



[Stearns County \(Minn.\)](#)
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STATE OF MINNESOTA. } ss.
County of StearnsCitation for Hearing on Petition for
Probate of Will.

Estate of Augusta Zierlen, Deceased.
State of Minnesota, County of Stearns,
In Probate Court.

In the Matter of the Estate of Augusta Zierlen, Decedent.
The State of Minnesota to all persons interested in the allowance and probate of the will of said decedent: The petition of John Zierlen and Frank J. Hunstiger being duly filed in this court, representing that Augusta Zierlen, deceased, then a resident of the County of Stearns, State of Minnesota, died on the 22nd day of April, 1926, leaving a last will and testament which is presented to this court with said petition, and praying that said instrument be allowed as the last will and testament of said decedent, and that letters testamentary be issued thereon to John Zierlen and Frank J. Hunstiger.

Now, Therefore you, and each of you, are hereby cited and required to show cause, if any you have, before this court, at the Probate Court Room in the Court House, in the City of St. Cloud, County of Stearns, State of Minnesota, on the 26th day of July, 1926 at nine o'clock A. M., why the prayer of said petition should not be granted.

Witness the Honorable J. B. Himes, Judge of said Court, and the seal of said court, this 2nd day of July, 1926.
(Court Seal) J. B. HIMES, Judge.

Paul Ahles, Atty for Petitioner. Jul 5 1926

Chas. A. Zetterer being duly sworn, deposes and says that he now is and during all the times hereinafter mentioned has been the publisher or printer in charge of the Nordstern, a weekly newspaper printed and published in the city of St. Cloud in said Stearns County, State of Minnesota, on Thursday of each week;

That he has knowledge of the facts and knows personally that the printed notice Citation for Hearing on petition hereto attached, cut from the columns of said newspaper, was inserted, printed and published in said newspaper once in each week for three weeks, and that all of said publications were made in the English language.

That said notice was first inserted, printed and published on Thursday, the 8th day of July, 1926, and was printed and published in said newspaper on each and every Thursday thereafter until and including Thursday, the 22nd day of July, 1926.

That during all the times aforesaid, said newspaper was qualified as a medium of official and legal publications as required by section 3 and 4 of chapter 484, Session Laws of Minnesota, 1921, and that it has complied with all the requirements that constitute a legal newspaper as defined in said sections 3 and 4, to-wit: that for more than one year last past from the date of the first publication of said notice

said newspaper has been (1) Printed from the place from which it purports to be issued principally in the German language, except as to any legal publication in column and short form equivalent in space to at least four pages, with five columns to the page, each seventeen and three quarters inches long.

(2) Issued once each week from a known office, established in such place for publication and equipped with skilled workmen and the necessary material for preparing and printing the same.

(3) Made up to contain general and local news, comment and miscellany, not wholly duplicating any other publication, and not entirely made up of patents, plate matter and advertisements, or any or either of them.

(4) Circulated in and near its place of publication to the extent of at least two hundred and forty copies regularly delivered to paying subscribers, and that prior to the date of the first publication of said notice

the publisher or printer in charge of said newspaper having knowledge of the facts, filed in the office of the county auditor of said County of Stearns, State of Minnesota an affidavit showing the name and location of said newspaper and the existence of conditions constituting its qualifications as a legal newspaper as required and set forth in section 3 of chapter 484, Session Laws Minnesota, 1921.

That the following is a printed copy of the lower case alphabet from A to Z both inclusive, of the size and kind of type used in the composition, printing and publication of said legal advertisement hereto attached, viz:

abcdefghijklmnopqrstuvwxyz

Further affiant saith not, save that this affidavit is made pursuant to section 4 of chapter 484, Session Laws of Minnesota 1921, and is intended to accompany the bill for the publication in said newspaper of the aforesaid legal advertisement.

Subscribed and sworn to before me this

22nd day of July, 1926

Geo. L. Rosenberger
Notary Public, Stearns County, Minnesota

My Commission expires Feb. 7-1928.

767st

Printer's Affidavit of
Publication

in

DER NORDSTERN

(A Weekly Newspaper)

OF *Order for hearing*
Proof of will estate
of Augusta Zierden

FILED THIS *30th* DAY

OF *July* A.D. 1926

James A. Baker
Clerk of Probate

6591657

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Augusta Zierten

Decedent.

Order Appointing Appraisers

To Charles Nathe and Joseph Schmidt Greeting:

Whereas, Frank Hunstiger and John Zierten

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

Now, Therefore, Trusting in your integrity and disinterestedness, this Court by these presents, does appoint you Charles Nathe and Joseph Schmidt

appraisers
and estate of the said Augusta Zierten decedent

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

Dated this 30th day of July A. D. 1926.

By the Court:

(Court Seal)


Judge of Probate.

State of Minnesota, }

County of _____ }

IN PROBATE COURT

In the Matter of the Estate of

Decedent.

Order for Appointment of
Appraisers in Estates

Filed this _____ day of

19 _____

and recorded in Book _____ of orders

page _____

Clerk—Judge of Probate.

State of Minnesota,
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Augusta Zierten

Decedent.

INVENTORY AND APPRAISEMENT

OATH OF APPRAISERS

State of Minnesota,
County of Stearns

ss.

I, Charles Mathe andI, Joseph Schmidt

, do solemnly swear, each for himself, that I will faithfully
and justly perform all the duties of the office and trust which I now assume as appraiser of the estate of
Augusta Zierten, decedent to the best of my ability. So Help Me God.

Subscribed and sworn to before me this

30 day of July, 1926Notary Public, Stearns County, Minn.My commission expires May 22, 1931

INVENTORY AND APPRAISEMENT

The undersigned representative^s 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 _____ their _____ possession and of which the
knowledge after diligent search and inquiry concerning the same, classified as follows.

CLASS I

REAL ESTATE

VALUE

(a) The homestead of decedent, being in the County of _____
State of Minnesota, described as follows, to-wit: _____ \$
None

(b) All other real estate of decedent being in the county of _____
State of Minnesota, described as follows, to-wit: _____
None

2 bureaux \$8.00 ; 7 dining room chairs \$7.00 ; 3 common chairs \$1.00 ; kitchen range \$20.00 ; kitchen table \$1.00 ; dishes and kitchen utensils including silver and glass ware \$21.00 ; gas stove \$2.00 ; washing machine \$7.00 ; wash tubs \$5.00 ; bed clothes and linens \$35.00 ; kitchen linens, towels, etc. \$10.00 ; 7 pair lace curtains \$10.50 ; velvet window drapes \$4.00 ; miscellaneous household goods \$10.00 ; 3 rockers \$35.00 ; 7 small rugs \$8.25 ; 4 new and 1 old \$11.50 ; 1 bench & cover \$3.00 ; 2 small tables \$1.50

Total value of real estate - - - - -

CLASS II

Furniture and household goods described as follows, to-wit:

3 piece parlor set \$20.00 ; parlor rug \$15.00 ; one parlor arm chair and table \$6.00 ; one piano \$60.00 ; one library table \$3.00 ; reading lamp \$2.00 ; leather rocker \$1.00 ; 2 oak chairs \$3.00 ; book case and desk \$10.00 ; 2 rugs \$40.00 ; Bedroom set and bedding \$60.00 ; 3 beds \$7.00 ;

410.75

Total value of furniture and household goods - - - - -

\$ 410.75

CLASS III

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

Gold watch and chain \$25.00 ;

\$ 25.00

Total value of wearing apparel and ornaments - - - - -

\$ 25.00

CLASS IV

Stock in banks and other corporations:

Certificate No. 7 for \$3000.00 for 30 shares of Hunstiger Company, stock,

\$ 3000.00

Total value of stock - - - - -

\$ 3000.00

CLASS V

Mortgages, bonds, notes and other evidences of debt:

(Here list any written obligations of any kind due and owing decedent.) (Give maker's name, date, amount, rate of interest and interest accrued to date of death)

Note dated January 1, 1920 by Hunstiger Company to Augusta Zierten for \$1000.00 due in 5 years, interest at 7 %. Payments paid \$157.00 Bal. due \$843.00

Total value of mortgages, bonds, notes, etc. \$ 843.00

CLASS VI

All other personal property: (Here list cash, bank accounts, annuities, farm crops, machinery, etc.)

Reo automobile Motor No. 406 \$ 125.00

Total value of all other personal property \$ 125.00

SUMMARY

The total value of all the real estate of decedent, as valued by the appraisers herein, is \$ 00.00

The total value of all the personal property of decedent, as valued by the appraisers herein, is \$ 12060.75

The total value of the entire estate of decedent, as valued by the appraisers herein, is \$ 12060.75

Respectfully submitted,

John Zierten
Representative

NOTE—If estate is subject to Inheritance Tax make this in triplicate. Notify Attorney General of meeting of appraisers. Form approved Oct. 24, 1917, by Lyndon A. Smith, Attorney General.

VERIFICATION

State of Minnesota,

County of Stearns

Frank Hunstiger and

John Zierten

being duly sworn, on oath say that they are the representatives of the estate above specified; that they have read the foregoing inventory subscribed by them and know the contents thereof and that the same is true of their own knowledge, save as to those matters therein stated on information and belief, and as to those matters they believe it to be true.

Subscribed and sworn to before me this

day of , A. D. 1926

Paul Ahles
Notary Public, Stearns County, Minn.

My commission expires May 23, 1931

Representatives

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

Augusta Zierten

, Decedent, having first duly taken and subscribed

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

day of

, A. D. 1926

Charles Mathe
J. B. Schmitt

Appraisers.

File No. 7678

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Augusta Zierten, Deceased.

Decedent.

Inventory and Appraisement

Total Personal - \$ 12,000.00

Total Real Estate - \$

Total Appraisement - \$ 12,000.00

Filed this 30th day of

July, A. D. 1926.

Charles A. Palmer
Clerk-Judge of Probate Court.

STATE OF MINNESOTA
COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of Augusta Zierten, deceased.

* * * * *

P E T I T I O N

* * * * *

Comes now Frank Hunstiger and respectfully shows to the Court that he and one, John Zierten, were duly appointed executors under the Last Will and Testament of decedent, and qualified as such, and acted as such executors until the time of the death of said John Zierten. That the undersigned is now the sole representative of the estate of said Augusta Zierten. That among the assets of the estate of said Augusta Zierten, was a note given by the Hunstiger Co. to said Augusta Zierten, deceased, during her lifetime, the which note was secured by a mortgage on a business block in the city of St. Cloud.

That on the 6th day of March, 1929, the undersigned and said John Zierten, who was then living, petition this court for leave to take, in lieu of the mortgage on the business property, a mortgage on the so-called packing house property, hereinafter described, and that on said 6th day of March, 1929, this court made and filed its order permitting the undersigned and said John Zierten, as representatives of the estate of said Augusta Zierten, to satisfy the mortgage on the business property, and to take in lieu therefor from said Hunstiger Company, a mortgage on property described as follows, to-wit: That part of Government Lot number One (1), Section Twenty-four (24), Township One Hundred Twenty-four (124), Range Twenty-eight (28) in Stearns County, Minnesota, lying easterly of the Right-of-Way of the Great Northern Railway Company, which Right-of-Way is used and operated as a spur track as now established and located thereon, which lands are more particularly described as follows: Beginning at the intersection of the north line of said Government Lot One (1) with the west bank

of the Mississippi River between Sections Thirteen (13) and Twenty-four (24), thence west on the north line of Government Lot One (1) between said Sections Thirteen (13) and Twenty-four (24), 330 ft., or to the easterly line of the Right-of-Way of said Great Northern Railway Company; thence southerly along said easterly Right-of-Way line to the south line of said Government Lot One (1); thence easterly along the south line of Government Lot One (1) to the westerly bank of the Mississippi River; thence northerly along the westerly bank of the Mississippi River to the place of beginning, containing 8.71 acres.

That in conformity with said order of this Court, the undersigned and said John Elerten took, in lieu of the mortgage on the business property in the city of St. Cloud, a mortgage on the said packing house property, above described, which mortgage was to secure the payment of said \$8,500.00, and which mortgage was dated a day of March, 1929, and recorded on the 4th day of April, Book 101 of Mortgages, on Page 448.

That at the time of taking said mortgage, there was on record a prior mortgage given by said Hunstiger Company on January 8, 1927, to Mathias ~~Hopf~~ and wife, to secure the payment of \$3,175.00, which mortgage was recorded on the 12th day of January, 1927, in Book 103 of Mortgages, Page 315.

That default was made in the payment of said ~~Hopf~~ mortgage recorded in Book 103, Page 315, and that said Mathias ~~Hopf~~ and wife proceeded to, and did foreclose said mortgage, and the said property, the so-called packing house property, was sold under such mortgage foreclosure sale on the 14th day of December, 1929, for the sum of \$3,508.81. That the time for redemption expires on the 14th day of December, 1930.

The undersigned further represents that the estate of said Augustus Elerten has not sufficient funds to make redemption from said ~~Hopf~~ mortgage foreclosure sale, and that it is in danger of losing the security it has in the form of a second mortgage against said packing house property, unless said mortgage held by the estate can be sold

to some party with sufficient means to make redemption from said ~~Haff~~ mortgage foreclosure sale. The undersigned is informed and believes that said second mortgage on the so-called packing house property can be sold, if offered at public auction sale.

The undersigned and other heirs of the Augusta Zierten estate believe that said mortgage of \$8,500.00 given by Hunstiger Company should be sold at public sale, upon notice given, to the highest bidder, and believe that that is the best way to dispose of said mortgage, as the same will likely bring considerably less than the face value thereof, and for this reason the undersigned as remaining representative can best justify said sale if the same is accomplished through an order of the court and disposed of at public sale.

WHEREFORE, your petitioner respectfully prays the order of the court allowing and directing him to sell said mortgage of \$8,500.00 given by Hunstiger Company to Augusta Zierten, deceased, which mortgage is recorded in Book 101 of Mortgages, on Page 448, at public sale to the highest bidder, the time and place to be fixed by the court.

Dated October 1, 1930.

Frank Hunstiger
Representative.

STATE OF MINNESOTA

COUNTY OF STEARNS

Frank Hunstiger, first being duly sworn upon oath, deposes and says that he is the petitioner in the foregoing petition; that he has read said petition and knows the contents thereof, and that the same is true of his own knowledge except as to those matters therein stated on his information and belief, and as to those matters he believes it to be true.

Subscribed and sworn to before me
this 1 day of October, 1930.

Paul Ahles

PAUL AHLES
Notary Public, Stearns County, Minn.,
My Commission Expires May 23, 1931.

Frank Hunstiger

674

ORIGINAL #

STATE OF MINNESOTA

COUNTY OF STEARNS

IN PROBATE COURT

In the Matter of the Estate of
Augusta Zierden, deceased.

P E T I T I O N

Filed this 1st day
of Oct. A. D. 1930

Jacob A. Lahn
Clerk of Probate

1

1991 667

STATE OF MINNESOTA

IN PROBATE COURT

COUNTY OF STEARNS

In The Matter of the Estate of Augusta Ziersten, Deceased.

P E T I T I O N.

Your petitioners respectfully show to the Court;

That on the 30th day of July, 1916, said petitioners were by order of this court appointed executors of the estate of Augusta Ziersten, deceased.

That they duly made and filed an inventory of said estate. That said estate consisted of household goods and personal property. That part of said estate consisted of a note for Eight Five Hundred Dollars, (\$8,500.00), the property of said which note was given by the Hunstiger Company, a corporation, and was secured by a mortgage on real property situated in the City of St. Cloud, County of Stearns and State of Minnesota, described as follows, to-wit:

Lot Three (3), Block Four (4), Columbia Square, That said mortgage was subsequent to a prior mortgage on said property, which at this date, together with accrued interest and taxes, amounts to \$27533.00. That an effort has been made by the Hunstiger Company to sell said described property but that to this date it has been impossible to secure a purchaser for more than enough to retire said first mortgage with accrued interest and taxes, and it is the opinion of your petitioners that there is little, if any, value in said property over and above said first mortgage with accrued interest and taxes.

That the Hunstiger Company is owner of other real property in said city described as follows:

That part of Government Lot No. 1 in Section 24, Township 124, North of Range 28 West, lying Easterly of Right of Way of Great Northern Railway used and operated as spur track as now established and located thereon, described as follows:

Beginning at the intersection of the North line of said Government Lot 1, with the West bank of the Mississippi River between Sections 13 and 24 in said Township and Range, thence running West on North line of Government Lot 1, between Sections 13 and 24, 330'0" or to the Easterly Right of Way of Great Northern Railway, thence Southwesterly along said Easterly line of Right of Way to South line of said Government Lot 1, thence Easterly along South line of said Government Lot 1 to Westerly bank of Mississippi River, thence Northerly along Westerly bank of Mississippi River to the place of beginning containing 3.71 acres no more or less. Excepting and reserving therefore and this agreement to convey shall be subject to the perpetual right, power, and privilege of overflowing the herein above described premises by reason of the dam now built across the Mississippi River in the City of St. Cloud, now or hereafter owned by the Saint Cloud Water Power Company, or in changing the location of said dam now owned by said Water Power Company to a point not exceeding 100'0" below the Union Power Company's hydro electric plant as now located, or in the reconstruction of said dam. But this exception and reservation and the right to maintain and change said dam as well as the right to overflow said land is subject at all times to the express condition that the sewer leading from the packing house now on said land of party of first part to the Mississippi River shall at no time be obstructed or interfered with to a greater extent than it heretofore has been. Located on Mississippi River including side trackage privileges,

said property being known as "The Packing House Property", which real property has been appraised at Twelve Thousand Dollars, (\$12,000.00), upon which there is at this time a mortgage for Three Thousand One Hundred Seventy-Five Dollars, (\$3,175.00), with accrued taxes of approximately \$ 357.00 additional, making a total due upon said mortgage of approximately \$3,562.00.

That your petitioners are of the opinion that it would be for the best interests of the estate of which they are executors to accept a mortgage on said last described real property in lieu of the present mortgage which is held by said estate on said first described real property. Your petitioners are of the opinion that there is and will be a better opportunity for said estate to realize a greater amount on a mortgage on said last described property than on the property now held as security.

Your petitioners therefore pray an order of this court authorizing them to satisfy said first described mortgage and to take in lieu thereof a mortgage for the same amount upon said last

Described property.

John Zierten

Franklin D. Huntington

Executors of the Estate of
Augusta Zierten.

7674

P E T I T I O N

STATE OF MINNESOTA }
County of Stearns }

PROBATE COURT

In the Matter of the Estate of

Augusta Zierler
Decedent

FILED THIS 6th DAY
OF March A.D. 1929

Jacob A. Loh
Clerk of Probate

11916600

STATE OF MINNESOTA }

COUNTY OF STEARNS }

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF
AUGUSTA ZIERTEN, DECEDENT

PETITION.

TO THE HON. THE PROBATE COURT OF STEARNS COUNTY, MINNESOTA:

Your petitioners Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger do hereby respectfully show to the court and allege:

1. That Frank J. Hunstiger and John Zierden now are and during all the times herein stated have been the executors of the last will and testament of the said Augusta Zierden, decedent; that probate proceedings are now pending in said court in the matter of the estate of the said Augusta Zierden, decedent, and that decree has as yet been made in said matter.

2. That the said Augusta Zierden was also known as Augusta Zierden.

3. That prior to her death the said Augusta Zierden was the guardian of the said petitioners Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger.

4. That said Augusta Zierden rendered no final account of her guardianship matter prior to her death; that said guardianship matter was pending in said court at the time of the death of the said Augusta Zierden.

5. That after the death of the said Augusta Zierden the said Frank J. Hunstiger and John Zierden as executors of the last will and testament of said Augusta Zierden decedent and as representatives of the estate of said August Zierden, decedent, rendered and filed in the said court a final account of the guardianship of the said Augusta Zierden as such guardian.

6. That thereupon the said petitioners Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger filed objections to the

allowance of said final account claiming in said objections that there were certain moneys due and owing to the said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger from said guardian at the time of her death.

7. Thereafter such proceedings were had and taken in said court to the end that a hearing on said objections and said final account was had and after hearing the evidence of the parties interested therein this court did on the 5th day of December, 1933, make and file its order in the said guardianship matter, to-wit: In the matter of the guardianship of Bernard John Hunstiger, Anton Hunstiger and Leo Hunstigers, Minors. That in said order the court ordered as follows: to-wit:

"IT IS THEREFORE ORDERED, That the account of Frank J. Hunstiger and John Zierden, executors of the deceased guardian of the above named minors, be, and the same is hereby allowed and settled; and that the final balance due to Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger, said Minors, from the estate of Augusta Zierden, the deceased guardian of said Minors, be, and the same is hereby fixed in the sum of two hundred (\$200.00) Dollars ~~and~~, using a total of six hundred (\$600.00) Dollars, together with interest thereon at the rate of six per cent (6%) per annum, amounting to two hundred sixteen (\$16.00) Dollars, and being a total of eight hundred sixteen (\$816.00) Dollars for all of said minors."

8. That said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger are children of said Augusta Zierden, decedent, and each thereof is now above the age of 21 years.

9. That said sums allowed by the court as aforesaid in said guardianship matter have not been paid nor has any part thereof.

10. That your petitioners makethis petition for the purpose of obtaining an order of this court ordering and directing the said Frank J. Hunstiger and John Zierden as executors of the estate of said Augusta Zier en, decedent, to pay to the said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger out of any moneys or property in their hands as such executors belonging to said estate the amounts found to be due and owing to them in the said order of the court

bearing date the 6th day of December, 1936, as hereinbefore referred to; that said order of the probate court is hereby referred to for greater certainty.

WHEREFORE, Your petitioners pray that this court make its order herein ordering and directing the said Frank J. Hunstiger and John Zierten as executors of the estate of the said Augusta Zierten to pay to said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger from and out of the estate of said Augusta Zierten, decedent, the sum of two hundred dollars (\$200.00) each, being a total of six hundred dollars (\$600.00) together with interest thereon at the rate of six percent per annum amounting to two hundred sixteen dollars (\$216.00) being a total of eight hundred sixteen (\$816.00) dollars out of any property or moneys in the hands of said executors belonging to the estate of Augusta Zierten, decedent.

Dated this 10th day of March, 1937.

Donald H. Daniel
Attorneys for Petitioner.

STATE OF MINNESOTA }
COUNTY OF STEARNS } ss.

Leo Hunsicker being first duly sworn on oath, says that he is one of the petitioners named in the foregoing Petition; that he has read the same and knows the contents thereof; that the same is true of his own knowledge except as to those matters therein stated on information and belief and as to such matters he believes the same to be true.

Leo Hunsicker

Subscribed and sworn to before me this 10th day of March, 1937.

W. F. Donohue

W. F. DONOHUE,
Notary Public, Minnesota
My Commission Expires June 28, 1939.

(ORIGINAL)

STATE OF MINNESOTA

Probate: COURT

Stearns COUNTY

Plaintiff

IN THE MATTER OF THE ESTATE OF
AUGUSTA ZIERTEN, DECEDENT

VS

Defendant

Due and personal service of the within

Petition.....

is admitted this..... day of

19.....

Attorney for.....

DONOHUE & QUIGLEY

Attorneys for.....

K. C. SHERMAN THEATRE BLDG.

ST. CLOUD, MINNESOTA

7672

IN PROBATE COURT

STATE OF MINNESOTA

COUNTY OF STEARNS

IN THE MATTER OF THE ESTATE OF
AUGUSTA ZIERTEN, DECEDENT.

PETITION

FILED THIS

12th

OF

Feb

A.D. 1927

Jacob A. Gahr
Clerk of Probate

00481677

STATE OF MINNESOTA }
COUNTY OF STEARNS } SS.

IN PROBATE COURT

In the Matter of the Guardianship
of Bernard John Hunstiger, Anton
Hunstiger and Leo Hunstiger, Minors.

TO Frank J. Hunstiger and John Zierden, executors of the estate
of Augusta Zierden, decedent, and to Mr. Paul Ahles, attorney
for said executors.

TAKE NOTICE, That the above named court has made and
filed its order herein, a copy of which said order is hereto
attached marked Exhibit "A" and made a part hereof. That said order
bears date the 8th day of December, 1938, and was filed in said
court on the 8th day of December, 1938.

Donohue & Dingley
Attorneys for Bernard John Hunstiger,
Anton Hunstiger and Leo Hunstiger,
the above named minors.

STATE OF MINNESOTA }
COUNTY OF STEARNS } SS.

EXHIBIT "A"

IN PROBATE COURT

In the Matter of the Guardianship
of Bernard John Hunstiger, Anton
Hunstiger and Leo Hunstiger, Minors.

ORDER ALLOWING FINAL
ACCOUNT

Pursuant to an Order of this Court made on the 27th day of August, 1936, for hearing upon the Final Account of Frank J. Hunstiger and John Zierden, executors of the Estate of Augusta Zierden, the deceased guardian of the above named minors. Said matter came on before this Court on the 24th day of September, 1936, at nine o'clock A.M., Paul Ables, Esq., appearing as attorney for the executors of said deceased guardian, and Messrs. Donohue & Quigley, as attorneys appeared for and on behalf of said Minors. Whereupon the hearing was adjourned with privilege to file objections to said Account, which objections were filed on October 1st, 1936, and said hearing on the objections was adjourned to November 5th, 1936. Upon said date, said above named Minors appeared in person and by their attorneys, and said Executors appeared in person and by their attorneys, and after a full hearing and the evidence adduced, the Court took said matter under advisement.

After fully consideration of the evidence, the Court is of the opinion that said Minors are entitled to the amount of the two hundred (\$200.00) Dollars, each realized from the sale of certain real estate belonging to said Minors and sold by their guardian during her life time, together with interest thereon for the past six years.

IT IS THEREFORE ORDERED, That the account of Frank J. Hunstiger and John Zierden, executors of the deceased guardian of the above named minors, be, and the same is hereby allowed and settled; and that the final balance due to Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger, said Minors, from the estate of Augusta Zierden, the deceased guardian of said Minors, be, and the same is hereby fixed in the sum of

1.

two hundred (\$200.00) Dollars Each, being a total of six hundred (\$600.00) dollars, together with interest thereon at the rate of six percent (6%) per annum, amounting to two hundred sixteen (\$16.00) Dollars, and being a total of eight hundred sixteen (\$816.00) Dollars for all of said minors.

Dated at St. Cloud, Minnesota, this 9th day of December,
1928.

By the Court:

(Seal)

J. B. HIMSL
Judge of Probate

[ORIGINAL]

STATE OF MINNESOTA

Probate

COURT

Stearns

COUNTY

In the Matter of the *Plaintiff*
Guardianship of Bernard John
Hunstiger, Anton Hunstiger
and Leo Hunstiger, Minors

VS

Defendant

Due and personal service of the within

Notice

is admitted this 27 day of

December 19 28

Attorney for

DONOHUE & QUIGLEY

Attorneys for Bernard John Hunstiger
Anton Hunstiger and Leo Hunstiger
R. C. SHERMAN THEATRE BLDG.
ST. CLOUD, MINNESOTA

COPY

State of Minnesota,

County of Stearns

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Augusta Zierten,

Deceased

BOND

Know All Men by These Presents, That we

Frank J. Hunstiger and John Zierten

of the City of St. Cloud

in the County of Stearns

State of Minnesota, as principal, and

Bernard F. Lammersen and Frank Schroeder

of said County and State,

as sureties, are held and firmly bound to Honorable J. B. Hissel

Judge of Probate of the County of Stearns

Minnesota, in the sum of

----- Twelve Thousand and no/100 (\$12,000.00) ----- 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

Frank J. Hunstiger

and John Zierten

have

, who has been appointed representative of the

estate of the above named

their

shall

well and faithfully discharge all the duties of ~~his~~ trust as representative of said estate according to law, ~~then~~ ^{their} obligation

shall be void; otherwise it shall be and remain in full force and virtue.

Witness, our hands and seals this

day of

J. 19 06

Signed, Sealed and Delivered in Presence of

Frank J. Hunstiger

(SEAL)

John Zierten

(SEAL)

Paul Ahles

Frank Schroeder

(SEAL)

Lucille M. Heimsenz

Bernard F. Lammersen

(SEAL)

(SEAL)

ACKNOWLEDGMENT

State of Minnesota,

County of Stearns

ss.

Be it Known, That on this 30th

day of July

A. D. 1906

personally appeared before me Frank J. Hunstiger, John Zierten, Bernard F.

Lammersen and Frank Schroeder

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.

PAUL AHLES

PAUL AHLES

Notary Public.

My Commission Expires May 23,

1901

Stearns

County, Minn.

0049 1682

JUSTIFICATION

State of Minnesota,

County of

Stearns

ss.

Bernard F. Lammersen and Frank Schroeder

being duly sworn, each for himself, on oath says that he is a resident and freeholder of and in the State of Minnesota; that he justifies upon the foregoing bond as follows:

the said Bernard F. Lammersen in the sum of \$13,000.00 Dollars
 the said Frank Schroeder in the sum of \$13,000.00 Dollars
 the said in the sum of Dollars
 the said in the sum of Dollars
 the said in the sum of Dollars

and that each respectively is worth double the sum in which he so justifies over and above his debts and other liabilities and exclusive of his property exempt from execution.

Subscribed and sworn to before me this

Frank Schroeder

30 day of July, A. D. 1928

Bernard F. Lammersen

PAUL AHLES

PAUL AHLES

Notary Public

Stearns

County, Minn.

My Commission Expires May 23, 1931

APPROVAL

I do hereby approve the within bond, this 30th day of July, A. D. 1928

J. B. HINSL

Seal)

Judge of Probate.

OATH

State of Minnesota,

County of Stearns

ss.

We, Frank J. Hunstiger and John Zierten

do swear that we will faithfully and justly perform all the duties of the office and trust which we now assume as Representative of the estate of Augusta Zierten, deceased to the best of our ability. So help me God.

Frank J. Hunstiger

John Zierten

Subscribed and sworn to before me this 30 day of July, A. D. 1928

PAUL AHLES

PAUL AHLES

Notary Public.

My Commission Expires May 23, 1931 Stearns County, Minn.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Augusta Zierten

Decedent - Ward -

BOND AND OATH OF REPRESENTATIVE

Filed this 30th day of July 1928

and said Bond recorded in Book "Q" of Bonds, page 170 of Probate Records.

Jacob A. Lehr
Clerk - Judge of Probate.

STATE OF MINNESOTA, }
County of Stearns } ss. IN PROBATE COURT

IN THE MATTER OF THE

Estate of Augusta Zierten,
Decceased

TO Honorable, The Probate Court of Stearns County

The petition of Frank Schroeder and Bernard F. Lammersen of City of St. Cloud in the County of Stearns, in the State of Minnesota, respectfully states and shows to the Probate Court

that heretofore in said matter the signed as surety of the bond of Frank J. Hunstiger and John Zierten as representatives of said estate a copy of

which said bond is hereto attached and made a part of this petition; that your petitioners wishes to be discharged as such surety, for the following reasons, to-wit:

That said John Zierten is dead and that said petitioners believe themselves insecure, and believes the estate is not being handled in a proper manner, and that said estate is not yet fully administered.

That your petitioners who are the sureties on said bond desire to be discharged from further liability as such, as provided by Mason's Minnesota Statutes for 1927, section 8914

Wherefore your petitioners pray that you will take such action as may be necessary that he may be discharged as surety from said bond.

Dated at St. Cloud, Minnesota, this 7th day of March
A. D. 1931

STATE OF MINNESOTA, }
County of Stearns } ss. Frank Schroeder
Bernard F. Lammersen
Petitioners

each Frank Schroeder and Bernard F. Lammersen came before me, and being duly sworn say that he has heard read the foregoing petition signed by him and knows the contents thereof; that the same is true of his own knowledge, except as to matters therein stated on his information and belief, and as to such matters he believes it to be true.

Bernard F. Lammersen Frank Schroeder
Subscribed and sworn to before me, this 7th day of March
A. D. 1931

W. F. DONOHUE,
Notary Public, Minnesota
My Commission Expires June 26, 1931

7674
STATE OF MINNESOTA,

County of Stearns

PETITION FOR DISCHARGE AS
SURETY ON BOND.

In the Matter of the Estate
of August Ziervien,
Deceased.

Order Mailed to Donohue & Co
March 10 for Service

Filed this 9th day of

March 1931

Jacob A. Lake

58916400

State of Minnesota

County of Stearns

IN PROBATE COURT,

In the Matter of the Estate of

Augusta Ziarten

Decedent.

PETITION FOR SETTING APART HOMESTEAD
AND PERSONAL PROPERTY

Your petitioner John Ziarten, surviving spouse,
represent^s and state^s to the court:

FIRST—That your petitioner is the surviving spouse

of decedent

SECOND—That said decedent left surviving her, John Ziarten
spouse and no minor children.

(1)

(2)

(3)

THIRD—That said decedent, at the time of death, was the owner of a homestead which he
occupied as such to the time of death; and which consists of tract or parcel
of land lying in the County of , State of Minnesota, described as follows, to-wit:

None

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

, to-wit:

Household Furniture of said decedent of the description and appraised value following, to-wit:
one parlor arm chair and table \$6.00; one piano \$40.00; one library table
\$3.00; reading lamp \$4.00; leather rocker \$4.00; 2 oak chairs \$2.00; book
case and desk \$10.00; 2 rugs \$4.00; Bedroom set and bedding \$40.00; 3 beds
\$9.00; 2 bureaus \$8.00; 7 dining room chairs \$7.00; 3 common chairs \$1.00;
kitchen range \$20.00; kitchen table \$1.00; dishes and kitchen utensils
including silver and glass ware \$20.00; gas stove \$2.00; washing machine
\$7.00; wash tubs \$1.00; bed clothes and linens \$20.00; kitchen linens,
towels, etc. \$10.00; 1 pair lace curtains \$10.00; velvet window drapes \$4.00;
miscellaneous household goods \$10.00; 3 rockers \$5.00; 7 seven small
rugs \$7.25; which was all bequeathed to your petitioner, the appraised
value of ~~Household Furniture~~ \$100.00; one sewing machine \$2.00; lawn mower
\$2.00; Fern and stand \$1.00; 1 lamp and cover \$3.00; 2 leather
tables \$1.50. Total value \$140.75

All the wearing apparel of decedent at the appraised value of \$0.00.

Other personal property of decedent of the description and appraised value following, to-wit:

One Rep automobile appraised at \$120.00; which was bequeathed to
your petitioner. Motor No 006

Your petitioner—therefore pray—that the homestead of said decedent described be, by the order of this court, set apart to

as the _____ of said decedent; and that the personal property above selected be, by the order of this court, set apart and allowed to said John Zierten

as the surviving spouse of said decedent.

John Zierten

Petitioner

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

being duly sworn, on oath say s, that he is the person who made and signed the foregoing petition; that he has read the same and know s 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 believ s it to be true.

Subscribed and sworn to before me this

John Zierten
day of July, 1926

Paul Ahles

Notary Public.

Stearns

County, Minnesota.

My Commission Expires May 23, 1931

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

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

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

No. 7674

IN PROBATE COURT

County of Stearns

In the Matter of the Estate of

August Zierten

Decedent.

Petition for Setting Apart Homestead and Personal Property

Filed the

20th

day of

July

1926, A. D.

Clerk—Judge of Probate.

STATE OF MINNESOTA)
COUNTY OF STEARNS) SS.

IN PROBATE COURT.

In the Matter of the Estate of)
Augusta Zierten, Deceased.) ORDER FOR HEARING FOR LICENSE
TO SELL PERSONAL PROPERTY.

A Petition having been filed in this Court by Frank J. Hunstiger for an order of the Court authorizing him to sell a certain second mortgage on real estate in said petition described, and which is also designated as the Packing House Property, at public sale to the highest bidder for cash.

IT IS ORDERED, That said Petition be heard before this Court, at the Probate Court Rooms, in the City of St. Cloud, County of Stearns and State of Minnesota, on Friday the 24th day of October, 1930, at nine o'clock A.M., and that all persons interested in said matter be, and they are hereby cited and required to show cause, if any they have, why the order of said petitioner should not be granted.

IT IS FURTHER ORDERED, That notice of said hearing be mailed to all the known heirs at law of said deceased, by depositing in the United States Postoffice, postage prepaid, and a copy of this order, properly addressed, to each of said heirs at least eight days before said day of hearing, and that proof of service of such notice be filed in this Court.

Dated at St. Cloud, Minnesota, this 8th day of October, 1930.

J. B. Heins
Judge of Probate.

No. 7674

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Augusta Zierten

Deceased.

ORDER FOR HEARING FOR LICENSE
TO SELL PERSONAL PROPERTY.

1457

Filed this 8th day
of Oct. A. D. 1930
Jacob A. Lake
Clerk of Probate

STATE OF MINNESOTA }
COUNTY OF STEARNS } SS.

IN PROBATE COURT.

In the Matter of the Estate of }
Augusta Zierten, Deceased }

Pursuant to an Order of the Court, the hearing on the Petition of Frank Hunstiger, representative of said estate, for license to sell a certain second mortgage belonging to said estate on the following described real estate:

That part of Government Lot one (1) of Section twenty-four (24), in Township one hundred twenty-four (124), Range twenty-eight (28), Stearns County, Minnesota, lying easterly of the Right-of-way of the Great Northern Railway Company, which Right-of-way is used and operated as a spur track as now established and located thereon; which lands are particularly described as follows:- Beginning at the intersection of the north line of said Government Lot one (1) with the west bank of the Mississippi River between Sections thirteen (13) and twenty-four (24); thence west on the north line of Government Lot one (1) between said Sections thirteen (13) and twenty-four (24) three hundred thirty (330) feet, or to the easterly line of the Right-of-way of said Great Northern Railway Company; thence southerly along said easterly right-of-way line to the south line of said Government Lot one (1); thence easterly along the south line of Government Lot one (1) to the westerly bank of the Mississippi River; thence northerly along the westerly bank of the Mississippi River to the place of beginning, containing eight and 71/100 (8.71) acres. Said second mortgage being in the sum of \$8500.00, and dated March 29th, 1929, and recorded in Book 101 of mortgages, on page 448.

That there is a prior mortgage on said described property for the sum of three thousand one hundred seventy-five (\$3175.00) Dollars, given to Mathias Huf and wife, and recorded

in Book 103 of mortgages, on page 315. That said prior mortgage has been foreclosed, and the time for redemption expires December 14th, 1930.

Said petitioner appeared in person and by his attorney, Paul Ahles, Esq., and several of the heirs at law and persons interested in said estate appeared in person; and upon the representations made at said hearing, and from the files and records in said matter, it appears to the Court, that it is for the best interest of said estate to sell said second mortgage for the best price obtainable therefor.

IT IS THEREFORE ORDERED, That Frank Hunstiger, the representative of said estate, be, and he is hereby licensed to sell said second mortgage above described; which mortgage is recorded in Book 101 of mortgages, on page 448, Stearns County records, for the best price obtainable therefor.

Dated at St. Cloud, Minnesota, this 24th day of October, 1930.

By the Court:

(SEAL)

J. B. Himsl
Judge of Probate.

No. 7674.

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Augusta Wixton

Deceased.

ORDER AUTHORIZING REPRESENTA-
TIVE TO SELL.

< Copy >

Filed this 24th day of
October, 1930, and recorded
in Book.....on page.....
thereof.

Jacob D. Lahr
Clerk of Probate.

STATE OF MINNESOTA }
COUNTY OF STEARNS } SS.

IN PROBATE COURT.

In the Matter of the Estate of }
Augusta Zierten, Deceased }

Pursuant to an Order of the Court, the hearing on the
Petition of Frank Hunstiger, representative of said estate,
for license to sell a certain ~~second~~ mortgage belonging to
said estate on the following described real estate:

That part of Government Lot one (1) of Section twenty-
four (24), in Township one hundred twenty-four (124), Range
twenty-eight (28), Stearns County, Minnesota, lying easterly
of the Right-of-way of the Great Northern Railway Company,
which Right-of-way is used and operated as a spur track as
now established and located thereon; which lands are more
particularly described as follows:- Beginning at the inter-
section of the north line of said Government Lot one (1)
with the west bank of the Mississippi River between Sec-
tions thirteen (13) and twenty-four (24); thence west on the north
line of Government Lot one (1) between said Sections thirteen
(13) and twenty-four (24) three hundred thirty (330) feet, or
to the easterly line of the Right-of-way of said Great Northern
Railway Company; thence southerly along said easterly right-
of-way line to the south line of said Government Lot one (1);
thence easterly along the south line of Government Lot one (1)
to the westerly bank of the Mississippi River; thence northerly
along the westerly bank of the Mississippi River to the place
of beginning, containing eight and 71/100 (8.71) acres. Said
second mortgage being in the sum of \$8500.00, and dated March
29th, 1929, and recorded in Book 101 of mortgages, on page
448.

That there is a prior mortgage on said described prop-
erty for the sum of three thousand one hundred seventy-five
(\$3175.00) Dollars, given to Mathias Huf and wife, and recorded

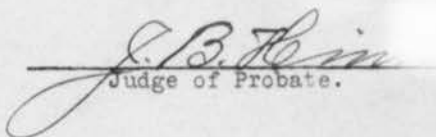
in Book 103 of mortgages, on page 315. That said prior mortgage has been foreclosed, and the time for redemption expires December 14th, 1930.

Said petitioner appeared in person and by his attorney, Paul Ahles, Esq., and several of the heirs at law and persons interested in said estate appeared in person; and upon the representations made at said hearing, and from the files and records in said matter, it appears to the Court, that it is for the best interest of said estate to sell said second mortgage for the best price obtainable therefor.

IT IS THEREFORE ORDERED, That Frank Hunstiger, the representative of said estate, be, and he is hereby licensed to sell said second mortgage above described; which mortgage is recorded in Book 101 of mortgages, on page 448, Stearns County records, for the best price obtainable therefor.

Dated at St. Cloud, Minnesota, this 24th day of October, 1930.

By the Court:


Judge of Probate.

No. 7674.....

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Augusta Zierden

Deceased.

ORDER AUTHORIZING REPRESENTA-
TIVE TO SELL.

Filed this 24th day of
October, 1930, and recorded
in Book. 61...on page. 424...
thereof.

Jacob A. Lahr
Clerk of Probate.

STATE OF MINNESOTA }
COUNTY OF STEARNS } SS. IN PROBATE COURT.

In the Matter of the Estate of }
Augusta Zierden, Deceased }

Pursuant to an Order of the Court, the hearing on the Petition of Frank Hunstiger, representative of said estate, for license to sell a certain second mortgage belonging to said estate on the following described real estate:

That part of Government Lot one (1) of Section twenty-four (24), in Township one hundred twenty-four (124), Range twenty-eight (28), Stearns County, Minnesota, lying easterly of the Right-of-way of the Great Northern Railway Company, which Right-of-way is used and operated as a spur track as now established and located thereon; which lands are more particularly described as follows:- Beginning at the intersection of the north line of said Government Lot one (1) with the west bank of the Mississippi River between Sections thirteen (13) and twenty-four (24); thence west on the north line of Government Lot one (1) between said Sections thirteen (13) and twenty-four (24) three hundred thirty (330) feet, or to the easterly line of the Right-of-way of said Great Northern Railway Company; thence southerly along said easterly right-of-way line to the south line of said Government Lot one (1); thence easterly along the south line of Government Lot one (1) to the westerly bank of the Mississippi River; thence northerly along the westerly bank of the Mississippi River to the place of beginning, containing eight and 71/100 (8.71) acres. Said second mortgage being in the sum of \$8500.00, and dated March 29th, 1939, and recorded in Book 101 of mortgages, on page 449.

That there is a prior mortgage on said described property for the sum of three thousand one hundred seventy-five (\$3175.00) Dollars, given to Mathias Huf and wife, and recorded

in Book 103 of mortgages, on page 315. That said prior mortgage has been foreclosed, and the time for redemption expires December 14th, 1930.

Said petitioner appeared in person and by his attorney, Paul Ahles, Esq., and several of the heirs at law and persons interested in said estate appeared in person; and upon the representations made at said hearing, and from the files and records in said matter, it appears to the Court, that it is for the best interest of said estate to sell said second mortgage for the best price obtainable therefor.

IT IS THEREFORE ORDERED, That Frank Hunstiger, the representative of said estate, be, and he is hereby licensed to sell said second mortgage above described; which mortgage is recorded in Book 101 of mortgages, on page 448, Stearns County records, for the best price obtainable therefor.

Dated at St. Cloud, Minnesota, this 24th day of October, 1930.

By the Court:

J. B. Himel
Judge of Probate.

(SEAL)

No. 7674.....

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Augusta Zierden

Deceased.

ORDER AUTHORIZING REPRESENTA-
TIVE TO SELL.

Copy

Filed this 24th day of
October, 1930, and recorded
in Book.....on page.....
thereof.

Jacob A. Lahr
Clerk of Probate.

8691 6655

STATE OF MINNESOTA
COUNTY OF STEARNS

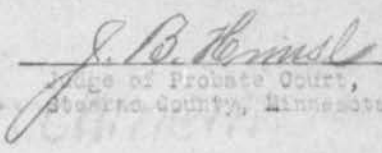
IN PROBATE COURT

IN the Matter of the Estate of Augusta Zierden, Deceased.

O R D E R

The petition of John Zierden and Frank Hunstiger as executors of the estate of Augusta Zierden, deceased, having been duly presented, and the facts in connection therewith having been duly heard;

It is hereby ordered that said executors be, and here-
are, authorized and empowered to satisfy of record the
mortgage given to Augusta Zierden, deceased, as security, for the
sum of Eight Thousand Five Hundred Dollars, (\$8,500.00), owed by
the Hunstiger Company, a corporation, to the Augusta Zierden
estate; which said note and mortgage are part of the assets of
the estate of Augusta Zierden, deceased, and upon condition that
said mortgagor, the Hunstiger Company, a corporation, make,
execute and deliver a second mortgage to the estate of Augusta
Zierden upon the property described in the petition and known as
"The Packing House Property"; and said executors are further
authorized and empowered to accept said mortgage from said
Hunstiger Company, a corporation, upon the property described
in said petition and known as "The Packing House Property."


Judge of Probate Court,
Stearns County, Minnesota.

7674

STATE OF MINNESOTA
County of Stearns

PROBATE COURT
In the Matter of the Estate of
Augusta Zierden
Decedent

Order authorizing
satisfaction of Mtg
and taking new
Mtg.

FILED THIS 6th DAY
OF Nov A.D. 1929
Jacob A. Lohr
Clerk of Probate

Recorded in
Book "58" of Orders
on page 584.

004981700

STATE OF MINNESOTA }
COUNTY OF STEARNS } SS IN PROBATE COURT.

In the Matter of the Estate of }
Augusta Zierten, Deceased. } ORDER OF COURT

A Petition having been filed in this Court by Donohue & Quigley, in behalf of Bernard John Hunstiger and Anton Hunstiger, and by Leo Hunstiger in his own behalf, in which it is represented to the Court;

That Frank J. Hunstiger and John Zierten now are the duly appointed and qualified executors under the Last Will and Testament of Augusta Zierten, deceased, now pending in the Probate Court of said Stearns County, Minnesota, and that no Final Decree has been made in said estate.

That said Augusta Zierten, prior to her death, the duly acting and qualified guardian of said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger; and that said Augusta Zierten died without having filed in this Court her accounting in said guardianship matter.

That after the death of Augusta Zierten, guardian of said Minors, the said Frank J. Hunstiger and John Zierten, as executors of said estate, rendered and filed in this Court, a Final Account of the guardianship of said Augusta Zierten, as such guardian; and that after a hearing in said matter, the Court made an Order adjusting the account of said executors in said guardianship matter; which Order was dated December 9th, 1926, wherein it found and determined that there was due said Minors, the sum of two hundred (\$200.00) Dollars each, together with interest thereon at the rate of six per cent (6%) per annum, amounting to two hundred sixteen (\$216.) Dollars, and being a total of eight hundred sixteen (\$816.00) Dollars for all of said Minors; and praying the Order of this

Court, directing the representatives of said estate to pay over to said Minors, who are now of legal age, the amount found due them by said Order of the Probate Court.

IT IS THEREFORE ORDERED, That Frank J. Hunstiger and John Zierten, as executors of the estate of Augusta Zierten, the deceased guardian of said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger, be, and they are hereby authorized to pay to each of said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger, the sum of two hundred (\$200.00) Dollars, together with the interest thereon amounting to the sum of two hundred sixteen (\$216.) Dollars, being a total of eight hundred sixteen (\$816.00) Dollars, out of any property, or monies, in the hands of said executors of the estate of said Augusta Zierten, deceased, and held by her asguardian of said Minors.

Dated at St. Cloud, Minnesota, this 12th day of March, 1937.

By the Court

(SEAL)

J. B. Himsel

Judge of Probate.

No. 7674

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Augusta Zierden

DECEASED.

ORDER OF COURT.

<Copy>

Filed this 12th day of
March, 1927, and recorded
in Book.....on page.....
thereof.

Jacob A. Lahr
Clerk of Probate.

STATE OF MINNESOTA }
COUNTY OF STEARNS } SS IN PROBATE COURT.

In the Matter of the Estate of }
Augusta Zierten, Deceased. } ORDER OF COURT

A Petition having been filed in this Court by Donohue & Quigley, in behalf of Bernard John Hunstiger and Anton Hunstiger, and by Leo Hunstiger in his own behalf, in which it is represented to the Court;

That Frank J. Hunstiger and John Zierten now are the duly appointed and qualified executors under the Last Will and Testament of Augusta Zierten, deceased, now pending in the Probate Court of said Stearns County, Minnesota, and that no Final Decree has been made in said estate.

That said Augusta Zierten prior to her death, the duly acting and qualified guardian of said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger; and that said Augusta Zierten died without having filed in this Court her accounting in said guardianship matter.

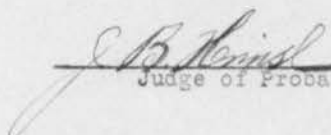
That after the death of Augusta Zierten, guardian of said Minors, the said Frank J. Hunstiger and John Zierten, as executors of said estate, rendered and filed in this Court, a Final Account of the guardianship of said Augusta Zierten, as such guardian; and that after a hearing in said matter, the Court made an Order adjusting the account of said executors in said guardianship matter; which Order was dated December 8th, 1928, wherein it found and determined that there was due said Minors, the sum of two hundred (\$200.00) Dollars each, together with interest thereon at the rate of six per cent (6%) per annum, amounting to two hundred sixteen (\$216.) Dollars, and being a total of eight hundred sixteen (\$816.00) Dollars for all of said Minors; and praying the Order of this

Court, directing the representatives of said estate to pay over to said Minors, who are now of legal age, the amount found due them by said Order of the Probate Court.

IT IS THEREFORE ORDERED, That Frank J. Hunstiger and John Zierten, as executors of the estate of Augusta Zierten, the deceased guardian of said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger, be, and they are hereby authorized to pay to each of said Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger, the sum of two hundred (\$200.00) Dollars, together with the interest thereon amounting to the sum of two hundred sixteen (\$216.) Dollars, being a total of eight hundred sixteen (\$816.00) Dollars, out of any property, or monies, in the hands of said executors of the estate of said Augusta Zierten, deceased, and held by her asguardian of said Minors.

Dated at St. Cloud, Minnesota, this 12th day of March, 1937.

By the Court



Judge of Probate.

No. 7674

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Augusta Ziertzen

DECEASED.

ORDER OF COURT.

Filed this 12th day of
March, 1927, and recorded
in Book..58..on page..364..
thereof.

Jacob A. Lahn
Clerk of Probate.

2 copies mailed to A & Q
mch 16. 1927.

0049 1786

STATE OF MINNESOTA }
COUNTY OF STEARNS } ss.

IN PROBATE COURT.
Special Term, January 5, 1933.

In the Matter of the Distribution of }
the Estate of Augusta Ziertzen, Decedent. } Order for Distribution.

It appearing to the Court that the final account of the Representatives of said estate was allowed and adjudicated in this Court by its Order made on the 5th day of December, 1930, pursuant to notice duly given and appearance of the parties interested.

And it appearing to the Court that the debts or claims of all persons against the said deceased have been ascertained and adjusted as required by law, and the account of said Representatives has been examined and adjusted by this Court aforesaid, from which it appears that said Representative paid all the expenses of administration, of last sickness of said deceased, the funeral charges and sums allowed to the widow or minor children of said deceased, and that there remains in their hands for distribution to those entitled to the same, the sum of two hundred and 85/100 (\$200.85) Dollars, and that said sum is insufficient to pay and discharge the debts and claims in full.

And it further appearing that Bernard John Hunstiger, Anton Hunstiger and Leo Hunstiger, formerly minors and now of legal age, and the claimants in this estate, and the persons entitled to all of said estate, and that their claims arise out of their guardianship in which the said Augusta Ziertzen, deceased, was the guardian; and that the amount of their claims is the sum of two hundred (\$200.00) Dollars each, together with interest thereon amounting to eight hundred sixteen (\$816.00) Dollars, found due them by a prior Order of this Court. And from the files and records in said matter, and upon all the proceedings had therein,

IT IS ORDERED, That the said Representatives pay and distribute the sum of two hundred and 85/100 (\$200.85) Dollars so remaining in their hands to and among the claims entitled thereto, proportionately according to the amount due them on their respective claims, that is to say, the said Representatives shall pay to the persons named as claimants of said deceased, the sum set opposite their respective names as follows:

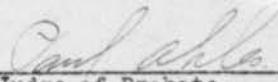
To the said Bernard John Hunstiger, the sum of sixty-six and 95/100 (\$66.95) Dollars.

To the said Anton Hunstiger, the sum of sixty-six and 95/100 (\$66.95) Dollars.

And to the said Leo Hunstiger the sum of sixty-six and 95/100 (\$66.95) Dollars.

Dated at St. Cloud, Minnesota, this 5th day of January, 1933.

By the Court:



Judge of Probate,
Stearns County, Minn.

No. 7674.....

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Augusta Zierten

Deceased.

ORDER FOR DISTRIBUTION.

Filed this 5th day of
January, 1933, and recorded
in Book. "66" on page. "116"....
thereof.

Jacob A. Lahr
Clerk of Probate.

0049 1709

State of Minnesota,

IN PROBATE COURT

County of Stearns

ss.

In the Matter of the Estate of Augusta Zierten Deceased.

THE LAST WILL AND TESTAMENT of said deceased having been this day admitted to probate by this Court, and Frank J. Hunstiger and John Zierten named as executors of said Will, having applied for Letters Testamentary thereon:

IT IS ORDERED, That the said Frank J. Hunstiger and John Zierten give bonds to the Judge of this Court in the sum of \$-----
-----Twelve thousand (\$12,000.00)----- Dollars,

conditioned that he will faithfully execute the duties of their trust according to law, with sufficient sureties, to be approved by said Judge, and that thereupon Letters Testamentary to be to them issued,

Dated at St. Cloud Minnesota, the 30th day of July
A. D. 1926.

By the Court,

Paul Ahles

Attorney for Petitioner.


Judge of Probate.

No. 7674.

IN PROBATE COURT

County of Means.

In the Matter of the Estate of

Augusta Zierlein
Deceased.

ORDER FOR EXECUTOR'S BOND

Filed this 30th day of
July A. D. 1926, and
recorded in Book _____ of Orders, on
page _____

Jacob A. Lahr
Clerk—Judge of Probate.

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

In the Matter of the Estate of

Augusta Jierten
Decedent. }

ORDER ALLOWING FINAL
ACCOUNT

The above entitled matter came on to be heard on the 5th day of Dec. 1930
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 Paul Ahles Esq.

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

FIRST—That due notice of the said hearing of said petition has been given as required by law by the publication of the citation of this court for said hearing, dated the 12th day of Nov. 1930, in the St. Cloud Times

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	- - - - -	\$ <u>12060.75</u>
Personal estate omitted from the inventory	- - - - -	
Gain by sales above appraised value	- - - - -	
Cash from sales of real estate	- - - - -	\$
Cash from rent of real estate	- - - - -	\$
Cash from interest and profits	- - - - -	\$
Cash from other sources	- - - - -	\$
	- - - - -	\$
	- - - - -	\$
Total receipts from all sources	- - - - -	\$ <u>12060.75</u>

DISBURSEMENTS AND CREDITS

Estate selected for surviving spouse	- - - - -	\$ <u>490.75</u>
Maintenance of family of decedent	- - - - -	\$
Expenses of administration	- - - - -	\$ <u>10698.10</u>
Expenses of last sickness	- - - - -	\$
Funeral expenses	- - - - -	\$ <u>601.05</u>
Taxes	- - - - -	\$
Claims of creditors of decedent	- - - - -	\$
Legacies	- - - - -	\$ <u>70.00</u>
	- - - - -	\$
	- - - - -	\$
Residue on hand for distribution	- - - - -	\$ <u>200.85</u>
Total credits	- - - - -	\$ <u>12060.75</u>

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 Dec 5th 1930

By the Court,

J. B. Herms
Probate Judge.

No. 7674

State of Minnesota.

County of Marshall

PROBATE COURT

In the Matter of the Estate of

Augusta Zieton

Order Allowing Final Account

Filed this 5th day of

Dec. 1930, and recorded

in book No. 59 of Orders

of Page 632.

Jaest A. Zaher
Clerk-Judge of Probate.

M. D. No. 3508*

State of Minnesota, } ss.
County of Stearns }

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Augusta Zierten,
Deceased.

BOND

Know all Men by these Presents, That we.....

Frank J. Hunstiger and John Zierten
of the City of St. Cloud,
in the County of Stearns State of Minnesota, as principal, and
Bernard F. Lammersen and Frank Schroeder

of said County and State,

as sureties, are held and firmly bound to Honorable J. B. Himsel
Judge of Probate of the County of Stearns Minnesota, in the sum of
Twelve thousand and no/100 (\$12,000.00) - - - - - 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 Frank J. Hunstiger
and John Zierten have who ~~has~~ been appointed representative of the
estate of the above named Augusta Zierten, deceased, shall
well and faithfully discharge all the duties of ~~his~~ ^{their} 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..... day of.....

Signed, Sealed and Delivered in Presence of

Paul Ahles
John Zierten
Bernard F. Lammersen

Frank J. Hunstiger (SEAL)
John Zierten (SEAL)
Frank Schroeder (SEAL)
Bernard F. Lammersen (SEAL)
..... (SEAL)

ACKNOWLEDGMENT

State of Minnesota, } ss.
County of Stearns }

Be it Known, That on this 20 day of July, A. D. 1926
personally appeared before me Frank J. Hunstiger, John Zierten, Bernard F.
Lammersen and Frank Schroeder,

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.

Paul Ahles Notary Public.

My commission expires May 23, 1931 Stearns County, Minn.

JUSTIFICATION

State of Minnesota,

County of Stearns

ss.

Bernard F. Lammersen and Frank Schroeder,

being duly sworn, each for himself, on oath says that he is a resident and freeholder of and in the State of Minnesota; that he justifies upon the foregoing bond as follows:

the said Bernard F. Lammersen in the sum of \$12,000.00 Dollars

the said Frank Schroeder, in the sum of \$12,000.00 Dollars

the said in the sum of Dollars

the said in the sum of Dollars

the said in the sum of Dollars

and that each respectively is worth double the sum in which he so justifies over and above his debts and other liabilities and exclusive of his property exempt from execution.

Subscribed and sworn to before me this

day of July, A. D. 1926

Paul Ahles Notary Public

Stearns County, Minn.

My commission expires May 23, 1931

APPROVAL

by approve the within Bond, this 30th day of July, A. D. 1926

(Court Seal)

Judge of Probate.

OATH

State of Minnesota,

County of Stearns

ss.

We, Frank J. Hunstiger and John Ziertan,

do swear that ~~X~~ will faithfully and justly perform all the duties of the office and trust which ~~X~~ now assume as Representative of the estate of Augusta Ziertan, deceased, to the best of ~~our~~ ability. So help me God.

Subscribed and sworn to before me this 30th day of July, A. D. 1926

Paul Ahles, Notary Public.

My commission expires May 23, 1931 Stearns County, Minn.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Augusta Ziertan

Decedent—Wife

BOND AND OATH OF REPRESENTATIVE

Filed this 30th day of

July, 1926

and said Bond recorded in Book

of Bonds, page 179 of Probate

Records.

Clerk—Judge of Probate.

State of Minnesota, }
County of Stearns }

IN PROBATE COURT

In the Matter of the Estate of

Augusta Zierten

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 ^{are} a resident of St. Cloud (1) in the County of Stearns State of Minnesota, and ^{are} ~~is~~ ^{are} ~~is~~ ^{are} interested in the estate of decedent in this, to-wit: Surviving spouse and son (2)

SECOND—That said decedent died at St. Cloud County of Stearns, State of Minnesota, on the 22nd day of April, 1926, aged 65 years and at the time of his death was a citizen of the Country of United States and a resident of St. Cloud in the County of Stearns and State of Minnesota and left estate in the County of Stearns State of Minnesota.

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

FOURTH—That the estate of decedent at the time of his death consisted of (3) personal property of the estimated value of \$ 12,825.00 divided as follows:

- | | |
|---------------------------------------|--|
| 1. Household goods, \$ <u>1000.00</u> | 2. Wearing apparel, \$ <u>25.00</u> |
| 3. Stock, \$ <u>3000.00</u> | 4. Notes, bonds, etc., \$ <u>8450.00</u> |
| 5. Miscellaneous, \$ <u>350.00</u> | |

That said estate also included (4) real estate of the estimated worth and probable value of \$ 7000.00 situated in said County of Stearns State of Minnesota, to-wit:

- | | |
|-------------------|----------------------------|
| 1. City Property | Lots without buildings, \$ |
| | Lots with buildings, \$ |
| 2. Rural Property | Acres unimproved lands, \$ |
| | Acres improved land, \$ |
| 3. Homestead | \$ <u>7000.00</u> |

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

" 2nd—Executor, Heir or Devisee.

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

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

LL LL bh 00

NAMES	AGES YEARS	RESIDENCE	POST OFFICE ADDRESS	RELATION- SHIP
John Ziarten	59	St. Cloud	1115-1st St. No.	spouse
Frank Hunstiger	42	St. Cloud	28-13th Ave. So.	son
Joseph A. Hunstiger	40	St. Cloud	1050-17th Ave. So.	son
Mary C. Sauer	38	Waite Park	Waite Park, Minnesota	daughter
Sabina F. Collins	36	Sioux Falls	Sioux Falls, So. Da.	daughter
Ben J. Hunstiger	34	St. Cloud	1115-1st St. No.	son
Anthony B. Hunstiger	32	St. Cloud	117 1/2 5th Ave. So.	son
Leo J. Hunstiger	30	Waite Park	Waite Park, Minnesota	son
Harold J. Ziarten	25	St. Cloud	1115-1st St. No.	son
Aloys B. Ziarten	23	St. Cloud	1115-1st St. No.	son

SIXTH—That John Ziertan and Frank J. Hunsicker whose Post Office address is St. Cloud, Minnesota ^{are} named in said Will as execut^{or}s ~~or~~ thereof and ^{are} suitable and competent persons to be execut^{or}s of said Will.

WHEREFORE, Your petitioners pray that said last Will and Testament be allowed and admitted to probate; and that said John Zierten and Frank J. Hunstiger be appointed executors thereof; and that, upon due qualification as provided by law, letters testamentary be issued to the said ten and Frank J. Hunstiger.

July 1st, 1926

Karl D. Hestegard

Petitioner.

State of Minnesota,

County of Stearns are John Zlerten and Frank J. Hunstiger,
being duly sworn, on oath says that they are the petitioners named in the foregoing petition; that the said
petition is true of their own knowledge except as to the matters therein stated on information and belief,
and as to those matters they believe it to be true.

Subscribed and sworn to before me this
1st day of July, 1926

Paul Ahles
Notary Public, Stearns County, Minnesota.

My Commission expires May 23, 1931

State of Minnesota,

County of Deane

IN PROBATE COURT

Petition for Allowance and Probate of Will.

In the Matter of the Estate of

Augusta Gordon
Decent.

Filed this 2nd day of

1976

Wm. A. Lohr
Clerk—Judge of Probate.

State of Minnesota,
County of Stearns.

IN PROBATE COURT.

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

Augusta Fiersten

Proof of Will

Decedent.

State of Minnesota,
County of Stearns.

C. S. Sutton

, being

duly sworn on behalf of the proponent of the Will, doth depose and say: that he is one of the
subscribing witnesses to the instrument now shown him, bearing date the 26th

day of October, A. D. 1922, and purporting to be the Last Will and Testament of

Augusta Fiersten

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 her lifetime and at the time of her death,

that on the day and date of said instrument, to-wit, the 26th day of October

A. D. 1922, the said instrument was signed, sealed, executed and then and there acknowledged, published

and declared by the said decedent, to be her Last Will and Testament, in the presence of deponent

and of R. B. Brower

the other subscribing witness thereto, and that dep-

R. B. Brower

the other subscribing witness, did then and there, in the presence of the said decedent, and at

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

30th day of July, A. D. 1926

J. B. Henrich
Judge of Probate.

C. S. Sutton

No. 7674

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE LAST WILL AND
TESTAMENT OF

Augusta Zierden
Decedent.

TESTIMONY OF

C. S. Sutton
Subscribing Witness to Will.

Taken, sworn, subscribed and filed
this 30th day of

July 1926
Jacobsen, Clerk—Judge of Probate.

WILL.

I, Augusta Zierten, of the City of St. Cloud, Stearns County, Minnesota, being of sound mind and memory, and considering the uncertainty of this frail and transitory life, do therefore hereby make, ordain, publish and declare this to be my Last Will and Testament.

FIRST: I order and direct that my executors herein-after named pay all my just debts and funeral expenses and expenses of my last sickness as soon after my decease as conveniently may be.

SECOND: After the payment of such funeral expenses and debts I give, devise and bequeath my gold watch and chain to my daughter Maria Katharina Sauer, at present residing at White Park, Minnesota.

✓ THIRD: I give, devise and bequeath to my son August Hunstiger, of St. Cloud, Minnesota, my one three-
lor set of furniture and my parlor rug, to be his absolutely.

✓ FOURTH: I do hereby give, devise and bequeath to my beloved husband John Zierten, should he survive me, the sum of One Thousand Five Hundred Dollars (\$1500.00) in money, to be paid by my executors to him, and also all of my household furniture and household goods and stores, save and except the specific articles hereinbefore devised to my son Joseph August Hunstiger and to my daughter Maria Katharina Sauer. I also give, devise and bequeath to my said husband my automobile, including the equipment thereof.

FIFTH: I give, devise and bequeath to each of my sons, Harold Zierten and Alois Zierten, fifteen shares of stock of the Hunstiger Company, making thirty shares to both, to be theirs absolutely.

SIXTH: The provision herein made for my said husband is satisfactory to him, for such provision is in addition to certain stock in the Hunstiger Company transferred by me to him early in the year 1930, and also certain proceeds of life insurance which

he would collect upon a policy made payable to himself as beneficiary.

SEVENTH: All of the rest, residue and remainder of my estate, of whatsoever the same may consist, and wheresoever the same may be situated, I do hereby give, devise and bequeath, share and share alike, to my nine children as follows: Frank J. Hunstiger, Joseph A. Hunstiger, Anton Hunstiger and Leo P. Hunstiger, presently residing at St. Cloud, Minnesota; Maria Katharina Sauer, presently residing at Waite Park, Minnesota; Sabina Francisca Collins, presently residing at Sioux Falls, South Dakota; Bernard John Hunstiger, presently residing at Fergus Falls, Minnesota, children of my first marriage, and Harold Eierten and Alois Eierten, presently residing at St. Cloud, Minnesota, children of my second marriage, to be theirs absolutely.

In the event of the death of either or any of my said children previous to my death, then it is my wish and will hereby give, devise and bequeath the share of said decedent to the living issue of said deceased child living at the time of my death, with the exception, however, that in case of the death of my son Joseph A. Hunstiger previous to my death, then it is my wish and will, and I do hereby give, devise and bequeath an undivided two-thirds portion of my said son Joseph's share of my property to Margaret Hunstiger, only child of my son Joseph's first marriage, and the balance of the one-third share of my said son Joseph, should he die previous to my death, shall go, and I do hereby give, devise and bequeath the same, share and share alike, to the children and issue of my son Joseph's second marriage, living at the time of my death.

In the event that either or any of my said children should die previous to my death without leaving any surviving issue living at the time of my death, then it is my wish and will that the undivided share of said deceased child leaving no issue shall go, share and share alike, to my remaining children living at the time of my death,

or to the surviving issue of the deceased children, as such issue may be living at the time of my death, said issue to take the father or the mother's share. This provision, however, is made without prejudice to a special provision that I have made for my grand-daughter Margaret Hunstiger, in the event that my son Joseph dies before my death.

EIGHTH: I hereby revoke any former will by me made.

LASTLY: I do hereby constitute and appoint my husband John Zierten and my son Frank J. Hunstiger to be Executors of this, my Last Will and Testament. I fully and specifically authorize my said executors to make, sign, execute and deliver any and all assignments and transfers of notes, mortgages or other securities by me owned at the time of my death, including satisfactions, releases and acquittances thereof. I also hereby specifically authorize and empower my said executors to make, execute and deliver any and all deeds of conveyance of any real estate owned by me at the time of my death, without obtaining any order or license from any State or any other Court. I also authorize my executors, in their discretion, to make and execute all other instruments of conveyance, assignment, transfer or satisfaction, as may be necessary to convert, sell or dispose of my estate.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed my seal on this 26th day of October, 1922.

Augusta Zierten (SEAL)

This instrument, consisting of three typewritten pages, was, on the day of the date thereof, signed, published and declared by the said testatrix, Augusta Zierten, to be her Last Will and Testament, in our presence, who, at her request, have subscribed our names thereto as witnesses, in her presence and in the presence of

A. B. Brover Residing at St. Cloud, Minnesota.

C. D. Sutton Residing at St. Cloud, Minnesota.

CONSENT OF JOHN ZIERTEN.

I, John Zierten, husband of Augusta Zierten, do hereby acknowledge that I have read the foregoing Will of my wife, Augusta Zierten, and that I know the contents thereof and I hereby consent and agree to the manner of disposition of said property, as provided in and by the terms of said Will.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed my seal this 26th day of October, 1922.

IN PRESENCE OF

R. D. Brown } John Zierten (SEAL)
C. D. Sutton }

W I L L.

of

AUGUSTA ZIERTEN.

Signed, published and
declared October 26th 1922.

0049817211

State of Minnesota,
County of Stearns

IN PROBATE COURT
CERTIFICATE OF PROBATE

In the Matter of the Estate of Augusta Zierten 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 Augusta Zierten Decedent, late of said County of Stearns bearing date the 26th day of October 1922, 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 Augusta Zierten deceased, which said last Will and Testament is recorded and the examination taken thereon filed in this office.

In Testimony Whereof, The Judge of the Probate Court of said County has hereunto set his hand and affixed the seal of said Court at St. Cloud in said County, this 30th day of July 1926



J. B. Morris
Judge of Probate

76.7d
State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Augusta Zierlein
Decedent.

Certificate of Probate of Will

Filed this 30th day of

Sept 1926, and recorded,

together with the will attached in Book

1 of Records of Wills, Page 340

Jacob A. Laht
Clerk Judge of Probate.

State of Minnesota,
County of Stearns }

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Augusta Zierten

Decedent.

Order Admitting Will to Probate.

The above entitled matter came on to be heard, on the 30th day of

July 19 26 upon the petition of John Zierten and Frank J. Hunstiger

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 2nd day of July 1926, has been duly served and published as directed therein and required by law.

SECOND—That said decedent died on the 22nd day of April 1926, and at the time of his death was a resident of St. Cloud in the County of Stearns State of Minnesota, and left estate in the County of Stearns State of Min


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

~~was~~ 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 July 30th 1926.


Judge of Probate.

7674

State of Minnesota, }
County of Beauregard

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Augusta Fierstein
Decedent.

Order Admitting Will to Probate

Filed this 30th day of
July 1926, and recorded
in Book "48" of Orders, Page 260

Jacob A. Laht
clerk Judge of Probate.

State of Minnesota, }
 County of Stearns } ss.

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

LETTERS TESTAMENTARY

Augusta Zierten

Decedent.

To Frank J. Hunstiger and John Zierten GREETING:

Whereas, You have been appointed execut. ors of the last will and testament of the above named decedent, by the order of this court, and have duly qualified as such;

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

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

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

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

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

Witness, The Judge of this Court, and the seal thereof, this 30th day of July, 1928.

J. B. Hermsel
 Probate Judge.



7674

State of Minnesota,

County of Seasca

PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Augusta ZiebertLETTERS TESTAMENTARY
(LONG FORM)

Filed this 30th day of
July, 1926, and Recorded
in Book "X." of Letters, Page 8.

Jacob A. Lake
Clerk ~~Judge~~ of Probate Court.

State of Minnesota,

County of _____

ss.

IN PROBATE COURT.

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

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

this

day of _____

, A. D. 19 _____

Probate Judge.

06116400

CITATION FOR HEARING ON PETITION FOR PROBATE OF WILL.

Estate of Josephine Bautsch, Deceased.
State of Minnesota, County of Stearns,
In Probate Court.

In the Matter of the Estate of Josephine
Bautsch, Decedent.

THE STATE OF MINNESOTA TO all
persons interested in the allowance
and probate of the will of said decedent:
The petition of Frank Wyztrack
being duly filed in this court, represent-
ing that Josephine Bautsch, deceased,
then a resident of the County of
Stearns State of Minnesota, died on
the 4th day of April 1926, leaving a last
will and testament which is presented
to this court with said petition, and
praying that said instrument be allowed
as the last will and testament of
said decedent, and that letters Testa-
mentary be issued thereon to Frank
Wyztrack.

NOW THEREFORE, you, and each of
you, are hereby cited and required to
show cause, if any you have, before
this court, at the Probate Court Rooms
in the Court House, in the City of St.
Cloud County of Stearns State of Min-
nesota, on the 29th day of July 1926, at
nine o'clock A. M., why said prayer of
said petition should not be granted.

WITNESS THE HONORABLE, J. B.
Himal Judge of said court, and the seal
of said court, this 2nd day of July 1926.

J. B. Himal, Judge.
(Court Seal)

STATE OF MINNESOTA, } ss.
COUNTY OF STEARNS.

FRED. SCHILPLIN.

..... being duly sworn, deposes
and says that he now is and during all the times hereinafter mentioned has been the pub-
lisher or printer in charge of the St. Cloud Daily Times, a daily newspaper printed and
published in the City of St. Cloud in said Stearns County, State of Minnesota, every
evening except Sunday and legal holidays.

That he has knowledge of the facts and knows personally that the printed

Petition for Probate of Will hereto attached,
cut from the columns of said newspaper, was inserted, printed and published in said new-
paper once in each week for weeks, and that all of said publications were made
in the English language.

That said notice was first inserted, printed and published on Thursday
the 8 day of July, 1926, and was printed and published in
said newspaper on each and every Thursday thereafter until and in-
cluding the 2nd day of July, 1926.

That during all the times aforesaid, said newspaper was qualified as a medium of
official and legal publications as required by sections 3 and 4 of chapter 484, Session
Laws of Minnesota, 1921, and that it has complied with all the requirements that con-
stitute a legal newspaper as defined in said sections 3 and 4, to-wit: that for more than

one year last past from the date of the first publication of said Petition for
Probate of Will.

(1) Printed from the place from which it purports to be issued in the English
language, and in column and sheet form equivalent in space to at least four pages, with
five columns to the page, each seventeen and three quarters inches long.

(2) Issued daily except Sunday and legal holidays from a known office estab-
lished in such place for publication and equipped with skilled workmen and the neces-
sary material for preparing and printing the same.

(3) Made up to contain general and local news, comment and miscellany, not
wholly duplicating any other publication, and not entirely made up of patents, plate mat-
ter and advertisements, or any or either of them.

(4) Circulated in and near its place of publication to the extent of at least two
hundred and forty copies regularly delivered to paying subscribers, and that prior to
the date of the first publication of said

Petition for Probate
of Will, the publisher or printer in charge of said newspaper
having knowledge of the facts, filed in the office of the county auditor of said county of
Stearns, State of Minnesota an Affidavit showing the name and location of said newspaper
and existence of conditions constituting its qualifications as a legal newspaper as required
and set forth in section 3 of Chapter 484, Session Laws Minnesota, 1921.

That the following is a printed copy of the lower case alphabet from A to Z
both inclusive of the size and kind of type used in the composition, printing and pub-
lication of said legal advertisement hereunto attached, viz:

abcdefghijklmnopqrstuvwxyz

Further affiant saith not, save that this affidavit was made pursuant to section
4 of chapter 484, Session Laws Minnesota, 1921, and is intended to accompany the bill for
the publication in said newspaper of the aforesaid legal advertisement.

Subscribed and sworn to before me this 2nd day of July, 1926.

(OTTO A. RUPP)

Notary Public, Stearns County, Minnesota.

\$ 7.20

My Commission expires 10/2-30.

0858 1731

Printer's Affidavit of
Publication

in the

ST. CLOUD DAILY TIMES

OF Estate of Josephine
Bautsch, Deceased.

CITATION FOR HEARING ON
PETITION FOR PROBATE OF
WILL.

FILED THIS 30th DAY

OF July A.D. 1926

Jacob A. Lahr
Clerk of Probate

State of Minnesota,
County of *Stearns*

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Rautsch
Decedent.

INVENTORY AND APPRAISEMENT

OATH OF APPRAISERS

State of Minnesota,
County of *Stearns*

Frank Ramler

Geo Robischon and

, do solemnly swear, each for himself, that I will faithfully and justly perform all the duties of the office and trust which I now assume as appraiser of the estate of
decendent to the best of my ability. So Help Me God.

Subscribed and sworn to before me this

11th day of *Feb*, 19*27*

Jacob A. Lahr
Notary Public, STEARNS COUNTY, MINN.

County, Minn.

My commission expires

INVENTORY AND APPRAISEMENT

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 possession and of which knowledge after diligent search and inquiry concerning the same, classified as follows, to-wit:

CLASS I

REAL ESTATE

VALUE

(a) The homestead of decedent, being in the County of *Stearns* State of Minnesota, described as follows, to-wit: *Lot 10 in Block 2 Bell and Smiths Addition to the city of St. Cloud* \$3500⁰⁰

(b) All other real estate of decedent being in the county of *Stearns*. State of Minnesota, described as follows, to-wit: *Stearns.*
Lots 11 & 12 in Block 2 Bell and Smiths Addition to the city of St. Cloud and also the North 1/2 of the T. 14 S. 28, Township 10, 000⁰⁰
124 West 1/2 of Range 28 N. containing 80 acres more or less according to the Government survey thereof.

Total value of real estate - - - - -

CLASS II

Furniture and household goods described as follows, to-wit:

Household Furniture \$ 50.⁰⁰

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

CLASS III

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

\$

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

CLASS IV

Stock in banks and other corporations:

\$

Total value of stock - - - - - \$

CLASS V

Mortgages, bonds, notes and other evidences of debt:

(Here list any written obligations of any kind due and owing decedent.) } Give maker's name, date, amount, rate of interest and interest accrued to date of death.

cash in Bank *\$ 200.00*

Total value of mortgages, bonds, notes, etc. - - - - - \$

CLASS VI

All other personal property: (Here list cash, bank accounts, annuities, farm crops, machinery, etc.)

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,

John A. Kilgus

Representative

NOTE—If estate is subject to Inheritance Tax make this in triplicate. Notify Attorney General of meeting of appraisers.
Form approved Oct. 24, 1917, by Lyndon A. Smith Attorney General.

VERIFICATION

State of Minnesota,
County of Stearns

} ss.

John F. Kaluza

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 know § the contents thereof and that the same is true of his own knowledge, save as to those matters therein stated on information and belief, and as to those matters he believe § it to be true.

Subscribed and sworn to before me this

11th day of July, A. D. 1927

Jacob A. Lahr

Notary Public,

County, Minn.

My commission expires

CLERK OF THE PROBATE COURT
STEARNS COUNTY, MINN.

John F. Kaluza
Representative

CERTIFICATE OF APPRAISERS

State of Minnesota,

County of Stearns

of the Probate Court of Stearns

E. Bantoch

We, the undersigned appraisers, duly appointed by

County, Minnesota, to appraise the estate of

Decedent, having first duly taken and subscribed

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

Dated this

11th day of July

A. D. 1927

George Robischon
Frank Hambo
Appraisers.

File No. 7695.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bantoch

Decedent.

Inventory and Appraisement

Total Personal - - \$

Total Real Estate - - \$

Total Appraisement - - \$

Filed this 11th day of

July, A. D. 1927.

Jacob A. Lahr
Clerk—Judge of Probate Court.

State of Minnesota,
County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bautsch

Ward Decedent.

Petition of Representative for License to
Sell, Mortgage or Lease Land.

Your petitioner respectfully represents and shows to the court:

FIRST—That he is the representative of the estate above named, and has duly qualified and is acting as such representative.

SECOND—That the personal property of said _____
which came into his hands as said representative, together with the value thereof, is as follows:

None

THIRD—That he has made the following disposition of said personal property above described,
to-wit: None

FOURTH—That there remains in his hands undisposed of the following described personal property of the estimated value as follows, to-wit: None

FIFTH—That the expenses of administration of the estate of said _____
to the best knowledge and information of your
petitioner, is and will be as follows, to-wit: \$100.00

SIXTH—That the debts outstanding and unpaid against the said Estate
so far as can be ascertained by your petitioner,
are as follows, to-wit: About the sum of \$1200.00

That there are also legacies unpaid bequeathed in said Last Will and
Testament in the sum of \$2100.00 which are unpaid

EIGHTH-That the real estate of said _____ Deceased, _____ other than _____ the _____ homestead, comprises the following tract _____ of land lying and being in the County of _____ Stearns _____ State of Minnesota, and is described and is of the condition and value as follows, to-wit:

Lots eleven (11) and twelve (12) in Block two (2), in Bell & Smiths Addition to St. Cloud, which are vacant lots and unproductive, and of the value of about \$1000.00.

Also the North half of the Southwest quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) of Section twenty-eight (28), Township one hundred twenty-four (124), Range Twenty-eight (28), containing eighty (80) acres, and being an improved farm with buildings thereon, and of the value of about \$10,000.00.

NINTH-That the names, ages, and residence, so far as known to your petitioner, of all the persons interested in the above described real estate are as follows, to-wit:

NAMES	AGES years	RESIDENCE (If unknown so state)
Joseph Bautsch		
Stephen Bautsch		
Conrad Bautsch		
Pauly Bautsch		
John Bautsch		
Thomas Bautsch		
Ella Kaluza		
Sophia Kaiser		
Sadie Peterson		
	All of legal age, except Pauly Bautsch, who is of the age of 19 years	

TENTH-That the reasons, facts, necessity, and grounds for selling said lands are as follows, to-wit: That it is necessary to sell a portion of (2) said real estate, in order to provide funds for the payment of the claims allowed against said estate, and for the legacies bequeathed by the Last Will and Testament of said deceased, and for the further reason that it is for the best interest of said estate, and all persons interested therein that said real estate be sold.

Wherefore Your Petitioner Prays, That license be to him granted, as the representative of
said estate, to sell (5)
the following (4) described lands belonging to said estate of said
Josephine Bautsch, Deceased, to-wit:-

The North half of the Southwest quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) of
Section twenty-eight (28), Township one hundred twenty-four (124)
Range Twenty-eight (28),

Dated May 16th 19 27

John H. Kalaya

Petitioner.

State of Minnesota, }
County of Stearns } ss.

John F. Kaluza

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.

Subscribed and Sworn to Before Me

this 16th day of May 19 27

Jacob A. Rahr
Notary Public

CLERK OF THE PROBATE COURT
STEARNS COUNTY, MINNESOTA

County, Minnesota.

My Commission Expires _____ 19 ____

Note (1) Here describe legacies unpaid, if any.

" (2) Here state facts showing necessity for selling, mortgaging or leasing, as the case may be.

" (3) Insert "sell", "Mortgage" or "Lease", as the case may be.

" (4) If all the lands are to be sold, mortgaged or leased, insert "above"; but if part only, insert "following", and follow with description.

7675.
State of Minnesota, }

County of Stearns

Probate Court

IN THE MATTER OF THE ESTATE OF

Josephine Rautsch
Married - Decedent

Petition for License to Sell,
Mortgage or Lease Land

Filed this 16th day of

May 19 27

Jacob A. Rahr
Judge of Probate.

No. 3078

State of Minnesota, } ss.
County of Stearns }

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bautsch,
Deceased.

Order for License to Sell Land at
Private Sale

The above entitled matter came on to be heard by the court on the 10th day of June 19 27, upon the petition of John F. Kalusa as representative of the above named Deceased praying for license to sell certain lands belonging to said Deceased 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 thereof by this court made and dated the 16th day of May 19 27 in The St. Cloud Times according to law proof of the publication of said notice of hearing having been made and filed in this Court

SECOND—That the said representative appeared at said hearing in person and was duly examined relative to said matter by the court; and that no one

appeared in opposition;

THIRD—That it is necessary and expedient, and for the best interests of the estate of said Bautsch, deceased and of all persons interested therein, that the property of said deceased hereinafter described be sold for the following reasons and for the following purposes, to-wit: That it is necessary to sell said real estate of said deceased for the purpose of providing funds for the payment of claims allowed against said estate and for the payment of the legacies bequeathed by the last will and testament of said deceased.

Therefore it is Ordered, FIRST—That the said John F. Kalusa as the representative of said estate of said deceased be, and he hereby is, licensed and directed to sell the real estate of said deceased herein described, in the order herein described, at private sale, to-wit: Tract 5 or parcel 5 of land situate and being in the County of Stearns State of Minnesota, described as follows, to-wit:

Lots Eleven and Twelve (11&12) in Block Two (2) in Bell & Smith's addition to St. Cloud according to the recorded plat of said addition.

The North Half of the south west quarter (n½sw¼) of section twenty eight (28) in Township one hundred twenty four (124) North of Range Twenty Eight (28) west.

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

— Ten Thousand (\$10,000.00) — Dollars,

conditioned as required by law in such cases; and that before making such sale, the said representative shall cause the said real estate to be re-appraised by John Lang and Edward Kruchten
— Both residing in Stearns County Minnesota.

who are hereby appointed by this court to make such re-appraisement upon their qualifying according to law.

(3)

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 said real estate so to be sold; and that said real estate, or any part thereof, the said representative shall make report of all his proceeds to this court.

Dated June 10th 19 27

(SEAL)

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

NOTE—(1) If further service is desired, state here.

" (2) If no appearance in opposition is made, insert "No"; if appearance is made, state who appeared.

" (3) If notice is desired, state here.

7675
State of Minnesota,

County of Stearns

PROBATE COURT,

In the Matter of the Estate of

Josephine Bantock
Dec'd.

Order of License to Sell Land
at Private Sale.

Filed this 10th day of
June 19 27, and
recorded in Book " 45 " of Orders

on Page 308

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

STATE OF MINNESOTA }
COUNTY OF STEARNS }

SS

IN PROBATE COURT

In the Matter of the Estate of }
Josephine Bautsch, Deceased }

RESIGNATION.

I, the undersigned Frank Wystrack, having been named and appointed as executor in the Last Will and Testament of said deceased, do hereby refuse to act and qualify as such executor, and respectfully ask that the Probate Court of said County appoint John F. Kaluza, as Administrator with the Will annexed of said estate.

Dated at St. Cloud, Minnesota, this
day of July, 1926.

Frank Wystrack

No. 7675.

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Josephine Bautsch
DECEASED.

RESIGNATION.

FILED THIS 3rd DAY
OF July A.D. 1926

Jacob A. Lake
Clerk of Probate

447-8588

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF
Josephine Bautsch

Order of Confirmation of Sale of Land
Under License at Private Sale

The above entitled matter came before the court for consideration, on the 10th day of June, 1927, upon the report of the representative of the above named Deceased of the sale by him of certain lands of said Deceased pursuant to the order of license of this court to him granted therefor, and his petition for the confirmation of said sale; and the court having considered the said report, and examined the said representative 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 citation 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 of said petition, an order of license in said above entitled matter was duly made and filed in this court on the 10th day of June, 1927, whereby the said representative of the above named Deceased was authorized and directed to sell at private sale the real estate of said Deceased hereinafter described.

SECOND—That pursuant to said order of license, the said representative took, sub- in this court the oath required by law and the said order of license, before making the sale of real estate specified in his said report and hereinafter referred to; and also before making said sale, executed and filed in this court his bond as required by law and said order of license, which bond was duly approved by this court.

THIRD—That the said representative, before making said sale, did cause the real estate herein- after and in said order of license described to be re-appraised by the persons appointed for that purpose in said order of license, and their re-appraisal thereof to be filed in this court (1)

FOURTH—That on the 10th day of June 1904, the undersigned, acting as a representative, pursuant to said order of license, did sell, at private sale, to John Bautsch

of St. Cloud Minnesota,

for the sum of ----- Ten Thousand (\$10,000.00) ----- DOLLARS,

th certain tract or parcel of land, described in said order of license, and lying and being in the County of Stearns State of Minnesota, and described as follows, to-wit:

The North Half of the south west quarter (n½sw¼) of section Twenty Eight (28) in township one hundred Twenty Four (124) North of Range Twenty Eight (28) west.

To be paid for as follows:

Cash in the sum of \$3305.12, and the sum of \$6693.88 on or before Five (5) years after date hereof with interest at the rate of 4% per annum.

FIFTH—That the sum for which said land was so sold is not more to the value thereof, and is, not less than the value thereof as appraised by said appraisers appointed by this court to appraise the same, and that said sale was honestly and fairly made by said representative, and that said representative 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.

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

Dated June 10th, 19 37

J. B. Heims
Judge of Probate.

(SEAL)

NOTE (1) If notice is required by the license, here insert compliance with such requirements.
NOTE (2) If other tracts are sold to different purchasers, here insert statement of sale in form as last above.

7678.

State of Minnesota,
County of Hearst.

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Rautsch

Order of Confirmation of
Sale of Land Under License
at Private Sale

Filed this 10th day of
June, 1927, and
entered in Book "60" of Orders,
page 347.

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

8411 0577
0050 1748

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT.

In the Matter of the Estate of

Josephine Bautsch

Oath of Appraisers and Appraisal of
Lands Before Sale Under License.

OATH OF APPRAISERS

State of Minnesota, }
County of Stearns } ss.

I,

John Lang

and I, Edward Kruchten, 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

Josephine Bautsch Deceased

under and pursuant to that certain order

of license for the sale of said lands at private sale, made by the above named Court on the 10th day of

June

, 19

27, and that I will appraise the said land described in said order of license at its true

and full value, So Help Me God.

Subscribed and sworn to before me this

10th day of June 1927

Notary Public

County, Minn.

My Commission Expires

19

APPRAISAL

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

John F. Kaluza

to sell certain lands belonging to the

above named Josephine Bautsch

, dated the

10th

day of

June

19

27, 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 of license, as follows, to-wit:

The north half of the south west quarter (n $\frac{1}{2}$ s $\frac{1}{2}$ w $\frac{1}{4}$) of section Twenty Eight (28) in township one hundred twenty Four (124) North of Range Twenty Eight (28) West

We appraise the above described real estate at

\$ 10 000 00

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

Dated June 10th 19 27

Respectfully submitted,

John L. Lang
Edward Knuchter
 Appraisers.

State of Minnesota,

County of *Shannon*.

PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Josephine Bartlett

Oath of Appraisers and
 Appraisal of Lands Before
 Sale Under License.

Filed this *10th* day of
June 19 *27*

Jaeger A. Lohr
 Clerk—Judge of Probate.

State of Minnesota.
County of Stearns

IN PROBATE COURT,

In the Matter of the Estate of

Josephine BautschDeceasedREPORT OF SALE OF LAND AT PRIVATE
SALE UNDER LICENSE.

Your petitioner respectfully reports to the court his proceedings under that certain order of license granted to him in the above entitled matter on the 10th day of June, 19 27 to sell at private sale the lands of said Josephine Bautsch, Deceased hereinafter described, as follows, to-wit:

First—That before making sale of the real estate hereinafter described under said order of license, he took, subscribed, and filed in this court the oath required by law and said order of license; and executed and filed in this court his bond required by law and the said order of license, which bond was approved by the Judge of this court.

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

Third—That on the 10th day of June, 19 27, he, pursuant to said order of license, sold to John Bautsch of St. Cloud Minnesota th^e tract or parcel of land, described in said order of license, and lying and being in the County of Stearns, State of Minnesota, described as follows, to-wit:

The North Half of the south west quarter ($n\frac{1}{2}$ sw $\frac{1}{4}$) of section Twenty Eight (28) in township one hundred Twenty Four (124) North of Range Twenty Eight (28) west

for the sum of ----- Ten Thousand (\$ 10,000.00) ----- Dollars.

to be paid as follows, to-wit: The sum of Thirty Three Hundred and Five and 12/100 in Cash and the Balance of Six Thousand Six Hundred and Ninety Three and 88/100 Dollars on or before Five (5) Years after date hereof with interest at the rate of 4% per annum

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 is not disproportionate to the value thereof, and is not less than the value thereof as re-appraised by said appraisers appointed for that purpose in said order of license.

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 June 10th, 19 27

John H. Kaluza
Representative and Petitioner.

State of Minnesota,)
County of Stearns) ss. John F. Kalusa

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.

Subscribed and sworn to before me this
10th day of June, 1927

John F. Kalusa

Jacob A. Kalusa
Notary Public,
Clerk of the Probate Court
Stearns County, Minnesota

My commission expires , 19

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

NOTE (2) If different tracts are sold to different persons, here repeat statement of sale to each in form as last above.

7675

State of Minnesota,

County of *Stearns*

PROBATE COURT

In the Matter of the Estate

Josephine Butech

Report of Sale of Land at Private
Sale Under License

Filed this *10th* day of

June, A. D. 19*27*

Jacoba Lahr
Clerk—~~Judge~~ of Probate.

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

In the Matter of the Estate of Josephine Bautch Deceased

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

John F. Kaluza

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 13th day of June A. D. 1938

Carl White

Judge of Probate.

Stearns

County, Minn.

IN PROBATE COURT,

County of Stearns

In the Matter of the Estate of

Josephine BautchDeceased.Order Discharging Executor or
AdministratorFiled this 13th day ofJune 19 38Recorded in Book 75 of OrdersPage 256
Clerk ~~Judge~~ of Probate.

State of Minnesota, }
County of Stearns }

IN PROBATE COURT.

In the Matter of the Estate of

ORDER ALLOWING FINAL ACCOUNT

Decedent.

The above entitled matter came on to be heard on the 12th day of August, 1927, 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 there being no adverse appearance or objection

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 10th day of June, 1927, in the St. Cloud Times

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	- - - - -	\$	<u>250.00</u>
Personal estate omitted from the inventory	- - - - -	\$	<u>00</u>
Gain by sales above appraised value	- - - - -		<u>00</u>
Cash from sales of real estate	- - - - -	\$	<u>256.30</u>
Cash from rent of real estate	- - - - -	\$	<u>4.00</u>
Cash from interest and profits	- - - - -	\$	<u>00</u>
Cash from other sources	- - - - -	\$	<u>00</u>
	- - - - -	\$	<u>00</u>
Total receipts from all sources	- - - - -	\$	<u>10,535.30</u>

DISBURSEMENTS AND CREDITS

Estate selected for surviving spouse	- - - - -	\$	<u>00</u>
Maintenance of family of decedent	- - - - -	\$	<u>00</u>
Expenses of administration	- - - - -	\$	<u>129.60</u>
Expenses of last sickness	- - - - -	\$	<u>30.00</u>
Funeral expenses	- - - - -	\$	<u>281.50</u>
Taxes	- - - - -	\$	<u>00</u>
Claims of creditors of decedent	- - - - -	\$	<u>1189.98</u>
Legacies	- - - - -	\$	<u>2100.00</u>
	- - - - -	\$	<u>00</u>
	- - - - -	\$	<u>00</u>
Residue on hand for distribution	- - - - -	\$	<u>6800.22</u>
Total credits	- - - - -	\$	<u>10,535.80</u>

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 August 12th, 1927.

By the Court,

J. B. Smith
Probate Judge.

No. 7675.

State of Minnesota,

County of Hennepin

PROBATE COURT.

In the Matter of the Estate of

Josephine Bantick
Decedent.

Order Allowing Final Account

Filed this 12th day of

August, 1927, and

recorded in Book No. 59 of Orders,

in Page 142

Joseph A. Lohr
Clerk-Judge of Probate.

State of Minnesota,
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bautsch

Bond and Oath of Representative for
Sale or Mortgage of Land.

Know All Men by These Presents: That we John F. Kaluza

as principal, and Joseph Bautsch, Stephan Bautsch, Conrad Bautsch
John Bautsch, Thomas Bautsch, Ella Kaluza, Sophia Kaiser & Sadie Peterson
as sureties, are held and firmly bound unto Hon. J. B. Himsel
Judge of Probate of the County of Stearns State of Minnesota, and his
successors in office, in the penal sum of Ten Thousand (\$10,000.00) - - - Dollars,
lawful money of the United States to be paid to said Judge of Probate or his successors in office; for
which payment well and truly to be made we bind ourselves, and each of our heirs, executors and
administrators, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the above bounden

John F. Kaluza

in his capacity of Representative
of the Estate of the above named Josephine Bautsch, Deceased,
has been licensed by the order of said Probate Court, made on the day of
19 to sell the real
estate of said Josephine Bautsch, Deceased, lying and in the County of
Stearns State of Minnesota, described as follows, to-wit:

The North half of the Southwest quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$)
of Section Twenty-eight (28), in Township one hundred twenty-four
(124), of Range twenty-eight (28). West

Re-take

State of Minnesota,
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bautsch

Bond and Oath of Representative for
Sale or Mortgage of Land.

Know All Men by These Presents: That we, John F. Kaluza

as principal, and Joseph Bautsch, Stephan Bautsch, Conrad Bautsch,
John Bautsch, Thomas Bautsch, Ella Kaluza, Sophia Kaiser & Sadie Peterson
as sureties, are held and firmly bound unto Hon. J. B. Himsel
Judge of Probate of the County of Stearns State of Minnesota, and his
successors in office, in the penal sum of Ten Thousand (\$10,000.00) - - - Dollars;
lawful money of the United States to be paid to said Judge of Probate or his successors in office; for
which payment well and truly to be made we bind ourselves, and each of our heirs, executors and
administrators, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the above bounden

John F. Kaluza

in his capacity of Representative
of the Estate of the above named Josephine Bautsch, Deceased,
has been licensed by the order of said Probate Court, made on the day of
19 , to sell
estate of said Josephine Bautsch, Deceased, lying and being in
Stearns State of Minnesota, described as follows, to-wit:

The North half of the Southwest quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$)
of Section Twenty-eight (28), in Township one hundred twenty-four
(124), of Range twenty-eight (28). West

NOW THEREFORE, If the said John F. Kaluza
shall justly and faithfully discharge his duties under said order of license,
and shall justly and truly account for and pay over according to law all moneys received on account
thereof, then this obligation shall be void, otherwise it shall remain in full force and virtue.

Signed with our hands and sealed with our seals this 10th day of June
1927.

Signed, Sealed and Delivered in Presence of

Jacob A. Lohr

John F. Kaluza (SEAL)
Joseph B. Bautsch (SEAL)
Stephen Bautsch (SEAL)
Conrad Bautsch (SEAL)
John Bautsch (SEAL)
Thomas Bautsch (SEAL)
Ella Kaluza (SEAL)
Sophia Kaiser (SEAL)
Sadie Peterson (SEAL)

State of Minnesota,
County of Stearns

Be it known that on this 10th

day of June 1927, personally came before me John F. Kaluza, Joseph Bautsch
Stephen Bautsch, Conrad Bautsch, John Bautsch, Thomas Bautsch, Ella
Kaluza, Sophia Kaiser & Sadie Peterson
to me well known to be the persons who executed the foregoing bond, and each acknowledged that he
executed the same for the uses and purposes therein expressed as his free act and deed.

Jacob A. Lohr
Notary Public
CLERK OF THE PROBATE COURT
STEARNS COUNTY, MINN.
My Commission Expires

Justification

State of Minnesota,
County of Stearns,
Joseph Bautsch, Stephen Bautsch,
Conrad Bautsch, John Bautsch, Thomas Bautsch, Ella Kaluza, Sophia
Kaiser and Sadie Peterson,

being duly sworn, each for himself on oath says, that he is a resident and freeholder of and in the
State of Minnesota; that he justifies upon the foregoing bond as follows:

in the sum of Fifteen Hundred (\$1500.)
Dollars, the said
in the sum of
Dollars, and the said
in the
sum of
Dollars; and that each respectively is worth double the sum in
which he so justifies over and above his debts and other liabilities, and exclusive of his property ex-
empt from execution.

Subscribed and Sworn to before Me this 10th
day of June 1927

Jacob A. Lohr

Notary Public

My Commission Expires

CLERK OF THE PROBATE COURT
STEARNS COUNTY, MINN.
Co. Minn.
1927

Joseph Bautsch
Stephen Bautsch
Conrad Bautsch
John Bautsch
Thomas Bautsch
Ella Kaluza
Sophia Kaiser
Sadie Peterson

The foregoing bond, together with the sureties thereon, is hereby approved, this 10th
day of June 1927

J. B. Hennrich
Probate Judge Stearns Co. Minn.

Oath of Representative Before Sale or Mortgage of Land Under License.

State of Minnesota, }
County of Stearns }

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bautsch

State of Minnesota, }
County of Stearns }

John F. Kaluza

_____, in my capacity as repre-
sentative of Josephine Bautsch, Deceased above named, having been
the order of license of the above named court, bearing date the _____ day of
_____, 19____, to sell certain lands belonging
to said Josephine Bautsch, Deceased, do solemnly swear and declare that in
selling the said real estate I will use my best judgement in fix-
ing the time and place of sale thereof, and will exert my
utmost endeavors to sell the same in such a manner as will be most for the advantage of
said estate and of all parties interested therein, So Help Me God.

John F. Kaluza
Subscribed and Sworn to Before Me this 10th

day of June 1927

Jacob A. Lohr
Notary Public _____ County, Minnesota.

My Commission Expires _____ 19____

7675

State of Minnesota, }
County of Hennepin }
PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Paulach
Deceased.

Bond and Oath of Representative
for Sale or Mortgage of Land.

Filed this 10th day of
June 1927, and said Bond
recorded in Book "100" of Bonds,
Page 171
Jacob A. Lahr
clerk Judge of Probate.

No. 3548.

4211 0500

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Josephine Bautch

BOND

Know all Men by these Presents, That we John F. Kaluza

of Browerville Todd County Minnesota

in the County of State of Minnesota, as principal, and

John Bautch and Stephen Bautch

of said County and State,

as sureties, are held and firmly bound to Hon J.B. Himes

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

Five Hundred

DOLLARS,

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

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

John F. Kaluza

who has been appointed representative of the

estate of the above named Josephine Bautch 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 30th day of July 1926

Signed, Sealed and Delivered in Presence of

Elinor Enderle

Jacob D. Lahr

John F. Kaluza (SEAL)

John Bautch (SEAL)

Stephen L. Bautch (SEAL)

(SEAL)

(SEAL)

ACKNOWLEDGMENT

State of Minnesota, }
County of Stearns } ss.

Be it Known, That on this 30th day of July A. D. 1926
personally appeared before me John F. Kaluza John Bautch and Stephen Bautch

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.

Jacob D. Lahr
Notary Public

My commission expires

19

County, Minn.

CLERK OF THE PROBATE COURT
STEARNS COUNTY, MINNESOTA

JUSTIFICATION

State of Minnesota,

County of Stearns

John Bautch and Stephen Bautch

being duly sworn, each for himself, on oath says that he is a resident and freeholder of and in the State of Minnesota; that he justifies upon the foregoing bond as follows:

the said John Bautch in the sum of Five Hundred Dollars

the said Stephen Bautch in the sum of Five Hundred Dollars

the said in the sum of Dollars

the said in the sum of Dollars

the said in the sum of Dollars

and that each respectively is worth double the sum in which he so justifies over and above his debts and other liabilities and exclusive of his property exempt from execution.

Subscribed and sworn to before me this

30th day of July, A. D. 19 26

Notary Public

County, Minn.

My commission expires

APPROVAL

I approve the within Bond, this 30th day of July, A. D. 19 26

(Court Seal)

J. B. Hirsch
Judge of Probate.

OATH

State of Minnesota,

County of Stearns

I, John F. Kaluza

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 Josephine Bautch Deceased to the best of my ability. So help me God.

Subscribed and sworn to before me this 30th day of July, A. D. 19 26

Notary Public:

My commission expires

19

County, Minn.

7695.
State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bautch
Deceased—Ward

BOND AND OATH OF
REPRESENTATIVE

Filed this 30th day of

July

19 26

and said Bond recorded in Book

of Bonds, page 171 of Probate

Records.

Joseph A. Lohr
Clerk—Judge of Probate.

State of Minnesota,
County of Stearns } ss.

IN PROBATE COURT

In the Matter of the Estate of

Josephine Bautsch

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 the City of St. Cloud (1) in the County of Stearns State of Minnesota, and is an adult and is interested in the estate of decedent in this, to-wit: That he is the executor named in decedent's last Will (2)

SECOND—That said decedent died at St. Cloud County of Stearns State of Minnesota, on the 4th day of April, 1926, aged 50 years and at the time of his death was a citizen of the Country of United States and a resident of the City of St. Cloud in the County of Stearns and State of Minnesota and left estate in the County of Stearns State of Minnesota.

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

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

- | | | | |
|------------------------|---------------|---------------------------|----------|
| 1. Household goods, \$ | 200.00 | 2. Wearing apparel, \$ | |
| 3. Stock, \$ | | 4. Notes, bonds, etc., \$ | |
| | Money in Bank | | \$200.00 |
| 5. Miscellaneous, \$ | | | |

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

- | | | | |
|-------------------|-----------------------|----------------------------|-----------|
| 1. City Property. | | Lots without buildings, \$ | |
| | | Lots with buildings, \$ | |
| 2. Rural Property | | Acres unimproved lands, \$ | |
| | 80 | Acres improved land, \$ | 12,000.00 |
| 3. Homestead | House and 3 best lots | \$ | 5000.00 |

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

" 2nd—Executor, Heir or Devisee.

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

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

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

NAMES	AGES YEARS	RESIDENCE	POST OFFICE ADDRESS	RELATION- SHIP
Home for Foreign Missions				Legatee
St. Johns Cantius Church		St. Cloud, Minn		"
✓ Joseph Bautsch	40	Waite Park, Minnesota.		Son
Stephen Bautsch	26	St. Cloud, Minnesota		"
Conrad Bautsch	23	St. Cloud, Minnesota		"
Pauly Bautsch	18	St. Cloud, Minnesota		"
✓ John Bautsch	33	St. Cloud, Minnesota		"
Thomas Bautsch	35	Verndale, Minnesota		"
Ella Kaluza	38	Browerville, Minnesota		Daughter
Sophia Kaiser	37	Buchanan, North Dakota		"
Sadie Petterson	31	Staples, Minnesota		"

SIXTH—That **Frank Wystrack** whose Post Office address is **St. Cloud, Minnesota** is ~~man~~ named in said Will as execut^{or} thereof and ~~man~~ is ^{is} suitable and competent person to be execut^{or} of said Will.

WHEREFORE, Your petitioner prays that said last Will and Testament be allowed and admitted to probate; and that said **Frank Wystrack** be appointed execut^{or} thereof; and that, upon due qualification as provided by law, letters testamentary be issued to the said **Wystrack**

by 2nd, 19 26

Frank Wystrack

Petitioner.

State of Minnesota,

County of Stearns

Frank Wystrack

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 believes it to be true.

Frank Wystrack

Subscribed and sworn to before me this

2nd day of July, 19 26

Jacob A. Galt

Notary Public,

CLERK OF THE PROBATE COURT

STEARNS COUNTY, MINNESOTA

My Commission expires

19

State of Minnesota,

County of Stearns

IN PROBATE COURT

Petition for Allowance and Probate of Will.

In the Matter of the Estate of

Josephine Bautsch
Decedent.

Filed this 2nd day of

July, 19 26.

Jacob A. Galt
Clerk of Probate.

State of Minnesota,

County of *Stearns*

IN PROBATE COURT.

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

Josephine Bantel

Proof of Will

Decedent.

State of Minnesota,

County of *Stearns*

Jacob A. Loh, being
 duly sworn on behalf of the proponent of the Will, doth depose and say: that *he* is one of the
 subscribing witnesses to the instrument now shown *him*, bearing date the *4th*
 day of *January*, A. D. 19*26*, and purporting to be the Last Will and Testament of
Josephine Bantel 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 *her* lifetime and at the time of *her* death,
 that on the day and date of said instrument, to-wit, the *4th* day of *January*
 A. D. 19*26*, the said instrument was signed, sealed, executed and then and there acknowledged
 and declared by the said decedent, to be *her* Last Will and Testament, in the pre
 sence of *Frank Wyrtrack*

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

Frank Wyrtrack

the other subscribing witness did then and there, in the presence of the said decedent, and at
 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

4th day of *January*, A. D. 19*26*

J. B. Himes
 Judge of Probate.

Jacob A. Loh

No. 7675.

State of Minnesota, }
County of *Shearns.* }

IN PROBATE COURT

IN THE MATTER OF THE LAST WILL AND
TESTAMENT OF

Josephine Bantch
Decedent.

TESTIMONY OF

Jacob A. Lahn
Subscribing Witness to Will.

Taken, sworn, subscribed and filed
this *30th* day of

July 19*16*
Jacob A. Lahn
Clerk—Judge of Probate.

In the Name of God, Amen.

I, Josephine Bautsch of St. Cloud
in the County of Stearns and
State of Minnesota being of sound mind

and memory, and considering the uncertainty of this frail and transitory life, do therefore make, ordain, publish and declare this to be my last Will and Testament.

FIRST, I order and direct that my executor 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 the sum of

- ✓ Three hundred (\$300.00) Dollars for Home and Foreign Missions to be distributed to them by the Rev. Traixent Wotska of Gillman.
- ✓ To the St. Johns Cantius Church of St. Cloud, Minnesota, the sum of Two hundred (\$200.00) Dollars.
- ✓ To my son, Joseph Bautsch, the sum of One hundred (\$100.00) Dollars, as he has already received some of his inheritance before.
- ✓ To my sons, Stephen, Conrad and Pauly, each one the sum of five hundred (\$500.00) Dollars, to be paid to them when they reach their twenty-first year.

All the rest, residue and remainder of my property, both real and personal, money and effects of whatever name and nature, and wherever the same may be situated, I give, devise and bequeath unto my Eight children, in equal shares, share and share alike. However the debts which I may have, which are now about five hundred fifty (\$550.00) Dollars, are first to be paid.

make, constitute and appoint Frank Wystrack of St. Cloud, Minnesota,

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 Fourth

day of January in the year of our Lord one thousand nine hundred and twenty-six (1926)

Josephine Bantch

(SEAL)

This Instrument, Was, on the day of the date thereof, signed, published and declared by the said testator in

Josephine Bantch

to be her last Will and Testament in our presence who, at

her request, have subscribed our names thereto as witnesses, in her presence, and in the presence of each other.

Jacob A. Loh
Frank Wystrack

residing at St. Cloud, Minnesota,

residing at St. Cloud, Minnesota.

LAST WILL AND TESTAMENT

OF

Josephine Bantch

Dated

January 23
1926

State of Minnesota, }
 County of Stearns }

IN PROBATE COURT
 CERTIFICATE OF PROBATE

In the Matter of the Estate of Josephine Bautsch 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 Josephine Bautsch Decedent, late of said County of Stearns bearing date the 4th day of January 1926, 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 Josephine Bautsch deceased, which said last Will and Testament is recorded and the examination taken thereon filed in this office.

In Testimony Whereof, The Judge of the Probate Court of said County has hereunto set his hand and affixed the seal of said Court at St. Cloud in said County, this 30th day of July 1926.



J. B. Hirsch
 Judge of Probate.

7675

State of Minnesota, }
County of Seasaw

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bartsch
Decedent.

Certificate of Probate of Will

Filed this 26th day of

July, 1926, and recorded,

together with the will attached in Book

"2" of Records of Wills, Page 345

Jacob A. Lake
clerk Judge of Probate.

0050 1774

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

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Josephine Bautsch
Decedent.

Order Admitting Will to Probate and Appointing Executor
or Administrator with Will Annexed.

The above entitled matter came on to be heard, on the 30th day of July, 1926,
upon the petition of **Frank Wystrack**

for the allowance of an instrument filed therewith purporting to be the last will and testament of the
above named decedent and for the appointment of **Frank Wystrack**
as **Executor**

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 2nd day of July, 1926, has been duly served and published as required by law.

SECOND—That said decedent died on the 4th day of April, 1926,
and at the time of his death was a resident of the City of St. Cloud
in the County of Stearns, 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: **Jacob A. Lahr**

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.

FIFTH—That **Frank Wystrack**
was appointed in and by said will to be the executor thereof, but that he has declined
to act as such, and has requested that **John F. Kaluza** be appointed
Administrator with will annexed, and that said **John F. Kaluza** is a
suitable and competent person to be such Administrator with Will
annexed

and that said **John F. Kaluza**

thereof.

It is Therefore Ordered, Adjudged and Determined, That said instrument, presented and
proved as aforesaid, be, and the same hereby is, established, allowed, and admitted to probate, as the last
will and testament of the above named decedent; and that **John F. Kaluza**

be, and he hereby is appointed

Administrator with Will annexed

thereof; and that upon the filing in this Court of the oath prescribed by law and his
bond in the sum of ---Five Hundred (\$500.00) --- --- DOLLARS,
with sufficient sureties, conditioned according to law, and the approval thereof by the Judge of this Court
letters of Administration with will annexed

to be to him issued,

Dated July 30th, 1926.

J. B. Kinsch
Probate Judge.

7675

State of Minnesota, }
County of *Stearns* }

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bantech
Decedent.

Order Admitting Will to Probate and
Appointing Executor or Adminis-
trator with Will Annexed.

Filed this *30th* day of
July 19*26*, and recorded
in Book "*42*." of Orders, Page *597*.

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

State of Minnesota, } ss.
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bautoch

Decedent.

Letters of Administration with
Will AnnexedTo John F. Kaluza GREETING:

Whereas, You have been appointed administrator with will annexed of the estate of the above named decedent, by order of this court, and have duly qualified as such;

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

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

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

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

Witness, The Judge of this Court, and the seal thereof, this 30th day of

July, 1926.

J. B. Smith
Probate Judge.



7673

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Josephine Bantick

Letters of Administration
with Will Annexed

(LONG FORM)

Filed this 30th day of

July, 1926, and Recorded

in Book "54" of Letters, Page 18

Jacob A. Lahe
Clerk ~~Judge~~ of Probate Court.

FINAL DECREE

State of Minnesota,

County of Stearns

IN PROBATE COURT

Special TERM August 13th, 1927

In the Matter of the Estate of Josephine Bautsch Deceased.

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

John F. Kaluza, Representative,

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

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

AND IT FURTHER APPEARING, That the said deceased died on the 4th day of April 1927, testate, and the residue of said estate consists of the following described real estate, to-wit: Th^{ose} tract^s or parcel^s of land situated and being in the County of Stearns and State of Minnesota, described as follows:

Lot ten (10), in Block two (2), in Bell and Smith's Addition to the City of St. Cloud, according to the plat and survey of said Addition on file and of record in the office of the Register of Deeds, in and for said Stearns County, Minnesota. Said described property constituted and was the Homestead of said deceased, at the time of her death.

Also Lots eleven (11) and twelve (12), in Block two (2), in Bell and Smith's Addition to the City of St. Cloud, according to the plat and survey of said Addition on file and of record in the office of the Register of Deeds in and for said Stearns County, Minnesota.

Also personal property consisting of the sum of six thousand eight hundred four and 42/100 (\$6804.42) Dollars in cash.

AND IT FURTHER APPEARING, That the following named persons are the persons entitled to all of said estate in accordance with and in pursuance to the terms and provisions of the Last Will and Testament of said deceased, Stephan Bautsch, Conrad Bautsch, Pauly Bautsch, John Bautsch, Thomas Bautsch, Ella Kaluza, Sophia Kaiser and Sadie Pettersen, children and residuary devisees and legatees of said deceased.

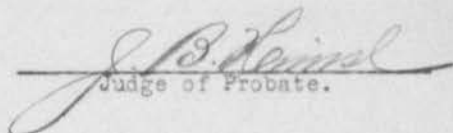
AND IT FURTHER APPEARING, That all the legacies bequeathed by the Last Will and Testament of said deceased have been paid; and that the said Josephine Bautsch, deceased was also sometimes called Josephine Bautch.

NOW THEREFORE, On the petition of the representative of the estate of said deceased and pursuant to due notice and the law in such case made and provided,

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

residuary devisees and legatees of said deceased, in equal and undivided shares, and share and share alike, in fee simple and absolutely forever.

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


Judge of Probate.

CONVEYANCE BOND

No. 7675

State of Minnesota
STEARNS COUNTY
PROBATE COURT

ESTATE OF

Josephine Bautsch
DECEASED.

FINAL DECREE.

Filed this 12th day of
August, 1927, and recorded in
Book 56...on page...291....
thereof.

Carol A. Rahr
Clerk of Probate.