROBATE COURT

County of Stearns

} ss.

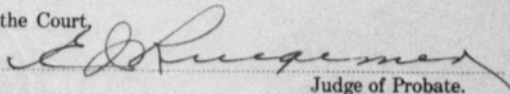
IN the Matter of the Estate of Peter August Illies Deceased

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

IT IS ORDERED, That the said Anna Maria Illies give bonds to the Judge of this Court in the sum of Five Hundred and no/100 - - - - (\$500.00) - - - - 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 be to her issued.

Dated at St. Cloud Minnesota, the 9th day of June A. D. 1944.

By the Court,


Judge of Probate.

Gerald D. Shively, Esq.,

Attorney for Petitioner.

Paynesville, Minnesota

0025 0760

No. 13,2626

IN PROBATE COURT

County of Stearns

In the Matter of the Estate of

Peter August Illies

Deceased.

Order for Executor's Bond

Filed this 9th day of
June A. D., 1944, and
recorded in Book of Orders, on
page .

Frank Herzog

Clerk—~~Judge~~ of Probate.

No. 3540*

0025 0761

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT.

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

Peter August Illies

Proof of Will

Decedent.

State of Minnesota, }
County of Stearns } ss.

Henry J. Sauer

, 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 22nd day of

May A. D. 1929, and purporting to be the Last Will and Testament of

Peter August Illies

of the County

of Stearns and State of Minnesota now here presented

for probate; that this deponent, Henry J. Sauer, knew

and was well acquainted with the said Decedent, in his lifetime and at the time of death, that on the day

and date of said instrument, to-wit, the 22nd day of May

A. D. 1929, 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

Dr. Walfred Johnson

the other subscribing witness thereto, and that deponent and the said

Dr. Walfred Johnson

the other subscribing witness did then and there, in the presence of the said decedent, and at his request, severally subscribe said instrument as witnesses 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 deponent's knowledge, and as he verily believes.

And further deponent saith not.

Subscribed and sworn to before me this

9th day of June A. D. 1944

J. H. Bremer
Judge of Probate.

Henry J. Sauer

No. 13,262

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE LAST WILL AND
TESTAMENT OF

Peter August Illies
Decedent.

TESTIMONY OF

Henry J. Sauer
Subscribing Witness to Will.

Taken, sworn, subscribed and filed this

9th day of

June 19 44

Frank Herzog
Clerk Judge of Probate.

No. 3545*



0025 0763

LAST WILL AND TESTAMENT

I, Peter August Illies of Sauk Centre, County of Stearns and State of Minnesota, being of sound mind and memory, do make, ordain, publish and declare this to be my last Will and Testament:

FIRST, I order and direct that my Executrix hereinafter named, pay all my just debts and funeral expenses as soon after my decease as conveniently may be.

SECOND, after the payment of such funeral expenses and debts, I give, devise and bequeath unto my wife ANNA MARIA ILLIES, all the property, real and personal, and effects of every name and nature which I now have, may die possessed of, or may be entitled to, her heirs and assigns forever, having in mind at this time all my children as follows:

JOHN CASPER ILLIES
MARY JOSEPHINE GETTEL
ANNA KATHRINA MUELLER
KATHRINA ELISABETH MUELLER
GERHARD HENRY ILLIES
BERNARD ILLIES
WILLIAM ALOIS ILLIES
MICHAEL HENRY ILLIES
MARY MAGDELEN ILLIES
SISTER CYRIL, O.S.B.
(formerly ANNA ELEANORE ILLIES)
MARY KATHRINA GETTEL, deceased, and
her heirs.

THIRD, I do by this, my last Will, dispose of the custody and tuition of my children, who shall be minors at and after my decease, during their minority, to my wife ANNA MARIA ILLIES, and do hereby appoint her their Guardian.

FOURTH, I do hereby make, constitute and appoint my wife, ANNA MARIA ILLIES, sole Executrix of this, my last Will and Testament, and it is my wish, and I do hereby request, that she may not be compelled to give any bond or security as such Executrix, or as Guardian, and that she may settle the estate in her own way, and sell any or all of the real or personal estate, at public or private sale, as she may think best, and pay the debts without being compelled to account to the Probate or any other Court; and I do hereby revoke all and every former Will by me made.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal this twenty second day of May in the year of our Lord one thousand nine hundred twenty nine.

Peter August Illies
(SEAL)

THIS INSTRUMENT was on the day of the date thereof, signed, published and declared by the said Testator PETER AUGUST ILLIES to be his last Will and Testament, in our presence, who, at his request, have subscribed our names thereto as witnesses, in his presence and in the presence of each other.

Henry J. Sauer residing at Sauk Centre, Minnesota.

Walter B. Johnson residing at Sauk Centre, Minnesota.

State of Minnesota,
COUNTY OF Stearns

In Probate Court
CERTIFICATE OF PROBATE

IN THE MATTER OF THE ESTATE OF Peter August Illies 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 Peter August
Illies Decedent, late of said County of Stearns
bearing date the 22nd day of May 1929, 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 Peter August Illies
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

June

19 44.

E. J. Hughes
Judge of Probate.

0025 0765

State of Minnesota, }
County of Stearns }

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Peter August Illies

Decedent.

Certificate of Probate of Will

Filed this 9th day of
June 19 44, and recorded,

together with the will attached in Book
K of Records of Wills, Page 547

Frank Henry
Clerk ~~Notary~~ of Probate.

9910 5200

State of Minnesota,
County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Peter August Illies

Decedent

Order Admitting Will to Probate

The above entitled matter came on to be heard on the 9th day of June 19 44

upon the petition of Anna Maria Illies

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 11th day of May 19 44 has been duly served and published as directed therein and required by law.

SECOND—That said decedent died on the 4th day of December 19 43, and at the time of his death was a resident of Sauk Centre 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:

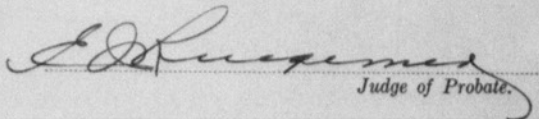
Henry J. Sauer

~~and~~ 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 June 9th, 19 44


Judge of Probate.

13,2626

State of Minnesota, }
County of Stearns }
PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Peter August Illies
Decedent.

Order Admitting Will to Probate

Filed this 9th day of
June 19 44, and recorded
in Book " 50 " of Orders, Page 580
1 *Frank Herzog*
Clerk Judge of Probate.

No. 3541*

8940 5200

State of Minnesota, } ss.
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Peter August Illies

Decedent.

LETTERS TESTAMENTARY

To **Anna Maria Illies**

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, within ^{one month} ~~thirty days~~ 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 expense 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 9th day of

June 1944

{ COURT
SEAL }

[Signature]
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 _____

Judge of Probate Court.

No. 13,262

State of Minnesota, }
County of Stearns } ss.

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Peter August Illies

LETTERS TESTAMENTARY [Long Form]

Filed this 9th day of
June 1914, and Recorded
in Book "11" of Letters, Page 172

1 *Frank Kerpner*
Clerk ~~of~~ of Probate Court.

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Peter August Illies }

BOND

Know All Men by these Presents, That we Anna Maria Illies

of Sauk Centre

in the County of Stearns

State of Minnesota, as principal, and

Michael Henry Illies and Mary Magdalen Illies

of said County and State,

as sureties, are held and firmly bound to Hon. E. J. Ruegamer

Judge of Probate of the County of Stearns, Minnesota, in the sum of

-----Five Hundred----- DOLLARS,

lawful money of the United States, to be paid to the said Judge of Probate or his successors in office for which payment, well and truly to be made, we bind ourselves, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounden Anna Maria Illies

, who has been appointed representative of the estate of the above named Peter August Illies shall well and faithfully discharge all the duties of his trust as representative of said estate according to law, then this obligation shall be void; otherwise it shall be and remain in full force and virtue.

Witness, our hands and seals this 9th day of May, A. D. 19 44

Signed, Sealed and Delivered in Presence of

Betty Schombhoff
Gerald D. Shively

Anna Maria Illies (SEAL)
Michael Henry Illies (SEAL)
Mary Magdalen Illies (SEAL)
(SEAL)
(SEAL)

ACKNOWLEDGMENT

State of Minnesota, }
County of Stearns } ss.

Be It Known, That on this 9th day of May, A. D. 19 44,
personally appeared before me Anna Maria Illies, Mary Magdalen Illies and Michael
Henry Illies

to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

Gerald D. Shively
Notary Public.

My Commission Expires

July 21, 19 46

Stearns County, Minn.

JUSTIFICATION

State of Minnesota, } ss.
County of Stearns

Michael Henry Illies of Long Prairie, Minn.
and Mary Magdalen Illies of Sauk Centre, Minn.

being duly sworn, each for himself says that he is one of the sureties described in and who executed the foregoing bond; that he is a resident and freeholder of the State of Minnesota, and is worth the amount of \$ 500.00 specified in the foregoing bond above his debts and liabilities and exclusive of his property exempt from execution.

Michael Henry Illies
Mary Magdalen Illies

Subscribed and sworn to before me this 9th day of May, 1944.

Gerald D. Shively

Notary Public,
County, Minnesota.
My Commission Expires July 21, 1946

APPROVAL

I do hereby approve the within Bond, this 9th day of June, A. D. 1944

J. H. Ruessener
Judge of Probate.

(Court Seal)

OATH

State of Minnesota, } ss.
County of Stearns

I, Anna Maria Illies
do swear that I will faithfully and justly perform all the duties of the office and trust which I now assume as Representative of the estate of Peter August Illies to the best of my ability. So help me God.

Anna Maria Illies

Subscribed and sworn to before me this 9th day of May, A. D. 1944

Gerald D. Shively
Notary Public.

My Commission Expires 19
Gerald D. Shively, Notary Public, Stearns Co., Minn.
My Commission Expires July 21, 1946

13262

State of Minnesota.

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Peter August Illies
Decedent - Will

BOND AND OATH OF REPRESENTATIVE

Filed this 9th day of June 1944
and said Bond recorded in Book 380 of Bonds, page 380 of Probate Records.

Frank Wenzel
Clerk - Judge of Probate.

No. 13,262

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Peter August Illies

Decedent

Order Appointing Appraisers

Filed September 30th, 1944

Frank Meszog
Probate ~~Judge~~ Clerk.

0025 0774

State of Minnesota,
County of Stearns

IN PROBATE COURT

File No. 13,262

In the Matter of the Estate of

Peter August Illies

Decedent.

INVENTORY AND APPRAISAL

Date of Death Dec. 4, 1943

OATH OF APPRAISERS

State of Minnesota,
County of Stearns

ss.

I, A. E. Cordell, and

Wenzel Menzhuber

do solemnly swear that I will honestly, faithfully and impartially perform all the duties of the office and trust which I now assume as appraiser of the estate of Peter August Illies, decedent to the best of my ability, So Help Me God.

Subscribed and sworn to before me this 29th
day of September, 1944

Genard D. Shively
Notary Public, County, Minn.

My commission expires July 21, 1946.

(SEAL)

INVENTORY AND APPRAISAL

The undersigned representative of the estate of the above named decedent, represent and show 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, consisting of _____ acres in area described as follows, to-wit: (give acreage)	Specify Encumbrances and Respective Amounts	Net Value Over Encumbrances
NONE		
(b) All other real estate of decedent being in the County of STEARNS, State of Minnesota, described as follows, to-wit: Undivided one-half (1/2) interest in and to the south three (S 3) feet of Lot numbered Nine (9) and all of Lots numbered Ten (10) and Eleven (11) in Block numbered Two (2) of the Village of Elrosa, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for said County	none	\$ 750.00

FORWARDED

8025 0775

9110 5200

	Specify Encumbrances and Respective Amounts	Net Value Over Encumbrances
Brought Forward		\$
Total Net Value of Real Estate		\$ 750.00
Class II—Furniture and Household Goods:		
	\$	\$
Total Value of Furniture and Household Goods		\$
CLASS III—Wearing Apparel		
	\$	\$
Total Value of Wearing Apparel		\$
CLASS IV—Corporation Stock		
	\$	\$
Total Value of Stock		\$

CLASS V—Mortgages, Bonds, Notes and other written Evidences of Debt: (Show encumbrances, if any)			Appraised Value

(Here list any written obligations of any kind due and owing decedent, with interest rate and maturity, also book and page of record of Mortgages)	Interest to Date of Death	Principal	Appraised Value of Principal & Interest
	\$	\$	\$
Total Value of Mortgages, Bonds, Notes, etc.			\$

CLASS VI—All other Personal Property:

[illegible]

SUMMARY

SUMMARY

The total value of all the real estate of decedent, as valued by the appraisers herein, is	-	-	\$	750.00
The total value of all the personal property of decedent, as valued by the appraisers herein, is	\$			750.00
The total value of the entire estate of decedent, as valued by the appraisers herein, is	-	-	\$	

Respectfully submitted,

The total value of all the personal property of decedent, as valued by the appraisers herein, is - - \$ 750.00

The total value of the entire estate of decedent, as valued by the appraisers herein, is - - \$

Respectfully submitted,

Respectfully submitted,

Representative

Note: If estate is over \$10,000.00 or subject to Inheritance Tax, make this in triplicate and file in Probate Court.

0025 0777

VERIFICATION

State of Minnesota,

County of Stearns

ss.

Anna Mary Illies

being duly sworn, on oath say that she is the representative of the estate above specified; that she has read the foregoing inventory subscribed by her and knows the contents thereof and that the same is a true and correct inventory of all of the estate of the decedent that has come to her possession or knowledge.

Subscribed and sworn to before me this 30th

day of September, A. D. 1944

Notary Public,

Gerald D. Shively, Notary Public, Stearns County, Minn.

My commission expires July 23, 1946

(SEAL)

Anna Mary Illies

Representative

CERTIFICATE OF APPRAISERS

State of Minnesota,

County of Stearns

We, the undersigned appraisers, duly appointed by the

Probate Court of Stearns

County, Minnesota, to appraise the estate of

Peter August Illies

Decedent, having first duly taken and subscribed

the oath prescribed by law and hereto annexed, hereby certify and return, that we have carefully examined and considered the inventory of said estate delivered to us by the representative of said estate and the property therein described, and have faithfully and impartially and to the best of our knowledge and ability, appraised the said property, and set down opposite each item thereof in figures the value thereof in money, and have footed up by itself the amount and value of each class of said property, and of the whole of said estate.

Dated this 30th day of September, A. D. 1944

Karl Menzinger

J. N. Cordell

Appraisers.

File No. 13,262

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Peter August Illies

Decedent.

Inventory and Appraisal

Total Personal	- \$
Total Real Estate	- \$ 750.00
Total Appraisal	- \$ 750.00

Due service of the within inventory and

appraisal is hereby admitted this

day of 19

Deputy-Treasurer of
County, Minnesota.

Filed this 13th day of

October, A. D. 1944

Gerald D. Shively
Probate Judge-ClerkGERALD D. SHIVELY
Attorney-at-Law
Sauk Centre, Minn.

No. 3387*

STATE OF MINNESOTA

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Peter August Illies

Decedent

INHERITANCE TAX RETURN

Date of death Dec. 4, 1943

GENERAL INSTRUCTIONS

This return must be filed with the Probate Court, at or before the time of filing the inventory, by the representative of the estate of every person whose death occurred after April 20, 1939.

All questions must be answered. Where space is insufficient for giving the complete information required, separate sheets should be attached, appropriately marked and referred to by letter or number.

If the estate is, or may be, taxable the return must be made in duplicate and one copy must be delivered to the Commissioner of Taxation under the direction of the Probate Court.

Name and address of the attorney for the estate must appear on the face of the return.

Below appear excerpts from Chapter 338, Session Laws of Minnesota for 1939, amending Mason's Minnesota Statutes of 1927, Section 2295 and Section 2304, relating to Inheritance Tax Return.

"2295 (2). Every representative shall, at the time of filing the inventory as required by law, file with the Probate Court a return under oath, in such form as may be prescribed by the attorney general, of all property within his knowledge and the value thereof at the date of the decedent's death, (a) which the decedent has at any time transferred and which is or may be subject to an inheritance tax, (b) which the decedent held in joint tenancy, (c) which was subject to the exercise of a power of appointment by the decedent. The return shall also contain a list of all policies of insurance on the life of the decedent payable to named beneficiaries, and the amounts thereof, if the total amount thereof exceeds \$32,500."

"2304 (2). In all estates where it appears from the inventory, appraisal and return that an inheritance tax may be imposed, the representative shall, upon the filing thereof, under direction of the court, deliver a copy of each, and of the petition, and will, if any, to the attorney general."

(Note:—Chapter 431, Laws of Minnesota for 1939, transfers duties of attorney general relating to inheritance taxation to the Commissioner of Taxation.)

ALL QUESTIONS ON THIS PAGE MUST BE ANSWERED

INSTRUCTIONS FOR SCHEDULE I

Property held in Joint Tenancy

All personal property of every kind, wherever situated, and all real property situated in Minnesota, held in joint tenancy by the decedent and any other person or persons must be included in Schedule I. If the survivor furnished any part of the consideration the amount and nature of the consideration should be stated. If the property was acquired by the decedent and the survivor as joint tenants, by gift, bequest, devise or inheritance, that fact should be stated. The full value of the property held in joint tenancy should in all cases be given. *Identify the homestead, if any, as such.*

Did the decedent, at the time of his death, own any real or personal property as a joint tenant with the right of survivorship?

Ans. Yes or No..... No

INSTRUCTIONS FOR SCHEDULE II

Insurance and Annuities

Schedule II must state all life or accident insurance taken out by decedent and payable on the death of the decedent, to named beneficiaries, where the total amount of insurance payable to named beneficiaries exceeds \$32,500. Insurance payable to the estate of the decedent, whether by the terms of the policy or by reason of the death of the named beneficiary, should be included in Schedule II regardless of the total amount of the insurance payable to named beneficiaries. If any policy was payable only by installments state the terms of the policy with respect to the amount and duration of payments. Schedule all annuities owned by decedent which had a commuted or cash refund value on death.

1. Did the decedent, prior to his death, take out policies of life insurance, payable to named beneficiaries, aggregating in excess of \$32,500?

Ans. Yes or No..... No

2. Did the decedent, at his death, have any life insurance payable to his estate?

Ans. Yes or No..... No

3. Did the decedent at the time of his death own any annuities which had a commuted or cash refund value?

Ans. Yes or No..... No

INSTRUCTIONS FOR SCHEDULE III

Transfers by the Decedent

Schedule III must describe all property which the decedent has at any time transferred and which is, or may be, subject to an inheritance tax. This includes all transfers: (a) In contemplation of death; (b) Intended to take effect in possession or enjoyment at or after death; (c) In trust, where the income, or any part thereof, or the power of revocation, is reserved to the donor.

If the transfer was by deed, give the date of execution and of recording. If the transfer was in trust or to an insurance company for the purchase of an annuity, attach a copy of the instrument or contract and give the age and relationship of all beneficiaries.

1. Did the decedent make any transfer described in the foregoing instructions?

Ans. Yes or No..... No

2. Did the decedent, within two years immediately prior to his death, make any transfer of a material portion of his property, without adequate and full consideration in money or moneys worth, in trust or otherwise?

Ans. Yes or No..... No

3. Did the decedent, at any time, make a transfer of an amount of \$2500.00 or more, without an adequate and full consideration in money or moneys worth, which the representative believes is not subject to an inheritance tax?

Ans. Yes or No..... No

If the answer to question 3 is "Yes" state the date, description of property, value, character of transfer, and motive for making the transfer:

4. Were there in existence at the time of decedent's death any trusts created by him during his lifetime?

Ans. Yes or No..... No

INSTRUCTIONS FOR SCHEDULE IV

Powers of Appointment

Under Schedule IV should be stated all property which the decedent at any time held subject to a power of appointment vested in him either by will or by any other instrument. A copy of the instrument granting the power of appointment should be attached and also a copy of the instrument exercising the power of appointment, if not a will previously filed for probate. The return must include all property held subject to a power, whether or not the power was exercised.

If decedent at any time held property subject to a power of appointment prepare a schedule headed "Schedule IV" and give the following information: (1) Date of instrument creating power; (2) Type of instrument creating power; (3) Description of property; (4) Person to whom appointed and relationship to decedent; (5) Estimated value at date of death; (6) If real property county assessor's true and full value at date of death.

1. Did the decedent have power of appointment over any real estate in Minnesota or of any personal property?

Ans. Yes or No..... No

2. Did decedent exercise power of appointment?

Ans. Yes or No..... No

AFFIDAVIT

I, the undersigned representative of the estate of the above named decedent do hereby swear that I have carefully examined the foregoing return, including the separate sheets attached, if any, and that, to the best of my knowledge, information and belief, herein is listed all of the property required by law to be included in said return; that all questions have been truly answered; that I have no knowledge of any transfers required to be included in this return except as stated; and that to the best of my knowledge, information and belief the values shown in the foregoing schedules are the true and full values as of the date of the decedent's death; and that all statements made herein are true and correct.

(Signature) Anna Mary Illies
(Address) Sauk Centre, Minn.

Subscribed and sworn to before me this

2nd day of

October, 1944.

Gerald D. Shiveley
Gerald D. Shiveley, Notary Public, Stearns Co., Minn.
My Commission Expires July 21, 1946

0025 0781

August 5, 1939.

Form approved by G. Howard Spaeth
Commissioner of Taxation of Minnesota
By Franklin B. Stevens, Director
Division of Inheritance and Gift Taxes

File No. 13,262

STATE OF MINNESOTA

County of Stearns

Re: Estate of

Peter August Illies
Decedent.

INHERITANCE TAX RETURN

Filed

Oct. 3rd 1944

Frank B. Stevens

Clerk of Probate Court.

Name Gerald D. Shively

Address Sauk Centre, Minn.
Attorney.

0025 0182

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF Peter August Illies DECEASED

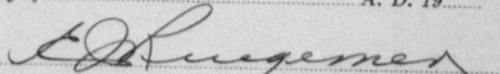
Whereas, It has been made to appear to the satisfaction of this Court that

Anna Maria Illies

as representative 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, funds and property to them awarded by said final decree, 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 representative

It is Therefore Ordered and Decreed, That said representative 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 9th day of February A. D. 1945


Judge of Probate.

Stearns

County, Minn.

0025 0783

No. 13,262

In Probate Court

County of Stearns

IN THE MATTER OF THE ESTATE OF

Peter August Illies

Deceased.

Order Discharging Executor or
Administrator and Sureties
(Chap. 289 Laws 1917)

Filed this 9th day of

February 19 45

Recorded in book 25 of orders at
page 538

Frank Henry
Clerk of Probate.

0025 0784

State of Minnesota, } ss.
County of Stearns }

IN PROBATE COURT.

In the Matter of the Estate of

Peter August Illies

Decedent.

ORDER ALLOWING FINAL ACCOUNT.

The above entitled matter came on to be heard on the 27th day of October, 1944, upon the petition of the representative of the above named estate praying for the allowance of his final account and for distribution of the residue of said estate.

The said representative appeared in person and by her attorney, Gerald D. Shively, Esq., and no one appeared in opposition.

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 2nd day of October, 1944, in the Sauk Centre Herald, proof of publication of said notice of hearing and service by mail having been 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 estate as described in the inventory	\$	
Personal estate omitted from the inventory	\$	
Gain by sales above appraised value	\$	
Cash from sales of real estate	\$	8.00
Cash from rent of real estate	\$	
Cash from interest and profits	\$	
Cash from other sources	\$	818.00
Contributed by widow for which no claim is made	\$	
	\$	826.00
Total receipts from all sources	\$	

DISBURSEMENTS AND CREDITS

Estate selected for surviving spouse	\$	
Maintenance of family of decedent	\$	135.50
Expenses of administration	\$	
Expenses of last sickness	\$	647.50
Funeral expenses	\$	43.00
Taxes	\$	
Claims of creditors of decedent	\$	
Legacies	\$	
	\$	
Residue on hand for distribution	\$	826.00
Total credits	\$	

4425 0785

No. 13,262

State of Minnesota,

County of Stearns

PROBATE COURT.

In the Matter of the Estate of

Peter August Illies

Decedent

Order Allowing Final Account.

Filed this 27th day of

October, 1944, and

recorded in Book No. 28 of Orders,

on Page 118

Frank McWey
Clerk-Judge of Probate.

No. 3508*

Dated

October 27th

, 1944

By the Court,

Probate Judge.

Third—That all taxes, including personal property taxes, 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.

9810 5200

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

File No. 13,262

IN THE MATTER OF THE ESTATE OF

Peter August Illies,

Decedent. }

Final Decree of Distribution

The above entitled matter came on to be heard on the 27th day of October, 1944, upon the petition of the representative of said estate for the distribution of the residue of said estate to the persons thereunto entitled.

The representative of said estate appeared in person and by attorney, Gerald D. Shively, Esq., and no one appeared in opposition thereto.

And the court having considered the evidence produced at said hearing, the arguments of counsel, and the files and records in said matter, finds the following facts:

FIRST—That notice of said hearing has been duly given and served as required by law and the order of this court for said hearing.

SECOND—That the said estate has been in all respects fully administered, and the expenses of the administration thereof and of the last sickness and burial of said decedent, and all claims allowed against said estate have been fully paid, and that said representative has filed her final account herein which has been settled and allowed by the Court. That all inheritance taxes determined by the Court to be due the State of Minnesota have been paid.

THIRD—That said decedent died testate on the 4th day of December, 1943, and at the time of his death decedent was a resident of the County of Stearns and State of Minnesota.

FOURTH—That the residue of the estate of said decedent for distribution consists of the following property, to-wit:

(A) Personal property of the value of \$ — — — — comprising of the following items:

None.

(B) Real property described as follows: The homestead of decedent situate in the County of.....
-----, State of Minnesota, described as follows, to-wit:

(C) Other tract..... of land lying and being in the County of..... Stearns.....
State of Minnesota, described as follows, to-wit:

An undivided one-half (1/2) interest in and to the South three (3) feet of Lot numbered Nine (9) and all of Lots numbered Ten (10) and Eleven (11) in Block numbered Two (2) of the Village of Elrosa, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for said County and State.

FIFTH—That the following named person Marion is the sole devisee and
legatee
of said decedent, and ~~Marion~~
of the person entitled to the residue of said estate of said decedent, to-wit:

Anna Maria Illies, surviving spouse of decedent.

NOW, THEREFORE, On motion of Gerald D. Shively, Esq.,
attorney for the
representative of said estate, and by virtue of the power and authority vested in this court by law, IT IS HEREBY
ORDERED, ADJUDGED AND DECREED, and the said court does hereby ORDER, ADJUDGE AND
DECREE, that all and singular the above described PERSONAL PROPERTY be, and the same hereby is, assigned to
and vested in the above named persons, in the following proportions and estates, to-wit:

Noen for assignment.

And that the title to the above described real estate.....
.....has passed to and is hereby assigned to and vested in the
above named persons in the following proportions and estates, to-wit:.....

All thereof to the said Anna Maria Illies, in fee simple,
absolutely and forever.

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances there-
unto belonging or in anywise appertaining, to the said above named person.....her.....heirs and assigns; with-
out prejudice, however, to any lawful conveyance of said property or any part thereof by said persons, or any of them,
heretofore made.

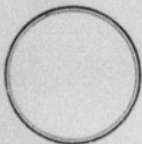
Dated at St. Cloud, Minnesota, this 27th day of October, 19 44



J. B. Kuennen
Probate Judge

State of Minnesota, } ss. PROBATE COURT
County of.....

I,.....of the Probate Court,
within and for said County, and Custodian of the Seal and Records of said Court, do hereby certify that I have com-
pared the foregoing copy of Final Decree of Distribution with the original record thereof preserved in this office and
have found the same to be a correct transcript of the whole thereof.



IN TESTIMONY WHEREOF, I have hereunto sub-
scribed my name and affixed the Seal of said Court, at.....

in said County, this.....day of.....19.....

.....of the Probate Court

File No. 13,262

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Peter August Illies

Decedent.

Final Decree of Distribution

Office of Register of Deeds,

State of Minnesota,

County of

I hereby certify that the within Instru-
ment was filed in this office for record on

the.....day of.....
19....., at.....o'clock.....M.
and was duly recorded in Book.....
of....., page.....

By.....Register of Deeds.
Deputy.

Transfer entered this.....
day of....., 19.....

By.....County Auditor.
Deputy.

Filed this 27th day of October
19 44, and recorded in Book 87
of Decrees, page 197

Frank H. Meyer
Probate Clerk.

13,263

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

In the Matter of the Guardianship of
Donald Peter Young
Minor

PETITION FOR APPOINTMENT
OF GUARDIAN OF MINOR.....

TO THE COURT ABOVE NAMED:

The petitioner herein represents and alleges:

First—That ^{her}~~his~~ address is 1017-17th, Ave. So. St. Cloud, Minnesota, and that ~~he~~^{she} is interested herein as follows, to-wit:

She is a sister of Mrs. Christina Young (deceased), and Aunt of Donald Peter Young,

Second—That the name....., age....., date....., and place of birth of said minor..... are as follows, to-wit:

Name Donald Peter Young Age 12

Date and Place of Birth

St. Cloud, Minnesota
Aug. 3rd. 1931

Third—That said minor Donald P. Young ^{ident} of Stearns County, Minnesota, and resides at Waite Park, Minn. in the County of Stearns and State of Minnesota in the custody of Now at home with his sister Rosceal Young.

Fourth—That the names and addresses of the parents (if parents are dead give information as to close adult relatives) of said minor..... are as follows:

Name	Relationship	Address
Mrs. Arthur Lambert,	Aunt	1017-17th, Ave. So.
Victor Young,	brother	Overseas
Walter Young,	"	"
Arthur Young,	"	"
Harold Young,	"	Sou. Pacific
Rosceal Young (age 19)	Sister	Waite Park, Minn.

Fifth—That said minor..... has no testamentary guardian, and that no proceedings are pending in any other Court of this State involving the care or custody of said minor..... or..... estate.

Sixth—That it is necessary and expedient that a _____ guardian of the estate _____ and person _____ of said minor _____ be appointed.
(Strike one if both are not desired)

Seventh—That the estimated value and general character of the property of said minor _____ are as follows, to-wit:

A. Personal Property of the estimated value, to-wit: - - - - - \$ None

1. Household goods - - - - - \$ None

2. Wearing apparel - - - - - \$ \$25.00

3. Corporate stock - - - - - \$ None

4. Notes and bonds - - - - - \$ None

5. Cash - - - - - \$ None

6. Miscellaneous - - - - - Expect an allotment from
\$ a brother.

B. Real Property of the estimated value, to-wit: - - - - - \$

1. Homestead in None County, Minnesota as follows:

a. City Property None
(Give area)

(or)

b. Rural Property None
(Give area)

2. Real Estate other than Homestead:

a. City Property Lots with buildings \$ None

City Property Lots without buildings \$ None

b. Rural Property acres improved land \$ None

Rural Property acres unimproved land \$ None

3. Rental value of said real property is - - - \$ None

Eighth—That the probable amount of debts of said minor _____ is \$ None

Ninth—That ~~XXXXXXXX~~ Mrs. Arthur Lambert _____ who is a resident of

Stearns _____ County, Minnesota, whose Post Office address is

1017-17th Avenue South _____, is a suitable and competent person to act as guardian

of said minor _____ and that his age is 12 years and his occupation is student

WHEREFORE YOUR PETITIONER PRAYS, That the Court appoint the said _____

Mrs. Arthur Lambert _____, or some other suitable and

competent person, to be the _____ guardian of the person and estate of the said
(Strike one if both are not desired)

Donald Peter Young

Dated May 9th, 1944.

Mrs. Arthur Lambert
Petitioner.

VERIFICATION

State of Minnesota, } ss.
County of Stearns

Mrs. Arthur Lambert 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 those matters therein stated on information and belief, and as to those matters she believes it to be true.

Mrs Arthur Lambert

Subscribed and sworn to before me this 9th
day of May 19 44

Notary Public Stearns County, Minnesota.

My Commission Expires 1-27-44

CONSENT OF GUARDIAN TO ACT

I, Mrs. Arthur Lambert of the city
of St. Cloud in the County of Stearns
State of Minnesota, do hereby consent to act as guardian of the
Donald Peter Young and estate of Donald Peter Young
during minority, if appointed such guardian by the Court.

Dated May 9th, 1944 19

Mrs Arthur Lambert

CONSENT OF PARENTS AND CUSTODIAN

I, or We, the parents and custodian of the above named minor, do hereby consent to the appointment of the guardian of the above named minor as herein petitioned for and waive notice of hearing thereon.

Father

Mother

Custodian

Subscribed and sworn to before me this
day of 19

Notary Public County, Minnesota.

My Commission Expires

File No. 13,263

State of Minnesota,
County of Hennepin

IN PROBATE COURT

In the Matter of the Guardianship of

Donald Peter Young
Minor

PETITION FOR APPOINTMENT
OF GUARDIAN OF MINOR

Filed May 12th 1944
Frank Kenyon
Probate Judge Clerk.

No. 3628*

0026 0794

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE GUARDIANSHIP OF

Donald Peter Young,
Minor. Ward.

Order Appointing Guardian

The above entitled matter came on to be heard and considered by the court on the 12th
day of May 19 44, upon the petition of Mrs. Arthur Lambert

praying that a guardian be appointed of the person and estate
of the above named Donald Peter Young; and the court, having
considered the said petition and the evidence adduced in support thereof, and examined the files and records in said
matter, finds the following facts, to-wit:

First—That notice of said hearing on said petition was given as required by law by the service of the order of
this court for said hearing upon said personally, more than fourteen days prior to said day of hearing.

Second—That said Donald Peter Young is a
resident of Waite Park in said County of
Stearns State of Minnesota; and is the owner of certain property described in
said petition.

Third—That said Donald Peter Young is unable
and incompetent to care for and manage his said property by reason of the facts and
disabilities following to-wit: that he is a minor.

Witness my hand and seal of office this 12th day of May 1944.

(1)

Fifth—That Mrs. Arthur Lambert whose Post
Office address is 1017-17th Ave. So., St. Cloud in the County of
Stearns State of Minnesota, is a suitable person to act as guardian
of said minor.

IT IS THEREFORE ORDERED, that the said Mrs. Arthur Lambert (Marie)
 be, and he hereby is, appointed guardian of the person and
 estate of said Donald Peter Young, and that before entering
 upon his duties as such guardian and before letters of guardianship be to her from issued, he
 take, subscribe and file in this court the oath by law required and give bond to the Judge of this Court in the penal sum
 of One Hundred and no/100 (\$100.00) - - - - - DOLLARS,
 with sufficient sureties and conditioned according to law, to be approved by this court.

(2)

Dated May 12th, 1944

E. J. Hughes
 Judge of Probate Court

NOTE (1) Insert conditions and need, if any, as to care, treatment, education, etc., under Sec. 3835 and 3836, Chap. 74 of Code.
 NOTE (2) Insert conditions, if any, as to care, treatment, maintenance, education, etc., under Sec. 3835 and 3836, Chap. 74 of Code.

13,263

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE GUARDIANSHIP OF

Donald Peter Young,
 Minor Ward.

ORDER APPOINTING GUARDIAN

Filed this 12th day of May 1944, and
 recorded in Book 85 of orders at
 page 117

Frank Herzog
 Clerk Judge of Probate.

State of Minnesota,
Stearns } ss.
County of _____

IN PROBATE COURT,

IN THE MATTER OF THE GUARDIANSHIP OF }

Donald Peter Young,
Minor Ward. }

Letters of Guardianship

To Marie Lambert

Greeting:

Whereas. You have been appointed Guardian of the person and estate of the above named ward, by the order of this Court, and have duly qualified according to law to act as such guardian.

Now Therefore. Reposing full faith and trust in your competency, ability and integrity, these Letters of Guardianship are issued to you by the Court, authorizing you to act as the guardian of the person and estate of the above named Ward, with full powers, duties and responsibilities incident to such trust according to law, during the disability of said Ward, or until the further orders of the Court in the premises.

As such Guardian, you are required to make and file in this Court a full and true inventory of all the property and estate of said Ward, within one month ~~three months~~ from the date hereof; to take possession and control of all the property and estate of said Ward, both real and personal, and the profits, emoluments and proceeds thereof, and safely keep, care for, manage, and conserve, invest and re-invest the same, as economically as possible; and, so far as necessary, apply the income and profits and personal property thereof to the suitable maintenance and support of said Ward and the payment of all the just debts of said Ward, if the same be sufficient therefor; and if the same be not sufficient, then out of the proceeds of the sale of real estate of said Ward, to be made under the order ~~decree~~ of this Court. And you are also authorized and required to collect, demand, sue for, and receive, all debts due said Ward, and to represent said Ward in all legal proceedings, and to compound debts due said Ward, with the approval of this Court, and discharge debtors so compounded with.

You are Further Required. At the end of each year of your said trust, and at such other times as the Court may require, and at the termination of your said trust to make and file in this Court full and true, accounts, with full itemized statements, of all property received by you and remaining in your hands, of all expenditures and investments made by you, and of what remains in your hands, with full details of the condition and value thereof; and at the termination of your said trust to turn over and to deliver to said Ward, or to his legal representatives, all property and estate of said Ward then remaining in your hands.

Witness the Honorable, E. J. Ruegamer

Judge of said Court, and the seal of said Court this 12th day of May, 19 44 E. J. Ruegamer
Judge of Probate.

Note (1) If guardian is appointed of the person of Ward also, insert provisions for custody, care of, education, etc., according to Sec. 7442, 7443, and 7444, Chapter 74 General Statutes of Minnesota, 1913.



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 of Guardianship 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 _____ this _____ day of _____, A. D. 19 _____

Probate Judge

13,263

State of Minnesota,

County of Searns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Donald Peter Young
Minor

Letters of Guardianship

Long Form

Filed this 12th day of May, 19 44, and recorded in Book 2 of Letters, Page 558

Frank H. Hays
Clerk of Probate.

No. 3024*

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Donald Peter Young, minor }

BOND

Know All Men by these Presents, That we Mrs. Magdalen Spiering,

of 1426 Kilian Bvd St. Cloud,

in the County of Sherburne

State of Minnesota, as principal, and

John Blonigen, 1416-6th, Ave. So. St. Cloud,

Stearns Co.

of said County and State,

as sureties, are held and firmly bound to Honorable E. J. Ruegemer

Judge of Probate of the County of Stearns

, Minnesota, in the sum of

\$100.00

(One hundred)

DOLLARS,

lawful money of the United States, to be paid to the said Judge of Probate or his successors in office for which payment, well and truly to be made, we bind ourselves, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounden Mrs. Arthur Lambert,

1017-17th, Ave. So. St. Cloud, Minn.

, who has been appointed representative of the

estate of the above named Donald Peter Young,

shall

well and faithfully discharge all the duties of his trust as representative of said estate according to law, then this obligation shall be void; otherwise it shall be and remain in full force and virtue.

Witness, our hands and seals this

11th, day of

May

, A. D. 19 44

Signed, Sealed and Delivered in Presence of

E. Sodergren
Magdalen Spiering

Mrs. Arthur Lambert (SEAL)
Mrs. Magdalen Spiering (SEAL)
John Blonigen (SEAL)
(SEAL)
(SEAL)

ACKNOWLEDGMENT

State of Minnesota,

County of Stearns } ss.

Be It Known, That on this

11th

day of

May

, A. D. 19 44

personally appeared before me Mrs. Arthur Lambert and Mrs. Magdalen Spiering and John Blonigen

to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

Ernest Sodergren

Notary Public.

My Commission Expires Sept 28

19 44

Benton

County, Minn.

ERNEST I. SODERGREN,
Notary Public, Benton County, Minnesota.
My Commission Expires Sept. 28, 1944.

JUSTIFICATION

State of Minnesota, }
County of Stearns } ss.

Magdalen Spiering of 1426 Kilian Evd, Sherburn County
St. Cloud, Minn.
and John Blonigen of 1416 6th. Ave. So. Stearns County
St. Cloud, Minn.
being duly sworn, each for himself says that he is one of the sureties described in and who executed the foregoing bond; that he is a resident and freeholder of the State of Minnesota, and is worth the amount of \$ 100.00 specified in the foregoing bond above his debts and liabilities and exclusive of his property exempt from execution.

Subscribed and sworn to before me this

11th day of May, 1944.

ERNEST J. SODERGREN,
Notary Public, Benton County, Minnesota,
My Commission Expires Sept. 28, 1944.

Ernest Sodergren
Notary Public, Benton

County, Minnesota.

My Commission Expires Sept 28, 1944

APPROVAL

I do hereby approve the within Bond, this

12th day of May, A. D. 1944

(Court Seal)

E. J. Sodergren
Judge of Probate

OATH

State of Minnesota, }
County of _____ } ss.

I, _____
do swear that I will faithfully and justly perform all the duties of the office and trust which I now assume as Representative of the estate of _____
to the best of my ability. So help me God.

Subscribed and sworn to before me this _____ day of _____, A. D. 19 _____

Notary Public.

My Commission Expires _____ 19 _____ County, Minn.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Donald Peter Young
Damascus - Wards

BOND AND OATH OF
REPRESENTATIVE

Filed this 12th day of

May, 1944

and said Bond recorded in Book X

of Bonds, page 561 of Probate
Records.

Frank Henry
Clerk - Judge of Probate.

STATE OF MINNESOTA }
COUNTY OF STEARNS } SS

IN PROBATE COURT

In the Matter of the Guardianship of }
Donald Peter Young, Minor Ward. }

ORDER DISCHARGING
GUARDIAN AND SURETIES

Marie Lambert was appointed guardian of the above entitled minor ward on the 12th day of May, 1944, and it appears from her final account filed herein on the 30th day of October, 1945, that no property of the ward has ever come into the hands of the guardian.

IT IS ORDERED, That the guardian, and the sureties on her bond, be, and they hereby are, discharged, and said guardianship is terminated.

Dated at St. Cloud, Minnesota, this 31st day of October, 1949.

By the Court:

Carl J. Meier
Judge of Probate



13,263

STATE OF MINNESOTA
COUNTY OF STEARNS
IN PROBATE COURT

In the Matter of the Guardianship
of Donald Peter Young, Minor

ORDER DISCHARGING GUARDIAN
AND SURETIES

Filed this 31st day of October,
1949, and recorded in Book 95

ON Page 440

Frank Herzog
Clerk of Probate

2088 9280

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE GUARDIANSHIP OF Donald Peter Young.

Ward

final

account

The undersigned guardian of the above named ward hereby render her
 of said guardianship, covering the period from the day of
 19 44 to the 31st day of October 1945, to-wit:

The following is an itemized statement of all property
 in the hands of the guardian at the date of last account, to-wit:

Clothes valued \$ 25.00

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The following is an itemized statement of all the property received by the guardian since the last
 account, to-wit:

None

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The Government sent the allotment checks direct to

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Mrs. Peter Gergen, 317-4th, Str. So. Breckenridge, Minn.

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Total Receipts

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The following is an itemized statement of all property expended since the date of the last account,
 to-wit:

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None

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Total Disbursements

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Receipts Less Disbursements or Amount on Hand

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