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## FINAL ACCOUNT AND PETITION FOR SETTLEMENT

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Maurice W. Cousineau, also known as  
M. W. Cousineau, DecedentFinal Account and Petition  
for Settlement

Date of death February 8, 1963

Your petitioner respectfully represents and shows to the court:

FIRST—That        he is the representative of the estate of the above named decedent.SECOND—That as such representative        he has fully administered the said estate, has paid and satisfied all claims against said estate allowed by the court, and has in all things complied with the orders of this court in said matter and with the law relating thereto.THIRD—That        he herewith renders his final account of his said administration, which is as follows, to-wit:

RECEIPTS	To be Filled in by the Representative	Not to be Filled in by the Representative
Personal property described in the inventory	\$ 70,501.65	\$
Personal estate omitted from the inventory	\$	\$
Gain by sales above appraised value	\$	\$
Cash from <del>sales of real estate</del> payments on real estate contracts	\$ 7,111.99	\$
Cash from <del>rent of real estate</del> interest on contracts, shown in Inventory	271.94	\$
Cash from interest and profits	\$ 1,603.29	\$
Cash from other sources	\$	\$
Social Security lump sum death benefit	\$ 359.00	\$
Dividends on corporate stock	\$ 1,316.89	\$
	\$	\$
	\$	\$
Total receipts from all sources	\$ 81,170.76	\$

## DISBURSEMENTS

## I. FAMILY

	Voucher Number		
Personal property selected by and turned over to surviving spouse		\$	\$
Maintenance of family of decedent		\$	\$
Total		\$ None	\$

## II. EXPENSES OF ADMINISTRATION

Loss from sales of personal property at less than appraised valuation	\$	\$
Cash paid to appraisers for services	\$ 50.00	\$
Cash paid for publication of orders	\$ 18.00	\$
Repairs to real estate	\$	\$
Cash paid for insurance	\$	\$
Expenses of representative	\$ 31.07	\$
Compensation of representative	\$	\$
Fees of Attorney	\$ 5,000.00	\$
Bond of Representative	\$ 920.00	\$
Certified copies (Probate Court) decree, and recording same	\$ 1.50	\$
Register of Deeds, recording	\$	\$
Expenses of ancillary proceedings in Canada,	\$ 1,513.62	\$
Charge for draft and discount on Canadian funds,	\$ 611.83	\$
Fees of notary for taking deposition	\$ 60.00	\$
Auditor's fee for preparing decedent's income tax returns for 1962	\$ 10.00	\$
Interest on decedent's income taxes for 1962	\$ 2.78	\$
Bank service charge	\$	\$
Total expense of administration	\$ 8255.31	\$

III. EXPENSES OF LAST SICKNESS

	VOUCHER NO.	AMOUNT
Cash paid for medical attendance - - - - -		\$ 37.52
Cash paid for medicines - - - - -		\$
Cash paid for nursing - - - - -		\$
Cash paid for hospital - - - - -		\$
<i>Total expenses of last sickness - - - - -</i>		<i>\$ 37.52</i>

IV. FUNERAL EXPENSES

Cash paid for undertaker - - - - -		\$ 2,203.95
Cash paid <del>section</del> for transportation of body from White Rock, B.C., Canada (U.S. transportation to White Rock and other expenses) - - - - -		\$ 123.78
Cash paid for other necessary services <del>person who accompanied body to U.S.</del> - - - - -		\$ 89.95
Cash paid for burial service - - - - -		\$ 15.52
Cash paid for <del>consumption</del> interest on claim for funeral expenses paid - - - - -		\$ 53.91
Cash paid to <del>cemetery</del> bank charges - - - - -		\$ .50
<i>Total funeral expenses - - - - -</i>		<i>\$ 2,487.61</i>

V. TAXES

<del>Personal property taxes</del> <i>paid at date of death</i> - Dominion of Canada estate tax - - - - -		\$ 4,178.76
<del>Other personal property taxes</del> - - - - -		\$
<del>Real property taxes</del> <i>paid at date of death</i> : U.S. Federal Estate Tax - - - - -		\$ 19,134.75
<del>Other real estate taxes</del> Interest on U.S. Federal Estate Tax - - - - -		\$ 87.15
Federal estate taxes - - - - -		\$
Federal income taxes; personal to decedent - - - - -		\$ 85.58
Federal income taxes; fiduciary - - - - -		\$ 653.20
State income taxes; personal to decedent - - - - -		\$ 38.80
State income taxes; fiduciary - - - - -		\$ 118.18
<i>Total taxes paid - - - - -</i>		<i>\$ 24,597.02</i>

VI. CLAIMS OF CREDITORS

CASH PAID IN SETTLEMENT OF CLAIMS OF CREDITORS AS ALLOWED BY THE COURT AS FOLLOWS:

CLAIM NO.	NAME OF CLAIMANT	VOUCHER NO.	AMOUNT
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
<i>Total amount of claims paid and settled - - - - -</i>			<i>\$ None</i>

VII. LEGACIES AND BEQUESTS

	VOUCHER NO.	AMOUNT
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
<i>Total legacies and bequests paid - - - - -</i>		<i>\$ None</i>

FOURTH- The tracts and parcels of land in the County of Clay, State of Minnesota, described as follows:

1. The vendor's interest in and to Lot 2, Block 1, Maier & Holland Addition to City of Moorhead, 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, and in the contract for the sale and conveyance thereof dated October 1, 1960, whereby decedent sold and agreed to convey said premises to Merwood B. Swang and Jean M. Swang, husband and wife, upon payment of \$11,785.00, payable as follows: \$758.00 upon execution of the contract, and the balance of \$11,035.00, together with interest thereon at the rate of 4% per annum, in monthly installments of \$100.00 each, said installments to be applied first in payment of interest to the date of payment, and the balance in reduction of the principal, with the privilege of pre-paying all or any part of the principal at any time. Balance due on contract is \$12,660.53, with interest thereon from September 6, 1963.
2. The vendor's interest in and to Lots 5 and 6, Block 14, of Original Townsite (now City) of Moorhead, and Lots 13, 14, 15, 16, and East 12 1/2 feet of 17, in Block 4, White's First Addition to City of Moorhead, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for Clay County, Minnesota, and in the contract for the sale and conveyance thereof dated December 2, 1957, whereby decedent sold and agreed to convey said premises to Northwestern Supply Company, Inc., upon payment of \$80,000.00, (\$50,000.00 for said Lots 5 and 6; and \$30,000 for the lots in White's First Addition), payable in 180 monthly installments of \$591.76 each, including interest on unpaid balance at 4 1/2% per annum, installments being payable on 2nd day of each month, commencing with January 2, 1958, and continuing until entire principal and interest is paid. Balance due on contract is \$51,095.65 with interest thereon from June 2, 1964.



## FOURTH (A) Continued:

Forwarded..... \$ 27,478.50

5. Savings Account No. 2118 in Moorhead Federal Savings & Loan Association, with balance of		\$7,500.18
6. Two certificates of deposit issued by The First National Bank in Moorhead, Minnesota, due one year after date, with interest at 4%, certificate automatically renewable for period of one year:		
Certificate No. 727, dated June 28, 1962,	\$1,110.00	
Certificate No. 778, dated July 12, 1962,	<u>200.00</u>	
		1,310.00
7. Seven Savings Certificates issued by St. Cloud National Bank, due 12 months after date, with interest at 4%, automatically renewal for one year:		
Certificate No. 7922, dated Sept. 11, 1962,	5,100.00	
Certificate No. 7968, dated Oct. 27, 1962,	2,100.00	
Certificate No. 7986, dated Nov. 8, 1962,	600.00	
Certificate No. 8022, dated Dec. 10, 1962,	1,000.00	
Certificate No. 8071, dated Dec. 30, 1962,	1,000.00	
Certificate No. 8072, dated Jan. 9, 1963,	500.00	
Certificate No. 8110, dated Feb. 8, 1963,	<u>600.00</u>	
		10,900.00
8. Savings Certificate No. 1722 issued by The First American National Bank of St. Cloud, dated Sept. 24, 1962, in principal sum of \$1,000, with interest at 4% per annum,		1,000.00
9. Checking account in First National Bank of Moorhead, Minnesota, with balance of,		727.69
10. Hamilton electric wrist watch with gold case and band (3 or 4 years old), appraised at		50.00
11. Gentleman's 14K white gold mounted ring, set with on diamond of approximately one karat by measurement, appraised at		400.00
12. 16 MM Bell & Howell Movie camera, Model 240, appraised at		89.50
13. 16MM Bell & Howell projector, Diplomat, Design 173, Model A, Serial No. 607384, appraised at		125.00
14. Aurora beaded movie screen approximately 3' x 4' appraised at		10.00
15. State of the Sea Credit Union, 1153 Fir Street, White Rock, B.C., Canada, shares amounting to \$306.43, including dividends paid to 12/31/62,		<u>306.43</u>
		\$53,893.57
Unpaid expenses of administration,		<u>5,100.27</u>
Residue for distribution,		\$48,793.30

Out of the above personal property for distribution as shown herein, enough thereof will have to be disposed of to pay \$5,100.27 of the expenses of administration shown herein, which as of the date hereof remains unpaid.

## RECAPITULATION

	RECEIPTS	DISBURSEMENTS	Not to be filled in by Representative RECEIPTS
Total receipts from all sources - - - - -	\$ 84,170.76		\$
Total disbursements and credits as follows:			Disbursements
1. Family - - - - -		\$	\$
2. Expenses of administration - - - - -		\$ 8,255.31	\$
3. Expenses of last sickness - - - - -		\$ 37.52	\$
4. Funeral Expenses - - - - -		\$ 2,487.61	\$
5. Taxes - - - - -		\$ 24,597.02	\$
6. Claims of creditors - - - - -		\$	\$
7. Specific Legacies - - - - -		\$	\$
8. Residue of personal prop. for distribution - - - - -		\$ 48,793.30	\$
9. _____		\$	\$
10. _____		\$	\$
11. _____		\$	\$
12. _____		\$	\$
13. _____		\$	\$
Total - - - - -	\$ 84,170.76	\$ 84,170.76	\$

FOURTH—That there is also belonging to said estate for distribution certain real estate as follows:

The homestead of said decedent, in the County of \_\_\_\_\_, State of Minnesota,  
described as follows: \_\_\_\_\_

None

Also these other tracts and parcels of land in the County of NEENAH Clay  
State of Minnesota, described as follows: \_\_\_\_\_

None

See sheet attached

FOURTH (A)—Personal property for distribution consists of the following items:

1. Cash in the sum of \$3,995.97,	3,995.97
2. 9 shares of stock of American Telephone & Telegraph Company, evidenced by Certificate No. 9-006090, appraised at	\$1,111.50
3. 748 shares of stock of Northern States Power Company, evidenced by Certificates numbered T00034246 for 18 shares, MC032633 for 2 shares, MC34772 for 100 shares, MC34773 for 100 shares, MC34774 for 100 shares, MC34775 for 100 shares, MC34776 for 100 shares, MC34777 for 100 shares, MC34778 for 100 shares, and MC065036 for 28 shares, appraised at,	25,367.00
4. IOU given by Ronald Robinson of White Rock, B.C., Canada, dated Jan. 1963, payable Jan. 20, 1963, in principal sum of \$500, appraised at	No Value

FIFTH—That said decedent died on the 5th day of February, 1963.

in testate, and left him surviving

Sarah Sharkey, sister  
Blanch A. Rohr, sister  
Jane M. Moss, sister  
Frank Cousino, brother  
Curtis F. Cousineau, brother  
Clarence S. Cousino, brother  
Roland E. Cousino, brother

Frances Koslowski, niece  
Grace Moore, niece  
Harry Drouillard, nephew  
Preston Drouillard, nephew  
Marilyn Kleiner, ~~niece~~ daughter of Idell Steuwe, deceased, who was a daughter of Mrs. Victoria Drouillard, a deceased sister of Maurice W. Cousineau

Children of Mrs. Victoria Drouillard, a deceased sister of Maurice W. Cousineau

who are all the heirs at law of said decedent, and the persons entitled to the residue of said estate.

WHEREFORE, your petitioner prays the order of this court fixing a time and place for the hearing of this petition and an examination of his final account, and the settlement and allowance of the same; and that upon said hearing the court issue its final decree assigning the residue of said estate to the persons thereunto entitled.

Dated June 1, 1964

November Drouillard  
Petitioner

State of Minnesota,

County of Stearns

} ss.

Howard I. Donohue

being duly sworn on oath says that he is the person who made the foregoing petition; that he knows the contents thereof, and that the same is true of his own knowledge except as to those matters therein stated on his information and belief, and as to those matters he believes it to be true.

Subscribed and sworn to before me this

4th day of June, 1964

Howard I. Donohue  
Representative

Notary Public

County, Minn.

My commission expires May 14, 1965

NOTE (1) Insert "Sole devisees" or "All the heirs at law" as the case may be.  
NOTE (2) Number your receipts and enter them in your (voucher No.) column.

Ms. 19.646  
State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

November Drouillard  
Decedent

Final Account and Petition for  
Hearing and Allowance  
Thereof

November Drouillard  
Attorney S. for Petitioner

Filed this 8th day of June, 1964  
Howard I. Donohue  
Clerk - Judge of Probate

No. 1000

STATE OF MINNESOTA

IN PROBATE COURT

COUNTY OF STEARNS

FILE NO. 19,606

-----  
In the Matter of the Estate of  
Maurice W. Cousineau, also  
known as M. W. Cousineau, decedent.

-----  
DEPOSITION OF CLARENCE S. COUSINO  
-----

The deposition of Clarence S. Cousineau, the person who filed a petition in the above named court for the administration of the estate of the above named decedent, was, pursuant to the commission for the taking thereof issued by the above named court and hereto attached, notice of the taking of which was given to the heirs at law of said decedent as evidenced by the notice and proof of service thereof hereto attached, taken before the undersigned at 2416 Trenton, in the City of Toledo, in the County of Lucas and State of Ohio, at 10:00 A.M. on the 29th day of April, 1963.

Clarence S. Cousino appeared in person and by and through Harry W. Day, his attorney, and there was not any other appearance.

Clarence S. Cousino, being first duly sworn on his oath, testified as follows:

Examination by Harry W. Day, attorney.

Q. What is your full name, age, occupation, residence, and post office address?

A. Name - Clarence S. Cousino  
Age - 77  
Occupation - retired  
Residence - 2416 Trenton Street, Toledo 6, Ohio  
Post Office address - 2416 Trenton Street, Toledo 6, Ohio

Q. Do some members of your family spell your surname as Cousineau and some as Cousino?

A. Just the member Curtis spells it Cousineau and others spell it as Cousino.

Q. What is your relationship, if any, to Maurice W. Cousineau, also known as M. W. Cousineau?

A. Brother

Q. Where was Maurice W. Cousineau born?

A. He was born in Bedford Township, Michigan

Q. Was he a citizen of the United States of America during all of his lifetime and at the time of his death?

A. Very much so.

- Q. Where and on what date did Maurice W. Cousineau die?
- A. He died in White Rock, British Columbia, Canada, on February 7, 1963.
- Q. Prior to his death had Maurice W. Cousineau taken up permanent residence at White Rock, British Columbia, Canada, or was he there but temporarily?
- A. I say he was there temporarily.
- Q. Where was Maurice W. Cousineau buried?
- A. He was buried in St. Cloud, Minnesota.
- Q. Was Maurice W. Cousineau at any time married?
- A. Yes he was.
- Q. Did Mrs. Cousineau die prior to the date of the death of Maurice W. Cousineau?
- A. She died approximately 4 years before.
- Q. Where was Mrs. Cousineau buried?
- A. She is buried in St. Cloud, Minnesota.
- Q. Where at the time of his death did Mr. Cousineau have his permanent residence or domicile?
- A. In St. Cloud, Minnesota.
- Q. Did Mr. Cousineau leave a Last Will and Testament?
- A. Not to my knowledge.
- Q. Did Mr. Cousineau die possessed of any personal property?
- A. Yes, he had personal property.
- Q. Do you know the value of said personal property?
- A. No I wouldn't know.
- Q. Is any of that personal property in Stearns County, Minnesota?
- A. I wouldn't know.
- Q. Do you know the value of the personal property in Stearns County, Minnesota?
- A. No.
- Q. Do you know of any debts of Maurice W. Cousineau, other than the expenses of his last illness and funeral?
- A. I wouldn't know that either.
- Q. What are the names and addresses of the heirs at law of Maurice W. Cousineau?
- A. Sarah Sharkey 4471 Monroe Street, Ecorse, Michigan  
 Blanch A. Rohr 421 $\frac{1}{2}$  Walbridge, Toledo 9, Ohio  
 Jane N. Moss 15454 Brest Road, Southgate, Michigan  
 Frank Cousino c/o Mrs. Peter Hacala, 424 Berkley, Dearborn, Mich.  
 Curtis F. Cousineau 17 West 3rd Street, Monroe, Michigan  
 Clarence S. Cousino 2416 Trenton Avenue, Toledo 6, Ohio  
 Roland Cousino 2749 3rd Street, Trenton, Michigan  
 Frances Koslowski R.F.D., LaSalle, Michigan  
 Grace Moore 7988 Winthrop Bolles Harbor, Monroe, Michigan  
 Harry Drouillard c/o Harry's Tavern, R.F.D., LaSalle, Michigan  
 Preston Drouillard 5916 Detroit Avenue, Toledo 12, Ohio  
 Marylin Kleiner 19131 McCormich, Detroit 24, Michigan

STATE OF MINNESOTA

IN PROBATE COURT

COUNTY OF STEARNS

In the Matter of the Estate of

PETITION

Maurice W. Cousineau, also known  
as M. W. Cousineau, Decedent.

Your petitioner, for this his petition herein, respectfully shows to the Court and alleges:

1. That he is the duly appointed, qualified and acting administrator of the estate of the above named decedent.
2. That, as appears from the final account heretofore filed herein by the undersigned, there is shown to be for distribution 9 shares of stock of The American Telephone and Telegraph Company, evidenced by Certificate No. 9-006090.
3. That since the filing of the final account herein by the undersigned there has been a stock split of the stock of The American Telephone and Telegraph Company, and that by virtue thereof there has been issued and is now held by the undersigned Certificate No. 64XAH80979, dated June 1, 1964, for 9 shares of the capital stock of said company registered in the name of Maurice W. Cousineau.
4. That, as shown by the final account heretofore filed herein by the undersigned, there is for distribution 748 shares of stock in the Northern States Power Company, evidenced by Certificate No. TCCO34246 for 18 shares, Certificate No. MCO32633 for 2 shares, Certificate No. MC34772 for 100 shares, Certificate No. Mc34773 for 100 shares, Certificate No. MC34774 for 100 shares, Certificate No. Mc34775 for 100 shares, Certificate No. Mc34776 for 100 shares, Certificate No. MC34777 for 100 shares, Certificate No. MC34778 for 100 shares, and Certificate No. MCO65036 for 28 shares.



5. That since the filing of the final account herein the heirs at law of said decedent and the persons entitled to the residue of the property for distribution in said estate have requested that the undersigned sell and dispose of the stock hereinbefore referred to, so as to obtain cash therefor, which may be more readily distributed.

WHEREFORE, petitioner prays the order of the Court delaying the issuance of a final decree herein, and the further order of the Court authorizing the petitioner, as the representative of the estate of the above named decedent, to sell and dispose of the certificates of stock herein referred to.

Howard I. Donohue  
Petitioner

STATE OF MINNESOTA )  
                                  )ss  
COUNTY OF STEARNS )

Howard I. Donohue, being first duly sworn, says that he is the person who made the foregoing petition; that he knows the contents thereof, and that the same is true of his own knowledge, except as to those matters therein stated on his information and belief, and as to those matters he believes it to be true.

Howard I. Donohue

Subscribed and sworn to before me  
this 2nd day of July, 1964.

Leah E. Johnson  
LEAH E. JOHNSON, Notary Public  
STEARNS COUNTY, MINNESOTA  
MY COMMISSION EXPIRES MAY 16, 1968



STATE OF MINNESOTA  
COUNTY OF STEARNS  
PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, also known as  
M.W. Cousineau, Decedent.

PETITION

FILED THIS 2nd DAY  
OF July A.D. 1924  
Howard I. Donohue  
CLERK OF PROBATE

HOWARD I. DONOHUE  
601 St. Germain Street  
ST. CLOUD, MINNESOTA

Attorney for \_\_\_\_\_

002787886

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

-----  
In the Matter of the Estate of  
Maurice W. Cousineau, also known  
as M. W. Cousineau, Decedent.

ORDER

-----  
The petition of Howard I. Donohue, as administrator of the estate of the above named Maurice W. Cousineau, deceased, for leave to sell certain of the corporate stock which is a part of the assets of the estate of said decedent, came duly on for hearing before the undersigned, Judge of Probate in and for Stearns County, Minnesota, on the 3rd day of July, 1964.

It having been made to appear that the assets of the estate of said decedent can be morereadily distributed if the corporate stock referred to in said petition is sold and cash obtained therefor, and it appearing that it is in the best interests of said estate that said petition be granted,

NOW, THEREFORE, IT IS HEREBY ORDERED that Howard I. Donohue, the administrator of the estate of the above named decedent be, and hereby is, authorized to sell the following described certificates of stock, which are a part of the assets of the estate of said decedent, to-wit:

Certificate No. 9-006090, dated March 30, 1960,  
for 9 shares of capital stock of American Telephone  
& Telegraph Company, registered in the name of  
Maurice W. Cousineau,

Certificate No. 64XAh80979, dated June 1, 1964,  
for 9 shares of capital stock of American Telephone  
& Telegraph Company, registered in the name of  
Maurice W. Cousineau,

Certificates of stock of Northern States Power  
Company numbered, dated, registered, and for number  
of shares hereinafter stated:

<u>Number</u>	<u>Dated</u>	<u>Registration</u>	<u>Number of Shares</u>
TCC034246	1-15-49	Maurice Cousineau	18
MC032633	7-29-59	Maurice Cousineau	2
MC34772	3- 8-60	Maurice W. Cousineau	100
MC34773	3- 8-60	Maurice W. Cousineau	100
MC34774	3- 8-60	Maurice W. Cousineau	100
MC34775	3- 8-60	Maurice W. Cousineau	100
MC34776	3- 8-60	Maurice W. Cousineau	100
MC34777	3- 8-60	Maurice W. Cousineau	100
MC34778	3- 8-60	Maurice W. Cousineau	100
MCO65036	3- 8-60	Maurice W. Cousineau	28
			<u>748</u>

Dated this 3rd day of July, 1964.

BY THE COURT

John Long  
 Probate Judge

19616  
STATE OF MINNESOTA

COUNTY OF STEARNS

PROBATE COURT

---

In the Matter of the Estate of  
Maurice W. Cousineau, also known  
as M. W. Cousineau, Decedent

---

ORDER AUTHORIZING SALE OF CORPORATE  
STOCK

---

FILED THIS 3rd DAY  
OF July A.D. 1964  
Donohue  
CLERK OF PROBATE

---

HOWARD I. DONOHUE

601 St. Germain Street  
ST. CLOUD, MINNESOTA

Attorney for \_\_\_\_\_

002787889



STATE OF MINNESOTA

COUNTY OF STEARNS

DISTRICT COURT

---

In the Matter of the Estate of  
Maurice W. Cousineau, also known  
as M. W. Cousineau, Decedent

---

AMENDMENT OF FINAL ACCOUNT  
AND PETITION FOR SETTLEMENT

---

FILED THIS 3rd DAY  
OF July A.D. 19 49  
Howard I. Donohue  
CLERK OF PROBATE

---

HOWARD I. DONOHUE  
601 St. Germain Street  
ST. CLOUD, MINNESOTA

Attorney for: \_\_\_\_\_

00278887

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, deceased

ORDER TO SHOW CAUSE

Upon the affidavit hereto attached and upon all of the files, records and proceedings had and taken in the above matter, and upon the application of Howard L. Donohue, administrator of the estate of the above named decedent,

IT IS HEREBY ORDERED that the Commissioner of Taxation of the State of Minnesota, Inheritance and Gift Tax Division, show cause, if any he has, before the undersigned, judge of the above named court, at the chambers of the court in the Court House in the City of St. Cloud, in Stearns County, Minnesota, on the 14th day of August, 1964, <sup>at 11:00 AM.</sup> why the motion of said administrator should not be granted, which motion is specified in the Motion and Notice of Motion hereto attached.

It is further ordered that this order to show cause, together with a copy of the Motion, Notice of Motion, and Affidavit hereto attached, be served upon the Commissioner of Taxation of the State of Minnesota, Inheritance and Gift Tax Division, by mailing to him a copy thereof on or before the 28 day of July, 1964.

BY THE COURT

  
Probate Judge



STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, decedent.

NOTICE OF MOTION

To: Commissioner of Taxation, Inheritance and Gift Tax Division,  
State of Minnesota.

You will please take notice that the attached motion will be  
brought on for hearing before the above named court at the time and place  
specified in the Order to Show Cause hereto attached.

*M. W. D. & D. D. D.*  
Administrator of Estate of Maurice  
W. Cousineau, deceased

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

-----  
In the Matter of the Estate of  
Maurice W. Cousineau, decedent  
-----

MOTION

Howard I. Donohue, as administrator of the estate of the above named decedent, hereby moves the Court for its order amending and modifying its order heretofore made herein determining the inheritance tax on the property of the decedent subject to probate so as to reduce the property subject to the Minnesota inheritance tax by the expenses in the sum of \$1,513.62 incurred in the ancillary proceedings in Canada, the sum of \$5.00 charged for the draft remitting the Canadian funds to the said administrator in the United States, the sum of \$609.83 charged for exchange in converting the Canadian funds to American funds, and the sum of \$4,109.53 paid to the Dominion of Canada in payment of the Dominion of Canada estate tax on property of the decedent having its situs in the Dominion of Canada.

*Howard I. Donohue*  
Administrator of Estate of Maurice  
W. Cousineau, deceased

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent

AFFIDAVIT

STATE OF MINNESOTA )  
                          ) SS  
COUNTY OF STEARNS )

HOWARD I. DONOHUE, being first duly sworn, on his oath says:

That he is the administrator of the estate of the above named decedent, having been appointed as such by the above named court on the 3rd day of May, 1963.

That at the time of his death said decedent was the owner and possessed of the following articles of personal property, each of which is included in the Inventory filed herein and each of which had its situs in the City of White Rock, in the Province of British Columbia, in the Dominion of Canada, to-wit:

Dominion of Canada Savings Bonds, Series S-16, in principal sum of	\$3,900.00
Accrued interest on said bonds, as shown in Inventory,	165.75
Savings Account No. 8890 in Bank of Montreal, Hilltop Branch, White Rock, B.C., Canada,	6,065.42
Checking account in Bank of Montreal, Hilltop Branch, White Rock, B.C., Canada,	3,156.72
Deposit with Star of the Sea Credit Union, White Rock, B.C., Canada,	306.43
IOU given by Ronald Robinson of White Rock, B.C., Canada, dated January 1963, payable January 20, 1963, in principal sum of	500.00
16 MM Bell & Howell movie camera,	89.50
16 MM Bell & Howell projector, Diplomat, Design 173, Model A, Serial No. 607384,	125.00
Aurora beaded screen, approximately 3' x 4',	10.00
Total.....	\$14,316.82

That within three years prior to his death said decedent made gifts of cash, in Canadian funds, to his sister-in-law, Katherine Lydell, of White Rock, B.C., Canada, as follows:

September 25, 1962,	\$7,828.65
November 16, 1962,	<u>5,363.37</u>
	\$13,192.02

That each of the foregoing gifts is included in Schedule IV, Transfers by the Decedent, in the inheritance tax return filed in the above named court by affiant as the administrator of said estate.

That because each of the articles of personal property above described had its situs in the Dominion of Canada it was necessary, in order to obtain possession thereof, that affiant cause ancillary probate proceedings to be taken in the Province of British Columbia, in the Dominion of Canada, and that, as affiant verily believes, before said property or the proceeds thereof could be transmitted from the Dominion of Canada to the United States it was necessary that the Dominion of Canada estate tax be determined and paid.

That, therefore, affiant caused ancillary proceedings to be taken in the Supreme Court of the Province of British Columbia, and in said proceedings one Alexander Kenneth Thompson, of the City of White Rock, British Columbia, Canada, was appointed as the ancillary administrator, and that in said proceedings the firm of Thompson, Wilson, Baker & Steel, barristers and solicitors, of White Rock, B.C., Canada, were the attorneys for said ancillary administrator.

That the fees of said Alexander Kenneth Thompson as such ancillary administrator were allowed by the Supreme Court of British Columbia in the sum of \$813.84, and that the same have been paid out of the assets of the estate of the above named decedent.

That, in addition to the fees of said ancillary administrator, expense was incurred in the sum of \$5.00 for the rental of a safety deposit box in the Bank of Montreal, Hilltop Branch, White Rock, B.C., Canada,

which sum was paid out of the assets of the estate of said decedent.

That the firm of Thompson, Wilson, Baker & Steel incurred expenses incident to said ancillary proceedings as follows:

Will search,	\$ 1.00
Filing documents for administration,	10.50
Filing and entering Court order,	2.50
Probate fees,	52.00
Premium on bond of administrator,	70.00
	<u>\$136.00</u>

and that their fees as attorney for said ancillary administrator were in the sum of \$542.57, which expenses and fees have been paid out of the assets of the estate of said decedent.

That the Dominion of Canada estate tax assessed upon the personal property of the decedent having its situs in Canada and herein before described, and upon the transfers of Canadian funds hereinbefore described, was in the sum of \$4,109.53. That said tax was paid out of the assets of the estate of said decedent and, as affiant verily believes, had to be paid in order that said property or the proceeds thereof be transmitted to the United States and reduced to the possession of the undersigned as the administrator of the estate of said decedent.

That a copy of the computation of said Dominion of Canada estate tax is hereto attached, marked Exhibit "A" and hereby made a part hereof.

That, as affiant verily believes, the funds of the decedent on deposit in the Bank of Montreal at White Rock, B.C., Canada, and/or the other property of the decedent having its situs in Canada could not be used in payment of the Dominion of Canada estate tax, and that, therefore, in order to obtain funds in Canada with which to pay said tax it was necessary to borrow money, and that for that purpose said ancillary administrator was required to pay, and did pay, interest on the money so borrowed in the sum of \$16.21, which likewise was paid out of the assets of the estate of said decedent.

That in the ancillary proceedings in Canada the Dominion of Canada



Savings Bonds hereinbefore referred to were reduced to cash. That the expense of the ancillary proceedings in Canada, the Dominion of Canada estate tax, and the interest on the funds borrowed to pay said tax, were all paid in Canadian funds.

That the Canadian funds remaining to be remitted to affiant as administrator equalled the sum of \$7,956.08. That the expense incurred for the draft transmitting the same to the undersigned was in the sum of \$5.00, and that the exchange required to be paid, and which was paid, in converting said Canadian funds into American funds was in the sum of \$609.83, affiant therefore receiving the sum of \$7,341.25 in American funds for the remaining Canadian funds.

That in affiant's final account herein he included as an expense of administration the expenses of the ancillary proceedings in Canada in the sum of \$1,513.62, as itemized in Exhibit "B" hereto attached and made a part hereof. That in his final account affiant also shows as an expense of administration the sum of \$614.83, which includes the charge for the draft transmitting the Canadian funds to the United States and the exchange charges.

That in his final account herein, under V. Taxes, affiant shows the payment of the Dominion of Canada estate tax hereinbefore referred to, in the sum of \$4,109.53, together with the interest that was paid thereon in the sum of \$69.23, a total of \$4,178.76.

That affiant received through the United States Mail, from the above named court, a copy of its inheritance tax record and order determining tax in the above entitled matter, which shows that it was filed with the clerk of the above named court on the 20th day of July, 1964. That in said order the Court failed to reduce the property subject to inheritance tax herein by the expenses incurred for the ancillary proceedings in Canada, the charge for the draft remitting the Canadian funds to the United States, the exchange charge on the Canadian funds, and the amount paid to the

Dominion of Canada in payment of the Dominion of Canada estate tax.

That affiant asserts the position that the property subject to inheritance tax in the State of Minnesota should be reduced by each of said items.

That this affidavit is made in support of a motion for an order of the Court amending and modifying the order heretofore made by it herein so as to reduce the property subject to inheritance tax in the State of Minnesota by each of the items hereinbefore referred to.

Wanda Duvick

Subscribed and sworn to before  
me this 28th day of July, 1964.

Leah C. Johnson

LEAH C. JOHNSON, Notary Public  
STEARNS COUNTY, MINNESOTA  
MY COMMISSION EXPIRES MAY 14, 1968



## DEPARTMENT OF NATIONAL REVENUE

Canada

Estate Tax  
CALCULATION OF TAX

Estate of Maurice W. Cousineau.

Date of Death

Domicile - Minnesota, U.S.A.

8th Feb. 1963.

Last Address - White Rock, B.C.)

c/o Messrs. Thompson, Wilson, Baker & Steel,  
P. O. Drawer 100,  
White Rock, B.C.CANADIAN ESTATE:CLASS "D"

\$3,900.00 Canada Savings bonds Series S.16	\$3,900.00
Accrued interest thereon	43.83

CLASS "E"

Savings a/c #8890, Bank of Montreal, White Rock, B.C.	6,065.42
Current a/c	3,156.72
Star of Sea Credit Union	306.43
Amount due from Ronald Robinson	500.00
Gift of Cash	13,200.00

CLASS "H"

Bell & Howell Camera & projector with screen	224.50
	<u>\$27,396.90</u>

Estate Tax on \$27,396.90 @ 15%	\$4,109.53	
Accrued interest at 5% from 8th Aug./63 to 9th Dec./63	69.23	
Payment received 9th Dec./63		\$4,102.96
Balance owing	<u>\$4,178.76</u>	<u>75.80</u>
		\$4,178.76

GJMack/tc  
22nd Jan./64EXHIBIT "A"

002781700

EXPENSES OF ANCILLARY PROCEEDINGS IN CANADA

Will search,	\$ 1.00
Filing documents in Court,	10.50
Filing and entering order,	2.50
Probate fees,	52.00
Fees of attorneys,	542.57
Premium on administrator's bond,	70.00
Administrator's fee,	813.84
Safety deposit box rental,	5.00
Interest on loan to obtain funds for payment of Dominion of Canada estate tax,	<u>16.21</u>
	\$1,513.62

1988  
STATE OF MINNESOTA  
IN PROBATE COURT  
COUNTY OF STEARNS

---

In the Matter of the Estate of  
Maurice W. Cousineau, decedent

---

ORDER TO SHOW CAUSE, NOTICE OF MOTION,  
MOTION AND AFFIDAVIT

---

THEN THIS 24th DAY

OF July 1988

Richard J. Donohue  
Attorney for

---

HOWARD I. DONOHUE  
601 St. Germain Street  
ST. CLOUD, MINNESOTA

Attorney for \_\_\_\_\_

002787302

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

P E T I T I O N

Your petitioner, for this his petition herein, respectfully shows to the Court and alleges:

1. That he is the duly appointed, qualified and acting administrator of the estate of the above named decedent.
2. That there is hereto attached, marked Exhibit "A" and hereby made a part hereof, an account of his administration of the estate of said decedent from the date of his appointment up to October 6, 1964, the date hereof.
3. That the account hereto attached includes the accounting heretofore made by petitioner, which account was characterized as a "Final Account."
4. That the inheritance tax as determined by the Court, on the distributive share of each of the heirs at law of said decedent, and the inheritance tax, as determined by the Commissioner of Taxation, on the transfers made by the decedent in his lifetime to his heirs at law have been paid.
5. That the inheritance tax as determined by the Commissioner of Taxation on the transfers made by the decedent in his lifetime to persons other than his heirs at law, as follows:

Mrs. Robert Koerner, in the sum of	\$40.00
Silven Trupe, in the sum of	40.00
Lissie Thorne, in the sum of	40.00
Katherine Lydell, in the sum of	2,145.20
	<u>\$2,265.20</u>

has not been paid, since the property of which those transfers consisted has never been in the possession of the petitioner and there is not any property of the transferees, or to which they are entitled, out of which said tax can be paid, in the hands, in the possession, or under the control of the petitioner.

6. That it is believed to be desirable that the estate of said decedent be kept open until collection can be made of the balance unpaid on the lands referred to in the account hereto attached.

7. That petitioner verily believes that, unless the heirs at law of the decedent authorize him to pay the inheritance tax assessed upon the transferees above named, he has no choice but to decline to pay the same, unless it is determined by a court of competent jurisdiction that he pay it.

8. That petitioner verily believes that \$8,000.00 of the cash now in his hands may be distributed to the heirs at law, and that such distribution will leave enough funds in his hands to pay the inheritance tax hereinbefore referred to, if it is determined that such tax should be paid out of the property in the hands of the petitioner.

WHEREFORE, your petitioner prays the order of the Court approving his account, approving the distribution heretofore made to the heirs at law of said decedent, and authorizing the distribution of the sum of \$8,000.00 to the heirs at law.

Howard L. Donchue  
Petitioner

STATE OF MINNESOTA )  
COUNTY OF STEARNS ) ss

HOWARD L. DONCHUE, being first duly sworn, on his oath says that he is the person who signed the foregoing petition; that he has read said petition and knows the contents thereof, and that the same is true of his own knowledge, except as to such matters as are therein stated on information and belief, and as to such matters he believes the same to be true.

Howard L. Donchue

Subscribed and sworn to before me  
this 6th day of October, 1968.

Leah C. Johnson

LEAH C. JOHNSON, Notary Public  
STEARNS COUNTY, MINNESOTA  
MY COMMISSION EXPIRES MAY 14, 1968

EXHIBIT "A"RECEIPTS

	As shown by Final Account	Increase since Final Account	Total to Date
1. Personal property described in Inventory.....	\$70,501.65		\$70,501.65
2. Gain by sales above Inventory.....		\$611.50	611.50
3. Payments on principal of contracts for sale of land.....	7,114.99	1,694.22	8,809.21
4. Interest on contracts for sale of land, included in Inventory.....	274.94		274.94
5. Interest on contracts for sale of land, certificates of deposit, building an loan account, etc.....	4,603.29	1,293.16	5,896.45
6. Social Security payment.....	359.00		359.00
7. Dividends on corporate stock.....	<u>1,316.82</u>	<u>263.32</u>	<u>1,580.14</u>
TOTALS.....	\$84,170.76	\$3,892.20	\$88,062.96

DISBURSEMENTSExpenses of Administration:

1. Cash paid to appraisers for services.....	50.00		50.00 R
2. Cash paid for publication of orders.....	18.00		18.00 R
3. Expenses of Representative.....	31.07	39.35	70.42 R
4. Fees of Attorney.....	5,000.00		5,000.00
5. Bond of Representative.....	920.00		920.00 R
6. Certified copy of decree, and recording.....	4.50		4.50 -
7. Expenses of ancillary proceedings in Canada.....	1,513.62		1,513.62 R
8. Charge for draft and discount on Canadian funds.....	611.83		611.83 R
9. Fee of notary for taking deposition.....	60.00		60.00 R
10. Auditor's fee for preparing decedent's income tax returns for 1962.....	40.00		40.00 R
11. Interest on decedent's income tax for 1962.....	2.79		2.79 R
12. Bank service charge.....	.50		.50 -
13. Expenses of sale and taxes on sale of Northern States Power Company stock.....		320.37	320.37 R
14. Expenses of sale and taxes on sale of American Telephone & Telegraph Co. stock.....		<u>18.62</u>	<u>18.62 R</u>
TOTALS.....	\$8,255.31	\$ 378.34	\$8,633.65

Expenses of Last Illness:

Cash paid for medical attendance.....	\$ 37.52		\$ 37.52 R
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DISBURSEMENTS (Continued)

	<u>As shown by</u>	<u>Increase Since</u>	<u>Total to</u>
	<u>Final Account</u>	<u>Final Account</u>	<u>Date</u>
<u>Funeral Expenses:</u>			
1. Cash paid for undertaker.....	\$2,203.95		\$2,203.95 R
2. Cash paid for transportation of body from White Rock, B.C., Canada, to St. Cloud.....	123.78		123.78 R
3. Cash paid for transportation to White Rock, and other expenses, of person who accom- panied body to St. Cloud.....	89.95		89.95 R
4. Cash paid for burial service.....	15.52		15.52 R
5. Cash paid for interest on claim for funeral expenses paid.....	53.91		53.91 R
6. Cash paid for bank charges.....	.50		.50 R
TOTALS.....	\$2,487.61		\$2,487.61 R

TAXES:

1. Dominion of Canada estate tax.....	\$ 4,178.76	\$ 4,178.76
2. U.S. Federal Estate Tax.....	19,434.75	19,434.75 R
3. Interest on U.S. Federal Estate Tax.....	87.45	87.45 R
4. Federal income taxes; personal to decedent....	85.58	85.58 R
5. Federal income taxes; fiduciary.....	653.20	653.20 R
6. State income taxes; personal to decedent.....	36.80	36.80 R
7. State income taxes; fiduciary.....	118.48	118.48 R
TOTALS.....	\$24,597.02	\$24,597.02

DISTRIBUTION MADE TO HEIRS AT LAW:

	<u>Cash</u>	<u>Inheritance Tax</u>	<u>Interest on Tax</u>	<u>Total</u>
Frank Cousino	\$3,000.00 R	\$776.70	\$ 4.27	\$3,780.97
Clarence S. Cousino	3,000.00 R	776.70	4.27	3,780.97
Blanch A. Mohr	3,000.00 R	776.70	4.27	3,780.97
Sarah Sharkey	3,000.00 R	718.20	4.11	3,752.31
Roland Cousino	3,000.00 R	716.70	4.10	3,750.80
Curtis F. Cousineau	3,000.00 R	716.70	4.10	3,750.80
Jane Moss	3,000.00 R	716.70	4.10	3,750.80
Frances Koslowski	600.00 R	71.34	.40	671.74
Grace Moore	600.00 R	71.34	.40	671.74
Harry Drouillard	600.00 R	71.34	.40	671.74
Preston Drouillard	600.00 R	71.34	.40	671.74
Marilyn Kleiner	600.00 R	71.34	.40	671.74
TOTALS.....	\$24,000.00	\$5,675.10 R	\$31.22 R	\$29,706.32 R

SHARES IN STAR OF SEA CREDIT UNION:

Turned over to Rev. Father Franks, Pastor of Star of Sea Catholic Church, at request of heirs at law of decedent,

\$306.43 R



RECAPITULATION

Total receipts from all sources.....	\$88,062.96	
Total disbursements and credits as follows:		
1. Expenses of administration.....	\$ 8,633.65	
2. Expenses of last illness.....	37.52	
3. Funeral expenses.....	2,487.61	
4. Taxes.....	24,597.00	
5. Distribution to heirs (including tax)...	29,706.32	
6. Release to Star of Sea Catholic Church..	306.43	
7. Residue of personal property in hands of administrator.....	<u>22,298.41</u>	
TOTAL.....	\$88,062.96	\$88,062.96

PERSONAL PROPERTY IN HANDS OF REPRESENTATIVE:

Seven Savings Certificates issued by St. Cloud National Bank, described in Inventory, in principal amounts totaling .....	\$10,900.00
Cash, .....	10,719.91
Hamilton electric wrist watch, appraised at .....	50.00
Kan's 14K white gold ring, set with a diamond of approximately 1k by measurement, appraised at .....	400.00
16 MM Bell & Howell movie camera, appraised at .....	89.50
16 MM Bell & Howell projector, appraised at .....	125.00
Beaded movie screen, appraised at .....	<u>10.00</u>
TOTAL.....	\$22,298.41

REAL ESTATE IN ESTATE:

Vendor's interest in real estate sold to Herwood B.  
Swang and Jean H. Swang. Principal balance unpaid  
and interest thereon for about 5 months..... > \$12,660.53

Vendor's interest in real estate sold to North-  
western Supply Company. Principal balance unpaid  
and interest since October 1, 1964..... > 49,401.43

(NOTE: Neither of the last two items shown above includes any interest, nor  
does this account include as property remaining in hands of representative  
the Roland Robinson IOU appraised as of no value.)

STATE OF MINNESOTA

COUNTY OF STEARNS

DISTRICT COURT

---

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent

---

PETITION - *account*  
*Partial Distribution*

FILED THIS *7th* DAY

OF *October* 19 *64*

*W. J. P. P. P. P. P.*  
CLERK OF PROBATE

---

DONOHUE & DONOHUE

401 St. Germain Street  
ST. CLOUD, MINNESOTA

Attorneys for Administrator

002787308

STATE OF MINNESOTA

COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent

The undersigned, and each of them, who are the heirs at law of the above named decedent, hereby authorize and direct Howard I. Donohue, the administrator of the estate of said decedent, to pay, out of the funds in his hands constituting a part of the estate of said decedent, the inheritance taxes assessed by the State of Minnesota against Katherine Lydell in the sum of \$2,145.20, against Eileen Trupe in the sum of \$40.00, against Lizzie Thorne in the sum of \$40.00, and against Mrs. Robert Koerner in the sum of \$40.00, aggregating the sum of \$2,265.20, together with interest on said sum at the rate of 6% per annum from August 6, 1964, to the date of payment.

George S. Cousineau  
partes F. Cousineau  
Francis M. Kozlowski  
Roland E. Cousineau  
Grace Moore  
Jane M. Moss  
Harold Draculaid  
Marilyn K. Feiner  
Preston F. Draculaid  
Sarah J. Harkey  
Grand Cousineau per Mildred Hunk  
Blanche A. Rohr

1966  
STATE OF MINNESOTA  
COUNTY OF STEARNS  
PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent

Authorization to Pay  
Inheritance Taxes

FILED THIS 2nd DAY  
OF December A.D. 1966  
Arlyn Duplouse  
CLERK OF PROBATE

DONOHUE & DONOHUE  
601 St. Germain Street  
ST. CLOUD, MINNESOTA

Attorneys for \_\_\_\_\_

002781770

State of Minnesota,

IN PROBATE COURT,

County of Stearns

Special

Term

November 6,

19 64

In the Matter of the Estate of

Maurice W. Cousineau, also known as M. W.  
Cousineau,

Deceased

DECREE OF PARTIAL DISTRIBUTION

County of Stearns

Special

Term

November 6,

19 64

*This matter having come on duly to be heard by this Court on the petition of Howard J. Donohue**for a partial distribution of said estate, and it appearing to the satisfaction of this Court that due notice of this hearing on said petition has been given and published, and that proof of said publication has been filed herein, and the Court having duly heard said matter and the evidence produced at said hearing, finds the following facts:**FIRST: That said Howard J. Donohue**, the petitioner herein, has an interest in said estate, which is as follows, to-wit: as the administrator of the estate of said decedent.**SECOND: That letters of administration on said estate have been granted to said Howard J. Donohue on the 3rd day of May A. D. 19 63, and that he has duly qualified and is acting as such administrator.**THIRD: That the time limited by the order of this Court for the filing and allowance of claims against said estate has expired, and that all claims against said estate have been settled and paid.**FOURTH: That the said Howard J. Donohue, administrator of said estate has filed his account of his administration of said estate in this Court up to the date of the petition herein for this partial distribution, and that said account has been examined, settled and allowed, as will more fully appear from the files and records of this Court in said estate.**FIFTH: That the following named persons are the persons entitled by law to said estate in the following proportions, to-wit:*

To Sarah Sharkey, Blanche A. Rohr, Jane M. Moss, Frank Cousino, Curtis F. Cousineau, Clarence S. Cousineau and Roland Cousino, sisters and brothers of said decedent, each an undivided one-eighth (1/8th);

To Frances Koslowski, Grace Moore, Harry Drouillard and Preston Drouillard, nieces and nephews of said decedent, each an undivided one-fortieth (1/40th);

To Marilyn Kleiner, a grandniece of the decedent, an undivided one-fortieth (1/40th).

*SIXTH: That the property, which is the part of said estate for which distribution is prayed for in said petition and which distribution appears to this Court just and proper to be made, is the following, to-wit: \$37,706.32 in cash.*

\$4,713.29 to Sarah Sharkey  
 4,713.29 to Blanche A. Rohr  
 4,713.29 to Jane M. Moss  
 4,713.29 to Frank Cousino  
 4,713.29 to Curtis F. Cousineau  
 4,713.29 to Clarence S. Cousineau  
 4,713.29 to Roland Cousino  
 942.66 to Frances Koslowski  
 942.66 to Grace Moore  
 942.66 to Harry Drouillard  
 942.66 to Preston Drouillard  
 942.65 to Marilyn Kleiner

\$37,706.32

SEVENTH: As a conclusion from the foregoing facts and upon the files and records in said matter, it is ordered, adjudged and decreed, and this Court, by virtue of the powers and authority vested therein by law, does hereby order, adjudge and decree, that all and singular of the above described property and portion of said estate be, and the same hereby is, assigned to and vested in the said persons above named in the following proportions, to-wit:

\$4,713.29 to Sarah Sharkey  
h,713.29 to Blasch A. Rohr  
h,713.29 to Jane M. Moss  
h,713.29 to Frank Cousino  
h,713.29 to Curtis F. Cousineau  
h,713.29 to Clarence S. Cousineau  
h,713.29 to Roland Cousino  
942.66 to Frances Koslowski  
942.66 to Grace Moore  
942.66 to Harry Drouillard  
942.66 to Preston Drouillard  
942.66 to Marilyn Kleiner  
\$37,706.32

To Have and to Hold the Same, Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining to the above named persons and their heirs and assigns, FOREVER.

By the Court,

*John Lacey*  
Judge of Probate.

Dated at St. Cloud, Minnesota, this 10th day of November, A. D. 19 64

No. 19,606

**IN PROBATE COURT,**

County of Stearns

In the Matter of the Estate of

Maurice W. Cousineau, etc.,  
Deceased.

Decree of Partial Distribution of Estate

State of Minnesota,

County of \_\_\_\_\_

I, \_\_\_\_\_, Judge of the Probate Court of said County, do hereby certify that I have compared the within Decree, in the matter of said estate, with the original Decree on file and of record in the Probate office of the County aforesaid, and that the same is a true copy thereof, and of the whole of said original Decree and Record.

IN TESTIMONY WHEREOF, I have hereunto affixed the seal of the Probate Court of said County, and signed my name, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Judge of Probate.

Filed this 10th day of November, 19 64, and recorded

in Book No. 67 on page 570

*Burling H. Hildner*  
Clerk of Probate.

No. 3554



State of Minnesota,

IN PROBATE COURT

County of Stearns

In the Matter of the Estate of

Maurice W. Cousineau

Decedent.

Your petitioner state to the Court as follows:

That the above named decedent died on the 8th day of February 19 63, and was then under contract in writing to convey by Warranty deed to Northwestern Supply Co, Inc., a Minnesota corporation it successors ~~who~~ or assigns, those certain tracts of land lying in the County of Clay

State of Minnesota, described as follows, to-wit:

Lots 5 and 6 in Block 14, original town, now city, of Moorhead, and Lots 13 through 16 inclusive and the East 12 1/2 feet of Lot 17, in Block 4, White's First Addition to the City of Moorhead, all according to the Official plats thereof on file and of record in the office of the Register of Deeds in and for said County and State, and all right title and interest which decedent has in the lease with the Northern Pacific Railway Company dated September 15, 1948, said lease being numbered 69635.

(Set out assignment of contract, if any)

The vendee's interest in which contract was assigned by said Northwestern Supply Company, Inc., to Ogren, Inc., by an instrument in writing dated January 2, 1962.

That all the terms and conditions of said contract on the part of said ~~party~~ vendee therein, and its ~~heirs and assigns~~ said assignee ~~has~~ is not entitled to such conveyance of said land according to the terms and conditions of said contract.

Wherefore, your petitioner pray s that ~~he~~ he as the administrator of the Estate of Maurice W. Cousineau

of said decedent be directed by the Court to convey said real estate to ~~the~~ said assignee according to the terms and conditions of said contract, in all respects the same as said decedent might be compelled to convey the same if living.

*Maurice W. Cousineau*

Petitioner

State of Minnesota,

County of Stearns

Howard I. Donohue

being duly sworn, on oath says; that he is the person who made and signed the foregoing petition; that he know the contents of said petition, and that the same is true of his own knowledge.

Subscribed and sworn to before me this

20th day of December 19 65

Michael H Donohue

Handwritten signature of Michael H. Donohue

Notary Public, Minnesota.

County.

My Commission expires

MICHAEL H. DONOHUE  
Notary Public, Stearns County, Minnesota  
My Commission Expires August 27, 1970

19,606

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Maurice M. Coarsineau, et al.,  
Decedent.

Petition for Conveyance of Land  
Pursuant to Contract.

Filed this 20th day of  
December 19 65

Handwritten signature of Clerk of Probate

Clerk of Probate

No. 3383

State of Minnesota,

IN PROBATE COURT

County of Stearns

File No. 19,606

In the Matter of the Estate of

Decree for Conveyance

Maurice W. Cousineau, also known as  
M.W. Cousineau, Deceased.

The above entitled matter came on to be heard on the 20th day of December 1965, upon the petition of Howard I. Donohue for conveyance of certain real estate therein described, pursuant to a contract in writing made by the above named decedent.

as Attorney Pro Se  
Said petitioner appeared in person, and ~~no one~~

and no one appeared in opposition to said petition; and the court having duly considered said petition, and the evidence adduced in relation thereto finds the following facts:

Notice of hearing has been waived by the Court.

That due notice of said hearing was given by publication of the order for hearing in said petition heretofore entered herein.

That said decedent was at the time of his death obligated by said contract to convey to Northwestern Supply Co., Inc., a Minnesota Corporation

by Warranty deed, the tract of land lying in the County of Clay, State of Minnesota, described as follows, to-wit:

Lots 5 and 6 in Block 14, original town, now city, of Moorhead, and Lots 13 through 16 inclusive and the East 12 1/2 feet of Lot 17, in Block 4, White's First Addition to the City of Moorhead, all according to the Official plats thereof on file and of record in the office of the Register of Deeds in and for said County and State, and all right title and interest which decedent has in the lease with the Northern Pacific Railway Company dated September 15, 1948, said lease being numbered 69835.

upon performance of the terms of said contract by said vendee, and that the vendee's interest in said contract is now owned by

Ogren, Inc., having been assigned to it by an instrument in writing dated, January 2, 1962, by Northwestern Supply Co., Inc., a Minnesota Corporation

assignee  
That the terms and conditions of said contract upon the performance of which the ~~parties~~ therein named, Ogren, Inc., should be entitled to such conveyance have been performed; that said decedent, if now living, might be compelled to make such conveyance to said assignee, and that it appears to the satisfaction of the court that such conveyance should now be made.

It is Therefore Hereby Ordered, That Howard I. Donohue as Representative assignee of the estate of said decedent, be, and hereby is authorized and directed to convey said land to said assignee by Probate deed, pursuant to the terms of said contract.

Dated at St. Cloud, Minnesota, this 20th day of December, 1965

John Lang  
Judge of Probate.

State of Minnesota,

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 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. 19,606

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

EARL W. CONNORS, et al.,  
Deceased.

Decree for Conveyance Pursuant to Decedent's Contract

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

Filed this 20th day of December, 19 65, and recorded in Book \_\_\_\_\_ of Decrees, page 483

\_\_\_\_\_ Clerk of Probate

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

-----  
In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

PETITION

*aka M.W. Cousineau*  
-----

Your petitioner for this his petition herein respectfully shows to the Court and alleges:

1. That he is the duly appointed and qualified administrator of the Estate of the above named decedent.

2. That there is hereto attached, marked Exhibit "A" and hereby made a part hereof an account of his administration of the Estate of said decedent from May 7, 1965 to March 24, 1966.

3. That, as will be observed from said account, petitioner has not included therein any sum for his services, in addition to the amounts included in previous accounts. That petitioner is not waiving his claim for services but is merely delaying his claim until a later time.

4. That said decedent left surviving him:

Sarah Sharkey,	Sister
Blanch A. Rohr,	Sister
Jane M. Moss,	Sister
Frank Cousino,	Brother
Curtis F. Cousineau,	Brother
Clarence S. Cousino,	Brother
Roland E. Cousino,	Brother

Frances Koslowski,	Niece	) Children of Victoria Drouillard, a deceased sister of decedent.
Grace Moore,	Niece	
Harry Drouillard,	Nephew	
Preston Drouillard,	Nephew	

Marilyn Kleiner,	Grand-Niece	) Daughter of Idell Stauwe, deceased, who was a daughter of Victoria Drouillard, deceased, sister of decedent.
------------------	-------------	---

who are the heirs at law of said decedent and the persons entitled to the property the representative proposes to distribute now.

WHEREFORE, your petition prays the Order of this Court fixing a time and place of hearing of this petition, an examination of the account hereto attached and the settlement and allowance thereof, including the distribution made on December 30, 1965, and that upon said hearing the Court issue its decree for a distribution of the sum shown on the account for distribution now.

Dated March 24, 1966.

Howard I. Donohue  
Petitioner

STATE OF MINNESOTA )  
                          ) ss  
COUNTY OF STEARNS )

Howard I. Donohue, being first duly sworn on his oath, says that he is the person who made the foregoing petition, that he has read said petition and knows the contents thereof and that the same is true of his own knowledge, except as to such matters as therein stated on information and belief and as to such matters he believes the same to be true.

Howard I. Donohue

Subscribed and sworn to before me  
this 14 day of April, 1966.

Leah C. Johnson

LEAH C. JOHNSON, Notary Public  
STEARNS COUNTY, MINNESOTA  
MY COMMISSION EXPIRES MAY 14, 1968



ACCOUNT OF REPRESENTATIVE FROM MAY 7, 1965,  
to March 24, 1966

RECEIPTS

Personal property in hands of representative on May 7, 1965,		\$1,178.85
Payments on principal of contracts for sale of real estate:		
Northwest Supply Company	43,026.31	
M. B. Swang,	1,573.92	44,600.23
Payments of interest on contracts for sale of real estate:		
Northwest Supply Company	1,114.01	
M. B. Swang,	426.08	1,540.09
U. S. estate tax refund,		293.05
Refund of deposit for safety deposit box key,		1.00
Total.....		\$ 47,615.22

DISBURSEMENTS

Publication of order for hearing on previous partial accounts,		\$ 18.00
Administration expenses:		
Postage on watch,	.52	
Postage & registration fee on ring,	1.85	
Carton, tape and wrapping material used in shipping camera and camera equipment,	4.30	
Express charges on shipment of camera and camera equipment,	5.58	
Ad in newspaper re sale of camera, etc.,	3.15	
Safety deposit box rent,	.50	
Telephone tolls,	9.82	25.72
Expenses relating to Northwestern Supply Company contract:		
Abstract of title,	66.50	
Two certified copies of letters of administration,	2.00	
Certified copy of decree of conveyance,	1.50	
Certified copy of decree and assignment,	3.00	
State deed tax on deed to Ogren, Inc.,	88.00	
U.S. Revenue stamps on deed to Ogren, Inc.,	88.00	
Recording fees,	3.00	252.00
Disbursements forwarded.....		\$ 295.72

*Exhibit A*

DISBURSEMENTS forwarded..... \$295.72

Abstract covering property sold to M.B.Swang and wife,	29.25	✓
Premium on representative's bond,	260.00	✓
Certified copy of death certificate relating to Mary I. Cousineau,	1.50	✓
Difference between inventory value of ring, camera and camera equipment and amount received for these items,	174.50	✓
Total Disbursements.....	\$ 760.97	

DISTRIBUTION TO HEIRS ON DECEMBER 30, 1965

Sarah Sharkey,	\$ 313.94	✓
Blanch A. Rohr,	313.94	✓
Jane H. Moss,	313.94	✓
Curtis F. Cousineau,	313.94	✓
Clarence S. Cousino,	313.94	✓
Roland Cousino,	313.94	✓
Frank Cousino,	313.94	✓
Frances Kosloske	62.79	✓
Grace Moore,	62.79	✓
Harry Drouillard,	62.79	✓
Preston Drouillard,	62.79	✓
Marilyn Kleiner,	62.79	✓
	\$2,511.53	

RECAPITULATION

Total Receipts.....		\$47,615.22
Disbursements:		
Expenses of administration	760.97	
Distribution to heirs 12/30/65,	2,511.53	
For distribution at this time,	35,000.00	
Residue to be retained by representative, consisting of cash in the sum of,	9,342.72	
	\$ 47,615.22	\$47,615.22

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Balance of principal owing on Swang contract.....	\$10,418.09
Balance of principal owing on N.W.Supply Co. contract.....	\$ 3,353.45

STATE OF MINNESOTA

IN PROBATE COURT

COUNTY OF STEARNS

---

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent

---

*Partial*  
PETITION AND ACCOUNT

---

FILED THIS 5<sup>th</sup> DAY  
OF March A.D. 1945  
Walter J. Donohue  
CLERK OF PROBATE

---

DONOHUE & DONOHUE  
601 St. Germain Street  
ST. CLOUD, MINNESOTA 56301

Attorneys for Representative

002281321

State of Minnesota,

IN PROBATE COURT,

County of Stearns

Special

Term April 29th

, 19 66

In the Matter of the Estate of

Maurice W. Cousineau, also known as  
M. W. Cousineau,

Deceased

DECREE OF PARTIAL DISTRIBUTION

County of Stearns

Special

Term April 29

, 19 66

*This matter having come on duly to be heard by this Court on the petition of Howard I. Donohue,**for a partial distribution of said estate, and it appearing to the satisfaction of this Court that due notice of this hearing on said petition has been given and published, and that proof of said publication has been filed herein, and the Court having duly heard said matter and the evidence produced at said hearing, finds the following facts:**FIRST: That said Howard I. Donohue, the petitioner herein, has an interest in said estate, which is as follows, to-wit:**As the Representative of the Estate,**SECOND: That letters of Administration on said estate have been granted to Howard I. Donohue on the 3rd day of May, A. D. 19 63, and that he has duly qualified and is acting as such Representative**THIRD: That the time limited by the order of this Court for the filing and allowance of claims against said estate has expired, and that all claims against said estate have been settled and paid.**FOURTH: That the said Representative of said estate has filed his account of his administration of said estate in this Court up to the date of the petition herein for this partial distribution, and that said account has been examined, settled and allowed, as will more fully appear from the files and records of this Court in said estate.**FIFTH: That the following named persons are the persons entitled by law to said estate in the following proportions, to-wit:*Sarah Sharkey, sister  
Jane W. Moss, sister  
Curtis F. Cousineau, brother  
Roland E. Cousino, brotherBlanch A. Rohr, sister,  
Frank Cousino, brother,  
Clarence S. Cousino, brother,Frank Koslowski, niece,  
Grace Moore, niece,Children of Victoria Drouillard, a  
deceased sister of decedent.Harry Drouillard, nephew,  
Freston Drouillard, nephew,  
Marilyn Kleiner, grandniece.Daughter of Idell Steuwe, deceased daughter  
of Victoria Drouillard, deceased sister of  
decedent.*SIXTH: That the property, which is the part of said estate for which distribution is prayed for in said petition and which distribution appears to this Court just and proper to be made, is the following, to-wit:*

Cash in the amount of \$ 35,000.00.

SEVENTH: As a conclusion from the foregoing facts and upon the files and records in said matter, it is ordered, adjudged and decreed, and this Court, by virtue of the powers and authority vested therein by law, does hereby order, adjudge and decree, that all and singular of the above described property and portion of said estate be, and the same hereby is, assigned to and vested in the said persons above named in the following proportions, to-wit:

To each of the said Sarah Sharkey, <sup>1</sup>Blanch A. Rohr, <sup>2</sup>Jane K. Moss, <sup>3</sup>Frank Cousins, <sup>4</sup>Curtis F. Cousineau, <sup>5</sup>Clarence S. Cousins, <sup>6</sup>Holand S. Cousins, <sup>7</sup>cash in the amount of \$4,375.00, and to each of the said Frances Koslowski, <sup>8</sup>Grace Moore, <sup>9</sup>Harry Drouillard, <sup>10</sup>Preston Drouillard and Marilyn Kleiner, <sup>11</sup>cash in the amount of \$875.00, absolutely.

To Have and to Hold the Same, Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining to the above named persons and their heirs and assigns, FOREVER.

By the Court,

  
Judge of Probate.

Dated at St. Cloud, Minnesota, this 29th day of April, A. D. 19 66

No. 19,606

**IN PROBATE COURT,**

County of Stearns

In the Matter of the Estate of

Maurice W. Cousins, et al.,  
Deceased.

Decree of Partial Distribution of Estate

State of Minnesota, }  
County of \_\_\_\_\_ }  
at \_\_\_\_\_ }

I, \_\_\_\_\_  
Judge of the Probate Court of said County, do hereby certify that I have compared the within Decree, in the matter of said estate, with the original Decree on file and of record in the Probate office of the County aforesaid, and that the same is a true copy thereof, and of the whole of said original Decree and Record.

IN TESTIMONY WHEREOF, I have hereunto affixed the seal of the Probate Court of said

County, and signed my name, this

19

day of

\_\_\_\_\_ 19  
Judge of Probate.

Filed this 29th day of

April, 19 66, and recorded

in Book # 67 on

page 592

  
Clerk of Probate.

No. 3357

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

-----  
In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.  
-----

ORDER

Upon the petition hereto attached and upon all of the files,  
records and proceedings had and taken herein,

IT IS HEREBY ORDERED that, upon the representative of the  
estate of the above named decedent filing a bond, with corporate surety,  
in the sum of \$25,000.00, the bond filed herein by him on the 22nd  
day of June, 1965, in the sum of \$50,000, together with the surety  
thereon, be discharged.

Dated this 16th day of May, 1966.

BY THE COURT

John Long  
Probate Judge



STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

PETITION

Your petitioner, for this his petition herein, respectfully shows to the Court and alleges:

1. That he is the duly appointed, qualified and acting representative of the estate of the above named decedent.
2. That his bond as such representative is in the sum of \$50,000.00.
3. That petitioner recently made and filed an account of his administration of the estate of said decedent for the period from May 7, 1965, to March 24, 1966, which account has been allowed, pursuant to an order of this court dated the 29th day of April, 1966.
4. That following the allowance of said account and on the 29th day of April, 1966, the court filed its decree of partial distribution, under the terms of which the court ordered the distribution of the sum of \$35,000.00.
5. That, pursuant to said partial decree of distribution, petitioner has made such distribution.
6. That, as appears from the last accounting made by petitioner, there now remains in his hands property of the value of no more than \$25,000.00.

WHEREFORE, petitioner prays the order of the court reducing his bond as representative in this matter to the sum of \$25,000.00.

Alvin J. Duvigneau  
Petitioner

STATE OF MINNESOTA )  
COUNTY OF STEARNS ) SS

Howard I. Donohue, being first duly sworn on his oath, says that he is the person who signed the foregoing petition; that he has read the same and knows the contents thereof; and that the same is true of his own knowledge, except as to such matters as are therein stated on information and belief, and as to such matters he believes the same to be true.

Howard I. Donohue

Subscribed and sworn to before me  
this 13th day of May, 1966.

Leah C. Johnson

LEAH C. JOHNSON, Notary Public  
STEARNS COUNTY, MINNESOTA  
MY COMMISSION EXPIRES MAY 14, 1968

19606  
STATE OF MINNESOTA

COUNTY OF STEARNS

PROBATE COURT

---

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent

---

PETITION AND ORDER  
FOR REDUCTION OF BOND

---

FILED THIS 16th DAY  
OF May A.D. 1966

*Rosemary H. Fairhouse*  
CLERK OF PROBATE

---

DONOHUE & DONOHUE  
601 St. Germain Street  
ST. CLOUD, MINNESOTA 56301

Attorneys for Representative

002784727

STATE OF MINNESOTA )  
COUNTY OF STEARNS ) ss

IN PROBATE COURT

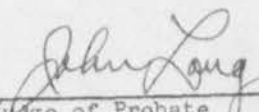
In the Matter of the Estate of ) ORDER DISCHARGING BOND  
Maurice W. Cousineau, also known ) DATED JUNE 21st, 1965 and  
as M.W. Cousineau, Decedent. ) filed June 22nd, 1965.

WHEREAS, Howard I. Donohue, Representative of the above named estate has filed a corporate surety bond - The Travelers Indemnity Company of the State of Connecticut, in the amount of \$25,000.00, and dated May 16th, 1966, and approved by the Court on May 17th, 1966, in lieu of the bond dated June 21st, 1965 - The Travelers Indemnity Company of the State of Connecticut, in the amount of \$50,000.00, and approved on the 22nd day of June, 1965, and

That an account has been filed and allowed on April 29th, 1966,

IT IS THEREFORE ORDERED, That the bond filed and approved June 22nd, 1965 - The Travelers Indemnity Company of the State of Connecticut, in the amount of \$50,000.00, be, and the same hereby is discharged.

Dated at St. Cloud, Minnesota, this 17th day of May, 1966.

  
\_\_\_\_\_  
Judge of Probate

19,606

STATE OF MINNESOTA

COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the  
Estate of Maurice W.  
Cousineau, etc.,  
Decedent.

ORDER DISCHARGING BOND  
FILED June 22nd, 1965,  
and Approved June 22nd,  
1965.

Filed this 17th day of  
May, 1966.

*Basilyn Kayhance*  
Clerk of Probate

002781729

STATE OF MINNESOTA

IN PROBATE COURT

COUNTY OF STEARNS

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

PETITION

Your petitioner, for this his petition herein, respectfully shows to the Court and alleges:

1. That he is the duly appointed, qualified and acting administrator of the estate of the above named decedent.
2. That there is hereto attached, marked Exhibit "A" and hereby made a part hereof, an account of his administration of the estate of said decedent from March 24, 1966, to December 30, 1966.
3. That said decedent left surviving him:

Sarah Sharkey,	sister
Elanah A. Bohr,	sister
Jane N. Moss,	sister
Frank Cousineau,	brother (now deceased)
Curtis F. Cousineau,	brother
Clarence S. Cousineau,	brother
Roland S. Cousineau,	brother

Frances Korlowski,	niece	} Children of Victoria Drouillard, a deceased sister of decedent
Grace Moore,	niece	
Harry Drouillard,	nephew	
Preston Drouillard,	nephew	

Marilyn Kleiner,	grand niece	} Daughter of Idell Steuve, deceased, who was a daughter of Victoria Drouillard, a deceased sister of decedent,
------------------	-------------	--

who are the heirs at law of said decedent and the persons entitled to the property the representative now proposes to distribute.

WHEREFORE, your petitioner prays the order of this Court fixing a time and place for the hearing of this petition, an examination of the account hereto attached, and the settlement and allowance thereof, including the distribution made on December 30, 1965, and that upon said hearing



the Court issue its decree for a distribution of the sum shown on the account for distribution now.

Dated this 5th day of December, 1966.

Howard I. Donohoe  
Petitioner

STATE OF MINNESOTA )  
COUNTY OF STEARNS ) SS

Howard I. Donohoe, being first duly sworn, on his oath says that he is the person who made the foregoing petition, that he has read said petition and knows the contents thereof, and that the same is true of his own knowledge, except as to such matters as are therein stated on information and belief, and as to such matters he believes the same to be true.

Howard I. Donohoe

Subscribed and sworn to before me  
this 5th day of December, 1966.

Leah C. Johnson

LEAH C. JOHNSON, Notary Public  
STEARNS COUNTY, MINNESOTA  
MY COMMISSION EXPIRES MAY 14, 1968

ACCOUNT OF REPRESENTATIVE

From March 24, 1966, to December 30, 1966

RECEIPTS

Personal property on hand (exclusive of balance on contracts for deed) on March 24, 1966		\$ 9,342.72
Payments on principal of contracts for deed:		
Northwest Supply Company,	\$3,353.45	
M. W. Swang	<u>885.70</u>	4,239.15
Interest payments:		
On Swang contract,	347.27	
On Security Federal Savings & Loan Ass'n accounts:		
6/30/66	\$100.00	
10/7/66	100.00	
12/30/66	<u>138.47</u>	
	338.47	685.74
Refund of premium on representative's bond,		18.00
Paid on Robinson I.O.N.		<u>60.00</u>
TOTAL RECEIPTS.....		\$11,345.61

EXHIBIT "A"

112  
BOARD  
ONE

DISBURSEMENTS

Publication of order for hearing on last account	\$12.50	
Publication of order for hearing on this account	<u>12.50</u>	\$ 25.00
Recording death certificate relating to Mary I. Cousineau,	3.00	
Discount on remittance of payment by Robinson,	4.25 R	
Representative's expenses on trip to Moorhead and return to St. Cloud:		
Mileage	\$14.16	
Room,	3.75	
Meals	1.90	
Telephone	<u>.10</u>	
	19.91	
Premiums on representative's bond,	135.00 R	
Bank charges for money orders,	36.60 R	
Representative's fees:		
In re Mary I. Cousineau estate	250.00	
In re Maurice W. Cousineau estate	<u>750.00</u>	
	1,000.00	
		<u>1,199.46</u>
		\$1,224.46
Commissioner of Taxation for Minnesota, 1965 fiduciary income tax,		<u>10.55 R</u>
	TOTAL DISBURSEMENTS.....	\$1,235.01

RECAPITULATION

Total Receipts.....	\$11,345.61	
Disbursements:		
Publication fees,		25.00
Expenses of administration,		1,199.46
Taxes,		16.55
For distribution now,		12,000.00
Residue on hand,		<u>1,110.60</u>
	\$11,345.61	\$11,345.61

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In addition to the above residue, there is unpaid principal on the Swang contract in the sum of \$9,532.39.

BOARD  
ONE

EXHIBIT "A"

00278 1733

19,606

STATE OF MINNESOTA  
COUNTY OF STEARNS  
PROBATE COURT

---

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent

---

ACCOUNT AND PETITION

---

FILED THIS 6<sup>th</sup> DAY  
OF December A.D. 1966  
Joseph M. Mickman  
CLERK OF PROBATE

---

DONOHUE & DONOHUE  
601 St. Germain Street  
ST. CLOUD, MINNESOTA 56301

Attorneys for Representative

---

002787334

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

-----  
In the Matter of the Estate  
of Maurice W. Cousineau, also  
known as M. W. Cousineau, Deceased.

ORDER

-----  
Upon the petition hereto attached and upon all of the files,  
records and proceedings had and taken herein,

IT IS HEREBY ORDERED that, upon the representative of the  
estate of the above named decedent filing a bond, with corporate surety,  
in the sum of \$7,500.00, the bond filed herein by him on the 17th day  
of May, 1966, in the sum of \$25,000.00, together with the surety  
thereon, be discharged.

Dated this 30 day of November, 1966.

BY THE COURT

John Lang  
Probate Judge

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

-----  
In the Matter of the Estate  
of Maurice W. Cousineau, also  
known as M. W. Cousineau, Deceased.

PETITION

-----  
Your petitioner, for this his petition herein, respectfully  
shows to the Court and alleges:

1. That he is the duly appointed, qualified and acting representative of the estate of the above named decedent.
2. That his bond as such representative is in the sum of \$25,000.00.
3. That petitioner recently made and filed an account of his administration of the estate of said decedent for the period from March 24, 1966, to December 30, 1966, which account has been allowed, pursuant to an order of this court dated the 30th day of December, 1966.
4. That following the allowance of said account and on the 30th day of December, 1966, the court filed its decree of partial distribution, under the terms of which the court ordered the distribution of the sum of \$12,000.00.
5. That, pursuant to said partial decree of distribution, petitioner has made such distribution.
6. That, as appears from the last account made by petitioner, there now remains in his hands property of the value of no more than \$11,000.00.

WHEREFORE, petitioner prays the order of the court reducing his bond as representative in this matter to the sum of \$7,500.00.

Maurice W. Cousineau  
Petitioner



STATE OF MINNESOTA )  
                          ) SS  
COUNTY OF STEARNS )

Howard I. Denchue, being first duly sworn on his oath, says that he is the person who signed the foregoing petition; that he has read the same and knows the contents thereof; and that the same is true of his own knowledge, except as to such matters as are therein stated on information and belief, and as to such matters he believes the same to be true.

Howard I. Denchue

Subscribed and sworn to before me  
this 30th day of December, 1966.

Leah C. Johnson

LEAH C. JOHNSON, Notary Public  
STEARNS COUNTY, MINNESOTA  
MY COMMISSION EXPIRES MAY 14, 1968

19,606

STATE OF MINNESOTA )  
County of Stearns )

PROBATE COURT  
In the Matter of the Estate of  
Maurice W. Courtneen, etc.  
Decedent -/Ward/

PETITION & ORDER TO  
REDUCE BOND

FILED THIS 30th DAY  
OF December AD. 19 86

*[Signature]*  
CLERK OF PROBATE

002781738

STATE OF MINNESOTA }  
COUNTY OF STEARNS } ss

IN PROBATE COURT

In the Matter of the Estate of } ORDER DISCHARGING SURETY  
Maurice W. Cousineau, also known }  
as M.W. Cousineau, Decedent. }

The Representative of the above named estate having filed his bond in the amount of Seventy-five Hundred and no/100 (\$7500.00) Dollars, and said bond having been approved by this Court, and

The bond, dated the 16th day of May, 1966, filed in this Court, in the amount of Twenty-five Thousand and no/100 (\$25,000.00) Dollars, should now be released and cancelled.

IT IS THEREFORE ORDERED, That the bond, dated the 16th day of May, 1966, in the amount of Twenty-five Thousand and no/100 (\$25,000.00) Dollars, filed in the above named estate, be, and the same hereby is released and cancelled.

Dated this 9th day of January, 1967.

  
\_\_\_\_\_  
Judge of Probate

19,606

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

In the Matter of the  
Estate of Maurice W. Cousineau,  
etc., Decedent.

ORDER DISCHARGING SURETY

Filed this 9th day of

January, 1967.

*Arthur Bushman*  
Clerk of Probate Court

002781740

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

PETITION

Your petitioner, for this his petition herein, respectfully shows to the Court and alleges:

1. That he is the duly appointed, qualified and acting administrator of the estate of the above named decedent.
2. That there is hereto attached, marked Exhibit "A" and hereby made a part hereof, a final account of his administration of the estate of said decedent from December 30, 1966, to date.
3. That said decedent left surviving him:

Sarah Sharkey,	sister
Blanch A. Rohr,	sister
Jane N. Moss,	sister
Frank Cousino, (now deceased)	brother
Curtis F. Cousineau,	brother
Clarence S. Cousineau,	brother
Roland E. Cousino,	brother
Frances Korlewski,	niece
Grace Moore,	niece
Harry Drouillard,	nephew
Preston Drouillard,	nephew
Marilyn Kleiner	grand niece
Lawrence Forpahl,	son of Angeline Forpahl, deceased full sister of decedent's wife
Frank Forpahl,	Step-son of above-named Angeline Forpahl,
William Forpahl,	Step-son of above-named Angeline Forpahl,
Helen (Mrs. Joseph) Schroedl,	step-daughter of above-named Angeline Forpahl,
Rose Corniellien,	step-daughter of above-named Angeline Forpahl

Hazel Gilson,	daughter of Margarite (Mrs. Robert) Koerner, deceased full sister of decedent's wife,
Milton Lydell,	son of Katherine Lydell, deceased full sister of decedent's wife,
Josephine (Mrs. George) Hovland,	daughter of John Parries, a deceased half-brother of decedent's wife,
Betty (Mrs. L.R.) Charlson,	"
Joanne (Mrs. Frank) LaChance,	"
Elizabeth Thorne,	half-sister of decedent's wife,
Ann Rogers,	"
Viola (Mrs. Ignatius) Rutoski,	"
Eileen (Mrs. Floyd) Trupe,	"
St. Joseph's Catholic Church, Moorhead, Minnesota,	
St. Francis' Catholic Church, Moorhead, Minnesota,	

who are all the heirs at law, legatees and devisees of said decedent.

That on the 13th day of October, 1967, the Merchants National Bank and Trust Company of Fargo was by order of the above-named court appointed as the administrator with will annexed of the estate of the above named decedent.

WHEREFORE, your petitioner prays the order of the court fixing a time and place for hearing on this petition and an examination of his final account and the settlement and allowance thereof, and that upon said hearing the court issue its order authorizing the undersigned to transfer the residue of the property in said estate to the Merchants National Bank and Trust Company of Fargo as the administrator with will annexed of said estate.

Dated this 24th day of October, 1967.

Edward J. Dunbar





STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

FINAL ACCOUNT OF REPRESENTATIVE COVERING PERIOD FROM  
DECEMBER 30, 1966, TO DATE

RECEIPTS

Personal property on hand on December 30, 1966, (exclusive of unpaid balance on M. B. Swang and Jean M. Swang contract for sale of real estate),	\$1,110.60
Item in representative's first account herein (June 4, 1964) for certified copy of decrees and recording the same, which sum has not actually been expended,	4.50
Total Receipts.....	\$1,115.10

DISBURSEMENTS

Publication of order for hearing on this account,	\$12.50	R
Minnesota fiduciary income tax for 1966,	10.00	
Total Disbursements.....	\$ 22.50	
Balance on hand.....	\$1,092.60	

PERSONAL PROPERTY FOR DISTRIBUTION

Cash,	\$1,092.60
IOU given by Ronald Robinson, of White Rock, B.C., Canada, dated January 1963, and payable January 20, 1963, in principal sum of \$500.00, of which amount the sum of \$425.00 remains unpaid. Appraised at.....	No Value

In addition to the above described personal property, there is a principal balance remaining unpaid on the Merwood B. Swang and Jean M. Swang contract for the sale of real estate in Clay County, Minnesota, of \$9,532.39, with interest thereon at 4% per annum from and since November 30, 1966, which contract is more particularly described in the Inventory herein.

*Exhibit A*

002781744

STATE OF MINNESOTA  
COUNTY OF STEARNS  
IN PROBATE COURT

File No. 19,606

In the Matter of the Estate of  
Maurice W. Cousineau, also known as  
M. W. Cousineau, Decedent.

FINAL ACCOUNT OF REPRESENTATIVE COVERING  
PERIOD FROM DECEMBER 30, 1966, TO  
OCTOBER 24, 1967.

FILED THIS 24<sup>th</sup> DAY  
OF October A.D. 1967.

Joseph Kurbauer  
CLERK OF PROBATE

DONOHUE & DONOHUE

601 St. Germain Street  
ST. CLOUD, MINNESOTA 56301

Attorneys for Administrator

002784745



STATE OF MINNESOTA )  
County of Stearns )

PROBATE COURT

In the Matter of the Estate of

Maurice W. Cousineau,  
Decedent - XXX

OATH AND ACCEPTANCE BY  
ADMINISTRATOR WITH WILL  
ANNEXED

FILED THIS 2nd DAY  
OF November A.D. 1967

Rosalyn Kunkin  
CLERK OF PROBATE

002781797

STATE OF MINNESOTA

IN PROBATE COURT

COUNTY OF STEARNS

In the Matter of the Estate  
of Maurice W. Cousineau, decedent

OBJECTION BY ADMINISTRATOR  
WITH WILL ANNEXED AS TO THE  
SETTLEMENT AND ALLOWANCE OF  
THE ADMINISTRATOR'S FINAL  
ACCOUNT

Your Administrator With Will Annexed, hereby objects to the above-named Court settling and allowing the Final Account of the Administrator. With reference to this objection, the objector states as follows:

I.

Your objector does not take issue with the mathematical accuracy of the account; that is, your objector is satisfied that the administrator has collected and brought to the attention of this Court all assets which constituted part of the decedent's estate; and your objector acknowledges that those assets have been accounted for in the manner as set forth in the documents now on file in this Court.

II.

Your objector does specifically object, however, to any action, Order or Decree of this Court which would have the effect of directly or indirectly confirming and affirming the correctness of the distribution of those assets. That is, your objector states to the Court that it is your objector's position that while the assets have been distributed in the manner as set forth in the Partial Decrees now on file, yet your objector brings to the attention of this Court the fact that your objector is now in the process of attempting to recover these assets and for that reason the Court cannot settle and allow the account in any manner which would have the effect of confirming the distribution in the hands of the heirs at law as the same is now reflected in the files of this Court.

Dated this 3rd day of November, 1967.

MERCHANTS NATIONAL BANK AND TRUST  
COMPANY

STATE OF NORTH DAKOTA )  
                                  )ss.  
COUNTY OF CASS )

By Harry Moe  
Administrator With Will Annexed  
of the Estate of Maurice W.  
Cousineau, deceased.

Harry Moe, Secretary of the Trust Department of the Merchants National Bank and Trust Company, herewith states that he has read the foregoing Objection and that the same is executed and filed on behalf of the Administrator With Will Annexed of said estate.

Harry Moe  
Harry Moe

Subscribed and sworn to before me  
this 3rd day of November, 1967.

David D. Gault  
Notary Public, Cass County, North Dakota

DAVID D. GAULT  
Notary Public, Cass County, North Dakota  
My Commission Expires July 11, 1968





19,606

STATE OF MINNESOTA )  
County of Stevens )

Probate Court

In the Matter of the Estate of  
Maurice Cousineau, etc.,

Decedent.

MAILING AFFIDAVIT

FILED THIS 19th DAY

of November A.D. 1967

*Rosalyn Kuyhove*  
Clerk of Court

00271750

STATE OF MINNESOTA

IN PROBATE COURT

COUNTY OF STEARNS

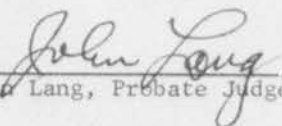
In the Matter of the Probate of the Will in the Estate of Maurice W. Cousineau, also known as M. W. Cousineau, Decedent.

ORDER FOR HEARING ON PETITION TO VACATE DECREES OF PARTIAL  
DISTRIBUTION AND DIRECTING ADMINISTRATOR WITH WILL ANNEXED  
TO PROCEED AGAINST PERSONS WHO HAVE RECEIVED ASSETS FROM THE  
ESTATE CONTRARY TO PROVISIONS OF WILL

The administrator, will Will Annexed, of said estate, having filed herein a petition asking this court for its order vacating decrees of partial distribution and directing administrator with Will Annexed to proceed against persons who have received assets from the estate contrary to provisions of Will;

IT IS ORDERED that a hearing be had on said petition on Friday, January 26, 1968, at 9:00 A.M., before this court in the probate courtroom in the courthouse in St. Cloud, Minnesota, and that notice hereof be given by publication of this order in the St. Cloud Daily Times, and by mailing notices as provided by law.

Dated this 8th day of December, 1967.

  
\_\_\_\_\_  
John Lang, Probate Judge

(PROBATE COURT SEAL)

*Handwritten note:*  
No  
slippage

STATE OF MINNESOTA }  
County of Stearns }

PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, et al.,

Decedent - Will

ORDER FOR HEARING ON  
PETITION TO VACATE DECREE  
OF PARTIAL DISTRIBUTION &  
TO PROCEED AGAINST PERSONS  
WHO HAVE RECEIVED ASSETS  
FROM THE ESTATE CONTRARY TO  
PROVISIONS OF WILL.

FILED THIS 8th DAY  
OF December A.D. 1927

*Walter R. Johnson*  
CLERK OF PROBATE

251101200  
002701752

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

AFFIDAVIT OF SERVICE OF NOTICE OF THE MAKING AND FILING  
OF THE ORDER OF THE COURT ALLOWING FINAL ACCOUNT OF THE  
REPRESENTATIVE

STATE OF MINNESOTA )  
COUNTY OF STEARNS ) SS

Kathleen Ulrich, being first duly sworn on her oath says, that on the 20th day of December, 1967, at the City of St. Cloud, in Stearns County, Minnesota, she served the Notice hereto attached upon the heirs-at-law of the above named decedent, the legatees and devisees named in his last Will and Testament, the administrator with will annexed of the estate of said decedent and its attorneys, by depositing a copy thereof, for each of said persons, properly enveloped, with postage prepaid, addressed to each of said persons, at his last known address, in the United States mail at said St. Cloud, Minnesota, where affiant, who is a secretary of Howard I. Donohue, administrator of the estate of said decedent, resides.

That the names and addresses of the persons upon whom such service was made are as follows, to-wit:

Name	Street or Post Office	City	State
Sarah Sharkey	44 Broadway, Apt. 2	Ecorse	Mich. 48229
Elanch A. Rohr	421 1/2 Walbridge	Toledo	Ohio 43609
Jane N. Moss	1545 1/2 Brest Road	Southgate	Mich. 48070
Mrs. Peter Macala (administratrix of the estate of Frank Cousino)	424 Berkley	Dearborn	Mich. 48120
Curtis F. Cousineau	17 West 3rd Street	Monroe	Mich. 48161
Clarence S. Cousineau	2416 Trenton Avenue	Toledo	Ohio 43606
Roland E. Cousino	2475 3rd Street	Trenton	Mich. 48183
Frances Kozlowski	5228 So. Otter Creek Road	LaSalle	Mich. 48145
Grace Moore	7988 Winthrop Bolles Harbor	Monroe	Mich. 48161
Harry Drouillard	c/o Harry's Tavern R.F.D.	LaSalle	Mich. 48145
Preston Drouillard	5916 North Detroit Avenue	Toledo	Ohio 43612
Marilyn Kleiner	19131 McCormick	Detroit	Mich. 48236

Name	Street or Post Office	City	State
Beverly Jean Forpahl		Minneapolis	Minn. 55440
Frank Forpahl	2724 Plymouth Road South	Minnetonka	Minn. 55343
William Forpahl	3305 Birch Place	Minnetonka	Minn. 55343
Helen Schroedl	1073 25th Avenue Southeast	Minneapolis	Minn. 55400
Rose Corniellien	3258 Northeast Polk Street	Minneapolis	Minn. 55400
Hazel Gilson	3110 1st Avenue South	Minneapolis	Minn. 55400
Milton Lydall	1722 Dayton	St. Paul	Minn. 55104
Josephine Hovland	619 North 11th Street	Moorhead	Minn. 56560
Betty Charlson	6709 South Bermuda Drive	Lincoln	Nebr. 68500
Joanne LaChance	6855 Drew Avenue	Minneapolis	Minn. 55400
Elizabeth Thorne	729 7th Avenue North	Edmunds	Wash. 98020
Ann Rogers		International Falls	Minn. 56649
Viola Rutoski	1088 North Chatsworth	St. Paul	Minn. 55100
Bileen Trupe	2859 Midvale Avenue	St. Paul	Minn. 55119
St. Joseph's Catholic Church		Moorhead	Minn. 56560
St. Francis Catholic Church		Moorhead	Minn. 56560
Merchants National Bank & Trust Company of Fargo		Fargo	Minn. 58103
Garrity, Cahill, Gunhus, Streed & Grinnell	First National Bank Bldg.	Moorhead	Minn. 56560

Kathleen Ulrich

Subscribed and sworn to before me  
 this 24th day of December, 1967.

Olivera Duvhac

MINNESOTA  
 Notary Public, State of Minn.  
 My Commission Expires Oct. 23, 1974



STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

NOTICE OF THE MAKING AND FILING OF THE ORDER  
OF THE COURT ALLOWING FINAL ACCOUNT OF THE  
REPRESENTATIVE

TO: Sarah Sharkey, Blanch A. Rohr, Jane N. Moss, Mildred H. Macala,  
administratrix of the Estate of Frank Cousine, Curtis F. Cousineau,  
Clarence S. Cousineau, Roland E. Cousine, Frances Koslowski, Grace  
Moore, Harry Drouillard, Preston Drouillard, Marilyn Kleiner;  
Beverly Jean Forpahl, Frank Forpahl, William Forpahl, Helen  
Schroedl, Rose Corniellien, Hazel Gilson, Milton Lydell,  
Josephine Hovland, Betty Charlson, Joanne LaChance, Elizabeth  
Thorne, Ann Rogers, Viola Rutoski, Eileen Trupe, St. Joseph's  
Catholic Church, St. Francis Catholic Church, heirs at law,  
devisees and legatees named in the Last Will and Testament of  
said decedent; Merchants National Bank and Trust Company of  
Fargo, administrator of the estate of the above named decedent  
with will annexed and Garrity, Cahill, Gunhus, Streed & Grinnell,  
attorneys for said Merchants National Bank and Trust Company of  
Fargo:

You, and each of you, will please take notice that the court  
has made and filed its order allowing the final account of Howard I.  
Donohue, as administrator of the estate of the above named decedent.

That said order is dated the 8th day of December, 1967, and  
was filed with the Clerk of the above named court on the 11th day of  
December, 1967.

That a true and correct copy of said order is hereto attached,  
marked Exhibit "A" and hereby made a part hereof.

*Howard I. Donohue*  
Administrator of the above named  
Estate.

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

ORDER ALLOWING  
FINAL ACCOUNT

Howard I. Donohue the administrator of the estate of the above named decedent, on the 24th day of October, 1967 filed his final account--which covered the period from December 30, 1966, the date of the order of the court allowing the last preceding intermediate account to October 24, 1967--together with his petition for the settlement and allowance thereof, and for the order of the court authorizing him to transfer the property of the estate of said decedent in his hands to the Merchants National Bank and Trust Company of Fargo, administrator of the estate of the above named decedent, with will annexed.

Upon the filing of said final account and petition, this court on the 24th day of October, 1967, duly made and filed its order fixing the 17th day of November, 1967 at 9:00 A.M., as the time, in the Probate Court Room in the Court House in the City of St. Cloud, in Stearns County, Minnesota, as the place for the hearing on said final account and petition.

An objection was made and filed by the Merchants National Bank and Trust Company of Fargo, the administrator of the estate of the above named decedent, with will annexed, to the allowance of said final account.

At the time and place fixed for the hearing on said final account and petition, to-wit: on the 17th day of November, 1967, at the Probate Court Room in the Court House, in the City of St. Cloud, in Stearns County, Minnesota, the said Howard I. Donohue, as administrator of the estate of the above named decedent appeared in person in support of said final account and petition, and the said Merchants National Bank and Trust

EXHIBIT "A"

Company of Fargo, administrator of the estate of the above named decedent, with will annexed, appeared, by and through James E. Garrity of Garrity, Cahill, Guins, Stroed & Grinnell, its attorneys, in opposition thereto; and there was not any other appearance. After a hearing in said matter, further hearing on said final account and petition was by an order of this court dated the 17th day of November, 1967, continued to the 8th day of December, 1967, at 9:00 A.M., of said day at the Probate Court Room, in the Court House in the City of St. Cloud, in Stearns County, Minnesota; at which time and place the said Howard I. Donohue, administrator of the estate of said decedent, appeared in person in support of said final account and petition, and there was not any other appearance, and said matter was then heard and submitted to the court.

The court having duly considered said final account and petition, the evidence adduced in support thereof, the files, records and proceedings had and taken herein finds:

FIRST-- That due notice of the hearing on said final account and petition was given as required by law by the publication of the citation of this court for said hearing, dated the 24th day of October, 1967, in the St. Cloud Daily Times, a legal newspaper printed and published in the City of St. Cloud, in Stearns County, Minnesota, on October 26th, November 2nd and 9th, 1967 and by mailing a copy of said printed notice to each of the heirs at law of said decedent and to each of the legatees and devisees named in his Last Will and Testament; and proof of said publication and mailing was duly filed; that due notice of the continuance of said hearing was given to the persons who appeared herein.

SECOND-- That the said Merchants National Bank and Trust Company of Fargo, the administrator of the estate of said decedent, with will annexed, did not object to the mathematical accuracy of said account and further was satisfied:

"the administrator has collected and brought to the attention of this Court all assets which constituted part of the decedent's estate; and your objector acknowledges that those assets have been accounted for in the manner as set forth in the documents now on file in this Court."

THIRD-- That said final account and petition have been examined, adjusted, and settled by this court, and as so adjusted and settled, is hereby found to be correct; a summary statement of which account is as follows, to-wit:

RECEIPTS

Personal property on hand on December 30, 1966, (exclusive of unpaid balance on M.B. Swang and Jean M. Swang contract for sale of real estate),	\$1,110.60
Item in representative's first account here in (June 4, 1964) for certified copy of decree and recording the same, which sum has not actually been expended ,	4.50
Total Receipts .....	<u>\$1,115.10</u>

DISBURSEMENTS

Publication of order for hearing on this account,	\$12.50
Minnesota fiduciary income tax for 1966,	<u>10.00</u>
Total Disbursements .....	\$ <u>22.50</u>
Balance on hand .....	\$1,092.60

PERSONAL PROPERTY FOR DISTRIBUTION

Cash,	\$1,092.60
IOU given by Ronald Robinson, of White Rock, B.C., Canada, dated January 1963, and payable January 20, 1963, in principal sum of \$500.00, of which amount the sum of \$425.00 remains unpaid. Appraised at .....	No Value

- - - -

In addition to the above described personal property, there is a principal balance remaining unpaid on the Merwood B. Swang and Jean M. Swang contract for the sale of real estate in Clay County, Minnesota, of \$9,532.39, with interest thereon at 4% per annum from and since November 30, 1966, which contract is more particularly described in the Inventory herein.

FOURTH-- That all taxes, including personal property taxes, assessed against said estate, have been paid and proof of payment thereof filed, and that said administrator has complied with all orders of this court and with all provisions of law.



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 administrator of said estate.

That the said administrator is hereby authorized and directed to deliver the residue of the property of said estate in his hands to the Merchants National Bank and Trust Company of Fargo, as administrator of the estate of said decedent, with will annexed.

Dated this 8th day of December, 1967.

BY THE COURT

/s/ John Long

Probate Judge

19,606

STATE OF MINNESOTA )  
County of Stevens )

PROBATE COURT  
In the Matter of the Estate of  
Maurice W. Cousineau, etc.,  
Decedent. XXX

AFFIDAVIT OF SERVICE OF  
ORDER ALLOWING  
FINAL ACCOUNT

FILED THIS 26th DAY  
OF December A.D. 1967

Rosalyn Kuslan  
CLERK OF PROBATE

002787760



STATE OF MINNESOTA

COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Probate of  
the Will and Estate of Maurice  
W. Cousineau, deceased,  
also known as M. W. Cousineau,

PETITION FOR ORDER OF COURT  
DETERMINING AMOUNT OF OVER-  
PAYMENT

Your petitioner, the Merchants National Bank and Trust Company, Fargo, as administrator with Will Annexed, herewith respectfully represents, petitions, and states to the Court as follows:

I.

That your petitioner is about to proceed, pursuant to the Order of this Court dated January 26, 1968, directing your petitioner to collect back assets which have been erroneously paid over and received. That your petitioner desires the order of this Court fixing and determining and adjudicating the amount of overpayment which was received by the various beneficiaries under the law of intestacy, to the end that the payment received by said persons may conform to the share which would have been available to them had distribution been made in accordance with the terms and provisions of the decedent's Will.

II.

That the persons hereinafter named received cash distribution from the estate, determined on an intestacy basis, in the amounts as indicated as follows:

1. Frank Cousino-----\$12,148.96
2. Clarence S. Cousineau----- 12,148.96
3. Blanch A. Rohr----- 12,148.96
4. Sarah Sharkey-----12,177.62
5. Roland E. Cousino----- 12,179.13
6. Curtis F. Cousineau----- 12,179.13

7. Jane N. Moss-----	\$12,179.13
8. Frances Kozlowski-----	2,514.25
9. Grace Moore-----	2,514.25
10. Harry Drouillard-----	2,514.25
11. Preston Drouillard-----	2,514.25
12. Marilyn Kleiner-----	2,514.24

### III.

That instead of the above amounts, the following persons should have received, under the terms of the Will, the amounts of money indicated as follows:

1. Frank Cousino should have received \$4,049.65, resulting in an overpayment of \$8,099.31.

2. Clarence S. Cousineau should have received \$4,049.65, resulting in an overpayment of \$8,099.31.

3. Blanch A. Rohr should have received \$4,049.65, resulting in an overpayment of \$8,099.31.

4. Sarah Sharkey should have received \$4,059.20, resulting in an overpayment of \$8,118.42.

5. Roland E. Cousino should have received \$4,059.71, resulting in an overpayment of \$8,119.42.

6. Curtis F. Cousineau should have received \$4,059.71, resulting in an overpayment of \$8,119.42.

7. Jane N. Moss should have received \$4,059.71, resulting in an overpayment of \$8,119.42.

8. Frances Kozlowski should have received \$838.08, resulting in an overpayment of \$1,676.17.

9. Grace Moore should have received \$838.08, resulting in an overpayment of \$1,676.17.

10. Harry Drouillard should have received \$838.08, resulting in an overpayment of \$1,676.17.

11. Preston Drouillard should have received \$838.08, resulting in an overpayment of \$1,676.17.

12. Marilyn Kleiner should have received \$838.08, resulting in an overpayment of \$1,676.17.

WHEREFORE, your petitioner respectfully represents and petitions to the above named Court that the above named Court makes its Order fixing and determining the amount of overpayment, which is to be recovered in the above amounts.

MERCHANTS NATIONAL BANK AND  
TRUST COMPANY OF FARGO

By Harry Moe  
Harry Moe

STATE OF NORTH DAKOTA)  
                                  )ss,  
COUNTY OF CASS              )

Harry Moe, being duly sworn, on oath says that he is the Secretary of the said trust company who is the petitioner named in the foregoing petition; that the said petition is true to the best of his knowledge and belief.

Harry Moe  
Harry Moe

Subscribed and sworn to before  
me this 30th day of January, 1968.

Cheryl Leiser

Notary Public, Cass County, North Dakota

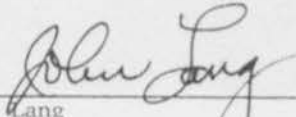
CHERYL LEISER  
Notary Public, CASS COUNTY, N. DAK.  
My Commission Expires JULY 14, 1973

O R D E R

Based upon the foregoing petition and upon motion of James E. Garrity, attorney for the petitioner, IT IS HEREBY ORDERED as follows:

1. That the foregoing petition be filed with this Court; and
2. That a hearing thereon shall be heard on February 23, 1968 at 9:00 o'clock A.M.
3. That mailed Notice of the foregoing petition and this Order shall be made upon all of the heirs and legatees.

Dated at St. Cloud, Minnesota, this 31st day of January, 1968.

  
\_\_\_\_\_  
John Lang  
Judge of the Probate Court

19.606

STATE OF MINNESOTA

County of Stearns

PROBATE COURT

In and for the Estate of

*Maurice W. Loveman*

*et al*

Decedent - Ward

*Petition for  
Order of Court  
Determining Asset  
of Overpayment*

FILED THIS *31st* DAY

OF *Jan* A.D. 19*65*

*Paula R. Kruemel*  
CLERK OF PROBATE

*Return  
made to  
Dist Court  
2/29/68*

STATE OF MINNESOTA

IN PROBATE COURT

COUNTY OF STEARNS

In the Matter of the Probate of the Will and Estate of  
MAURICE W. COUSINEAU, deceased, also known as M. W. COUSINEAU.

TO:

NAME	STREET OF POST OFFICE	CITY	STATE
Harry Drouillard	W. P.O.	LaCelle	Michigan
Frank Forpahl	2734 Plymouth Rd. So.	Minnnetonka	Minnesota
William Forpahl	3305 Birch Place	Minnnetonka	Minnesota
Mrs. Helen Schroedl	1073 25th Ave. S. E.	Minneapolis	Minnesota
Mrs. Rose Corniellien	3853 W. E. Folk St.	Minneapolis	Minnesota
Mrs. Hazel Gilson	3110 1st Ave. So.	Minneapolis	Minnesota
Milton Lydell	1722 Dayton	St. Paul	Minnesota
Mrs. Elizabeth Thorne	789 - 7th Ave. No.	Edwards	Washington
Mrs. Ann Rogers		International Falls	Minnesota
Mrs. Viola Rutosi	1088 No. Chatsworth	St. Paul	Minnesota
Mrs. Eileen Trupe	2859 Midvale Avenue	St. Paul	Minnesota
Mrs. Sarah Sharkey	14 Broadway	Ecorse	Michigan
Mrs. Blanche A. Rohr	422 1/2 Walbridge	Toledo	Ohio
Mrs. Jane W. Moss	1545 1/2 Brest Road	Southgate	Michigan
Curtis F. Cousineau	17 West 3rd St.	Monroe	Michigan
Mrs. Clarence S. Cousino	2116 Trenton Avenue	Toledo	Ohio
Beland E. Cousino	2475 - 3rd St.	Trenton	Michigan
Frances Koslowski	5228 S. Otter Creek Rd.	LaSalle	Michigan
Freston Drouillard	5916 N. Detroit Ave.	Toledo	Ohio
Marilyn Kleiner	12131 McCormick	Detroit	Michigan
Beverly Jean Forpahl	2724 Plymouth Rd. Co. c/o Frank Forpahl	Minnnetonka	Minnesota
Mrs. Josephine Howland	619 North 11th St.	Moorhead	Minnesota
Mrs. Betty Charlson	6709 S. Bermuda	Lincoln	Nebraska
Mrs. Joanne LaChance	6812 Drew Ave. N.	Minneapolis	Minnesota
St. Joseph's Catholic Church		Moorhead	Minnesota
St. Francis' Catholic Church		Moorhead	Minnesota
Merchants National Bank and Trust Company	505 2nd Ave. N.	Fargo	North Dakota
Dr. Roger Sondag	1204 South 11th	Moorhead	Minnesota
Grace Moore	7988 Winthrop	Monroe	Michigan
James E. Garrity, Attorney at Law, Attorney for the Administrator CTA, Moorhead, Minnesota.			

NOTICE OF APPEAL

SIRS: PLEASE TAKE NOTICE that Jane M. Moss of  
15454 Brest Road, Southgate, Michigan, a person aggrieved by  
the Order of the above named court hereinafter described,  
hereby appeals from such order and all thereof, upon  
questions of law and fact, to the District Court of the

Law Offices of  
MURPHY & REICHERT  
PROFESSIONAL BUILDING  
96 ST. GERMAIN STREET  
ST. CLOUD, MINNESOTA  
56304



State of Minnesota in and for the County of Stearns.

1. On January 26, 1968, the court made and entered an order entitled "Order Vacating Decree of Partial Distribution and Directing Administrator with Will Annexed to proceed against persons who have received assets from the estate contrary to provisions of Will."

2. Appellant is a person who has received assets from the administrator of the above named decedent's estate prior to the discovery and presentation for proof and allowance of a Will purporting to be that of the decedent and prior to the appointment of the present Administrator CTA.

3. That less than thirty days have elapsed since the entry of such Order or notice thereof.

4. That such Order is contrary to law and to the evidence in the case.

5. That as it concerns this appellant the Order appealed from is in excess of the jurisdiction of the court.

6. That the appellant has filed with the court her bond in the amount of Five Hundred and no/100 (\$500.00) Dollars as required by the court conditioned that she will diligently prosecute this appeal, to a final determination and pay all costs and disbursements and abide the Order of the court herein.

WHEREFORE, pursuant to the provisions of Section 525.71 of the Minnesota Statutes Annotated the appellant has and by this notice does appeal from such Order to the Stearns County, Minnesota, District Court, as aforesaid, for a trial of the issues of law and fact.

Law Offices of  
MURPHY & REICHERT  
PROFESSIONAL BUILDING  
96 ST. GERMAN STREET  
ST. CLOUD, MINNESOTA  
56301

MURPHY & REICHERT

By 

Attorneys for Jane M. Moss  
Appellant  
Professional Building  
St. Cloud, Minnesota

Jane M. Moss  
Jane M. Moss, Appellant

State of Minnesota  
ss.  
County of Stearns

Jane M. Moss, being duly sworn, on oath, says, that she is the person who makes the foregoing Notice of Appeal in the above entitled matter; that she has read said Notice and knows the contents thereof, and that the same is true of her own knowledge, except as to those matters therein stated on information and belief, and that as to those matters she believes it to be true.

Jane M. Moss  
Jane M. Moss

Subscribed and sworn to before me this 21st day of  
February, 1968.

Thomas J. Murphy  
Notary Public  
County, Minnesota

My commission expires: \_\_\_\_\_

THOMAS J. MURPHY  
Notary Public, Stearns County, Minn.  
My Commission Expires Nov. 14, 1968

Law Offices of  
MURPHY & REICHERT  
PROFESSIONAL BUILDING  
916 ST. GERMAIN STREET  
ST. CLOUD, MINNESOTA  
56301

00278 1768

STATE OF MINNESOTA  
County of Stevens.

JUDICIAL DISTRICT  
in the Matter of the Estate of

Maurice W. Cousineau, etc.,  
Deceased (1111)

NOTICE OF APPEAL

FRANK COUSINO

Cash,	\$12,148.96	
Inheritance tax and interest on a portion thereof,	<u>780.97</u>	
Total		\$12,929.93

CLARENCE S. COUSINEAU

Cash,	\$12,148.96	
Inheritance tax and interest on a portion thereof,	<u>780.97</u>	
Total		\$12,929.93

BLANCH A. ROHR

Cash,	\$12,148.96	
Inheritance tax and interest on a portion thereof,	<u>780.97</u>	
Total		\$12,929.93

SARAH SHARKEY

Cash,	\$12,177.62	
Inheritance tax and interest on a portion thereof,	<u>752.31</u>	
Total		\$12,929.93

ROLAND E. COUSINO

Cash,	\$12,179.13	
Inheritance tax and interest on a portion thereof,	<u>750.80</u>	
Total		\$12,929.93

CURTIS F. COUSINEAU

Cash,	\$12,179.13	
Inheritance tax and interest on a portion thereof,	<u>750.80</u>	
Total		\$12,929.93

JANE N. MOSS

Cash,	\$12,179.13	
Inheritance tax and interest on a portion thereof,	<u>750.80</u>	
Total		\$12,929.93

FRANCES KOZLOWSKI

Cash,	\$ 2,514.25	
Inheritance tax and interest on a portion thereof,	<u>71.74</u>	
Total		\$ 2,585.99

GRACE MOORE

Cash,	\$2,514.25	
Inheritance tax and interest on a portion thereof,		
Total	<u>71.74</u>	\$2,585.99

HARRY DROUILLARD

Cash,	\$2,514.25	
Inheritance tax and interest on a portion thereof,		
Total	<u>71.74</u>	\$2,585.99

PRESTON DROUILLARD

Cash,	\$2,514.25	
Inheritance tax and interest on a portion thereof,		
Total	<u>71.74</u>	\$2,585.99

MARILYN KLEINER

Cash,	\$2,514.24	
Inheritance tax and interest on a portion thereof,		
Total	<u>71.74</u>	\$2,585.98

STATE OF MINNESOTA  
 COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
 Maurice W. Cousineau,  
 decedent

AFFIDAVIT OF SERVICE BY MAIL

\*\*\*\*\*

State of Minnesota) )ss  
 County of Clay )

Mildred O. Olson, being first duly sworn on oath deposes and says that on the 4th day of January, 1968, at Moorhead, in said County and State she mailed copy of letter from Attorney H.I. Donohue dated December 27, 1967 and enclosure attached to Attorney Donohue's letter dated December 27, 1967, together with letter of January 4, 1968 from Garrity, Cahill, Gunhus, Streed & Grinnell, 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 copy thereof in a sealed envelope, postage prepaid and depositing same in the U.S. mails at Moorhead, Minnesota, addressed to the following named persons:

Name	Street of Post Office	City	State
Frank Forpahl	2724 Plymouth Rd. So.	Minnetonka	Minnesota
Wm. Forpahl	3305 Birch Place	Minnetonka	Minnesota
Mrs. Helen Schroedl	1073 25th Ave. S. E.	Minneapolis	Minnesota
Mrs. Pose Corniellien	3258 N.E. Polk St.	Minneapolis	Minnesota
Mrs. Hazel Gilson	3110 - 1st Ave. S.	Minneapolis	Minnesota
Hilton Lydell	1722 Dayton	St. Paul	Minnesota
Mrs. Elizabeth Thorne	729 - 7th Ave. N.	Edmunds	Washington
Mrs. Ann Rogers		International Falls	Minnesota
Mrs. Viola Rutoski	1088 No. Chatsworth	St. Paul	Minnesota
Mrs. Eileen Trupe	2859 Midvale Avenue	St. Paul	Minnesota
Mrs. Sarah Sharkey	44 Broadway	Ecrose	Michigan
Mrs. Blanch A. Rohr	421 1/2 Walbridge	Toledo	Ohio
Mrs. Jane N. Moss	15454 Brest Road	Southgate	Michigan
Curtis F. Cousineau	17 West 3rd St.	Monroe	Michigan
<del>Clarence S. Cousino</del>	<del>2416 Trenton Avenue</del>	<del>Toledo</del>	<del>Ohio</del>
Roland E. Cousino	2475 - 3rd St.	Trenton	Michigan
Frances Koslowski	5228 S. Otter Creek Road	LaSalle	Michigan
Grace Moore	7988 Winthrop	Monroe	Michigan
Harry Drouillard	R. P.D.	LaSalle	Michigan
Preston Drouillard	5916 N. Detroit Ave.	Toledo	Ohio
Marilyn Kleiner	19131 McCormick	Detroit	Michigan
Beverly Jean Forpahl	2724 Plymouth Rd. Co.	Minnetonka	Minnesota
Mrs. Josephine Hovland	619 North 11th St.	Minneapolis	Minnesota
Mrs. Betty Charlson	6709 S. Bermuda	Moorhead	Minnesota
Mrs. Joanne LaChance	6812 Drew Ave. N.	Lincoln	Nebraska
St. Joseph's Catholic Church		Minneapolis	Minnesota
St. Francis' Catholic Church		Moorhead	Minnesota

*Mildred O. Olson*  
 Mildred O. Olson

Subscribed and sworn to before me  
 this 4th day of January, 1968.

*James E. Garrity*  
 James E. Garrity  
 Notary Public, Clay County, Minnesota



1960

STATE OF MINNESOTA  
County of Stearns

PROBATE COURT

In the Matter of the Estate of

Oliver W. Cameron  
Deceased

FILED THIS 5th DAY

OF Jan A.D. 1960

Roselynn Thibault  
CLERK OF DISTRICT COURT

802781773

Release Continued-Page Two

ESTATE OF MAURICE W. COUSINEAU, DECEASED

By Richard J. Lued Assistant Trust Officer  
Merchants National Bank & Trust Company  
Administrator With Will Annexed

Thomas J. Murphy  
Thomas J. Murphy as Attorney for  
Jane M. Moss, Roland Cousineau, Sarah  
Sharkey, Clarence Cousineau Estate,  
Blance Rohr and Curtis Cousineau

APPROVAL BY PROBATE COURT

The Probate Court of Stearns County, Minnesota, does hereby approve the execution of the above Release and all rights between the parties referred to in said Release are hereby forever settled, adjusted and satisfied in full.

January 20, 1969

John Lang  
Probate Judge

STATE OF MINNESOTA  
County of Stevens

IN SENATE  
Maurice W. Cousineau,  
District 140001

PETITION TO COMPROMISE CLAIM  
& ORDER. *Approval*

FILED THIS 20th DAY  
January 10 1969

*Walter S. Kuylenstierna*

Recorded in Book 76  
Page <sup>161</sup>162.  
<sub>163</sub>

00271775

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Probate  
of the Will and Estate of Maurice  
W. Cousineau, deceased.

PETITION

Your petitioner, the Merchants National Bank and Trust Company, Fargo, North Dakota, herewith respectfully represents and states to the Court as follows:

I.

That your petitioner is the duly appointed qualified and acting administrator with Will annexed of the Estate of the above-named decedent.

II.

That no final decree of distribution has been entered in this estate.

III.

That the great majority of the assets of the estate have been erroneously distributed under the general administration on the premise that the assets were to have been distributed on the basis of an intestacy.

IV.

That the Will of the decedent provides for a distribution in a manner which varies from the intestacy schedule.

V.

That the distributions made pursuant to partial decrees of distribution were made through mistake, inadvertence, surprise, or excusable neglect, and due to the fact that the decedent's Will was discovered during the course of administration but subsequent to the partial distributions.



STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Probate of  
the Will and Estate of Maurice  
W. Cousineau, deceased.  
aka, M.W.Cousineau,

ORDER VACATING DECREE OF  
PARTIAL DISTRIBUTION AND  
DIRECTING ADMINISTRATOR WITH  
WILL ANNEXED TO PROCEED AGAINST  
PERSONS WHO HAVE RECEIVED ASSETS  
FROM THE ESTATE CONTRARY TO  
PROVISIONS OF WILL

The above entitled matter came on to be heard before this Court on January 26, 1968 at 9:00 A.M. o'clock, at a Special Term thereof at the courthouse in the City of St. Cloud, County of Stearns, State of Minnesota upon the petition of the Administrator with Will Annexed for an Order of this Court setting aside and vacating and revoking the decrees of partial distribution heretofore entered, and for an Order directing the administrator with Will Annexed to proceed to collect back assets of the estate which have been erroneously decreed. The Court having heard the argument of counsel and being fully advised in the matter and in order to correct the proceedings heretofore had, this Court does, on the motion of James B. Garrity, hereby decree, order and adjudge as follows:

I.

That the decrees of this Court heretofore issued relating to partial distribution of the estate, namely, the partial decrees of November 6, 1964, June 14, 1965, April 29, 1966, and December 30, 1966, and any other decrees prior to date hereof, are hereby set aside, voided and vacated.

II.

That any person who has received assets from the administrator in a manner contrary to that provided by the Will, is directed to make refund of such money, assets or thing of value, and the Merchants National Bank and Trust Company of Fargo is authorized and directed to receive such refund or return of assets, except that the Administrator with Will Annexed is authorized to permit such person or



persons to retain the amount of assets which is authorized under the terms of the Will of the decedent.

III.

That the Merchants National Bank and Trust Company of Fargo, as Administrator of the estate with Will Annexed, is hereby authorized and directed to contact each recipient of any asset of this estate, insofar as said recipient received money under any partial decree, and said Administrator with Will Annexed is authorized and directed to recover the money erroneously paid and said representative is authorized and directed to commence suit against any recipient to recover back said money if said money is unable to be recovered by a request for refund.

IV.

That the said Representative is authorized and directed to take whatever steps in the Representative's judgment is necessary in order to recover for the benefit of the estate any assets which have been heretofore been distributed, to the extent that such distribution does not conform with the distribution and amount of distribution as provided under the terms of the Will.

Dated at St. Cloud, Minnesota this 26th day of January, 1968.

  
\_\_\_\_\_  
Judge of the Probate Court.

19.6.06

STATE OF MASSACHUSETTS  
Probate Court  
Maurice W. Cousineau, etc.,  
/ / / / /

ORDER VACATING DECREE OF PARTIAL  
DISTRIBUTION AND DIRECTING  
ADMINISTRATOR WITH WILL ANNEXED  
TO PROCEED AGAINST PERSONS WHO HAVE  
RECEIVED ASSETS FROM THE ESTATE  
CONTRARY TO PROVISIONS OF WILL.

FILED THIS 26th DAY  
OF January 19 19 68  
*Paulyn K. Kinslow*  
1

002701780

## STATE OF MINNESOTA

## COUNTY OF STARBURGH

## IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, decedent.

AFFIDAVIT OF SERVICE BY MAIL

State of Minnesota )  
                          ) ss.  
County of Clay      )

Diane F. Svangetu, being first duly sworn on oath, deposes and says that on the 31st day of January, 1968, at Moorhead, in said County and State, she mailed the annexed PETITION FOR ORDER OF COURT DETERMINING AMOUNT OF OVER-PAYMENT TOGETHER WITH ORDER OF COURT THEREON SETTING HEARING DATE 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 addressees, by placing a true and correct copy thereof in a sealed envelope, postage prepaid and depositing same in the U. S. mails at Moorhead, Minnesota, addressed to the following named persons:

NAME	STREET OR POST OFFICE	CITY	STATE
Harry Drouillard	R. P.O.	LaSalle	Michigan
Frank Forpahl	2724 Plymouth Rd. So.	Minnetonka	Minnesota
William Forpahl	3305 Birch Place	Minnetonka	Minnesota
Mrs. Helen Schroedl	1073 25th Ave. S. E.	Minneapolis	Minnesota
Mrs. Rose Corniellien	3258 N. E. Polk St.	Minneapolis	Minnesota
Mrs. Hazel Gilson	3110 1st Ave. So.	Minneapolis	Minnesota
Milton Lydell	1702 Dayton	St. Paul	Minnesota
Mrs. Elizabeth Thomas	729 - 7th Ave. No.	Edmunds	Washington
Mrs. Ann Rogers		International Falls	Minnesota
Mrs. Viola Rutoski	1088 No. Chatsworth	St. Paul	Minnesota
Mrs. Eileen Trupe	2859 Midvale Avenue	St. Paul	Minnesota
Mrs. Sarah Sharkey	44 Broadway	Ecorse	Michigan
Mrs. Elmer A. Rohr	421 1/2 Walbridge	Toledo	Ohio
Mrs. Jane H. Moss	1545 1/2 Brest Road	Southgate	Michigan
Curtis F. Cousineau	17 West 3rd St.	Monroe	Michigan
Mrs. Clarence S. Cousino	2416 Trenton Avenue	Toledo	Ohio
Noland K. Cousino	2475 - 3rd St.	Trenton	Michigan
Frances Koslowski	5228 S. Otter Creek Rd.	LaSalle	Michigan
Freston Drouillard	5916 N. Detroit Ave.	Toledo	Ohio
Marilyn Eleiner	19131 McCormick	Detroit	Michigan
Beverly Jean Forpahl	2724 Plymouth Rd. Co. c/o Frank Forpahl	Minnetonka	Minnesota
Mrs. Josephine Howland	619 North 11th St.	Moorhead	Minnesota
Mrs. Betty Carlson	6709 S. Bermuda	Lincoln	Nebraska
Mrs. Joanne LaChance	6812 Drew Ave. N.	Minneapolis	Minnesota
St. Joseph's Catholic Church		Moorhead	Minnesota
St. Francis' Catholic Church		Moorhead	Minnesota
Merchants National Bank and Trust Company	505 2nd Ave. N.	Fargo	North Dakota
Dr. Roger Sondag	1204 South 11th	Moorhead	Minnesota
Grace Moore	7908 Winthrop	Monroe	Michigan

*Diane F. Svangetu*  
Diane F. Svangetu

Subscribed and sworn to before me this  
31st day of January, 1968.

*James E. Garrity*  
James E. Garrity  
Notary Public, Clay County, Minnesota

JAMES E. GARRITY,  
Notary Public, CLAY COUNTY, MINN.  
My Commission Expires NOV. 20, 1968

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Probate of  
the Will and Estate of Maurice  
W. Cousineau, deceased,  
also known as M. W. Cousineau,

PETITION FOR ORDER OF COURT  
DETERMINING AMOUNT OF OVER-  
PAYMENT

Your petitioner, the Merchants National Bank and Trust Company,  
Fargo, as administrator with Will Annexed, herewith respectfully  
represents, petitions, and states to the Court as follows:

I.

That your petitioner is about to proceed, pursuant to the Order  
of this Court dated January 26, 1968, directing your petitioner to  
collect back assets which have been erroneously paid over and received.  
That your petitioner desires the order of this Court fixing and de-  
termining and adjudicating the amount of overpayment which was  
received by the various beneficiaries under the law of intestacy, to  
the end that the payment received by said persons may conform to the  
share which would have been available to them had distribution been  
made in accordance with the terms and provisions of the decedent's Will.

II.

That the persons hereinafter named received cash distribution from  
the estate, determined on an intestacy basis, in the amounts as indi-  
cated as follows:

1. Frank Cousino-----\$12,148.96
2. Clarence S. Cousineau----- 12,148.96
3. Blanch A. Rohr----- 12,148.96
4. Sarah Sharkey-----12,177.62
5. Roland E. Cousino----- 12,179.13
6. Curtis F. Cousineau----- 12,179.13

7. Jane N. Moss-----	\$12,179.13
8. Frances Kozlowski-----	2,514.25
9. Grace Moore-----	2,514.25
10. Harry Drouillard-----	2,514.25
11. Preston Drouillard-----	2,514.25
12. Marilyn Kleiner-----	2,514.24

III.

That instead of the above amounts, the following persons should have received, under the terms of the Will, the amounts of money indicated as follows:

1. Frank Cousino should have received \$4,049.65, resulting in an overpayment of \$8,099.31.
2. Clarence S. Cousineau should have received \$4,049.65, resulting in an overpayment of \$8,099.31.
3. Blanch A. Rohr should have received \$4,049.65, resulting in an overpayment of \$8,099.31.
4. Sarah Sharkey should have received \$4,059.20, resulting in an overpayment of \$8,118.42.
5. Roland E. Cousino should have received \$4,059.71, resulting in an overpayment of \$8,119.42.
6. Curtis F. Cousineau should have received \$4,059.71, resulting in an overpayment of \$8,119.42.
7. Jane N. Moss should have received \$4,059.71, resulting in an overpayment of \$8,119.42.
8. Frances Kozlowski should have received \$838.08, resulting in an overpayment of \$1,676.17.
9. Grace Moore should have received \$838.08, resulting in an overpayment of \$1,676.17.

10. Harry Drouillard should have received \$838.08, resulting in an overpayment of \$1,676.17.

11. Preston Drouillard should have received \$838.08, resulting in an overpayment of \$1,676.17.

12. Marilyn Kleiner should have received \$838.08, resulting in an overpayment of \$1,676.17.

WHEREFORE, your petitioner respectfully represents and petitions to the above named Court that the above named Court makes its Order fixing and determining the amount of overpayment, which is to be recovered in the above amounts.

MERCHANTS NATIONAL BANK AND  
TRUST COMPANY OF FARGO

By Harry Moe  
Harry Moe

STATE OF NORTH DAKOTA )  
  )ss,  
COUNTY OF CASS          )

Harry Moe, being duly sworn, on oath says that he is the Secretary of the said trust company who is the petitioner named in the foregoing petition; that the said petition is true to the best of his knowledge and belief.

Harry Moe  
Harry Moe

Subscribed and sworn to before  
me this 30th day of January, 1968.

Cheryl Leiser

Notary Public, Cass County, North Dakota

CHERYL LEISER  
Notary Public, CASS COUNTY, N. DAK.  
My Commission Expires JULY 14, 1973



ORDER

Based upon the foregoing petition and upon motion of James E. Garrity, attorney for the petitioner, IT IS HEREBY ORDERED as follows:

1. That the foregoing petition be filed with this Court; and
2. That a hearing thereon shall be heard on February 23, 1968 at 9:00 o'clock A.M.
3. That mailed Notice of the foregoing petition and this Order shall be made upon all of the heirs and legatees.

Dated at St. Cloud, Minnesota, this 31st day of January, 1968.

---

John Lang  
Judge of the Probate Court

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF STEARNS

SEVENTH JUDICIAL DISTRICT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

STIPULATION FOR  
DISMISSAL OF APPEAL

It is hereby stipulated and agreed by and between Merchants National Bank and Trust Company of Fargo, as administrator with will annexed of the estate of Maurice W. Cousineau, deceased, Garrity, Cahill, Gunhus, Streed & Grinnell, its attorneys, and Howard I. Donohue as administrator of the estate of Maurice W. Cousineau, deceased, that the appeal taken by said administrator with will annexed of the estate of said decedent, notice of which is dated December 27, 1967, from the order of the Probate Court in and for Stearns County, Minnesota, in the matter of the estate of said decedent, dated December 8, 1967, allowing the final account of said Howard I. Donohue as administrator of the estate of said decedent, be and the same hereby is in all things dismissed with prejudice and on the merits, without costs or disbursements to any of the parties.

D Dated this 31<sup>st</sup> day of March, 1969.

MERCHANTS NATIONAL BANK AND TRUST COMPANY  
OF FARGO, as administrator with will annexed  
of the estate of Maurice W. Cousineau, deceased

By

John M. Kelly  
its President  
Richard J. [Signature]  
its Assistant Trust Officer

GARRITY, CAHILL, GUNHUS, STREED & GRINNELL,  
attorneys for said administrator with will  
annexed of the estate of Maurice W. Cousineau,  
deceased

By

James E. Denny  
Howard I. Donohue  
As Administrator of the estate of Maurice W.  
Cousineau, deceased

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, decedent.

STIPULATION

It is hereby stipulated and agreed by and between the Merchants National Bank and Trust Company of Fargo, as administrator with will annexed of the estate of Maurice W. Cousineau, deceased, its attorneys Garrity, Cahill, Gunhus, Streed & Grinnell, and Howard I. Donohue as administrator of the estate of Maurice W. Cousineau, deceased, that the Court may, without other or further notice, make and file its order discharging said Howard I. Donohue as administrator of the estate of said Maurice W. Cousineau, deceased, and the surety on his bond.

Dated this 31<sup>st</sup> day of March, 1969.

MERCHANTS NATIONAL BANK AND TRUST  
COMPANY OF FARGO, as administrator with  
will annexed of the estate of Maurice  
W. Cousineau, deceased

By

John M. Riley  
Its President  
Richard J. Streed  
Its Attorney

GARRITY, CAHILL, GUNHUS, STREED & GRINNELL,  
attorneys for said administrator with will  
annexed of the estate of Maurice W.  
Cousineau, deceased

By

John E. Garrity  
Howard I. Donohue  
As Administrator of the Estate of  
Maurice W. Cousineau, deceased

STATE OF MINNESOTA

COUNTY OF STEARNS

PROBATE COURT

---

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent

---

STIPULATION

---

FILED THIS 7th DAY  
OF April A.D. 1967

Joselyn Buschman  
CLERK OF PROBATE

---

DONOHUE & DONOHUE

601 St. Germain Street

ST. CLOUD, MINNESOTA 56301

Attorneys for \_\_\_\_\_

002784388

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of )  
Maurice W. Cousineau, Decedent )  
(Probate of Will) )

P E T I T I O N

\* \* \* \* \*

WHEREAS the Merchants National Bank & Trust Company, as administrator with will annexed of the above estate has made a demand upon attorneys Donohue & Donohue for a refund of a portion of attorneys' fees which said office charged for handling the estate as an intestacy.

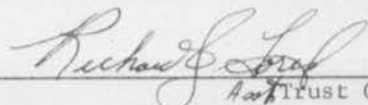
WHEREAS through negotiations the office of Donohue & Donohue has agreed to refund the sum of Seven Hundred and Fifty Dollars (\$750.00) which sum the administrator with will annexed has agreed to accept, subject to the court's approval, in satisfaction of any and all claims against the office of Donohue & Donohue as more fully set forth in the proposed release, a copy of which is attached to and made a part of this petition as though set forth herein.

NOW THEREFORE your petitioner, Merchants National Bank & Trust Company of Fargo, herewith petitions the court for its order confirming and approving a settlement with the office of Donohue & Donohue in consideration of the sum of Seven Hundred and Fifty Dollars (\$750.00) and to authorize your said petitioner to deliver the said release in consideration of the said sum of Seven Hundred and Fifty Dollars (\$750.00)

Dated this 24th day of March, 1969.

MERCHANTS NATIONAL BANK & TRUST COMPANY

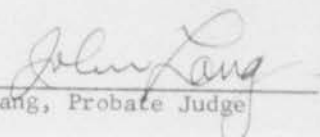
By

  
\_\_\_\_\_  
Asst. Trust Officer

ORDER

Based upon the foregoing petition and the court being fully aware of the entire file does herewith order that the Merchants National Bank & Trust Company of Fargo, as administrator with will annexed of the estate of the above named decedent is hereby authorized and directed for and on behalf of and in the name of the estate to execute the release, copy of which is attached hereto and to cause the same to be delivered to attorneys Donohue & Donohue in consideration of the sum of Seven Hundred and Fifty Dollars (\$750.00).

Dated at St. Cloud, Minnesota this <sup>27th</sup> day of ~~April~~<sup>March</sup>, 1969.

  
\_\_\_\_\_  
John Lang, Probate Judge



R E L E A S E

KNOW ALL MEN BY THESE PRESENTS that the undersigned Merchants National Bank and Trust Company of Fargo, as administrator with will annexed of the estate of Maurice W. Cousineau, deceased, for and in consideration of the sum of Seven Hundred Fifty Dollars (\$750.00) to it in hand paid by Howard I. Donohue, the receipt and sufficiency whereof is by the undersigned hereby acknowledged, does hereby release, acquit and forever discharge Howard I. Donohue, individually and as administrator of the estate of Maurice W. Cousineau, deceased, and the heirs, executors and administrators of said Howard I. Donohue, of and from any and all claims, actions, and causes of action, both at law and in equity, whatsoever -- including, but not limited to, any and all claims, actions and causes of action, both at law and in equity, whatsoever, arising out of any alleged breach of duty of said Howard I. Donohue in not having made known that said Maurice W. Cousineau, deceased, had at one time executed a Last Will and Testament, in not having caused an application to be made for the allowance and admission to probate of said decedent's Last Will and Testament, in not causing an application to be made for the allowance and admission to probate of an alleged <sup>lost</sup> Last Will and Testament of said decedent, in having caused an application to be made for the administration of the estate of said decedent as though he had died intestate, in the administration of the estate of said decedent by said Howard I. Donohue -- that the undersigned, as administrator with will annexed of the estate of said decedent, that the estate of said decedent now have or can or may hereafter have, or that the decedent may have had at the time of his death, against the person released in his individual or representative capacity, for or on account or by reason of any matter, cause or thing whatsoever from the beginning of time to the day of the date of these presents.

It is expressly understood, and the undersigned warrants and represents, that not any claim or cause of action of any kind has been reserved.



19,606

STATE OF MINNESOTA  
County of Olmsted

DISTRICT COURT

In the Matter of the Estate of

Maurice W. Cousineau,

Deceased 141111

PETITION & ORDER

FILED THIS 27th DAY

Of March A.D. 1969

*Phillip Kustione*  
CLERK OF PROBATE

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of)  
Maurice W. Cousineau, Decedent)

Petition by Administrator CTA  
for Authority to Compromise  
and Settle Disputed Claim.

Your petitioner respectfully represents and shows to  
the Court:

1. That Merchants National Bank and Trust Company of  
Fargo, North Dakota is the duly appointed, qualified and  
acting administrator CTA in the above entitled matter.

2. That the administrator CTA is a banking corporation  
having trust powers and no bond is required of it as such.

3. That a controversy exists between the petitioner  
and certain persons who have received distribution of funds  
from the estate under the administration of a previous  
administrator; that the previous administration and the  
partial distributions assumed the decedent had died intestate  
and the persons to whom distribution was made were his  
heirs at law; that subsequently a last will and testament  
of the decedent was discovered, approved, and allowed in  
this Court, providing for a distribution of the estate to  
persons other than the heirs at law, and including the  
heirs at law, that it is the contention of the administrator CTA  
that the heirs at law by reason of such partial distributions  
have each received an amount in excess of their respective  
entitlements under the provisions of the will, and has  
asserted against each of said heirs at law a claim for  
restitution of such excess to the estate.

4. That certain of the heirs at law, who have received partial distribution, namely Jane M. Moss, Roland Cousineau, Sarah Sharkey, Clarence Cousino Estate, Blanche Rohr, and Curtis Cousineau, have offered your petitioner the sum of Nineteen Thousand Five Hundred and 00/100 (\$19,500.00) Dollars in compromise settlement of the claims and demands of the petitioner, conditioned upon approval of such compromise settlement by the Court, and providing further that the aforesaid offerors of such compromise settlement, shall waive any claim for further participation in or distribution from the remaining assets of the estate.

5. That the funds for the payment of such compromise settlement are on deposit in an interest bearing account at Security Federal Savings and Loan Association at St. Cloud, Minnesota, in the name of Thomas J. Murphy, as Trustee for Merchants National Bank and Trust Company as Administrator CTA, for payment over to your petitioner upon an order entering, approving and authorizing such compromise settlement and the expiration of time for appeal from such order.

6. That your petitioner believes and represents that it is in the best interest of the estate that such compromise settlement be approved and authorized and that the terms and provisions thereof are fair and reasonable.

WHEREFORE, your petitioner prays that it as administrator with the will annexed of said estate, be authorized and directed to effect the compromise settlement of the claims

of the estate against Jane M. Moss, Roland Cousineau, Sarah Sharkey, Clarence Cousino Estate, Blanche Rohr, and Curtis Cousineau for the sum of Nineteen Thousand Five Hundred and 00/100 (\$19,500.00) Dollars, and upon the entry of an order approving such compromise settlement to make, execute and deliver the release of the claims of the estate against such premises in the form attached to this petition.

MERCHANTS NATIONAL BANK & TRUST CO.

By Richard J. Forest  
Its Trust Officer Assistant Trust Officer

STATE OF

COUNTY OF

Richard J. Forest being duly sworn, on oath says that he is the person who made and signed the foregoing petition; that he has read the same and knows the contents thereof and that the same is true of his own knowledge, except as to those matters therein stated on information and belief, and as to those matters he believes it to be true.

Richard J. Forest

Subscribed and sworn to before me  
this 7th day of January, 1969.

Harry L. Moe  
Notary Public

HARRY L. MOE  
Notary Public CASS COUNTY, N. DAK.  
My Commission Expires Sept. 26, 1970

R E L E A S E

KNOW ALL MEN BY THESE PRESENTS: That the Merchants National Bank and Trust Company of Fargo, the Administrator With Will Annexed of the estate of Maurice W. Cousineau, deceased, does hereby release and forever discharge the following persons from any and all claims or further actions relating to the estate of Maurice W. Cousineau, deceased. The said Administrator With Will Annexed has made a demand against the following named persons for a refund of money which was received by the hereinafter named persons through the handling of the estate of Maurice W. Cousineau, deceased, as an intestate estate; that thereafter a document was found purporting to be the Will of said decedent and which document was admitted into Probate by the Probate Court of Stearns County, Minnesota, as being the Last Will and Testament of said decedent. That the amount of money received by the persons hereinafter named was in excess of that which would have been authorized under the Will of the decedent and it was for such excess for which claim was made.

NOW BE IT KNOWN That the consideration for this Release is the following:

1. The payment of cash in the sum of Nineteen Thousand Five Hundred and no/100 (\$19,500.00) Dollars to the said Administrator With Will Annexed by the parties hereinafter named.
2. That the persons hereinafter named do themselves hereby relinquish any and all claims or rights to share any money which is recovered by the Administrator With Will Annexed or of any of the remaining assets on hand of said estate.

The persons who are hereby released are as follows:

1. Jane M. Moss.
2. Roland Cousineau.
3. Sarah Sharkey.
4. Clarence Cousineau Estate.
5. Blanche Rohr.
6. Curtis Cousineau.

The said Administrator With Will Annexed hereby releases and forever discharges the above named six persons, their heirs, executors and assigns from any and all future claims, or causes of action or demands arising out of or on account of proceedings had relating to the intestate distribution of assets of the estate of Maurice W. Cousineau and the above named six people do surrender and relinquish and abandon and release the said estate and its representatives from any claim or share in any assets now on hand belonging to said estate or which may in the future be recovered from other people from any source.

Dated this 2nd day of December, 1968.



STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

AFFIDAVIT OF SERVICE OF NOTICE OF THE MAKING AND FILING OF  
AN ORDER OF THE COURT DISCHARGING HOWARD I. DONOHUE AS REP-  
RESENTATIVE OF THE ESTATE OF THE ABOVE NAMED DECEDENT.

STATE OF MINNESOTA )  
                          ) SS  
COUNTY OF STEARNS )

Kathleen A. Ulrich, being first duly sworn on her oath says,  
that on the 8th day of April, 1969, at the City of St. Cloud, in Stearns  
County, Minnesota, she served the Notice of the Making and Filing of an  
Order of the Court Discharging Howard I. Donohue as Representative of the  
Estate of the Above Named Decedent hereto attached upon the heirs-at-law  
of the above named decedent, the legatees and devisees named in his Last  
Will and Testament, the administrator with will annexed of the estate of  
said decedent and its attorneys, by depositing a copy thereof, for each  
of said persons, properly enveloped, with postage prepaid, addressed to  
each of said persons, at his last known address, in the United States mail  
at said St. Cloud, Minnesota, where affiant, who is a secretary of Howard  
I. Donohue, administrator of the estate of said decedent, resides.

That the names and addresses of the persons upon whom such  
service was made are as follows, to-wit:

Name	Street or Post Office	City	State
Sarah Sharkey	44 Broadway, Apt. 2	Ecorse	Mich. 48229
Blanch A. Rohr	421 1/2 Walbridge	Toledo	Ohio 43609
Jane N. Moss	1545 1/2 Brest Road	Southgate	Mich. 48070
Mildred H. Hacala (administratrix of the estate of Frank Cousino)	424 Berkley	Dearborn	Mich. 48120
Curtis F. Cousineau	17 West 3rd Street	Monroe	Mich. 48161
Heirs of Clarence S. Cousineau	2416 Trenton Avenue	Toledo	Ohio 43606
Holand E. Cousino	2475 3rd Street	Trenton	Mich. 48183
Frances Kozlowski	5228 So. Otter Creek Road	LaSalle	Mich. 48145
Grance Moore	7988 Winthrop Bolles Harbor	Monroe	Mich. 48161
Harry Drouillard	c/o Harry's Tavern R.F.D.	LaSalle	Mich. 48145

Name	Street or Post Office	City	State
Preston Drouillard	5916 North Detroit Avenue	Toledo	Ohio 43612
Marilyn Kleiner	19131 McCormick	Detroit	Mich. 48236
Beverly Jean Forpahl		Mpls.	Minn. 55400
Frank Forpahl	2724 Plymouth Road South	Minnetonka	Minn. 55343
William Forpahl	3305 Birch Place	Minnetonka	Minn. 55343
Helen Schroedl	1073 25th Avenue Southeast	Mpls.	Minn. 55400
Rose Corniellien	3258 Northeast Folk Street	Mpls.	Minn. 55400
Hazel Gilson	345 Washington	Quincy	Mass. 02169
Milton Lydell	1722 Dayton	St. Paul	Minn. 55104
Josephine Hovland	619 North 11th Street	Moorhead	Minn. 56560
Betty Charlson	6709 South Bermuda Drive	Lincoln	Nebr. 68500
Jeanne LaChance	6812 Drew Avenue North	Mpls.	Miss. 55400
Elizabeth Thorne	729 7th Avenue North	Edmunds	Wash. 98020
Ann Rogers		International Falls	Minn. 56649
Viola Ruteski	1088 North Chatsworth	St. Paul	Minn. 55100
Eileen Trupe	2859 Midvale Avenue	St. Paul	Minn. 55119
St. Joseph's Catholic Church		Moorhead	Minn. 56560
St. Francis Catholic Church		Moorhead	Minn. 56560
Merchants National Bank & Trust Company of Fargo		Fargo	N.D. 58103
Garrity, Cahill, Gunhus, Streed & Grinnell	First National Bank Bldg.	Moorhead	Minn. 56560

Kathleen A. Ulrich

Subscribed and sworn to before me  
this 9th day of April, 1969.

Edward J. Donahue

— EDWARD J. DONAHUE  
Notary Public, Stearns County, Minn.  
My Commission Expires Oct. 23, 1974

002781799

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT

-----  
In the Matter of the Estate of  
Maurice W. Cousineau, Decedent.

-----  
NOTICE OF THE MAKING AND FILING OF AN ORDER OF  
THE COURT DISCHARGING HOWARD I. DONOHUE AS REP-  
RESENTATIVE OF THE ESTATE OF THE ABOVE NAMED  
DECEDENT  
-----

TO: Sarah Sharkey, Blanch A. Rohr, Jane W. Moss, Mildred H. Hacala,  
administratrix of the Estate of Frank Cousine, Curtis F. Cousineau, heirs of  
Clarence S. Cousineau, Roland E. Cousine, Frances Koslowski, Grace  
Moore, Harry Drouillard, Preston Drouillard, Marilyn Kleiner;  
Beverly Jean Forpahl, Frank Forpahl, William Forpahl, Helen  
Schroedl, Rose Corniellien, Hazel Gilson, Milton Lydell,  
Josephine Heyland, Betty Charlson, Joanne laChance, Elisabeth  
Thorne, Ann Rogers, Viola Rutoski, Eileen Trupe, St. Joseph's  
Catholic Church, St. Francis Catholic Church, heirs at law,  
 devisees and legatees named in the Last Will and Testament of  
said decedent; Merchants National Bank and Trust Company of  
Fargo, administrator of the estate of the above named decedent  
with will annexed and Garrity, Cahill, Gunbus, Streed & Grinnell,  
attorneys for said Merchants National Bank and Trust Company of  
Fargo:

You, and each of you, will please take notice that the court  
has made and filed its order discharging Howard I. Donohue as representative  
of the estate of the above named decedent and the surety on his bond.

That said order is dated the 7th day of April, 1969 and was  
filed with the clerk of the above named court on the 7th day of April,  
1969.

That a true and correct copy of said order is hereto attached,  
marked Exhibit "A" and hereby made a part hereof.

*Howard I. Donohue*  
\_\_\_\_\_  
Administrator of the above named Estate.

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of Maurice N. Cousineau, aka M. N. Cousineau Deceased

Whereas, It has been made to appear to the satisfaction of this Court that Howard L. Donohue

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 honestly 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 7th day of April A. D. 19 62

John Lang  
Stearns Judge of Probate  
County Minn.

(S. H. H. SEAL)

EXHIBIT "A"

19606

STATE OF MINNESOTA /  
County of Stearns )

PROBATE COURT

In the Matter of the Estate of

Maurice W. Cousineau

Deceased - Will/

-----  
Affidavit of Service of Notice  
of the Making and Filing of an  
Order of the Court Discharging  
Representative  
-----

FILED THIS 2th DAY  
OF April A.D. 19 69  
*Pauline Benoit*  
CLERK OF PROBATE

20811200

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN PROBATE COURT  
File No.19,606

In the Matter of the Estate of: )  
MAURICE W. COUSINEAU, also known ) ORDER FOR HEARING ON FINAL ACCOUNT  
as M.W.Cousineau, ) AND ORDER FOR HEARING CONFIRMING  
Decedent. ) DECREE OF DISTRIBUTION

\* \* \* \* \*

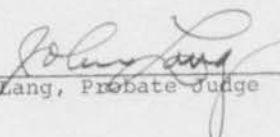
The representative of the above named estate having filed its final account and petition for settlement and allowance thereof and for distribution to the persons thereunto entitled;

There is also on file a proposed final decree of distribution, which it is proposed that the court will execute on April 3, 1970;

IT IS ORDERED that a hearing relating thereto shall be had on April 3, 1970 at 10:00 a.m. before the court in the Probate Court Room in the Courthouse in St. Cloud, Minnesota, and that notice be given by publication of this order in the St. Cloud Daily Times and by mailed notice as provided by law.

There being no objection to the entry of the proposed final decree which is now on file, the court will on April 3, 1970, execute the final decree of distribution as the same is now on file in this court.

Dated this 24th day of February, 1970.

  
\_\_\_\_\_  
John Lang, Probate Judge

GARRITY, CAHILL, GUNHUS,  
STREED & GRINNELL  
Attorneys for Petitioner  
First National Bank Building  
Moorhead, Minnesota 56560



14,600

STATE OF MINNESOTA )  
County of Stearns )

PROBATE COURT

In the Matter of the Estate of  
Maurice W. Cousineau, etc.,

Decedent / #1111

ORDER FOR HEARING ON  
FINAL ACCOUNT AND ORDER  
FOR HEARING CONFIRMING  
DECREE OF DISTRIBUTION

FILED THIS 26th DAY  
OF February A.D. 19 70

*Pauline Bayhouse*  
CLERK OF COURT

002381804





STATE OF MINNESOTA  
DEPARTMENT OF TAXATION  
CENTENNIAL OFFICE BUILDING  
SAINT PAUL, MINNESOTA 55101

June 15, 1970

The Honorable John Lang  
Judge of Probate Court  
Stearns County Court House  
St. Cloud, Minnesota


In re: Estate of Maurice W. Cousineau  
Date of Death: February 8, 1963  
Department File No. 161634 (II)

Dear Judge Lang:

Attorney James E. Garrity called this office and requested that we advise you with regard to the inheritance tax situation in the above estate. Pursuant to that request, we herewith advise you as follows:

This Department issued its Order Determining Inheritance Tax in the matter of the Estate of Maurice W. Cousineau on September 8, 1964. All of that inheritance tax was paid and the file was closed. The statutory time within which an application to open the file and apply for a tax refund expired, and Attorney Garrity was so advised by letter on October 2, 1969. No further inheritance tax will be assessed with regard to the redistribution of the estate of Maurice W. Cousineau as set out in the Final Decree of Distribution dated April 3, 1970.

Sincerely yours,

  
Sherman S. Crane, Assistant Director  
Inheritance and Gift Tax Division

FILED THIS 19 DAY  
OF JUNE 1970

  
ROBERT J. PETERSON  
CLERK OF COURTS

SSC:eb

cc-James E. Garrity  
Garrity, Cahill, Gunhus, Streed & Grinnell  
Attorneys at Law  
First National Bank Bldg.  
Moorhead, Minnesota 56560

002781805



III. Expenses of Last Sickness

	VOUCHER No.	AMOUNT
Cash paid for medical attendance . . . . .		\$ _____
Cash paid for medicines . . . . .		\$ _____
Cash paid for nursing . . . . .		\$ _____
Cash paid for hospital . . . . .		\$ _____
<i>Total expenses of last sickness</i> . . . . .		\$ NONE

IV. Funeral Expenses

Cash paid for undertaker . . . . .		\$ _____
Cash paid sexton . . . . .		\$ _____
Cash paid for other necessary services . . . . .		\$ _____
Cash paid for burial service . . . . .		\$ _____
Cash paid for monument . . . . .		\$ _____
Cash paid to cemetery . . . . .		\$ _____
<i>Total funeral expenses</i> . . . . .		\$ NONE

V. Taxes

Personal property tax lien at date of death . . . . .		\$ _____
Other personal property taxes . . . . .		\$ _____
Real property tax lien at date of death . . . . .		\$ _____
Other real estate taxes . . . . .		\$ _____
Federal estate taxes . . . . .		\$ _____
Federal income taxes; personal to decedent . . . . .		\$ _____
Federal income taxes; fiduciary . . . . .		\$ _____
State income taxes; personal to decedent . . . . .		\$ _____
State income taxes; fiduciary . . . . .		\$ _____
<i>Total taxes paid</i> . . . . .		\$ NONE

VI. CLAIMS OF CREDITORS

Cash paid in settlement of claims of creditors as allowed by the court as follows:

CLAIM No.	NAME OF CLAIMANT	VOUCHER No.	Amount
_____	_____		\$ _____
_____	_____		\$ _____
_____	_____		\$ _____
_____	_____		\$ _____
_____	_____		\$ _____
_____	_____		\$ _____
_____	_____		\$ _____
_____	_____		\$ _____
_____	_____		\$ _____
_____	_____		\$ _____
<i>Total amount of claims paid and settled</i> . . . . .			\$ NONE

VII. LEGACIES AND BEQUESTS

	VOUCHER No.	AMOUNT
I direct my executrix to expend the sum of \$500 for the purpose of having Masses read in such Roman Catholic Church or churches as she may choose, for the repose of my sole. To accomplish this purpose, the representative has caused the sum of \$250 to be paid to the Pastor of St. Francis Catholic Church and the sum of \$250 to be paid to the Pastor of St. Joseph Catholic Church (\$500) all in Moorhead.		\$ _____
<i>Total legacies and bequests paid</i> . . . . .		\$ 500.00 <span style="float: right;">R</span>

FIFTH---That said decedent died on the 8th day of February, 1963,  
testate, and left him surviving-----

1. Mary I. Cousineau, the spouse of the testator, pre-deceased  
the testator and left surviving her the following:

A. Mary I. Cousineau had three full sisters:

- (1) Mrs. Angeline Forpahl (died prior to testator)  
leaving surviving her the following:
  - a. Lawrence Forpahl, son, deceased.
    - (i) Beverly Jean Forpahl, granddaughter
  - b. Frank Forpahl, step-son
  - c. William Forpahl, step-son
  - d. Mrs. Joseph (Helen) Schroedl, step-daughter
  - e. Mrs. Rose Corniellien, step-daughter
- (2) Mrs. Margarite (Robert) Koerner (died prior to testator)  
leaving surviving her the following:
  - a. Hazel Gilson, daughter
- (3) Mrs. Katherine Lydell (died subsequent to testator)  
leaving surviving her the following:
  - a. Milton Lydell, son

B. Mary I. Cousineau had one half-brother:

- (1) John Parries (died prior to testator) leaving surviving  
him the following:
  - a. Mrs. George (Josephine) Howland
  - b. Mrs. L. R. (Betty) Charlson
  - c. Mrs. Frank (Joanne) LaChance

C. Mary I. Cousineau had four half-sisters:

- (1) Mrs. Elizabeth Thorne
- (2) Mrs. Ann Rogers
- (3) Mrs. Ignatius (Viola) Rutoski
- (4) Mrs. Floyd (Eileen) Trupe

D. Testator had the following brothers and sisters:

- (1) Sarah Sharkey, sister
- (2) Blanch A. Rohr, sister
- (3) Jane N. Moss, sister
- (4) Curtis F. Cousineau, brother
- (5) Roland E. Cousino, brother
- (6) Grace Koslowski, sister (deceased)
  - a. Frances Koslowski, niece
- (7) Victoria Drouillard, sister (deceased)
  - a. Harry Drouillard, nephew
  - b. Preston Drouillard, nephew
  - c. Idell Steuwe, niece (deceased)
    - (i) Marilyn Kleiner, grand-niece

This estate was previously, for the most part, distributed to the  
brothers and sisters of the testator and their descendants, the matter  
having been handled as an intestate estate. An effort was made to  
recover the assets from the said heirs at law and as a result of that  
effort, a partial recovery was made and as an incident to that recovery,  
the heirs at law agreed to waive any interest in the distribution now  
being had under the Will in that distribution was already made to them  
through the intestate distribution made several years ago.

RECAPITULATION

	RECEIPTS	DISBURSEMENTS	Not to be filled in By Representative RECEIPTS
Total receipts from all sources	\$ 33,904.82		\$ _____
Total disbursements and credits as follows:			
1. Family		\$ _____	\$ _____
2. Expenses of administration		\$10,176.55	\$ _____
3. Expenses of last sickness		\$ _____	\$ _____
4. Funeral Expenses		\$ _____	\$ _____
5. Taxes		\$ _____	\$ _____
6. Claims of creditors		\$ _____	\$ _____
7. Specific Legacies		\$ 500.00	\$ _____
8. Residue of personal prop. for distribution		\$23,228.27	\$ _____
9. _____		\$ _____	\$ _____
10. _____		\$ _____	\$ _____
11. _____		\$ _____	\$ _____
12. _____		\$ _____	\$ _____
13. _____		\$ _____	\$ _____
Total	\$ 33,904.82	\$ 33,904.82	\$ _____

FOURTH—That there is also belonging to said estate for distribution certain real estate as follows:

The homestead of said decedent, in the County of \_\_\_\_\_, State of Minnesota, described as follows: \_\_\_\_\_

NONE

Also these other tracts and parcels of land in the County of Clay, State of Minnesota, described as follows: \_\_\_\_\_

Lot Two (2), Block One (1), Maier and Holland's Addition to the City of Moorhead, Clay County, Minnesota, subject to a Contract for Deed dated October 1, 1960 whereby decedent sold and agreed to convey said premises to Merwood B. Swang and Jean M. Swang

FOURTH (A)—Personal property for distribution consists of the following items: \_\_\_\_\_

1. Cash on hand - \$16,089.21
2. Vendor's interest in the above described Contract for Deed - unpaid balance \$7,139.08

FIFTH—That said decedent died on the 8th day of February, 1963, testate, and left him surviving

Mrs. L. R. (Betty) Charlson and her husband were the debtors on a promissory note wherein the decedent was the payee. Demand was made upon Mrs. Charlson for the unpaid balance of the note which according to available records, was in the sum of \$3,100.00. Mrs. Charlson denied the indebtedness on the basis that the decedent had forgiven the debt. Demand was made for proof of such forgiveness and it was ultimately agreed between the estate and Betty Charlson that the estate forgo its claim against her for the unpaid balance of the note in consideration of her surrendering any claim to any share of the estate now being divided.

who are of said decedent, and the persons entitled to the residue of said estate.

WHEREFORE, your petitioner prays the order of this court fixing a time and place for the hearing of this petition and an examination of his final account, and the settlement and allowance of the same; and that upon said hearing the court issue its final decree assigning the residue of said estate to the persons thereunto entitled.

Date Jan 12, 1970

Richard J. Forest  
Petitioner

STATE OF MINNESOTA  
County of Cass

Richard J. Forest  
Attorney for Petitioner

being duly sworn on oath says that he is the person who made the foregoing petition; that he knows the contents thereof, and that the same is true of his own knowledge except as to those matters therein stated on his information and belief, and as to those matters he believes it to be true.

Subscribed and sworn to before me this 12th day of January, 1970

Richard J. Forest  
Representative

Notary Public  
My Commission Expires JUNE 16, 1972  
County, Minn.

My commission expires, 1972

NOTE (1) Insert "Sole devisees" or "All the heirs at law" as the case may be.  
NOTE (2) Number your receipts and enter them in your (Voucher No.) column.

State of Minnesota,  
County of *St. Louis*

PROBATE COURT

In the Matter of the Estate of

*Maurice W. Coonan*  
Decedent

Final Account and Petition for  
Hearing and Allowance  
Thereof

Attorney for Petitioner

Filed this 26 day of

February, 1970

*W. Edgar Burkholder*  
Clerk—Judge of Probate