



[Stearns County \(Minn.\)](#)
[Probate Court: Probate case](#)
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State of Minnesota, } ss.
County of Stearns }

15,159
IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mathias J. Adelman, a.k.a. Math J.
Adelman Decedent.

Petition for Administration

TO THE PROBATE COURT ABOVE NAMED:

Your Petitioner, Mrs. Ervin Busch (Viola Busch)
respectfully represents and states to the Court:

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

Second—That said decedent was born in the Country of United States of America
and died at St. Cloud State of Minnesota on the
August 5th day of 1949, aged 64 years and was
at the time of h. is death a native of Dwala, Benton County, Minnesota, and
a citizen of the Country of United States of America and a
resident of the City of St. Cloud County of Stearns State of
Minnesota, and was the owner of estate in the County of Stearns
State of Minnesota, at the time of h. is death.

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

Fourth—That said estate of decedent, at the time of h. is death, included personal property of the probable
value of \$ 3015.00, divided as follows:

| | |
|-------------------------------------|---|
| 1. Household Goods, \$ <u>None</u> | 2. Wearing Apparel, \$ <u>None of value</u> |
| 3. Stock, \$ <u>None</u> | 4. Notes, Bonds, etc. \$ <u>None</u> |
| 5. Miscellaneous, \$ <u>\$75.00</u> | 6. Bank acct. (est) \$ <u>3000.00</u> |

That said estate included real estate of the estimated and probable value of \$ 7000.00 consisting
principally of lands in the County of Stearns State of Minnesota, described as
follows, to-wit:

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

A. City Property House and two lots \$ 7000.00

(Give Area)

(or)

B. Rural Property \$

(Give Area)

2. Real Estate other than Homestead:

A. City Property Lots without Buildings \$

City Property Lots with Buildings \$

B. Rural Property Acres improved land \$

Rural Property Acres unimproved land \$

Fifth—That the probable amount of the debts of decedent is \$ 1000.00 funeral expenses.

STATE OF MINNESOTA

ss

IN PROBATE COURT

COUNTY OF STEARNS

IN THE MATTER OF THE ESTATE OF MATHIAS J. ADELMAN, DECEDENT.

AFFIDAVIT OF MAILING NOTICE OF ORDER FOR HEARING

STATE OF MINNESOTA ss
COUNTY OF STEARNS

STATE OF MINNESOTA
COUNTY OF STEARNS

PROBATE COURT

File No. 12,129

Re Estate of Mathias J. Adelman, De-

cedent.

IT IS ORDERED that the petition for general administration filed herein be heard on Friday, September 9, 1949, at 9 o'clock A.M. by this Court in the Court House in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date hereof and that said claims be heard on Friday, December 16, 1949, at 9 o'clock A.M. by this court in the Court House in St. Cloud, Minn.

Dated this 9th day of August, 1949.

(Seal)

EARL J. MEINZ
Probate Judge.

WM. A. BOERGER, Esq.
Attorney.
Pub. Aug. 11-18-25, 1949

William A. Boerger, being first duly sworn, upon oath says that, on the 13th day of August, 1949, at the City of St. Cloud, State and County aforesaid, he mailed two true and correct copies of the notice hereto attached in the above entitled matter to the State Commissioner of Taxation at his office in the City of St. Paul, Minnesota, and one copy to each of the heirs at law of the decedent at their last known address, after due diligence in ascertaining the correctness of said addresses, by enclosing the same in a sealed envelope, with sufficient postage affixed, and depositing the same in the U.S. Mails at the City of St. Cloud, Minnesota, and addressed to the following named persons, to-wit:

State Commissioner of Taxation, State Office Building, St. Paul, Minnesota;
Mrs. Viola Beech, 1408 Spruce Place, Minneapolis, Minnesota;
Mrs. Marcelle Turhaar, 217--17th Ave. North, St. Cloud, Minnesota;
Mrs. Beatrice Inderrieden, 2127 1st Str. South, St. Cloud, Minnesota.

William A. Boerger

Sworn to and subscribed before
me this 15th day of August, 1949

Virginia Egerman

VIRGINIA EGERMAN
Deputy Register of Deeds
STEARNS COUNTY, MINN.

File No. 15,159

STATE OF MINNESOTA ss
COUNTY OF STEARNS

IN THE MATTER OF THE ESTATE OF
MATTHIAS J. A. WIMMANN, DECEASED.

AFFIDAVIT OF MAILING NOTICE OF
ORDER FOR HEARING.

(Administration)

FILED THIS 15th DAY

OF August A.D. 1949

Frank Herzog
Clerk of Probate

STATE OF MINNESOTA
COUNTY OF STEARNS

PROBATE COURT

File No. 15.159

Re Estate of Mathias J. Adelman, Decedent.

IT IS ORDERED that the petition for general administration filed herein be heard on Friday, September 9, 1949, at 9 o'clock A.M. by this Court in the Court House in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date hereof and that said claims be heard on Friday, December 16, 1949, at 9 o'clock A.M. by this court in the Court House in St. Cloud, Minn.

Dated this 9th day of August, 1949.
(Seal)

EARL J. MEINZ

Probate Judge.

WM. A. BOERGER, Esq.
Attorney.

Pub. Aug. 11-18-25, 1949

STATE OF MINNESOTA, } ss
COUNTY OF STEARNS

Frederick C. Schilplin

being duly sworn on oath says:
that he is, and during all the times herein stated has been; the President

of the Times Publishing Company, the publisher of the newspaper known as The St. Cloud Daily Times and has full knowledge of the facts hereinafter stated.

That for more than one year prior to the publication therein of the Order for
Hearing on Petition for General Administration

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

that the Order for Hearing on Petition for General Administration

hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week, for three successive weeks; that it was first so published on Thursday the 11th day of August 19 49 ; and thereafter on Thursday of each week to and including the 25th day of August 19 49 ;

and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

Frederick C. Schilplin

Subscribed and sworn to before me 25th day of August 19 49

Notary public Stearns County, Minnesota.

My Commission expires Oct. 1st 19 51

15,159

PRINTER'S
Affidavit of Publication
OF
THE ST. CLOUD DAILY
TIMES

Of Order for Hearing on
Petition for General
Administration

Estate of Mathias H. Adelman,

Decedent



FILED THIS 27th DAY

OF Aug. A.D. 1949

Frank Kempf
Clerk of Probate

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mathias J. Adelman, a/k/a Math
J. Adelman Decedent.

ORDER GRANTING ADMINISTRATION

The petition of Mrs. Ervin Busch (Viola Busch)
praying that letters of administration upon said estate be granted to Mrs. Stephen Terhaar
(Marcella) came duly on for hearing at a Special Term of this Court, held on the
9th day of September 19 49 Said petitioner appeared in person
and by his attorney, William A. Boerger, Esq.,
and no one appeared in opposition.

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

First: That notice of said hearing has been given and served by the publication of the order for said hearing
issued herein in the Daily Times as by law and
the order of this Court provided.

Second: That the said decedent died intestate on the 5th day of August
19 49.

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

Fourth: That Mrs. Stephen (Marcella) Terhaar is by law entitled, a suitable and competent
person, to administer upon said estate.

THEREFORE, is is ordered that said petition be granted and Marcella Terhaar be, and
hereby is appointed administrator of the estate of said decedent, and that letters
of administration issue to him upon his filing the oath by law required
and a bond in this court in the penal sum of Three Thousand and no/100 - - - - -
(\$3,000.00) - - - - Dollars, with sureties to be approved by the Judge of this Court conditioned
according to law.

Dated September 9 19 49

(Court Seal)

Earl J. Meier
Judge of Probate.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mathias J. Adelman,
a/k/a Math J. Adelman *Decedent.*

Order Granting Administration

Filed the 9th day of

September 19 49.

Recorded in Book 92 of Orders

page 205

Frank Herzog
Clerk ~~Judge~~ of Probate.

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mathias J. Adelman a.k.a. Math J.
Adelman Decedent.

Letters of Administration

Marcella Terhaar

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

NOW THEREFORE, the said Marcella Terhaar

is hereby appointed administrator of the estate of Mathias J. Adelman, a/k/a Math J. Adelman decedent, with full powers and duties as follows:

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

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

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

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

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

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

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

Dated September 9th, 1949 By the Court,



E. J. [Signature]
Judge of Probate.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mathias J. Adelman, a.k.a.
Math J. Adelman, Decedent

Letters of Administration

Filed this 9th day of
September, 1949, and
recorded in Book 7 of Letters
on page 584

Frank Herzog
Clerk of Probate.

No. 28

State of Minnesota,
County of } ss.

IN PROBATE COURT

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

WITNESS, My hand and the seal of said Court, at _____ day of _____, A. D. 19 _____ this

Judge of Probate.

State of Minnesota, } ss.
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF
Mathias J. Adelman, a.k.a Math J.
Adelman

BOND

KNOW ALL MEN BY THESE PRESENTS, That we Marcella Terhaar

of the City of St. Cloud

in the County of Stearns

State of Minnesota, as principal, and

Viola Busch of Minneapolis, Hennepin County, Minnesota, and Beatrice Inderrieden

St. Cloud, Stearns County, Minnesota

of said County and State

as sureties, are held and firmly bound to Hon. Earl J. Meinz

Judge of Probate of the County of Stearns

, Minnesota, in the sum of

Three Thousand (\$3000.00) DOLLARS,

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

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

Marcella Terhaar

, who has been appointed representative of the estate

of the above named Mathias J. Adelman a.k.a Math J. Adelman

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

WITNESS, our hands and seals this 9th day of September, A. D. 1949

Signed, Sealed and Delivered in Presence of

William A. Boerger
Sella Hemming

Marcella Terhaar (SEAL)
Viola Busch (SEAL)
Beatrice Inderrieden (SEAL)
(SEAL)
(SEAL)

ACKNOWLEDGMENT

State of Minnesota, } ss.
County of Stearns

BE IT KNOWN, That on this 9th day of September, A. D. 1949

personally appeared before me Marcella Terhaar, Viola Busch and Beatrice Inderrieden

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

William A. Boerger
Notary Public.

My commission expires March 21, 1955 Stearns County, Minn.

JUSTIFICATION

State of Minnesota,

County of Stearns

Viola Busch

of 1405 Spruce Place, Minneapolis, Minn.

and Beatrice Inderrieden

of 2127--1st Street South, St. Cloud, Minn.,

being duly sworn, each for himself says that he is one of the sureties described in and who executed the foregoing bond; that he is a resident and freeholder of the State of Minnesota, and is worth the amount of \$ 3000.00 specified in the foregoing bond above his debts and liabilities and exclusive of his property exempt from execution.

Viola Busch
Beatrice Inderrieden

Subscribed and sworn to before me this 9th

day of September

19 49.

William A. Boerger

William A. Boerger
Notary Public, Stearns
County, Minnesota.

My Commission Expires March 21 1955

APPROVAL

I do hereby approve the within Bond, this

9th day of September, 19 49.

(Court Seal)

Earl J. Vining
Judge of Probate.

OATH

State of Minnesota,

County of Stearns

I, Marcella Terhaar

do swear that I will faithfully and justly perform all the duties of the office and trust which I now assume as Representative of the estate of Mathias J. Adelman a.k.a. Math J. Adelman to the best of my ability. So help me God.

Marcella Terhaar

Subscribed and sworn to before me this 9th

day of September

A. D. 19 49.

William A. Boerger
Notary Public.

My commission expires March 21 19 55

Stearns

County, Minn.

File No. 15159

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mathias J. Adelman, a.k.a.

Math J. Adelman

Decedent - Will

Bond and Oath of
Representative

Filed this 9th day of

September 19 49

and said Bond recorded in Book

of Bonds, page 525 of Probate

Records.

W. A. Boerger
Clerk of Probate.

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF
Mathias J. Adelmann, also known }
as Math J. Adelmann, }
Decedent.

Order Appointing Appraisers

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

It is ordered that Louis J. Yaeger and
Leo J. Yaeger

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

Dated this 30th day of December, 1949.

(PROBATE COURT SEAL)

Earl J. McInerney
Probate Judge.

15,159

No. _____

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mathias J. Agelmann,
Decedent.

Order Appointing Appraisers

Filed December 30th , 1949

Frank Vergog
Probate Judge—Clerk.

State of Minnesota,

County of Stearns

IN PROBATE COURT

File No. 15,159

IN THE MATTER OF THE ESTATE OF

INVENTORY AND APPRAISAL

Mathias J. Adelmann, a.k.a. Math J.
Adelmann

Decedent

Date of Death August 5th, 1949, 19

OATH OF APPRAISERS

State of Minnesota,

County of Stearns

I, Leo J. Jaeger

I, Louis J. Jaeger, and

do solemnly swear that I will honestly, faithfully and
impartially perform all the duties of the office and trust which I now assume as appraiser of the estate of Mathias J.
Adelmann, a.k.a. Math J. Adelmann, decedent to the best of my ability. So Help Me God.Subscribed and sworn to before me this
30th day of December, 1949William A. Boerger
Notary Public, Stearns County, Minn.
My commission expires March 21, 1955

(SEAL)

INVENTORY AND APPRAISAL

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

CLASS I—Real Estate:

| (a) The homestead of decedent, being in the County of Stearns, State of Minnesota, consisting of 31/100 acres in area described as follows, to-wit: (give acreage) | Specify Encumbrances and Respective Amounts | Net Value Over Encumbrances |
|---|--|--------------------------------|
| Fractional 31/100 of an acre of the N.W. 1/4 of the N.W. 1/4 of Section Fourteen (14), Township One Hundred Twenty-four (124), Range Twenty-eight (28) as the same is described under Plate No. 20012 in the office of the County Treasurer and the office of the County Ap- praiser. The property was sold to the decedent under two separate deeds, each showing a different starting point for the beginning of the tract conveyed, though the di- mensions are the same. It is known as No. 217---17th Avenue North, St. Cloud, Minnesota. | (None) | \$ 3042.00 |
| (b) All other real estate of decedent being in the County of Stearns, State of Minnesota, described as follows, to-wit: | | \$ |

FORWARDED

| | Specify Encumbrances and Respective Amounts | Net Value Over Encumbrances |
|--|--|--------------------------------|
| Brought Forward | | \$ |
| Total Net Value of Real Estate | | \$ |
| CLASS II—Furniture and Household Goods: | | |
| None | \$ | \$ |
| Total Value of Furniture and Household Goods | | \$ |
| CLASS III—Wearing Apparel and Ornaments: | | |
| None of value | \$ | \$ |
| Total Value of Wearing Apparel and Ornaments | | \$ |
| CLASS IV—Corporation Stocks (Give Certificate No.) | | |
| None | \$ | \$ |
| Total Value of Stock | | \$ |

CLASS V—~~Mortgages~~, Bonds, Notes and other Written Evidences of Debt: (Give Encumbrance if any.)

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

CLASS VI—All other Personal Property:

[illegible]

SUMMARY

SUMMARY

| | | | |
|--|---|---|------------|
| The total value of all the real estate of decedent, as valued by the appraisers herein, is | - | - | \$ 3042.00 |
| The total value of all the personal property of decedent, as valued by the appraisers herein, is | - | - | \$ 3615.63 |
| The total value of the entire estate of decedent, as valued by the appraisers herein, is | - | - | \$ 6657.63 |

Respectfully submitted,

Marcella Terhune

Representative

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

VERIFICATION

State of Minnesota,

County of Stearns

ss.

Marcella Terhaar

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

Subscribed and sworn to before me this

30th day of December, A. D. 1949

William A. Boerger

Notary Public, Stearns County, Minn.

My commission expires March 21, 1955

(SEAL)

Marcella Terhaar

Representative

CERTIFICATE OF APPRAISERS

State of Minnesota,

County of Stearns

We, the undersigned appraisers, duly appointed by

the Probate Court of Stearns

County, Minnesota, to appraise the estate of

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

Dated this 30th day of December, A. D. 1949

Louis J. Jaeger

Leo T. Jaeger

Appraisers

File No. 15,129

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mathias J. Adelman, a.k.a.

Math J. Adelman

Decedent

Inventory and Appraisal

Total Personal - \$ 3615.63

Total Real Estate - \$ 3042.00

Total Appraisal - \$ 6657.63

Due service of the within inventory and appraisal is hereby admitted this day of 19

Deputy-Treasurer of County, Minnesota

Filed this 30th day of

December, A. D. 1949

Frank H. Hergert

Probate Clerk

Attorney

STATE OF MINNESOTA
DEPARTMENT OF TAXATION
INHERITANCE AND GIFT TAX DIVISION

State Office Building
 St. Paul 1, Minnesota

State of Minnesota,

County of Stearns

INHERITANCE TAX RETURN

Decedent Nathias J. Adelmann, s.k.s.

Date of death March 5th, 1919

The undersigned hereby returns information concerning the decedent and concerning all transfers of property by the decedent or by reason of his death which may be subject to inheritance tax as defined by Minnesota Statutes 1941, Chapter 291, as amended.

GENERAL INFORMATION

- (1) Decedent's residence at date of death 217--17th Ave. No. St. Cloud Minnesota
Street City State
- (2) Place of death St. Cloud Hosp'l. Birthdate _____ Place of birth _____
- (3) Business or occupation Foreman Kollman Granite Works, St. Cloud, Minnesota.
- (4) Married, single, separated, widowed or divorced at date of death Widowed
- (5) Did decedent have access to a safe deposit box or other place of safekeeping at the time of his death? No.
- A. Name and address of bank or other depository None
- B. Name and address of other persons who had access to box None
- (6) Did the undersigned person or persons filing return make diligent and careful search for property of every kind left by decedent? Yes
- (7) Did the undersigned make diligent and careful search for information as to any transfer of a material portion of decedent's property during his lifetime without an adequate and full consideration in money or money's worth?
Yes
- (8) Will there be Minnesota probate proceedings? Yes; now in progress
- (9) Do any of the surviving joint tenants in Schedule I claim that they furnished adequate and full consideration or any portion thereof in money or money's worth toward purchase or acquisition of the joint property? None
- Do they claim the property was acquired by gift or inheritance by the decedent and survivors as joint tenants?
None
- Give details of such claims in Schedule I.

INSTRUCTIONS

1. **STATUTES:** The inheritance tax law appears in Minnesota Statutes of 1941, Chapter 291. Taxable transfers are defined in M. S. 291.01. Filing inheritance tax return is required by M. S. 291.12. Amendments were adopted by Laws of Minnesota 1943, Chapter 504, Section 6, Sub. 2.
2. **USE AND PROCEDURE:** This return will be used in all estates to report all transfers from deceased persons to heirs or beneficiaries which are not included in the inventory in a Minnesota probate proceeding.
 - A. If there is a Minnesota probate proceeding (general administration, special administration, summary distribution, or petition for decree of descent), the return will be filed with probate court. If a tax may be due, or if a waiver of inheritance tax lien from the commissioner is needed, prepare the return in duplicate.
 - B. If there is no Minnesota probate proceeding, the return must be filed directly with the Department of Taxation, Inheritance and Gift Tax Division, 221 State Office Building, St. Paul 1, Minn.
 - C. If it is claimed that decedent was not a resident of Minnesota, an Affidavit of Non-Residence must be filed with this return (Form D. of T. EG 1019). In such case, this return will disclose the detail of transfers of property having situs in Minnesota, and the total value of transfers in each class of property having situs elsewhere.
3. **DETERMINATION OF TAX:** The court will determine the tax upon property included in the probate proceeding. The department will determine the tax upon the transfers disclosed in the return.
4. The representative of the estate or other person executing the return is obliged to report all transfers which may be subject to tax. Each schedule of the return is to be construed as a question which must be answered by describing the transfers or by stating that there were none of this class, if such is the case.
5. Satisfaction or waiver of inheritance tax lien upon the transfer of joint tenancy property can be obtained from the Department of Taxation by use of the Affidavit of Survivorship, Joint Tenancy or Remainderman, D. of T. EG 1018, which may be purchased from a legal stationer.
6. If space in any schedule is insufficient, additional schedules in like form may be attached.
7. The value of all properties transferred and reported herein is the full and fair market value on date of death.

COMMISSIONER OF TAXATION
 Director, Inheritance and Gift Tax Division.

SCHEDULE I — PROPERTY HELD IN JOINT TENANCY

All property of whatever kind, whether real estate, personal property, bank accounts U. S. Savings Bonds, etc., in which the decedent held an interest at the time of his death as a joint tenant or as a co-owner with right of survivorship, must be disclosed in this schedule. Claims of consideration furnished by the survivor, or claims of creation of the joint tenancy by gift or inheritance must be stated in an

affidavit giving verifiable details showing the source, nature, amount and proportion of the survivor's contribution. The homestead of decedent, if included in any of the schedules, must be identified before the exemption in favor of spouse or issue can be allowed. Excess homestead area, if any, must be separately described and valued. Please group all properties transferred to each surviving joint tenant.

| Date of Transfer to Joint Tenancy | Description of Property (Legal description of Land; Street Address of City Realty; Acreage of Rural Land). Specify Liens, if any. | Surviving Joint Tenant (Give Name and Relationship to Decedent) | Assessor's Full and True Value of Realty Or Unit Value of Securities On Date of Death | Gross Market Value of Whole Property |
|-----------------------------------|---|---|---|--------------------------------------|
| SAMPLE: 6-21-41 | Lot 1, blk. 1, Lief's Add. to St. Paul, Ramsey Co., Minn., 6000 Montclair Rd., St. Paul. Homestead: Mortgage, \$1,000.00 | Mary Doe, wife | \$2,455.00 | \$4,000.00 |
| 7-5-42 | 100 shares common stock General Motors Co. Certificate No. 1392816 | John Doe, son | N. Y. S. E. 75½ | \$7,550.00 |
| None | None | None | None | None |

Total Liens, Col. 2

Total, Col. 5 - - - - -
Joint Property, less Liens - - - - -

None

SCHEDULE II (A) — LIFE INSURANCE

Report all life or accident insurance proceeds payable on the death of the decedent to named beneficiaries. An exclusion of \$32,500 will apply before any inheritance tax is

assessed on the policies in this group. This schedule should not include contracts reportable in Schedule II (B).

| Date Taken (Yr) | Description of Policy (Name of Company, No. of Policy) | Amount Paid or Payable at Death (Show Post Mortem Dividends Separately) | Beneficiary and Relationship to Decedent | If Contract Issued Prior to 7-15-37, did Decedent on 7-15-37 have right to: | |
|-----------------|--|---|--|---|--------------------------|
| | | | | 1. Change Beneficiary? | 2. Cash Surrender Value? |
| | Policy was surrendered by beneficiaries at time of death by Mutual Life Ins. Co. | \$2000.00 | Pd. to Marcella Terharr as Administrator of the estate of Math Adelmann. | | |

Report all other types of contracts with insurance companies, or others, transferred or payable on decedent's death, including the following: annuities, pensions and retirement funds; supplemental contracts or deposits (which may be proceeds of insurance policies

or annuities received from a prior decedent or matured endowment policies, etc.); and cash value of insurance policies on life of another which may have been assigned to this decedent. (None of these are subject to the life insurance exclusion of \$32,500.)

| Date of Contract | Description of Contract (Name of Company, No. and Type) | Amount Paid or Payable at Death or Value of Balance of Annuity | Beneficiary or Transferee Name, Address, and Relationship to Decedent |
|------------------|--|--|--|
| None | None | None | None |
| | | | |
| | | | |

SCHEDULE III — TRANSFERS BY THE DECEDENT

A. Transfers in contemplation of death:

Report transfers or gifts by decedent before his death which are in the nature of a final disposition in anticipation of death. It is presumed that a transfer of a material portion of decedent's property within two years prior to death is made in contemplation of death.

Report gifts made by decedent during his lifetime which total more than \$2,500 to one donee in any year.

B. Transfers intended to take effect in possession or enjoyment at death:

Report transfers of property by deed, trust or agreement in which the decedent had retained a life estate, or all or part of the income for life, or a power of revocation.

Report transfers in which the beneficiary's possession or enjoyment takes effect at or after decedent's death or in which the deed or in-

strument of title is delivered or recorded at or after decedent's death

NOTE: Under both A. and B. copies of trust instruments must be attached to the return as exhibits. If it is claimed that any transfer is non-taxable, detailed verified statements of the claim must be attached.

C. Powers of Appointment:

Report the property in respect to which the decedent held a power of appointment at any time. Attach a copy of the instrument granting the power of appointment to the decedent and a schedule of the assets subject to the power at date of death.

Did the decedent exercise the power?

Attach a copy of the instrument exercising the power unless it is a will previously filed for probate. If the power had been relinquished by decedent, attach a copy of the instrument.

| Date of Transfer | Description of Property Transferred (Legal Description of Land; Street Address of City Realty; Acreage of Rural Land). Specify Liens, if any. | Transferee and Relationship to Decedent | Assessor's Full and True Value of Realty Or Unit Value of Securities on Date of Death | Gross Fair Market Value |
|---------------------|---|---|---|-------------------------|
| None | None | None | None | None |
| Total Liens, Col. 2 | | Total, Col. 5 | - - - - - | |
| | | Transfers, less Liens | - - - - - | |

Report the transfer of any property belonging to the decedent which has not been included in a Minnesota probate proceeding and has not been otherwise reported in Schedules I to III of this return. (In the

event of no probate, this schedule may include automobiles, household goods, personal effects, U. S. Postal Savings, U. S. Savings Bonds and other tangible or intangible personal property, if any.)

1. Marcella Terhaar
the execut. /administrator/ transferee, custodian or
trustee of the estate of the above named decedent do hereby swear
that I have carefully examined the foregoing return, including the
separate sheets attached, if any, and that, to the best of my know-
ledge, information and belief, herein is listed all of the property
Submitted and sworn to before me this 30th
day of December, 1949
William A. Boerger
William A. Boerger
Notary Public, County of Stearns
My commission expires March 21, 1955.

required by law to be included in said return; that all questions have been truly answered; that I have no knowledge of any transfers required to be included in this return except as stated; and that to the best of my knowledge, information and belief the values shown in the foregoing schedules are full and fair market values as of the date of the decedent's death.

(Signature) *Marcella Terhaar*

(Address) 217-17th Avenue North
St Cloud Minnesota.

File No. 15,159

State of Minnesota,

County of Stearns

Re: Estate of

Maxim J. Adelman, A.K.A.

Math J. Adelman

Decedent

INHERITANCE TAX RETURN
DEPARTMENT OF TAXATION

Filed December 30, 1949

Frank Kervon
Clerk of Probate Court

Attorney

Address _____

State of Minnesota, } ss.
County of Stearns }

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF
Mathias J. Adelman, also known as
Math J. Adelman,

Decedent.

ORDER ALLOWING FINAL ACCOUNT

The above entitled matter came on to be heard on the 3rd day of February 19 50, upon the petition of the representative of the above named estate praying for the allowance of his final account and for distribution of the residue of said estate.

The said representative appeared in person and by attorney William A. Boerger, Esq., and no one appeared in opposition.

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

First—That due notice of the said hearing of said petition has been given as required by law by the publication of the citation of this Court for said hearing, dated the 6th day of January 19 50, in the St. Cloud Daily Times, proof of publication of said notice for hearing and service by mail having been filed in this Court.

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

RECEIPTS

| | |
|---|-------------|
| Personal estate as described in the inventory | \$ 3,615.63 |
| Personal estate omitted from the inventory | \$ |
| Gain by sales above appraised value | \$ |
| Cash from sales of automobile automobile | \$ 175.00 |
| Cash from rent of real estate | \$ 100.00 |
| Cash from interest and profits | \$ |
| Cash from other sources Policy of Mutual Life Ins. | \$ 2,001.43 |
| Check from Kollman Granite Works | 58.10 |
| Social Security | \$ 234.78 |
| Travelers Insurance Co. Policy | \$ 246.00 |
| Same | 117.14 |
| Total receipts from all sources | \$ 6,548.08 |

DISBURSEMENTS AND CREDITS

| | |
|--------------------------------------|-------------|
| Estate selected for surviving spouse | \$ |
| Maintenance of family of decedent | \$ |
| Expenses of administration | \$ 293.97 |
| Expenses of last sickness | \$ 766.90 |
| Funeral expenses | \$ 905.00 |
| Taxes | \$ 59.88 |
| Claims of creditors of decedent | \$ |
| Legacies | \$ |
| | \$ |
| | \$ |
| Residue on hand for distribution | \$ 4,522.33 |
| Total credits | \$ 6,548.08 |

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Mathias J. Adelman,

Decedent.

Order Allowing Final Account

Filed this 3rd day of
February, 1950, and
recorded in Book 101 of Orders
at Page 523

Frank J. Adams
Clerk of Probate.

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

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

Dated February 3rd, 1950.

By the Court,

Earl J. Innes
Probate Judge.

State of Minnesota, }

COUNTY OF Stearns

IN PROBATE COURT

In the Matter of the Estate of Mathias J. Adelman, Deceased:

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


Marcella Terhaar

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

It is Therefore Ordered and Decreed, That said representative

of said estate and the sureties on her bond, be, and they hereby are, forever discharged and released from all further duties and liabilities in the matter of said estate and of said trust.

Dated this 9th day of February, A. D. 19 50


Judge of Probate

Stearns County, Minn.

IN PROBATE COURT

COUNTY OF Stearns

IN THE MATTER OF THE ESTATE OF

Mathias J. Adelman,
Deceased

Order Discharging Executor or Administrator

Filed this 9th day of
February, 1950

Recorded in Book 97 of Orders,

Page 179

Frank Vermoy
Clerk Judge of Probate

State of Minnesota,

IN PROBATE COURT

County of Stearns

File No. 15,159

In the Matter of the Estate of
Mathias J. Adelman, also known as
Math J. Agelman,

Decedent.

Final Decree of Distribution

The above entitled matter came on to be heard on the 3rd day of February 1950, upon the petition of the representative of said estate for the distribution of the residus of said estate to the persons thereunto entitled.

The representative of said estate appeared in person and by attorney William A. Boerger, Esq., and no one appeared in opposition thereto.

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

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

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

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

THIRD—That said decedent died intestate on the 5th day of April, 1949, and at the time of his death decedent was a resident of the County of Stearns and State of Minnesota.

FOURTH—That the residue of the estate of said decedent for distribution consists of the following property, to-wit:
(A) Personal property of the value of \$ 4,522.33 comprising the following items:

Cash on deposit in Zapp State Bank.

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

That part of Section Fourteen (14), Township One Hundred Twenty-four (124), Range Twenty-eight (28) described as follows: Commencing at a point on the East line of Thielman's Addition to St. Cloud, according to the plat thereof, 376.885 feet South of the Northeast corner of said Thielman's Addition; running thence South along the East line of said Thielman's Addition eighty (80) feet; thence East at right angles with said Thielman's Addition One hundred seventy-eight and $\frac{1}{2}$ (178 $\frac{1}{2}$) feet; thence North parallel with said East line of Thielman's Addition eighty (80) feet; thence West at right angles with the line last described one hundred seventy-eight and $\frac{1}{2}$ (178 $\frac{1}{2}$) feet to the point of beginning, being a rectangular tract of land 178 $\frac{1}{2}$ feet long from East to West and 80 feet in width from North to South and containing approximately .314 of an acre, all as described in that certain judgment rendered in the District Court of Stearns County, Minnesota, and recorded in the office of the Register of Deeds in and for Stearns County, Minnesota.

(C) Other tract of land lying and being in the County of none

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

None.

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

of said decedent, and are all

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

Viola Busch, Marcella Terhaar and Beatrice
Inderriedan, daughters of decedent.

Now, Therefore, On motion of William A. Boerger, Esq.,
attorney for the

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

One-third (1/3) thereof to each of the said
Viola Busch, Marcella Terhaar and Beatrice Inderrieden,
absolutely.

And that the title to the above described real estate

has passed to and is hereby assigned to and vested in the above named persons in the following proportions and estates, to-wit:

An undivided one-third (1/3) thereof to each of the said Viola Busch, Marcella Terhaar and Beatrice Inderrieden, in fee simple.

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

Dated at St. Cloud, Minn., this 3rd day of February, 19 50



Earl J. Treitz
Probate Judge.

State of Minnesota,

County of _____

ss.

PROBATE COURT

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

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

_____ of the Probate Court.

15,159

File No.

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Mathias J. Adelman,
Deceased.

Final Decree of Distribution

Office of Register of Deeds,
State of Minnesota,

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

By _____
Register of Deeds.
Deputy.

Transfer entered this _____ day of _____, 19 _____.

By _____
County Auditor.
Deputy.

Filed this 3rd day of Feb.
19 50, and recorded in Book 106
of Deeds, page 89

Edward J. Treitz
Judge - Clerk of Probate Court.

No. 1111*

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Hersberg

Decedent.

Petition for Administration

TO THE PROBATE COURT ABOVE NAMED:

Your Petitioner Alvine Hersberg
respectfully represents and states to the Court:

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

Second—That said decedent was born in the Country of _____
and died at Paynesville, State of Minnesota on the
21st day of August, 1944, aged 62 years and was
at the time of his death a native of _____, and
a citizen of the Country of _____ and a
resident of Paynesville Township County of Stearns, State of
Minnesota, and was the owner of estate in the County of Stearns
State of Minnesota, at the time of his death.

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

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

| | |
|------------------------|--------------------------|
| 1. Household Goods, \$ | 2. Wearing Apparel, \$ |
| 3. Stock, \$ | 4. Notes, Bonds, etc. \$ |
| 5. Miscellaneous, \$ | 6. \$ |

That said estate included real estate of the estimated and probable value of \$ 2,000.00 consisting
principally of lands in the County of _____, State of Minnesota, described as
follows, to-wit:

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

A. City Property \$
\$

(Give Area)

(or)

B. Rural Property 20 Acres with residence etc. \$ 2,000.00
\$

(Give Area)

2. Real Estate other than Homestead:

| | | |
|-------------------|------------------------|----|
| A. City Property | Lots without Buildings | \$ |
| City Property | Lots with Buildings | \$ |
| B. Rural Property | Acres improved land | \$ |
| Rural Property | Acres unimproved land | \$ |

Fifth—That the probable amount of the debts of decedent is \$ 100.00

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

| NAME | AGE | RELATIONSHIP | POSTOFFICE ADDRESS |
|--------------------|-----|--------------|---|
| Alvine Hersberg | 57 | Wife | R.F.D. #2, Paynesville, Minnesota |
| Elmer Hersberg | 36 | Son | Paynesville, Minnesota |
| Rienholdt Hersberg | 34 | Son | Williamina, Oregon |
| Mable Hersberg | 33 | Daughter | C/o E. G. Barthles Brownston, Minnesota |
| Gordon Hersberg | 31 | Son | Rickreall, Oregon |
| Harold Hersberg | 30 | Son | Paynesville, Minnesota |
| Oliver Hersberg | 28 | Son | Paynesville, Minnesota |
| Noble Hersberg | 27 | Son | Box 622, Florence, Oregon |
| Adeline Schmidt | 26 | Daughter | C/o Big Swan Lake, Bassel, Minnesota |
| Arthur Hersberg | 25 | Son | 636 Selby Ave., St. Paul, Minnesota |
| Ervin Hersberg | 22 | Son | RA 19307856 7773 Sig Lo Co. APO 742 A C 10 P. M. New York, New York |
| Norman Hersberg | 21 | Son | U. S. Sub Base Navy # 128 Canny Dept., C/o F.P.O. San Francisco, Calif. |
| Edwin Hersberg | 20 | Son | Paynesville, Minnesota |
| Marcella Hersberg | 19 | Daughter | Paynesville, Minnesota |
| Evelyn Hersberg | 15 | Daughter | Paynesville, Minnesota |
| Clifford Hersberg | 12 | Son | Paynesville, Minnesota |

State of Minnesota, } ss. Alvine Hersberg Petitioner.
County of Stearns
Alvine Hersberg
being duly sworn, on oath, says, that he is the person who makes the foregoing petition in the above entitled matter; that he has read said petition 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 that as to those matters he believes it to be true.
Subscribed and sworn to before me, this 3rd day of August, 1949.
David E. Shaw Notary Public.
Stearns County, Minn.
My Commission expires Jan. 6, 1950.

15,160
State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Hersberg

Decedent.

PETITION FOR ADMINISTRATION

Selection of Newspaper

To the Judge of said Court:
Please cause the notices in said estate to be published in the

Richmond

(Here insert name of newspaper)

David E. Shaw

Filed this 9th day of August, 1949

W. Frank Therapy
Probate Clerk.

Seventh—That Alvine Hersberg, whose Post Office address is Paynesville, Minnesota is a suitable and competent person to administer the said estate, and is lawfully entitled thereto as wife, heir at law

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

State of Minnesota, } ss. Alvine Hersberg
County of Stearns } Petitioner.
Alvine Hersberg

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

Subscribed and sworn to before me, this 3rd day of August, 1949
David Z. Shaw Notary Public.
Stearns County, Minn.
My Commission expires Jan. 6, 1950

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Hersberg

Decedent.

PETITION FOR ADMINISTRATION

Selection of Newspaper

To the Judge of said Court:
Please cause the notices in said estate to be published in the

Richmond

(Name of newspaper)

Filed this 9th day of August, 1949
Frank Stearns
Probate Clerk.

STATE OF MINNESOTA
DEPARTMENT OF TAXATION
DIVISION OF INHERITANCE AND GIFT TAXES
REPORT OF SAFETY DEPOSIT BOX EXAMINATION

IN THE MATTER OF THE ESTATE OF Otto E. Herzberg, DECEASED
County of Stearns Box No. 60 standing in the name of
Otto Herzberg
in the place of business of First State Bank
(Name of Bank, Trust Company or Safety Deposit Box Company)
in the City of Faynesville Stearns County, Minnesota.

Names of those present participating in the opening, examination and transfer;—

H. J. Sauer
For County Treasurer

Elmer Herzberg
For the Estate

W. H. Person
For the Bank or Trust Co.

Date of opening Sept. 27, 1944

DESCRIPTION OF PROPERTY:

The following described U. S. Savings Bonds, Series E:

| Amount | Date of Issue | Inscribed in name of: | Number |
|----------|---------------|---|-------------|
| \$100.00 | 11/1/43 | Otto E. Herzberg or Oliver R. Herzberg | C46987432 |
| 25.00 | 7/1/43 | Oliver R. Herzberg or Otto Herzberg | Q277022509 |
| 25.00 | 9/1/43 | " " | 280466077 |
| 25.00 | 10/1/43 | " " | 281581993 |
| 25.00 | 8/1/43 | " " | 278736282 |
| 25.00 | 5/1/43 | " " | 202673256 |
| 25.00 | 11/1/43 | " " | 282579498 |
| 25.00 | 6/1/43 | " " | 275347376 |
| 50.00 | 1/1/44 | " " | 146287674 |
| 25.00 | 4/1/44 | " " | Q475186742 |
| 25.00 | 3/1/44 | " " | 473650499 |
| 25.00 | 5/1/44 | " " | 477034725 |
| 25.00 | 2/1/44 | " " | 288564145 |
| 25.00 | 1/1/44 | " " | 286889648 |
| 25.00 | 12/1/43 | " " | 284944391 |
| 25.00 | 3/1/43 | Oliver R. Hertzberg POD Mrs. Alvina Hertzberg | Q 293992949 |
| 25.00 | 10/1/42 | " " | 164425872 |
| 25.00 | 11/1/42 | " " | 207249214 |
| 25.00 | 2/1/43 | " " | 237401207 |
| 25.00 | 12/1/42 | " " | 237007223 |
| 25.00 | 9/1/43 | Erwin E. Herzberg POD Otto E. Herzberg | Q 197054177 |
| 25.00 | 6/1/44 | Erwin Ernest " " | 427688379 |
| 25.00 | 6/1/44 | " " " | 451518331 |
| 25.00 | 6/1/44 | Oliver R. Herzberg or Otto Herzberg | 479930099 |

Various insurance policies, receipts and auto reg. cert.

The above is hereby certified to as a correct and complete description of the contents of the above described safe-deposit box.

Elmer L. Herzberg
For the Estate of said Decedent

INSTRUCTIONS

- One copy of this Report should be sent by the County Treasurer to the Probate Court of the interested county and one copy to the Commissioner of Taxation at St. Paul, Minn.
- If the County Treasurer for any reason deems it inadvisable to have the contents of such box delivered to the representative of the estate at the time of the examination of such securities, the Treasurer may serve notice upon the Safety Deposit Box Company to defer such delivery for ten days. See Section 2903, Mason's Minnesota Statutes 1927, as amended by Chapter 938, Laws of 1939. See also, Section 10396, Mason's Minnesota Statutes 1927.

G. HOWARD SPAETH
Commissioner of Taxation.

By FRANKLIN B. STEVENS,
Director, Division of Inheritance Gift Taxes.

8852 2086

File No. 15,160

State of Minnesota,

County of

IN THE MATTER OF THE ESTATE OF

Otto E. Herzberg, Deceased

Report of Safety
Deposit Box Examination

FILED THIS _____ DAY
OF _____ A.D. 19____

Clerk of Probate

State of Minnesota

County of Stearns

Anton Brisse

being duly sworn, on oath says:

that he is, and during all the times herein stated has been the publisher of the newspaper known as Richmond Reporter and has full knowledge of the facts hereinafter stated; that for more than one year prior to the publication thereof of the Petition for General Administration

hereinafter described, said newspaper was printed and published in the Village of Richmond in the County of Stearns

State of Minnesota, on Thursday of each week; that during all said time

said newspaper has been printed in the English language from its known office of publication within the Village

from which it purports to be issued as above stated and in newspaper format and in column and sheet form equivalent in space to at least 450 running inches of single column, two inches wide; has been issued

each week from a known office established in said place of publication and employing skilled workmen and equipped with the necessary material for preparing and printing the same, and the presswork on that part of the newspaper devoted to local news of interest to the community which it purports to serve has been done in its known office of publication; that during all said time in its makeup not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that during all said time it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and advertisements; has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and has entry as second class matter in its local post office; and that there has been

on file in the office of the County Auditor of Stearns County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper, the existence of the conditions constituting its qualifications as a legal newspaper.

That the Petition for General Administration hereto attached was cut from the columns of said newspaper and was printed and published therein in the English language, once each

week, for three successive weeks: that it was first so published on the 25th day of August 1948; and thereafter on the 26th

each week to and including the 28th day of August 1948; and that the following is a printed copy of the lower case alphabet from a to z both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

(Paste Here Proof of Complete Lower Case Alphabet Without Spaces)

Anton Brisse

Subscribed and sworn to before me this 25th day of August 1948

Notary Public

County of Stearns Minnesota

My commission expires April 7, 1952

STATE OF MINNESOTA, County of Stearns.

PROBATE COURT
File No. 15160

Re Estate of Otto Herzberg, Decedent.

IT IS ORDERED that the petition for general administration filed herein be heard on Friday, September 2nd, 1949, at 9 o'clock A. M., by this court in the Court House in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date hereof and that said claims be heard on Friday, December 16th, 1949, at 9 o'clock A. M., by this court in the Court House in St. Cloud, Minn.
(Seal)

Dated this 9th day of August, 1949.

EARL J. MEINZ,
Judge of Probate

David T. Shay,
Attorney.

15,160

STATE OF MINNESOTA
County of Stearns

PROBATE COURT
In the Matter of the Estate of

Otto Herzberg
Decedent-Ward

Gen. Administrator

FILED THIS 27th DAY

OF Aug. A.D. 1942

Frank Herzog
Clerk of Probate

State of Minnesota,

County of Stearns

File No. 15,160

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Affidavit of Mailing of Order for Hearing

Otto Herzberg

Decedent.

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

State of Minnesota,

County of Stearns

ATTACH COPY OF ORDER HERE

STATE OF MINNESOTA, County of Stearns.

PROBATE COURT

File No. 15,160

Re Estate of Otto Herzberg, Decedent.

IT IS ORDERED that the petition for general administration filed herein be heard on Friday, September 2nd, 1949, at 9 o'clock A. M., by this court in the Court House in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date hereof and that said claims be heard on Friday, December 16th, 1949, at 9 o'clock A. M., by this court in the Court House in St. Cloud, Minn.

(Seal)

Dated this 29th day of August, 1949.

EARL J. MEINZ,

Judge of Probate

David T. Shay,
Attorney.

Menholdt Herzberg

Mable Herzberg

Gordon Herzberg

Harold Herzberg

Oliver Herzberg

Noble Herzberg

Adeline Schmidt

Arthur Herzberg

Edwin Herzberg

Marcella Herzberg

Evelyn Herzberg

Clifford Herzberg

Ervin Herzberg, RA 19307856, 7773 Six Le Co.,
APO 742 AC 10 P.M.

Mortan Herzberg

U. S.

Sub Base, -
Navy #128 Cansy Dept.
c/o P. F. C.

R POST OFFICE

1 2

CITY

STATE

Paynesville,

Minn.

Paynesville,

Minn.

Willamina

Oregon

Brownton

Minn.

Ricksdale

Oregon

Paynesville

Minn.

Paynesville

Minn.

Florence

Oregon

Dassel

Minn.

St. Paul

Minn.

Paynesville

Minn.

Paynesville

Minn.

Paynesville

Minn.

Paynesville

Minn.

New York

New York

San Francisco

California

Subscribed and Sworn to before me this 20th

day of August

19 49

David T. Shay

Notary Public,

Stearns

County, Minn.

My commission expires Jan. 6, 1950

File No. 15,160

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg

Decedent.

AFFIDAVIT OF MAILING

General Administrator

Filed August 30, 1949

Frank Herzog
Probate Judge Clerk.

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg
Decedent.

ORDER GRANTING ADMINISTRATION

The petition of Alvine Herzberg

praying that letters of administration upon said estate be granted to Alvine Herzberg

came duly on for hearing at a Special Term of this Court, held on the

2nd day of September 1949 Said petitioner appeared in person

and by her attorney, David T. Shay,

and no one appeared in opposition.

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

First: That notice of said hearing has been given and served by the publication of the order for said hearing issued herein in the Richmond Reporter as by law and the order of this Court provided.

Second: That the said decedent died intestate on the 21st day of August 1944.

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

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

THEREFORE, is is ordered that said petition be granted and Alvine Herzberg be, and hereby is appointed administratrix of the estate of said decedent, and that letters of administration issue to her upon her filing the oath by law required and a bond in this court in the penal sum of One Thousand and no/100 - - - - - (\$1,000.00) - - - - - Dollars, with sureties to be approved by the Judge of this Court conditioned according to law.

Dated September 2 19 49

(Court Seal)

E. J. Meier
Judge of Probate.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg

Decedent.

Order Granting Administration

Filed the 2nd day of

September 1949

Recorded in Book 92 of Orders

page

201

Clerk

Frank Herzog
~~Judge~~ of Probate.

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg,
Decedent.

Letters of Administration

Alvine Herzberg

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

NOW THEREFORE, the said Alvine Herzberg
is hereby appointed administrator of the estate of Otto Herzberg
decedent, with full powers and duties as follows:

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

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

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

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

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

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

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

Dated September 12th, 1949 By the Court.



Carl J. Meier
Judge of Probate.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg,

Letters of Administration

Filed this 12th day of
 September, 1949, and
 recorded in Book J of Letters
 on page 585

Frank Herzog
 Clerk of Probate.

No. 28

State of Minnesota,
 County of } ss.

IN PROBATE COURT

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

WITNESS, My hand and the seal of said Court, at _____ day of _____, A. D. 19____ this _____

Judge of Probate.

R-52**POWER OF ATTORNEY**

(Irrevocable)

Nº 218091**Know All Men by These Presents:**

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

That the Western Surety Company, a corporation, does hereby make, constitute and appoint, _____

David T. Shay

In the city of **St. Cloud**, County of **Stearns**, State of **MINNESOTA**,

with limited authority, its true and lawful agent and attorney-in-fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as surety, one of the following bonds and no others.

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

MAXIMUM PENALTY

- | | | |
|---|---|--------------|
| (A) ADMINISTRATOR EXECUTOR REFEREE IN PARTITION SALE OF REAL OR PERSONAL PROPERTY | —when this company has qualifying bond or when a separate bond for accounting of proceeds of sale only —in bankruptcy—Federal Court only | \$100,000.00 |
| TRUSTEE OR RECEIVER | | |
| (B) GUARDIANS CONSERVATORS CURATORS TRUSTEE RECEIVER SALE OF REAL OR PERSONAL PROPERTY | —testamentary only —not for benefit of creditors —only when this company has qualifying bond | \$ 10,000.00 |
| (C) ATTACHMENT REPLEVIN INJUNCTION FORECLOSURE NOTARY PUBLIC POST OFFICE EMPLOYEES PUBLIC OFFICIAL AND DEPUTIES | —principal must be a corporation, or a State or the Federal Government or any department thereof —excluding sheriffs, peace officers, constables or tax collectors | \$ 7,500.00 |
| (D) COST REMOVAL | —excluding open penalty, stay, supersedeas or guarantee of a Judgment | \$ 500.00 |
| (E) LICENSE PERMIT QUIET TITLE | —excluding bonds when the State is the obligee | \$ 3,000.00 |

(F) ANY BOND OR INDEMNITY provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the President, Vice-President, Secretary, Treasurer or Assistant Secretary of the Western Surety Company specifically authorizing its execution.

The acknowledgment and execution of any such document by the said Attorney-in-Fact, shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

All authority hereby conferred shall expire and terminate without notice, at midnight on May 31, 1952.

The WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted and now in force, to-wit: "Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings or other obligations of the corporation."

IN WITNESS WHEREOF, the said WESTERN SURETY COMPANY has caused these presents to be executed by its President with its corporate seal affixed this 3rd day of January, 1949.

WESTERN SURETY COMPANY,

ATTEST:

By

Saukiy
President**Assistant Secretary**

STATE OF SOUTH DAKOTA, } ss.
COUNTY OF MINNEHAHA }

On this 3rd day of January, 1949, before me, a Notary Public, personally appeared DAN KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said Western Surety Company and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires: JAN 27 1953

Betty W. Arnold
Notary Public, South Dakota

00622094

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • KANSAS CITY

BOND OF ADMINISTRATOR, EXECUTOR AND GUARDIAN, INCLUDING SALE OF REAL ESTATE

STATE OF MINNESOTA

County of Stearns

ss.

IN PROBATE COURT

In the Matter of the Estate of

Otto Herzberg

KNOW ALL MEN BY THESE PRESENTS:

That we, Alvine Herzberg, as principal, and WESTERN SURETY COMPANY, a corporation organized under the laws of the State of South Dakota and holding the certificate of the Insurance Commissioner of the State of Minnesota showing that it is authorized to contract as surety upon bonds in said State of Minnesota, as surety, are held and firmly bound unto Earl J. Meins, as Judge of Probate of the County of Stearns, Minnesota, in the sum of One Thousand and no/100 - - - - - (\$1,000.00 - - - - -) Dollars, lawful money of the United States, to be paid to said Judge of Probate, and his successors in office; for which payment well and truly to be made, we bind ourselves and each of our heirs, executors, administrators, successors, and assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bounden principal, who has been appointed representative of the estate of the above named Otto Herzberg, shall well and faithfully discharge all the duties of said trust according to law, then this obligation shall be void; otherwise it shall remain in full force and effect.

Dated this 10th day of September, 1949.

Witness to Principal

David Shaw

Witness to Surety

Alvine Herzberg
ABHinnenkamp

Alvine Herzberg (Seal)
WESTERN SURETY COMPANY

By David Shaw Attorney-in-Fact.

Countersigned: David Shaw
By David Shaw Minnesota Resident Agent.

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF MINNESOTA

County of Stearns

ss.

On this 10th day of September, 1949, before me personally appeared Alvine Herzberg, to me well known to be the person who executed the foregoing bond as principal, and acknowledged that he executed the same for the uses and purposes herein expressed as his free act and deed.

My Commission Expires

January 6

1950

Stearns

County, Minnesota.

OATH OF REPRESENTATIVE

STATE OF MINNESOTA

County of Stearns

ss.

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

Subscribed and sworn to before me this 10th day of September, 1949.

My Commission Expires

January 6

1950

Stearns

County, Minnesota

ACKNOWLEDGMENT OF SURETY

STATE OF Minnesota }
COUNTY OF Stearns } 88.

On this 10th day of September A. D. 1949, before me, a notary public in and for said County, personally appeared David T. Shay to me personally known and being by me duly sworn, did say, that he is the Attorney-in-Fact of the WESTERN SURETY COMPANY, a corporation of Sioux Falls, South Dakota, created, organized and existing under and by virtue of the laws of the State of South Dakota, that the said instrument was executed on behalf of the said corporation by authority of its Board of Directors and that the said David T. Shay acknowledges said instrument to be the free act and deed of said corporation and that he has authority to sign said instrument without affixing the corporation seal of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at St. Cloud, Minnesota, the day and year last above written.
My Commission Expires _____, 19____

APPROVAL

I hereby approve the within Bond and the surety thereon, this _____ day of _____, 1949.

Earl J. Inc.
Probate Judge

STATE OF MINNESOTA

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Otto Hengberg

Bond and Oath of
Representative
(SURETY COMPANY FORM)

Filed the 12th day of
September, 1949, and said
bond recorded in Book 1 of

Bonds, page 60 of Probate
Records.
Hendrickson
Clerk — ~~Judge~~ of Probate.

15,160

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF
Otto Herzberg,
Decedent. }

Order Appointing Appraisers

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

It is ordered that August Schmidt and

Edward Schmidt

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

Dated this 10th day of September, 1949.

(PROBATE COURT SEAL)

E. J. Meier
Probate Judge.

15,160

No. _____

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg,
Decedent.

Order Appointing Appraisers

Filed September 10th, 1949

Frank Herzog
Probate ~~Judge~~ Clerk.

State of Minnesota,

County of Stearns

IN PROBATE COURT

File No. 15,160

IN THE MATTER OF THE ESTATE OF

Otto Herzberg

Decedent

INVENTORY AND APPRAISAL

Date of Death August 21, 1942

OATH OF APPRAISERS

State of Minnesota,

County of Stearns

Edward Schmidt

ss.

I, August Schmidt, and

do solemnly swear that I will honestly, faithfully and impartially perform all the duties of the office and trust which I now assume as appraiser of the estate of

Otto Herzberg

decendent to the best of my ability. So Help Me God.

Subscribed and sworn to before me this

10th day of September, 1942

Notary Public, Stearns County, Minn.

My commission expires January 6, 1943

(SEAL)

August Schmidt

Edward Schmidt

INVENTORY AND APPRAISAL

The undersigned representative of the estate of the above named decedent, represent and show to the court—

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

CLASS I—Real Estate:

(a) The homestead of decedent, being in the County of Stearns, State of Minnesota, consisting of 40 acres in area described as follows, to-wit:

An undivided one half of the South Half of Southwest Quarter of the Northeast Quarter (an undivided $\frac{1}{2}$ of $\frac{3}{4}$ of $\frac{3}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$), of Section Twenty Five (25), Township One Hundred Twenty Two (122), Range Thirty Two (32).

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

Specify Encumbrances and Respective Amounts

Net Value Over Encumbrances

1500⁰⁰
\$1500⁰⁰

FORWARDED

| | Specify Encumbrances and Respective Amounts | Net Value Over Encumbrances |
|--|--|--------------------------------|
| Brought Forward | | \$ |
| Total Net Value of Real Estate | | \$ |
| CLASS II—Furniture and Household Goods: | | \$ |
| H O H E | | |
| Total Value of Furniture and Household Goods | | \$ |
| CLASS III—Wearing Apparel and Ornaments: | | \$ |
| H O H S | | |
| Total Value of Wearing Apparel and Ornaments | | \$ |
| CLASS IV—Corporation Stocks (Give Certificate No.) | | \$ |
| H O H S | | |
| Total Value of Stock | | \$ |

CLASS V—Mortgages, Bonds, Notes and other Written Evidences of Debt: (Give Encumbrance if any.)

(Here list any written obligations of any kind due and owing decedent, with interest rate and maturity, also book and page of record of Mortgages)

Interest to Date
of Death

Principal

Appraised Value
of Principal
& Interest

\$

\$

\$

H
O
N
E

Total Value of Mortgages, Bonds, Notes, etc.

\$

CLASS VI—All other Personal Property:

(Here list Cash, Book Accounts, Annuities, Farm Crops, Machinery, etc.)

Specify Encumbrances
and Respective Amounts

Net Value
Over Encumbrances

\$

\$

H
O
N
E

Total Value of All Other Personal Property

\$

SUMMARY

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

Respectfully submitted,

Alvine Herzberg
Representative...

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

VERIFICATION

State of Minnesota,

County of Stearns

ss.

Alvine Herzberg

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

Subscribed and sworn to before me this

10th day of September, A. D. 1919

Woodward Shaw

Notary Public, Stearns County, Minn.

My commission expires January 6, 1920

(SEAL)

Alvine Herzberg

Representative

CERTIFICATE OF APPRAISERS

State of Minnesota,

County of Stearns

We, the undersigned appraisers, duly appointed by

the Probate Court of Stearns County, Minnesota, to appraise the estate of

Otto Herzberg

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

Dated this 10th day of September, A. D. 1919

August Schmidt
Edward Schmidt

Appraisers

File No. 15,160

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg

Decedent

Inventory and Appraisal

Total Personal - \$

Total Real Estate - \$1,500.00

Total Appraisal - \$1,500.00

Due service of the within inventory and appraisal is hereby admitted this day of 19

Deputy-Treasurer of
County, Minnesota

Filed this 12th day of

September, A. D. 1919

Frank Herzberg

Public Trustee Clerk

Woodward Shaw

Attorney

STATE OF MINNESOTA

County of

Stearns

IN PROBATE COURT

In the Matter of the Estate of

Otto Herzberg

Decedent

INHERITANCE TAX RETURN

Date of death Aug. 21, 1944

GENERAL INSTRUCTIONS

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

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

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

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

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

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

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

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

ALL QUESTIONS ON THIS PAGE MUST BE ANSWERED

INSTRUCTIONS FOR SCHEDULE I

Property held in Joint Tenancy

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

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

Ans. Yes or No. No

INSTRUCTIONS FOR SCHEDULE II

Insurance and Annuities

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

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

Ans. Yes or No. No

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

Ans. Yes or No. No

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

Ans. Yes or No. No

INSTRUCTIONS FOR SCHEDULE III

Transfers by the Decedent

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

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

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

Ans. Yes or No. No

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

Ans. Yes or No. No

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

Ans. Yes or No. No

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

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

Ans. Yes or No. No

INSTRUCTIONS FOR SCHEDULE IV

Powers of Appointment

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

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

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

Ans. Yes or No. No

2. Did decedent exercise power of appointment?

Ans. Yes or No. No

AFFIDAVIT

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

(Signature)

Elvina Herzberg

(Address)

Paynesville, Minnesota

Subscribed and sworn to before me this

10th

day of

September

1949.

Robert J. Shaw

Notary Public, Stearns Co. Minn.

File No. 15, 140

STATE OF MINNESOTA

County of Stearns

Re: Estate of

Otto Herzberg

Decedent.

INHERITANCE TAX RETURN

Filed

September 12 - 1949

Frank Herzog

Clerk of Probate Court.

Name

David Z. Shaw

Address

57. Cloud, Marin

Attorney.

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

August 6, 1939.

State of Minnesota,
County of Stearns }

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg

Ward Decedent.

Petition of Representative for Order to Sell,
Mortgage or Lease Land

Your Petitioner respectfully represents and shows to the Court:

1. That he is the representative of the estate above named.
2. That the bond filed by him herein as such representative, pursuant to order of this Court is in the penal sum of \$ 1,000.00

3. That there remains in his hands undisposed of personal property of the estimated value of \$ None

4. That the debts and charges against said estate remaining unpaid to the best knowledge and information of your petitioner are approximately as follows, to-wit:

| | |
|--|----------------|
| Family allowances | \$ |
| Expenses of Administration | \$ |
| Funeral expenses | \$ |
| Expenses of last sickness | \$ |
| Taxes | \$ |
| Claims of creditors allowed by Court | \$ |
| Legacies | \$ |
| TOTAL debts and charges remaining unpaid | \$ <u>None</u> |

5. That your petitioner desires to sell the real property of said estate, described, and of the appraised value, as follows, to-wit:

Value as Fixed
by Appraisers

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

An undivided one half of the South Half of Southwest
Quarter of the Northeast Quarter (an undivided $\frac{1}{2}$ of $S\frac{1}{2}$ of $SW\frac{1}{4}$ of $NE\frac{1}{4}$)
of Section Twenty Five (25), Township One Hundred Twenty Two (122)
Range thirty two (32).

\$ 1500.00

Value as Fixed
by Appraisers

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

None

\$ _____

6. That the reasons and grounds for selling said real estate are as follows, to-wit:

*(a) That the personal property of said estate is insufficient to pay the allowances to the spouse and children, expenses of administration, funeral expenses of last illness, taxes, debts, and legacies.

(b) That it would be for the best interest of said estate and all persons interested in said real property to Sell the same.

7. That the names and addresses, so far as known to your petitioner of all the persons having an interest in the above described real estate are as follows, to-wit:

| Names | Addresses |
|--------------------|---|
| Alvine Hersberg | R. F. D. # 2, Paynesville, Minnesota |
| Elmer Hersberg | Paynesville, Minnesota |
| Rienholdt Hersberg | Williams, Oregon |
| Hable Hersberg | C/o E.G. Barthles, Brownton, Minnesota |
| Gordon Hersberg | Rickreall, Oregon |
| Harold Hersberg | Paynesville, Minnesota |
| Oliyer Hersberg | Paynesville, Minnesota |
| Hoble Hersberg | Box 625, Florence, Oregon |
| Adeline Schmidt | C/o Big Swan Lake, Cassel, Minnesota |
| Arthur Hersberg | 636 Selby Ave., St. Paul, Minnesota |
| Edwin Hersberg | Paynesville, Minnesota |
| Marcella Hersberg | Paynesville, Minnesota |
| Evelyn Hersberg | Paynesville, Minnesota |
| Clifford Hersberg | Paynesville, Minnesota |
| Ervin Hersberg | RA 19907856, 7773 Sig Lo Co. APO 742AC10 T.N., New York, New York |
| Norman Hersberg | U. S. Sub Base, Navy # 128 Canby Dept. C/O P.O., San Francisco, Calif. |

Wherefore, Your Petitioner Prays, that he as _____ representative of said estate be authorized and directed to _____ all of the above described real property.**

Dated Sept 12 1949

Alvine Hersberg
Petitioner.

State of Minnesota,
County of Stearns ss.

Alvine Herzberg

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.

Alvine Herzberg

Subscribed and sworn to before me this

12th day of Sept. 1949

David Gray Notary Public.

Stearns County, Minnesota.

My Commission expires Jan. 6, 1950

CONSENT TO _____ OF REAL ESTATE

We, the undersigned, being _____

_____ the persons who take an interest in the real estate described in the foregoing petition, do hereby consent to the _____ of said real estate and request the Court to authorize and direct the representative of said estate to _____ said real estate as prayed for in said petition.

*Strike out (A) if it does not apply.

**Note if petition is to mortgage, add "in the amount of \$ _____ said amount not to bear interest at a rate to exceed the maximum of _____ per cent per annum." If petition is to sell add "at private sale" or "at public auction" as the case may require.

If sale or mortgage of the homestead is petitioned for consent of the spouse must be obtained. If homestead is to be mortgaged for more than encumbrances and statutory items allowed consent of all persons must be obtained.

15,160

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg

Ward Decedent.

Petition for Order to Sell,
Mortgage of Lease Land

Congerville, Ind.

Filed this 12th day of

September 1949

Frank Herzberg
Probate Clerk.

Let every Justice file a copy of this order. B-100

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT.

File No. 15,160

In the Matter of the Estate of

Otto Herzberg,

Decedent.

Order of License to Sell Land
At Private Sale.

The above entitled matter came on to be heard by the Court on the 7th day of October, 1949, upon the petition of Alvina Herzberg as

representative
(Representative or Guardian)

in the above entitled matter, praying for license to sell certain lands described in said petition; and the Court having heard the said petition and all the evidence adduced in support thereof, and having duly considered the same and examined the files and records in said matter, finds the following facts:

FIRST—That notice of said hearing was served upon all persons interested in said matter by the publication of the citation for hearing on said petition heretofore entered herein in the Paynesville Press, proof of publication of said notice for hearing and service by mail having been filed in this Court.

SECOND—That the said representative appeared at said hearing in person and by attorney David T. Shay, Esq., and was duly examined relative to said matter by the Court and that no one appeared in opposition to said petition.

THIRD—That it would be for the best interests and benefit of the said estate that the property hereinafter described be sold

It is Therefore Ordered, FIRST—That the said Alvina Herzberg as representative of said estate be, and hereby is, licensed and directed to sell said real estate herein described, in the order herein described, at private sale, to-wit: The tract of land situate and being in the County of Stearns, State of Minnesota, described as follows, to-wit:

An undivided one-half of the South Half of the Southwest Quarter of the Northeast Quarter (S $\frac{1}{2}$ of SW $\frac{1}{2}$ of NE $\frac{1}{4}$) of Section Twenty Five (25), Township One Hundred Twenty-two (122) Range thirty-two (32), known as the Homestead of decedent.

SECOND—That before making sale of said real estate, or any part thereof, the said representative shall subscribe and file in this court the oath in such case required by law, and execute and file in this court a bond, with sufficient sureties, to the Judge of this Court, and his successors in office, in the penal sum of

Notary:

~~conditioned and approved by the said court, and~~ cause the said real estate to be reappraised by August Schmidt and Edward Schmidt

competent persons to make said appraisal, who are hereby appointed by this court, to make such re-appraisement upon their qualifying according to law.

THIRD—That the said representative shall not sell said real estate, or any part thereof, for less than its full appraised value as fixed and determined by the appraisers herein appointed to appraise the same; and shall not, directly or indirectly, purchase or be interested in the purchase of any part of the said real estate so to be sold; and that upon the sale of said real estate, or any part thereof, the said representative shall make report of all the proceedings therein to this court.

Dated at St. Cloud, Minn., this 7th day of October, 1949.

Earl J. Mearns
Judge of Probate.

State of Minnesota,

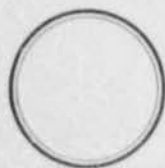
County of

PROBATE COURT

I, _____ of the Probate Court, within and for said County, and Custodian of the Seal and Records of said Court, do hereby certify that I have compared the foregoing copy 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.

State of Minnesota,
County of Stearns

PROBATE COURT.

In the Matter of the Estate of

Otto Hennrich,

Order of License to Sell
Land at Private Sale.

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 _____.

Register of Deeds.
By _____ Deputy.

Filed this 7th day of Oct., 1949, and recorded in Book 90 of Orders, Page 275.
Frank J. Mearns
Clerk of Probate.

SECURITY PRINTING COMPANY, ST. CLOUD, MINN.

Recording Fee \$1.25.

State of Minnesota,
County of Stearns

#15,160

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg

Decedent—Ward.

Oath of Appraisers and Appraisal
of Lands Under Order for Sale.

OATH OF APPRAISERS

State of Minnesota,
County of Stearns

ss.

1. August Schmidt

and I, Edward Schmidt

, do swear that I will faithfully and
justly perform all the duties of the office and trust which I now assume as appraiser of the lands of the above named

Otto Herzberg

under and pursuant

to that certain order for sale of said lands at private sale, made by the above named Court on the 7th day
of October, 1949, and that I will appraise the said land described

in said order for sale at its true and full value, So Help Me God.

Subscribed and sworn to before me this

22nd day of October 1949

Dorothy Shaw

Notary Public.

August Schmidt
Edward Schmidt.

Stearns

County, Minn.

My Commission Expires Jan. 6 1950

APPRAISAL

We, the undersigned appraisers appointed by the above named Court in and by its certain order for sale to

Alvine Herzberg

to sell certain lands

belonging to the above named

Otto Herzberg

, dated

the 7th day of October 1949, do hereby certify and report:

That we did first and before making said appraisal take and subscribe the foregoing oath as by law required
and thereafter did appraise at their true and full value in cash those certain tracts or parcels of land lying and being
in the County of Stearns State of Minnesota, described in said order for sale,
as follows, to-wit:

An undivided one half of the South Half of the Southwest
Quarter of the Northeast Quarter (an undivided $\frac{1}{2}$ of $\frac{3}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$),
of Section Twenty Five (25), Township One Hundred Twenty Two (122),
Range Thirty Two (32).

\$1500.00

#15,168

State of Minnesota,

County of *Stearns*

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herberg
Decedent—Ward.

OATH OF APPRAISERS AND AP-
PRaisal OF LANDS UNDER
ORDER FOR SALE

Filed this *27th* day of
December, 19*49*

Frank Herzog
Probate ~~Judge~~ Clerk.

and did set after and opposite each description of said lands its true and full value as by us determined and ap-
praised.

Dated *October 22*

19 *49*

Respectfully submitted,

August Schmidt
Edward Schmidt
Appraisers.

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

File No. 15,160

IN THE MATTER OF THE ESTATE OF
Otto Herzberg
Decedent

Order Confirming Private Sale
of Real Estate

The above entitled matter came on to be heard on the 27th day of
December, 1949, upon the report of Alvine Herzberg
as representative

in the above entitled matter of the sale of certain real estate pursuant to the order of this court for sale thereof granted therefor, and on petition for the confirmation of said sale; and the court having considered the said report, and having been advised relative to the same, and having examined the files and records in said matter, finds herein the following facts, to-wit:

FIRST—That pursuant to a petition duly made and filed in this court, and the order of this court duly issued for hearing on said petition, and notice of said hearing duly given as provided by law, and a hearing duly had by this court on said petition, an order for sale in said above entitled matter was duly made and filed in this court whereby the said representative of said estate was authorized and directed to sell at private sale the real estate hereinafter described.

SECOND—That pursuant to said order for sale, the said representative before making the sale of real estate specified in said report and hereinafter referred to, complied with all the conditions and provisions in said order contained.

THIRD—That the said representative before making said sale, did cause the real estate hereinafter and in said order for sale described to be re-appraised by the persons appointed for that purpose in said order for sale, and their re-appraisal thereof to be filed in this court.

FOURTH—That on the 27th day of December, 1949, the said representative pursuant to said order for sale, did sell, at private sale, to Herman Schultz of Paynesville, Minnesota for the sum of One Thousand Seven Hundred Fifty and no/100 (\$1750.00) DOLLARS, the tract of land, described in said order for sale, lying and being in the County of Stearns, State of Minnesota, described as follows, to-wit:

An undivided one half of the South Half of the Southwest Quarter of the Northeast Quarter (an undivided $\frac{1}{2}$ of $S\frac{1}{2}$ of $SW\frac{1}{4}$ of $NE\frac{1}{4}$), of Section Twenty-five (25), Township One Hundred Twenty-two (122), Range Thirty-two (32).

To be paid for in cash.

FIFTH—That the sum for which said land was sold is not disproportionate to the value thereof, nor less than the value thereof as appraised by said appraisers appointed by this court to appraise the same, and said sale was honestly and fairly made, and that said representative of said state was not a purchaser at said sale, and was not interested, directly or indirectly, in the purchase of said real estate at said sale thereof.

IT IS THEREFORE ORDERED, That said sale be, and the same hereby is in all things confirmed; and that the said representative of said estate be, and she hereby is, authorized and directed to execute and deliver to said purchaser a good and sufficient deed of conveyance, upon compliance by him with the terms of said sale.

Dated at St. Cloud, Minnesota, this 27th day of December, 19 49.

Probate Court Seal

Earl J. Heinz
Probate Judge.

State of Minnesota,

} ss.

PROBATE COURT

County of _____

I, _____ of the Probate Court, within and for said County, and Custodian of the Seal and Records of said Court, do hereby certify that I have compared the foregoing copy of Order Confirming Private Sale of Real Estate 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.

15,160

File No.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg

Order Confirming Private
Sale of Real Estate

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 _____.

Register of Deeds.

Deputy.

Filed this 27th day of December,

19 49, and recorded in Book 92

of Orders, Page 271

Wanda H. H. H.

Clerk of Probate.

State of Minnesota,
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg
Decedent—Ward.

REPORT OF SALE OF LAND AT PRIVATE SALE UNDER ORDER FOR SALE

Your petitioner respectfully reports to the court his proceedings under that certain order for sale granted to him in the above entitled matter on the 7th day of October, 1949 to sell at private sale the lands of said Otto Herzberg hereinafter described, as follows, to-wit:

First—That before making sale of the real estate hereinafter described under said order for sale, he executed and filed in this court his bond required by the said order for sale.

Second—That before making sale of said real estate under said order for sale, he caused the same to be re-appraised by August Schmidt and Edward Schmidt the appraisers appointed in said order for sale to appraise the same, and the appraisal thereof to be filed in this court (1)

Third—That on the 27th day of December, 1949, he, pursuant to said order for sale, sold to Herman Schultzy of Paynesville, Minnesota the tract S or parcel S of land, described in said order for sale, and lying and being in the County of Stearns, State of Minnesota, described as follows, to-wit:

An undivided one half of the South Half of the Southwest Quarter of the Northeast Quarter (an undivided $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$), of Section Twenty Five (25), Township One Hundred Twenty Two (122), Range Thirty Two (32).

for the sum of ONE THOUSAND SEVEN HUNDRED FIFTY and 00/100 Dollars

to be paid as follows, to-wit:

Cash

Fourth—That your petitioner was in no way, directly or indirectly, interested in the purchase of said real estate, or any part thereof; and that the said sale thereof was fairly and honestly made, and that said sum for which the same was sold was not disproportionate to the value thereof, and not less than the value thereof as re-appraised by said appraisers appointed for that purpose in said order of sale.

WHEREFORE YOUR PETITIONER PRAYS, that the said sale of said real estate hereinbefore described be confirmed by this court; and that your petitioner be authorized and empowered to execute and deliver to the said purchaser thereof a good and sufficient Deed of conveyance thereof to said purchaser upon a compliance by him of the terms of said sale.

Dated December 27

1949

Alvine Herzberg
Representative and Petitioner.

State of Minnesota,

County of Stearns

ss.

Alvine Herzberg

being duly sworn, on oath, says that he is the person who made and signed the foregoing report and petition; that he has read the said report and petition and knows the contents thereof; that the said report and petition 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.

Alvine Herzberg

Subscribed and sworn to before me this

27th day of December, 1949

Ward Shady

Notary Public.

Stearns

County, Minn.

My Commission expires

Jan. 6

1949

NOTE (1) If further notice of sale is required, here insert compliance therewith.

15,160

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg
Decedent.

Report of Sale of Land at Private
Sale Under Order for Sale

Filed this 27th day of
December, A. D. 1949

Frank Herzberg
Probate Clerk.

State of Minnesota,
COUNTY OF Stearns

IN PROBATE COURT

In the Matter of the Estate of Otto Herzberg, Deceased:

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

Alvine Herzberg

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

It is Therefore Ordered and Decreed, That said representative

of said estate and the sureties on her bond, be, and they hereby are, forever discharged and released from all further duties and liabilities in the matter of said estate and of said trust.

Dated this 11th day of December, A. D. 19 50

Earl J. Juncin

Judge of Probate

Stearns

County, Minn.

IN PROBATE COURT

COUNTY OF Stearns

IN THE MATTER OF THE ESTATE OF

Otto Herzberg,
Deceased

**Order Discharging Executor
or Administrator**

Filed this 11th day of
December, 19 50

Recorded in Book 97 of Orders,

Page 231

Frank Herzog
Clerk Judge of Probate

State of Minnesota, } ss.
County of Stearns }

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF
Otto Herzberg,

Decedent.

ORDER ALLOWING FINAL ACCOUNT

The above entitled matter came on to be heard on the 17th day of March 19 50, upon the petition of the representative of the above named estate praying for the allowance of his final account and for distribution of the residue of said estate.

The said representative appeared in person and by attorney, David T. Shay, Esq., and no one appeared in opposition thereto.

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

First—That due notice of the said hearing of said petition has been given as required by law by the publication of the citation of this Court for said hearing, dated the 20th day of February 19 50, in the Richmond Reporter, proof of publication of said notice for hearing and service by mail having been filed in this Court.

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

RECEIPTS

| | | | |
|---|-----------|----|---------|
| Personal estate as described in the inventory | - - - - - | \$ | |
| Personal estate omitted from the inventory | - - - - - | \$ | |
| Gain by sales above appraised value | - - - - - | \$ | |
| Cash from sales of real estate | - - - - - | \$ | 1750.00 |
| Cash from rent of real estate | - - - - - | \$ | |
| Cash from interest and profits | - - - - - | \$ | |
| Cash from other sources | - - - - - | \$ | |
| | - - - - - | \$ | |
| | - - - - - | \$ | |
| Total receipts from all sources | - - - - - | \$ | 1750.00 |

DISBURSEMENTS AND CREDITS

| | | | |
|--------------------------------------|-----------|----|----------|
| Estate selected for surviving spouse | - - - - - | \$ | |
| Maintenance of family of decedent | - - - - - | \$ | |
| Expenses of administration | - - - - - | \$ | 149.40 |
| Expenses of last sickness | - - - - - | \$ | |
| Funeral expenses | - - - - - | \$ | 165.00 |
| Taxes | - - - - - | \$ | 12.67 |
| Claims of creditors of decedent | - - - - - | \$ | |
| Legacies | - - - - - | \$ | |
| | - - - - - | \$ | |
| | - - - - - | \$ | |
| Residue on hand for distribution | - - - - - | \$ | 1,422.93 |
| Total credits | - - - - - | \$ | 1,750.00 |

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Otto Herzberg,

Decedent

Order Allowing Final Account

Filed this 17th day of
March, 1950, and
recorded in Book 101 of Orders
at Page 527

Frank H. Hoyer,
Clerk of Probate.

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

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

Dated March 17th, 1950.

By the Court,

Earl J. Fries
Probate Judge.

State of Minnesota,

IN PROBATE COURT

County of Stearns

File No. 15,160

In the Matter of the Estate of

Otto Hergberg,

Decedent.

Final Decree of Distribution

The above entitled matter came on to be heard on the 17th day of March 1950, upon the petition of the representative of said estate for the distribution of the residue of said estate to the persons thereunto entitled.

The representative of said estate appeared in person and by attorney, David T. Shay, Esq., and no one appeared in opposition thereto.

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

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

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

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

THIRD—That said decedent died in testate on the 21st day of August, 1944, and at the time of his death decedent was a resident of the County of Stearns and State of Minnesota.

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

(A) Personal property of the value of \$ 1,422.93 comprising the following items:

Cash.

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

None.

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

None.

FIFTH—That the following named persons are the

heirs at law

of said decedent, and are all

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

Alvine Herzberg, surviving spouse of decedent, Elmer Herzberg, Rienholdt Herzberg, Mable Herzberg, Gordon Herzberg, Harold Herzberg, Oliver Herzberg, Noble Herzberg, Adeline Schmidt, Arthur Herzberg, Ervin Herzberg, Norman Herzberg, Edwin Herzberg, Marcella Herzberg, Evelyn Herzberg and Clifford Herzberg, children of decedent.

The residue of said estate for distribution was derived from the sale of the homestead and Alvine Herzberg, as surviving spouse of decedent, entitled to the value of her life estate in said residue. Said widow's age is 57 and her share in said residue is the total residue, to-wit: the sum of \$1,422.93 multiplied by .4261, or the sum of \$606.33.

Now, Therefore, On motion of

David T. Shay, Esq.,

attorney for the

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

To Alvine Herzberg, surviving spouse of decedent, the sum of \$606.33, and to each of the above named children of decedent the sum of \$54.44, the shares of the minor heirs to be paid by the representative to Alvine Herzberg, their mother, for the benefit and support and education of said minor heirs.

And that the title to the above described real estate

has passed to and is hereby assigned to and vested in the above named persons in the following proportions and estates, to-wit:

None for distribution.

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

Dated at St. Cloud, Minnesota, this 17th day of March, 19 50



E. J. Meier
Probate Judge.

State of Minnesota,

County of

ss.

PROBATE COURT

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



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

of the Probate Court.

File No.

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Otto Heriberg, Deceased.

Final Decree of Distribution

Office of Register of Deeds,
State of Minnesota.

County of

I hereby certify that the within Instrument was filed in this office for record on

the day of

19, at o'clock M.,

and was duly recorded in Book

of , page

Register of Deeds.

By Deputy.

Transfer entered this

day of , 19

County Auditor.

By Deputy.

Filed this 17th day of March

19 50, and recorded in Book 106

of Deeds, page 23

Maude H. H. H.
Clerk of Probate Court.

No. 3351

State of Minnesota,

County of Stearns

15, 161
IN PROBATE COURT

In the Matter of the Estate of

Anton F. Kleve

Decedent.

Petition for Allowance and
Probate of Will

To the Probate Court in and for said County:

Your petitioner represents and alleges to the Court:

FIRST—That your petitioner is a resident of Freeport Route One in the County of Stearns State of Minnesota, and is an adult and is interested in the estate of decedent in this, to-wit: son-in law of decedent

SECOND—That said decedent was born in the Country of United States and died at Freeport County of Stearns State of Minnesota on the 17th day of July, 19 49, aged 85 years and at the time of his death was a native of United States and a citizen of the Country of U. S. and a resident of Freeport in the County of Stearns and State of Minnesota and left estate in the County of Stearns State of Minnesota.

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

FOURTH—That the estate of decedent at the time of his death consisted of personal property of the estimated value of \$ divided as follows:

- | | | | |
|---------------------|----|------------------------|------------|
| 1. Household goods, | \$ | 2. Wearing apparel, | \$ |
| 3. Stock, | \$ | 4. Notes, bonds, etc., | \$ 3000.00 |
| 5. Miscellaneous, | \$ | | |

That said estate also included real estate of the estimated worth and probable value of \$ situated in said County of

State of Minnesota, to-wit:

1. Homestead in County, Minnesota, as follows:

A. City Property

(Give Area)

\$

(or)

B. Rural Property

(Give Area)

\$

2. Real Estate other than Homestead:

A. City Property

Lots without Buildings \$

City Property

Lots with Buildings \$

B. Rural Property

Acres improved land \$

Rural Property

Acres unimproved land \$

FIFTH—That the probable amount of debts of decedent is \$ not known, consisting of

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

| NAME | AGE | RELATIONSHIP | POST OFFICE ADDRESS |
|---------------------------------|-------|--------------|-------------------------|
| Carrie Bonfig | legal | daughter | Avon, Minn |
| Anton J. Kleve | legal | son | New Munich Minn |
| Barbara Bonfig | legal | daughter | Freeport Route One Minn |
| Joseph Kleve | legal | son | unknown |
| Kathryn Laing | | | |
| a. k. a. ^{Attie} Laing | legal | daughter | Freeport, Minn |
| Anna Rohling | legal | daughter | St. Cloud Minn |

SEVENTH—That ~~Edward Bonfig~~ *Herman J. Laing* whose Post Office address is Freeport Route One Minnesota ^{is} ~~is~~ ^{or} named in said Will as executor thereof and ^{is} ~~is~~ ^{or} suitable and competent person to be executor of said Will.

WHEREFORE, Your petitioner prays that said last Will and Testament be allowed and admitted to probate; and that said ~~Edward Bonfig~~ *Herman J. Laing* be appointed executor thereof; and that, upon due qualification as provided by law, letters testamentary be issued to the said

Edward Bonfig

Dated August 10th, 19 49

Edward Bonfig
Edward Bonfig

Petitioner.

State of Minnesota,

County of Stearns

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

Edward Bonfig
Edward Bonfig

Subscribed and sworn to before me this 10th

day of August 1949, 19

Notary Public

My Commission expires

HARRY E. BURNS County, Minnesota.

Notary Public, Stearns County, Minn.
My Commission Expires July 18, 1954, 19

State of Minnesota,

County of Stearns

IN PROBATE COURT

Petition for Allowance and Probate of Will

In the Matter of the Estate of

Anton J. Kleve
Decedent.

Selection of Newspaper

To the Judge of said Court:

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

Times
(Name insert name of newspaper)

(Sign your name here)

Filed this 10th day of August, 1949

Frank Hengst
Probate Judge - Clerk.

No. 1000*

Notice to County Treasurer of access to safe deposit box.

STATE OF MINNESOTA
DEPARTMENT OF TAXATION
Inheritance and Gift Tax Division
STATE OFFICE BLDG.
ST. PAUL 1, MINNESOTA

Re Estate of

Anton F. Kleve

Deceased

To the Treasurer of

Stearns

County

Date of death July 21, 1949

Pursuant to Mason's Minnesota Statutes 1927, Section 2303, as amended, you are hereby notified by the undersigned that on August 2, 1949 at its place of business it intends to grant access to safe deposit box

No. 52 to Herman J. Laing whose address is

Fresport, Minnesota and who according to our information and belief is related to

decendent as son-in-law. From our records it appears that at the time of death the tenants of said

safe deposit box were decendent, whose address was Fresport, Minnesota

and _____ whose addresses were
name all other tenants of box, if any.

Date: August 2, 1949

~~MINNESOTA STATE BANK~~
Bank, corporation, association, person

By

Max KlassenFresport, Minnesota

Address

M.A. Klassen, Herman J. Laing, and V.J. Henker

Names of those present participating in the opening and examination:

H. Henker

County Treasurer

H.J. Laing

For the Estate

Max Klassen

For the Bank or Trust Company

Description of Contents of Safe Deposit Box

one contract for deed dated May 18, 1942 between Anton F. Kleve and Herman J. Laing with an unpaid balance of \$4,500.00 indicated on receipts in the box.

DESCRIPTION OF CONTENTS OF SAFE DEPOSIT BOX

CERTIFICATE

We hereby certify from our inspection thereof that the foregoing is a correct description of contents of the said safe deposit box.

Date August 2, 1949

For the Estate

Treasurer

Stearns

County

INSTRUCTIONS

1. One copy of this report should be sent by the county treasurer to the probate court of the interested county and one copy to the Department of Taxation, Inheritance and Gift Tax Division, State Office Bldg., St. Paul 1, Minnesota.

2. If the county treasurer for any reason deems it inadvisable to have the contents of such box delivered at the time of the examination of such securities, the treasurer may serve notice upon the safe deposit box company to defer such delivery for ten days. See Section 2303, Mason's Minnesota Statutes 1927, as amended. See also Section 10304, Mason's Minnesota Statutes 1927.

3. All contents of box should be fully described. Show stock certificate numbers, number of shares, name of company, class of stock and par value. Show bond numbers, face value, name of debtor, rate of interest, maturity date. Show date and original amounts of mortgages, brief legal description of land, names of mortgagors. Show purchase dates, amounts and series of U. S. Savings and Defense Bonds; and names of co-owners or beneficiaries. Report the contents of sealed envelopes and all property claimed by another.

G. HOWARD SPAETH,
Commissioner of Taxation

C. T. KEATING, Director
Inheritance and Gift Tax Division

File No. 15,161

STATE OF MINNESOTA

County of Stearns

In the matter of the estate of

ARTHUR F. KLEIN

Deceased

REPORT OF SAFE DEPOSIT BOX EXAMINATION.

CONSENT TO TRANSFER

Service of the above notice is hereby admitted and consent to granting of access to and transfer of the contents of safe deposit box described in the notice and certificate is hereby given — effective at once — effective ten days — from date hereof.

County Treasurer

Dated

In the case of non-resident decedent, the consent of the Commissioner of Taxation is also required as provided by Sec. 2302, as amended.

State of Minnesota.

County of _____ Stearns

File No. 5.161

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Affidavit of Mailing of Order for Hearing

Anton F. Klove

On Petition for Allowance of Will

Decedent.

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

State of Minnesota.

County of Stearns

ATTACH COPY OF ORDER HERE

STATE OF MINNESOTA
COUNTY OF STEARNS

PRORATE COURT
File No. 15161

We, Walter of Anton F. Glens, Decedent,
do hereby ORDERED, that the petition
filed herein to admit to probate the
last will of decedent be heard on
Friday, September 9, 1949, at 9 o'clock
A.M. by this court in the Court House
in St. Cloud, Minn.

IT IS ORDERED that creditors of
decedent file their claims in this court
within four months from the date
hereof, and that said claims be heard
on Friday, December 16, 1949, at 9
o'clock A.M. by this court in the Court
House in St. Cloud, Minn.

Dated this 10th day of August, 1949

(Seal)

EARL J. MEINE
Probate Judge

HAREY E. BURNS
Attorney

PUB. AUG. 11-18-25, 1949

Harry E. Burns

being first duly sworn on oath deposes and says that on
the 18th day of August, 1949,
at St. Cloud, in said County and
State he mailed two copies of the Order hereto attached
in the above entitled matter, to

G. Howard Spaeth *and one to*
(Commissioner of Taxation)

done

(Secretary of State or Foreign Consul)

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

St. Cloud, Minnesota
and addressed to the following named persons:

[illegible]

File No. 15,161

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton F. Kleve

Decedent.

AFFIDAVIT OF MAILING

Notice on Hearing of Petition
for Probate and Allowance of
Will

Filed August 19, 1947

Paul J. Maing
Probate Judge Clerk.

STATE OF MINNESOTA
COUNTY OF STEARNS

PROBATE COURT
File No. 15,161

Re Estate of Anton F. Kieve, Decedent.
IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on Friday, September 9, 1949, at 9 o'clock A.M. by this court in the Court House in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date hereof and that said claims be heard on Friday, December 16, 1949, at 9 o'clock A.M. by this court in the Court House in St. Cloud, Minn.

Dated this 10th day of August, 1949.
(Seal)

EARL J. MEINE
Probate Judge.

HARRY E. BURNS
Attorney.

Pub. Aug. 11-18-25, 1949

STATE OF MINNESOTA,
COUNTY OF STEARNS

Frederick C. Schlipplin

being duly sworn on oath says:

that he is, and during all the times herein stated has been, the President

of the Times Publishing Company, the publisher of the newspaper known as The St. Cloud Daily Times and has full knowledge of the facts hereinafter stated.

That for more than one year prior to the publication therein of the Order for Hearing on Petition for Probate of Will

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

That the Order for Hearing on Petition for Probate of Will

hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week, for three successive weeks; that it was first so published on Thursday the 11th day of August 1949, and thereafter on Thursday August 25th day of August 1949;

and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

Frederick C. Schlipplin

Subscribed and sworn to before me 25th day of August 1949

Notary public Stearns County, Minnesota.

My Commission expires Oct. 1st 1951

15,161

PRINTER'S
Affidavit of Publication
OF
THE ST. CLOUD DAILY
TIMES

Of Order for Hearing on

Petition for Probate of Will

Estate of Anton F. Kleve,

Decedent



FILED THIS 27th DAY

OF Aug. A.D. 1949

Frank J. Hennig
Clerk of Probate

State of Minnesota,

County of Stearns

}

IN PROBATE COURT

In the Matter of the Estate of Anton F. Kleve Deceased.

THE LAST WILL AND TESTAMENT of said deceased having been this day admitted to probate by this Court,
and Herman J. Laing named as executor of said Will,
having applied for Letters Testamentary thereon:

IT IS ORDERED, That the said Herman J. Laing give
bonds to the Judge of this Court in the sum of Four Thousand and no/100 - - - - -
(\$4,000.00) - - - - - Dollars,
conditioned that he will faithfully execute the duties of his trust according to law, with sufficient sureties, to be approved by said Judge, and that thereupon Letters Testamentary to be him issued.

Dated at St. Cloud, Minnesota, the 9th day of September
A. D. 19 49.

By the Court,

Earl J. Meitz
Judge of Probate.

Maurice Klasen, Esq.

Attorney for Petitioner.

No. 15,161

IN PROBATE COURTCounty of Stearns

In the Matter of the Estate of

Anton F. KleveDeceased.**ORDER FOR EXECUTOR'S BOND**

Filed this 9th day of
September A. D. 1949, and
recorded in Book of Orders, on
page

Frank Hergo
Clerk ~~X~~ of Probate.

State of Minnesota,

County of Stearns

1999

IN PROBATE COURT

IN THE MATTER OF PROVING THE LAST WILL AND TESTAMENT OF THE ESTATE OF

Anton F. Klevé

Proof of Will

Decedent.

State of Minnesota.

County of Stearns

828

John Rieland

being

duly sworn on behalf of the proponent of the Will, doth depose and say: that _____ is one of the
 subscribing witnesses to the instrument now shown _____, bearing date the
 day of _____, A. D. 1912, and purporting to be the Last Will and Testament of

Anton F. Klevé

of the County

of Stearns and State of Minnesota now here presented
for probate; that he knew

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

A. D. 1942, the said instrument was signed, sealed, executed and then and there acknowledged, published and declared by the said decedent, to be his Last Will and Testament, in the presence of deponent and of Virgil Hemker

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

Virgil Hemker

the other subscribing witness _____ did then and there, in the presence of the said decedent, and at _____ his
request, severally subscribe said instrument as witness _____ thereto.

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

And further deponent saith not.

Subscribed and sworn to before me this

16th day of September, A. D. 19 49

Judge of Probate Court.

John W. Poulard

No. 15,161

State of Minnesota, } ss.
County of Stearns }

In Probate Court

Proof of Will
Testimony of Subscribing
Witness in the Matter of the Last
Will and Testament of

Anton F. Kleve

Decedent.

TESTIMONY OF

John Rieland

Subscribing Witness to Will.

Taken, sworn, subscribed and filed

this 16th day of

September, 19 49.

Frank Herzog

Clerk—~~Judge~~ of Probate Court.

I, Anton F. Kleve of Freeport,
in the County of Stearns and State of Minnesota

being of sound mind and memory, do make, publish and declare this to be my Last Will and Testament.

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

Second, after the payment of such funeral expenses and debts, I give, devise and bequeath unto Carrie Bonfig the sum of five and no/100 (\$5.00) Dollars.

Third: To Anton J. Kleve, my son who heretofore has received considerable from me, I give the sum of Five and no/100 (\$5.00) Dollars.

Fourth:

whether real or personal property,
The balance of my estate I ask to be divided in four parts,
1/4 to go to my daughter Barbara Bonfig, 1/4 to go to my daughter Katie Laing, 1/4 to go to my daughter Anna Rohling, and the other 1/4 to be divided equally, 1/8 to go to my son Joseph Kleve and the remaining 1/8 to go to his wife, Anna Kleve, who before marriage was Anna Hoeschen- this distribution of the 1/4 share equally between husband and wife is made for the purpose of insuring that Anna Kleve will get something from my estate- she at this time being seaparated from him.

Fifth: In giving to Carrie Bonfig the sum of only five dollars, want it understood that this amount is not caused by accident or mistake.


Sixth: I ask that my Executor be allowed to serve without bond, he being accountable however to the Probate Court appointing him.

Seventh: There are no further provisions to this will, which have to do with distribution of property-----

Lastly, I make, constitute and appoint... Ed ward Bonfig also known as
Ed Bonfig

to be Execut or of this my Last Will and Testament, hereby revoking all former wills by me made.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal the
13th day of August in the year of our Lord one thousand nine
hundred and thirty five.

Anton F. Kleva 

THIS INSTRUMENT was, on the day of the date thereof, signed, published and declared by the
said Testat or to be h is Last Will and

Testament in our presence, who, at h is request, have subscribed our names thereto as
witnesses, in h is presence and in the presence of each other.

Harry S. Burns residing at St. Cloud, Minnesota

Haldegard C. Rosen residing at St. Cloud, Minnesota

15, 161
Last Will and Testament

of

Anton F. Kleva

Dated Aug

Witness

LAST WILL AND TESTAMENT

I, ANTON F. KLEVE of village of Freeport
in the County of Stearns and State of Minnesota

do publish and declare this to be my Last Will and Testament and revoke all prior Wills by me made.

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

SECOND, I give, devise and bequeath unto my son, Anton F. Kleve, the sum of Five Dollars (\$5.00).

Third, I give, devise and bequeath unto my son-in-law, John Bonfig, the sum of Five Dollars (\$5.00).

Fourth, I give, devise and bequeath unto my son-in-law, Ed Bonfig, the sum of Five Dollars (\$5.00).

Fifth, I give, devise and bequeath unto my son-in-law, Al Rohling, the sum of Five Dollars (\$5.00).

Sixth, I give, devise and bequeath unto the following of my children to-wit: Gertie Bonfig, Joseph J. Kleve, Annie Rohling, Barbara Bonfig, and Katie being all of the rest, residue and remainder of my property, real, personal or mixed of whatever kind and nature and wheresoever situate, share and share alike in equal and undivided shares, to themselves, their heirs, administrators, executors and assigns forever.

Lastly, I nominate and appoint my son-in-law, HARVEY J. LEINE,

to be Executor of this my Last Will and Testament.

In Testimony Whereof, I have hereunto subscribed my name and affixed my seal, the

18th day of May in the year of our Lord one thousand
nine hundred forty-two.

Anton F. Kleva (SEAL)

This instrument, Was, on the day of the date thereof, signed, published and declared by the
said Testator to be his Last Will and Testament
in our presence, who at his request, have subscribed our names thereto as witnesses, in his presence
and in the presence of each other.

Regil J. Hunkler

residing at Freeport, Minnesota

John M. Riland

residing at Freeport, Minnesota.

Last Will and Testament
OF

Anton F. Kleva

Dated

19

State of Minnesota,)
COUNTY OF Stearns)

In Probate Court
CERTIFICATE OF PROBATE

IN THE MATTER OF THE ESTATE OF Anton F. Kleve DECEDENT

BE IT REMEMBERED, That on the day of the date hereof at a Special Term
of said Probate Court, pursuant to the notice duly given, the last will and testament of
Anton Kleve Decedent, late of said County of Stearns
bearing date the ---- day of May 19 42, and being the annexed
written instrument, was duly proved before the Probate Court, in and for the County of Stearns
aforesaid; and was duly allowed and admitted to probate by said Court according to law; as and for the last Will
and Testament of said Anton F. Kleve
deceased, which said last Will and Testament is recorded and the examination taken thereon filed in this office.

Court Seal

IN TESTIMONY WHEREOF, The Judge of the Probate Court
of said County has hereunto set his hand and affixed
the seal of said Court at St. Cloud, Minnesota
in said County, this 9th day of

September 19 49.

Carl J. Meisinger
Judge of Probate.

State of Minnesota,

ss.

IN PROBATE COURT

County of

I,

of the Probate Court within and for said

County of do hereby certify that I have compared the foregoing copy of the record of last Will and Testament and Certificate of Probate thereon with the original records thereof now remaining in this office and have found the same to be correct transcripts therefrom and of the whole of such original records.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the

seal of said Court, at

this

day of

A. D. 19

of Probate Court.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton Kleve

Decedent.

Certificate of Probate of Will

Filed this 9th day of
September 1949, and recorded,

together with the will attached in Book

L of Records of Wills, Page 253

Frank Herzog
Clerk ~~Judge~~ of Probate.

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Anton F. Kleve

Decedent

Order Admitting Will to Probate

The above entitled matter came on to be heard on the 9th day of September 19 49

upon the petition of Edward Bonfig

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

FIRST—That the citation of this court, dated the 10th day of August 1949 has been duly served and published as directed therein and required by law.

SECOND—That said decedent died on the 17th day of July 19 49, and at the time of his death was a resident of Freeport in the County of Stearns and State of Minnesota and left estate in the County of Stearns State of Minnesota.

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

~~Harry E. Burns~~ John M. Rieland

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

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

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

Dated September 9th 1949.

Earl J. Meigs
Judge of Probate.

State of Minnesota, }
County of Stearns }
PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton F. Kleve

Decedent.

Order Admitting Will to Probate

Filed this 9th day of
September 1949, and recorded
in Book " 92 " of Orders, Page 468

Frank Herzog
Clerk ~~xxxx~~ of Probate

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton F. Kleve

Decedent.

LETTERS TESTAMENTARY

To Herman J. Laing

GREETING:

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

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

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

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

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

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

Witness, The Judge of this Court, and the seal thereof, this 19th day of

September, 1949

Earl J. Meining
Probate Judge.



State of Minnesota.

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton F. Kleve

LETTERS TESTAMENTARY
(LONG FORM)

Filed this 19th day of
Sept., 19 49, and Recorded
in Book "K" of Letters, Page 500

Frank Herzog
Clerk ~~Judge~~ of Probate Court.

State of Minnesota.

County of

ss.

IN PROBATE COURT

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

WITNESS, my hand and seal of said Court, at

day of

, A. D. 19

this

Probate Judge.

State of Minnesota,

County of Stearns

IN PROBATE COURT.

In the Matter of the Estate of

Anton F. Kleva

BOND

Know All Men by these Presents, That we Herman J. Laing

of Freeport

in the County of Stearns

State of Minnesota, as principal, and

Hy. G. Schulzstenberge and Henry F. Rasker

of said County and State,

as sureties, are held and firmly bound to Earl J. Meinz

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

Four Thousand ----- DOLLARS,

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

The condition of this obligation is such that if the above bounden Herman J. Laing

, who has been appointed representative of the estate of the above named Anton F. Kleva shall

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

Witness, our hands and seals this 16 day of September, A. D. 1949

Signed, Sealed and Delivered in Presence of

Elmo A. Laing
Max KlassenHerman J. Laing (SEAL)
Hy. G. Schulzstenberge (SEAL)
Henry F. Rasker (SEAL)
(SEAL)
(SEAL)

ACKNOWLEDGMENT

State of Minnesota,

County of Stearns

Be It Known, That on this 16 day of September, A. D. 1949

personally appeared before me Herman J. Laing, Hy G. Schulzstenberge

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

Max Klassen

M.A. Klasen

Notary Public.

My Commission Expires October 4, 1950

Morrison

County, Minn.

JUSTIFICATION

State of Minnesota,

County of Stearns

By G. Schulzetenberge of Freeport, Minnesota

and Henry F. Raeker of Freeport, Minnesota

being duly sworn, each for himself says that he is one of the sureties described in and who executed the foregoing bond; that he is a resident and freeholder of the State of Minnesota, and is worth the amount of \$1,000.00 specified in the foregoing bond above his debts and liabilities and exclusive of his property exempt from execution.

G. Schulzetenberge
Henry F. Raeker

Subscribed and sworn to before me this 16 day of September, 1949.

M. A. Klasen
M. A. Klasen

Notary Public,

Morrison County, Minnesota.

My Commission Expires October 4, 1950

APPROVAL

I do hereby approve the within Bond, this

19th day of September, A. D. 1949

(Court Seal)

Earl J. Laing
Judge of Probate.

OATH

State of Minnesota,

County of Stearns

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

Subscribed and sworn to before me this 16 day of September, A. D. 1949

M. A. Klasen
M. A. Klasen Notary Public.

My Commission Expires October 4, 1950 Morrison County, Minn.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

ANTON F. KIEVE Decedent—Ward.

BOND AND OATH OF REPRESENTATIVE

Filed this 19th day of September, 1949

and said Bond recorded in Book of Bonds, page 543 of Probate Records.

Wanda Hennig
Clerk—Judge of Probate.

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton F. Kleve,

Decedent. }

Order Appointing Appraisers

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

It is ordered that V. J. Hemker and

Henry Raeker,

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

Dated this 16th day of November, 1949.

(PROBATE COURT SEAL)

Earl J. Fries
Probate Judge.

15,161

No.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton F. Kleve,
Decedent.

Order Appointing Appraisers

Filed November 23rd., 1949

Frank Herzog
Probate ~~Clerk~~ Clerk.

State of Minnesota,

IN PROBATE COURT

County of Stearns

File No.

IN THE MATTER OF THE ESTATE OF

INVENTORY AND APPRAISAL

Anton F. Kleva

Decedent

Date of Death July 17, 1949

OATH OF APPRAISERS

State of Minnesota,

County of Stearns

I, V. J. Hemker

Henry Roeker

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

Subscribed and sworn to before me this

16 day of November, 1949

W. A. KLASSEN

Notary Public, County, Minn.

My commission expires Oct. 4, 1950

(SEAL)

INVENTORY AND APPRAISAL

The undersigned representative of the estate of the above named decedent, represent^o and show to the court—

That the following is a true and correct inventory of all the property of the above named estate, both real and personal, which has come into his possession and of which he has knowledge after diligent search and inquiry concerning the same, classified as follows, to-wit:

CLASS 1—Real Estate:

| (a) The homestead of decedent, being in the County of _____, State of Minnesota, consisting of _____ acres in area described as follows, to-wit: (give acreage) | Specify Encumbrances and Respective Amounts | Net Value Over Encumbrances |
|--|---|-----------------------------|
| None | | |
| (b) All other real estate of decedent being in the County of _____, State of Minnesota, described as follows, to-wit: | | \$ _____ |
| (See other side for long description) | | |
| FORWARDED | | |

| | Specify Encumbrances and Respective Amounts | Net Value Over Encumbrances |
|---|--|--------------------------------|
| <i>Brought Forward</i> | | \$ |
| The East half of the northeast quarter of Section twenty-one, less right of way of Minneapolis, St. Paul and Sault Ste Marie Railway Company, as now located and constructed, and all that part of the west half of the northwest quarter of Section 21 twenty-two (22) lying southerly of a public highway as now located and travelled, extending from St. Joseph to New Munich, excepting and reserving from the last described parcel the following described parcel, viz: beginning at a point where the east line of the west half of the NW $\frac{1}{4}$ of S. 22, T 125, R 32 west intersects the centre of a road leading from St. Joseph to New Munich, thence south along said east line of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the SE corner of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence west along the south line of the said west $\frac{1}{2}$ of said NW $\frac{1}{4}$, one rod, thence north and parallel with said east line of said west half of NW $\frac{1}{4}$ until said line intersects the center of said road; thence Ely along the center of said road to the place of beginning, and less the Right of Way of the Mpls, St. Paul & St. Ste Marie Ry as now located and constructed. All in Township 125 north of Range 32 West. The above is recorded in Book 260 of Ada on page 480. | | \$4,500.00 |
| The above property has been sold to Herman J. Laing on contract for deed with unpaid balance of \$4,500.00. | | |
| <i>Total Net Value of Real Estate</i> | | \$ |
| CLASS II—Furniture and Household Goods: | \$ | \$ |
| | | |
| | | |
| | | |
| | | |
| <i>Total Value of Furniture and Household Goods</i> | | \$ |
| CLASS III—Wearing Apparel and Ornaments: | \$ | \$ |
| | | |
| | | |
| | | |
| <i>Total Value of Wearing Apparel and Ornaments</i> | | \$ |
| CLASS IV—Corporation Stocks (Give Certificate No.) | \$ | \$ |
| | | |
| | | |
| | | |
| | | |
| <i>Total Value of Stock</i> | | \$ |

CLASS V—Mortgages, Bonds, Notes and other Written Evidences of Debt: (Give Encumbrance if any.)

| (Here list any written obligations of any kind due and owing decedent, with interest rate and maturity, also book and page of record of Mortgages) | Interest to Date of Death | Principal | Appraised Value of Principal & Interest |
|--|---------------------------|-----------|---|
| Farm rental to date of death | \$ | \$ | \$185.64 |
| | | | |
| | | | |
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| | | | |
| | | | |
| | | | |
| | | | |
| Total Value of Mortgages, Bonds, Notes, etc. | | | \$185.64 |

CLASS VI—All other Personal Property:

[illegible]

SUMMARY

The total value of all the real estate of decedent, as valued by the appraisers herein, is - \$4,500.00

The total value of all the personal property of decedent, as valued by the appraisers herein, is \$ 185.64.

The total value of the entire estate of decedent, as valued by the appraisers herein, is - - \$ 4,685.64

Respectfully submitted,

Herman J. Living

Representative

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

VERIFICATION

State of Minnesota,

County of ~~MINNESOTA~~ Stearns

ss.

Herman J. Laing

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

Subscribed and sworn to before me this

16 day of November, A. D. 1919

W. A. KLASCH

Notary Public, County, Minn.

My commission expires 19
(SEAL)

Herman J. Laing

Representative

CERTIFICATE OF APPRAISERS

State of Minnesota,

County of Stearns

We, the undersigned appraisers, duly appointed by

the Probate Court of Stearns

County, Minnesota, to appraise the estate of

Anton F. Kieve

, Decedent, having first duly taken and subscribed

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

Dated this 16 day of November, A. D. 1919

Wm. R. Rader

Henry Rader

Appraisers

File No. 15161

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

ANTON F. KIEVE

Decedent

Inventory and Appraisal

Total Personal - \$ 185.64
Total Real Estate - \$ 4,500.00
Total Appraisal - \$ 4,685.64

Due service of the within inventory and appraisal is hereby admitted this

day of

19

Deputy-Treasurer of
County, Minnesota

Filed this 23rd day of
November, A. D. 1919

Wm. R. Rader
Probate Judge-Clerk

Attorney

State of Minnesota, } ss.
County of Stearns }

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton F. Kleve

Deceased.

To the Probate Court in and for said County:

The petition of Herman J. Laing of the Village of Freeport in the County of Stearns and State of Minnesota, respectfully represents:

That Anton F. Kleve deceased, late of said County, on the 18 day of May A. D. 19 42 by his contract in writing, agreed and became bound to convey to the petitioner the following described real estate, to-wit: Th 2 tract or parcel of land situate and being in the County of Stearns and State of Minnesota, described as follows: The East half of the northeast quarter of Section twenty-one, less right of way of Minneapolis, St. Paul and Sault Ste Marie Railway Company, as now located and constructed, and all that part of the west half of the northwest quarter of Section twenty-two (22) lying southerly of a public highway as now located and travelled, extending from St. Joseph to New Munich, excepting and reserving from the last described parcel the following described parcel: viz: beginning at a point where the east line of the west half of the NW $\frac{1}{4}$ of S. 22, T. 125, R. 32 west intersects the centre of a road leading from St. Joseph to New Munich, thence south along said east line of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the SE corner of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence West along the south line of the said west $\frac{1}{2}$ of said NW $\frac{1}{4}$, one rod, thence north and parallel with the said east line of said west half of NW $\frac{1}{4}$ until said line intersects the center of said road; thence Ely along the center of said road to the place of beginning, and less the Right of Way of the Mpls. St. Paul & St. Ste Marie Ry as now located and constructed. All in Township 125 North, of Range 32 West.

by a good and sufficient deed in fee-simple upon payment to him of the sum of Eight Thousand - - - - - Dollars, as follows: \$350.00 on the execution of the instrument; \$350.00 on January 1 of each year thereafter with interest at the rate of 4%. Purchasers have the privilege of making prepayment on any annual date.

That the petitioner has fully performed all the conditions of said contract by him to be performed, and fully paid all of said purchase price according to the terms and conditions of said contract, and he is now entitled to a conveyance of said real estate.

Whereupon petitioner prays that Herman J. Laing the executor of the estate of said Anton F. Kleve deceased, by the decree of this Court, be authorized and directed to convey said real estate to the petitioner as the person entitled thereto, and as provided by law.

Dated at Freeport, Minn. the 23 day of December 19 49

Herman J. Laing

State of Minnesota,

County of Stearns

ss.

Herman J. Laing

the person who made the foregoing petition, being duly sworn, says that the same is true to ~~his~~ own knowledge, except as to those matters stated on his information and belief, and as to those matters, that he believes them to be true.

Subscribed and sworn to before me, this

23

day of December

A. D. 1919

Notary Public, ~~Wm. HENKER, Freeport, Minnesota~~
Notary Public, Stearns County, Minn.

My Commission expires Apr. 15, 1923

No. 15161

IN PROBATE COURT

County of Stearns

In the Matter of the Estate of

AMYON F. KLEVE

Deceased.

**Petition for Conveyance
Pursuant to Contract.**

Filed this 27th day of

December A. D. 1919

Frank H. Hargis

Clerk - Judge of Probate Court.

No. 372. 10-11-19. Standard for legal printing.

State of Minnesota,

IN PROBATE COURT

County of Stearns

File No. 15,161

In the Matter of the Estate of

Anton F. Kleve,

Deceased.

Decree for Conveyance

The above entitled matter came on to be heard on the 27th day of December 1949, upon the petition of Herman J. Laing for conveyance of certain real estate therein described, pursuant to a contract in writing made by Herman J. Laing

Said petitioner appeared in person and by attorney, Maurice Klasen, Esq.,

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:

~~That the notice of said hearing was given by publication of the order for hearing in said petition as required by law.~~

That said decedent was at the time of his death obligated by said contract to convey to Herman J. Laing

by warranty deed,

the tract of land lying in the County of Stearns, State of Minnesota, described as follows, to-wit: The East half of the northeast quarter of Section twenty-one, less right of way of Minneapolis, St. Paul and Sault Ste Marie Railway Company, as now located and constructed, and all that part of the west half of the northwest quarter of Section twenty-two (22) lying southerly of a public highway as now located and travelled, extending from St. Joseph to New Munich, excepting and reserving from the last described parcel the following described parcel: viz: beginning at a point where the east line of the west half of the NW $\frac{1}{4}$ of S.22, T. 125, R 32 west intersects the centre of a road leading from St. Joseph to New Munich, thence south along said east line of said W $\frac{1}{2}$ of the NW $\frac{1}{4}$ to the SE corner of said W $\frac{1}{2}$ of NW $\frac{1}{4}$; thence West along the south line of the said west $\frac{1}{2}$ of said NW $\frac{1}{4}$, one rod, thence north and parallel with the said east line of said west half of NW $\frac{1}{4}$ until said line intersects the center of said road; thence Ely along the center of said road to the place of beginning, and less the Right of Way of the Mpls, St. Paul & St. Ste Marie Ry as now located and constructed. All in Township 125 North, of Range 32 West.

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

That the terms and conditions of said contract upon the performance of which the vendee therein named, Herman J. Laing

should be entitled to such conveyance have been performed; that said decedent, if now living, might be compelled to make such conveyance to said petitioner; and that it appears to the satisfaction of the court that such conveyance should now be made.

It is Therefore Hereby Ordered. That Herman J. Laing

as representative of the estate of said decedent, be, and hereby is authorized and directed to convey said land to said petitioner by probate deed, pursuant to the terms of said contract.

Dated at St. Cloud, Minnesota, this 27th day of December, 1949.

Earl J. Meunier
Judge of Probate.

15,161

File No. _____

State of Minnesota, }

County of Stearns

PROBATE COURT

In the Matter of the Estate of
Anton F. Kleve,
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 Instru-
ment was filed in this office for record
on the _____ day of _____
19____, at _____ o'clock _____ M.,
and was duly recorded in Book _____
of _____, page _____

Register of Deeds.

By _____ Deputy.

Filed this 27th day of December
19 49, and recorded in Book 69
of Decrees, page 251.

Frank Herzog
Clerk of Probate.

SECURITY PRINTING COMPANY, ST. CLOUD, MINN.

State of Minnesota.

County of _____

ss. _____

PROBATE COURT

I, _____ of the Probate Court, within
and for said County, and Custodian of the Seal and Records of said Court, do hereby certify that I have compared the fore-
going 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 _____

day of _____, 19____

_____ of the Probate Court.



1 STATE OF MINNESOTA

2 COUNTY OF STEARNS

IN PROBATE COURT

3 In the matter of the estate of

4 Anton F. Kleve

5 Herman J. Laing, executor of the above estate, declares to the
6 Court that he has qualified for the position as executor, and that he has
7 undertaken to perform the duties attached to the administration of the
8 above estate.

9 He further states that the will of the deceased provided for the
10 payment of certain sums of money to various people, one of whom is Ed
11 Bonfig of Freeport, Minnesota; that said sum of money consisted of the sum
12 of Five (\$5.00) Dollars; that he tendered said sum to said Ed Bonfig and
13 that the same was refused.

14 Wherefore, your petitioner requests and prays the court that it
15 direct that the said sum of Five (\$5.00) Dollars be paid to the County
16 Treasurer in the manner provided for by law.

17
18 Herman J. Laing
19 (Herman J. Laing)

20 STATE OF MINNESOTA

21 County of Stearns

22 On this 21 day of February, 1950, before me a Notary Public
23 personally appeared Herman J. Laing, executor of the above estate, who
24 being by me duly sworn, on oaths says that he is the representative of
25 the above estate, that he has read the foregoing petition subscribed by
26 him, that he knows the contents thereof, and that the same is true as of
27 his own knowledge.

28 M. A. KLASSEN

29 M. A. KLASSEN
30 Notary Public, Minnesota, expires 11/1/51
31 My Commission Expires Oct. 1, 1951

15,161

STATE OF MINNESOTA

COUNTY OF STEARNS

IN PROBATE COURT

In the matter of the estate of

ANTON F. KLEVE

PETITION

Maurice A. Klasen
201-A St. Mary's Bldg.
St. Cloud, Minnesota

FILED THIS 23rd DAY
OF Feb. A.D. 1950
Frank H. Hargis
Clerk of Probate

24428980

STATE OF MINNESOTA

COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of

Anton F. Kleve

Herman J. Laing, executor of the above estate, declares to the Court that he has qualified for the position as Executor, and that he has undertaken to perform the duties attached to the administration of the above estate.

He further states that in accordance with the will of the deceased the sum of Five Hundred Thirty Seven and 57/100 (\$537.57) Dollars was to be paid to one Joseph Kleve and a similar sum to Barbara Bonfig.

Your representative represents and alleges to the court that he has duly searched and attempted to find Joseph Kleve, but that he has been unable to find his address or whereabouts and consequently cannot deliver the sum that is due him.

He further alleges that he has tendered and offered payment of a similar sum to one Barbara Bonfig, but that she refused and declined to accept the same.

Wherefore, your petitioner requests and prays the court that it direct that the said sums of \$537.57 due Joseph Kleve and \$537.57 due Barbara Bonfig be paid to the County Treasurer in the manner provided by law.

Herman J. Laing
(Herman J. Laing)

STATE OF MINNESOTA

COUNTY OF STEARNS

On this 16 day of June 1950 before me a Notary Public personally appeared Herman J. Laing, executor of the above estate, who being by me duly sworn, on oath says that he is the representative of the above estate that he has read the foregoing petition subscribed by him, that he knows the contents thereof, and that the same is true as of his own knowledge.

M. A. KLASSEN
Notary Public, Morrison County Minn.
My Commission Expires Oct. 4, 1950.

M. A. Klassen

15,161

STATE OF MINNESOTA
County of Stearns

PROBATE COURT
In the Matter of the Estate of
Anton H. Kline
Decedent-Ward

Petition

FILED THIS *17th* DAY
OF *June* A.D. 19*50*
Frank Herzog
Clerk of Probate

STATE OF MINNESOTA
COUNTY OF STEARNS

IN PROBATE COURT

IN THE MATTER OF THE ESTATE
OF ANTON KLEVE DECEASED

PETITION

Comes now Barbara Bonfig, and respectfully petitions
the court and alleges:

I.

That he is one of the heirs and legatees named in
the last Will and Testament of the above named Anton Kleve, now
deceased.

II

That the last Will and Testament of said Anton
Kleve has been duly admitted to probate by the Probate Court
of Stearns County, Minnesota and his estate has been fully admin-
istered and the court has heretofore made and filed its final
decree of distribution of the assets remaining in said estate
after the administration thereof pursuant to and in accordance with
the terms and provisions of said last Will and Testament of said
Anton Kleve, deceased.

III

That by the terms of said last Will and Testament
and the final decree of distribution of this court made and filed
herein, your petitioner was to receive the sum of \$537.57 in cash.
That your petitioner has never been paid said sum and at the time
of the administration of said estate in probate court for Stearns
County, Minnesota the representative of said estate, pursuant to
an order of this court, deposited said sum of \$537.57 with the
Stearns County Treasurer as unclaimed moneys on the 17th day of
June, 1950 for the benefit of your petitioner, Barbara Bonfig.

IV.

That your petitioner is at the present time physically ill and confined at the St. Cloud Hospital at St. Cloud, Minnesota and is in need of said money and herewith petitions the Court for and order directing the county treasurer of Stearns County, Minnesota to pay said sum of \$537.57 to her pursuant to the statute in such case made and provided and pursuant to Chapter 345.08 of Minnesota Statutes annotated.

WHEREFORE, your petitioner prays for an order of the court directing the county treasurer of Stearns County, Minnesota to pay to Barbara Bonfig the sum of \$537.57, the amount deposited with him for the benefit of said Barbara Bonfig as hereinbefore alleged.

Dated June 18, 1953.

Barbara Bonfig
Barbara Bonfig

STATE OF MINNESOTA
COUNTY OF STEARNS ss

Barbara Bonfig, being first duly sworn on oath, deposes and says that she is the person who makes the foregoing petition; that she has read the same and knows the contents thereof; that the same is true of her own knowledge except as to matters therein stated on information and belief and as to those matters she believes it to be true.

Subscribed and sworn to before me this 18th day of June 1953.

Vincent A. Ahles (Vincent A. Ahles)

Notary Public Stearns Co. Minn.

My comm. expires June 17-1956
April 1, 1950.

Barbara Bonfig

15,161

STATE OF MINNESOTA
COUNTY OF STEARNS
IN PROBATE COURT

IN THE MATTER OF THE ESTATE
OF ANTON KLEVE DECEASED

PETITION

Notice of hearing on the
within petition is hereby waived
June 19th, 1953.

L. Koak
County Treasurer

David Shaw
County Attorney

FILED THIS 18th DAY
OF June A.D. 1953
Handberg
CLERK OF PROBATE

AHLES & AHLES
ATTORNEYS AT LAW
803½ ST. GERMAIN ST.
ST. CLOUD, MINNESOTA

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

IN THE MATTER OF THE ESTATE OF Anton F. Kleeve, DECEASED

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

Herman J. Laing

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

IT IS THEREFORE ORDERED AND DECREED, That said representative of said estate and the sureties on his bond, be, and they hereby are, forever discharged and released from all further duties and liabilities in the matter of said estate and of said trust.

Dated this 4th day of August, A. D. 19 50

Earl J. Laing

Judge of Probate.

Stearns County, Minn.


No. _____

In Probate CourtCounty of Stearns

IN THE MATTER OF THE ESTATE OF

Anton F. Kleye,
*Deceased.***Order Discharging Executor or
Administrator and Sureties**

(Chap. 289, Laws 1917)

Filed this 4th day ofAugust, 19 50Recorded in book 27 of orders atPage 205
Clerk - ~~Judge~~ of Probate.

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton F. Kleve,

Decedent.

ORDER ALLOWING FINAL ACCOUNT

The above entitled matter came on to be heard on the 31st day of March 1950, upon the petition of the representative of the above named estate praying for the allowance of his final account and for distribution of the residue of said estate.

The said representative appeared in person and by attorney Maurice Klasan, Esq., and no one appeared in opposition.

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

First—That due notice of the said hearing of said petition has been given as required by law by the publication of the citation of this Court for said hearing, dated the 24th day of February 1950, in the Daily Times, proof of publication of said notice for hearing and service by mail having been filed in this Court.

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

RECEIPTS

| | |
|---|-------------|
| Personal estate as described in the inventory | \$ 185.64 |
| Personal estate omitted from the inventory | \$ 139.00 |
| Gain by sales above appraised value | \$ |
| Cash from sales of real estate | \$ |
| Cash from rent of real estate | \$ |
| Cash from interest and profits | \$ |
| Cash from other sources | \$ |
| Sale of real estate pursuant to contract for deed | \$ 4,500.00 |
| Total receipts from all sources | \$ 4,824.64 |

DISBURSEMENTS AND CREDITS

| | |
|--------------------------------------|-------------|
| Estate selected for surviving spouse | \$ |
| Maintenance of family of decedent | \$ |
| Expenses of administration | \$ 299.99 |
| Expenses of last sickness | \$ 57.00 |
| Funeral expenses | \$ 442.00 |
| Taxes | \$ |
| Claims of creditors of decedent | \$ 1,317.50 |
| Legacies | \$ 20.00 |
| | \$ |
| | \$ |
| Residue on hand for distribution | \$ 2,687.85 |
| Total credits | \$ 4,824.64 |

State of Minnesota,

County of SEARUS

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Anton F. Kieve,

Decedent.

Order Allowing Final Account

Filed this 31st day of
March, 1950, and
 recorded in Book 61 of Orders
 at Page 532

Frank A. Hennig
 Clerk Judge of Probate

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

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

Dated March 31st, 1950.

By the Court,

Earl J. Quinn
 Probate Judge.

State of Minnesota,

IN PROBATE COURT

County of Stearns

File No. 15,161

In the Matter of the Estate of

Anton F. Klave,

Decedent.

Final Decree of Distribution

The above entitled matter came on to be heard on the 31st day of March 19 50, upon the petition of the representative of said estate for the distribution of the residus of said estate to the persons thereunto entitled.

The representative of said estate appeared in person and by attorney Maurice Klassen, Esq., and no one appeared in opposition thereto.

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

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

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

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

THIRD—That said decedent died testate on the 17th day of July, 1949, and at the time of his death decedent was a resident of the County of Stearns and State of Minnesota.

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

(A) Personal property of the value of \$ 2,687.85 comprising the following items:

Cash.

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

None.

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

None.

FIFTH—That the following named persons are the
and legatees

residuary devisees

of said decedent, and are all

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

Carrie Bonfig, Joseph Kleve, Annie Rohling, Barbara Bonfig and Katie Laing, children of decedent. The share of Carrie Bonfig, being assigned to her subject to an assignment on file in this Court by which she assigns all of her right, title or interest in said estate to Carmella Hoeschen.

Now, Therefore, On motion of

Maurice Klasen, Esq.,

attorney for the

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

To each of the said Carrie Bonfig, Joseph Kleve, Annie Rohling, Barbara Bonfig and Katie Laing, the sum of \$537.57. The share of Carrie Bonfig, being assigned to her, subject to an assignment on file in this Court by which she assigns all of her right, title or interest in said estate to Carmella Hoeschen.

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

None for assignment.

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

Dated at St. Cloud, Minn., this 31st day of March, 1950.



Earl J. Meier
Probate Judge.

State of Minnesota,

County of _____

ss.

PROBATE COURT

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

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

_____ of the Probate Court.

15,161

File No.

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Anton F. Kieve, Deceased.

Final Decree of Distribution

Office of Register of Deeds,

State of Minnesota.

County of _____

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

the _____ day of _____

19____, at _____ o'clock _____ M.,

and was duly recorded in Book _____

of _____, page _____

Register of Deeds.

By _____ Deputy.

Transfer entered this _____

day of _____, 19____.

County Auditor.

By _____ Deputy.

Filed this 31st day of March,

1950, and recorded in Book 106

of Deeds, page 160

Frank J. Stenberg

Justice Clerk of Probate Court.

No. 3881