



Minnesota District Court (Carver County)
Civil and criminal case files

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3616
No. ~~22~~ 9.

DISTRICT COURT
CARVER COUNTY, MINNESOTA

John Kersten
Appr. Plaintiff
vs.
Anna Kersten
Resp. Defendant

P. D. Scannell
Appr. s Atty.
John J. Fahy
Resp. s Atty.

Date of Entry Feb 28th 1908
Register of Actions 2 Page 534
Term Tried September 1908
Judgment for Appellant
Amount of Judgment, \$ 10.⁰⁰ or per stipulation
Date of Judgment Feb 1st 1909
Judgment Book "2" Page 281
Default Judgment Book Page
Date of Docketing 1909

original

No.

District COURT.

Carver County

In the matter of the appeal
of John Kersten from
an order of the Probate
Court of Carver County
appointing Anna Kersten
administratrix of the Estate of
John Kersten, deceased.

NOTE OF ISSUE.

LAST PLEADING SERVED,

190

Court Case.

P. D. Scamell
Attorney for Plaintiff.

John J. Fahy
Attorney for Defendant.

Will the Clerk Please file this Note of
Issue, and enter the cause on the calen-
dar for the *March* A. D. 190 *8*

General Term of this Court.

Yours, etc.,

P. D. Scamell
Attorney for Plaintiff.

Filed *Feb 28th* 190 *8*
H. O. Muehlberg Clerk.

No. 2. R. F. Marvin, St. Paul.

(534)

State of Minnesota
County of Carver

I, P. D. Scamell 1223 E.
7th Street St. Paul, Minn., of lawful
age, being first duly sworn on my said oath
say, that said City of St. Paul on the 20th
day of February A.D. 1909 I did then and
there deposit in the Post-office within
and for said City of St. Paul a true copy
of the attached "Notice of Location of
Costs". which copy was properly en-
veloped, sealed, postage paid thereon
and directed to the following named
person Hon. C. M. Tift at Glencoe
McLeod County Minnesota.

P. D. Scamell

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

H. O. Muehlberg, Clerk Dist. Court

					\$
					\$
					\$
					\$

The above Bill of Costs and Disbursements taxed and allowed at

Dated March 3rd 1909 H. O. Muehlberg Total amount, \$ 6.95

Clerk.

AFFIDAVIT OF DISBURSEMENTS.

State of Minnesota, } ss.

County of Ramsey

being duly sworn, says on oath, that he is the Attorney of the Appellant in the
above entitled action; that the foregoing is a true and correct statement of the costs and disbursements of
said Appellant in the above entitled action, and that the foregoing items of disbursements, and
each item thereof, have been actually and necessarily paid or incurred therein, by and on behalf of said
Appellant; and that each of the above named witnesses was a material witness for the said
in said action, and was duly sworn, and testified on the trial of said action, on behalf
of said Appellant. That each of said witnesses actually and necessarily traveled the number
of miles above set opposite his name, in going from his said place of residence to, and returning to said place
of residence from, the place of trial of said action, and for the purpose of so testifying, actually and necessa-
rily attended said Court the number of days and on the dates hereinbefore stated; and that the residence of
each of said witnesses is at the place above stated.

Subscribed and sworn to before me this

19th day of February 1909
Leonard J. Dobson

Notary Public Ramsey County, Minn.

My Commission Expires Jan 4, 1915.

State of Minnesota, } ss.
County of Carver

MUNICIPAL COURT,

Eighth Judicial District

In the matter of the Estate of
John Kersten, Deceased

John Kersten appellant
v. Anna Kersten administratrix of the
Estate of John Kersten decedent. Respondent.

AMOUNT OF JUDGMENT OR VERDICT.

Amount of Judgment or Verdict, - - - - - \$

Interest on same from the - - - - - day of - - - - - 1 - - - - - \$

Statutory Costs, - order to show cause (first appeal) - - - - - \$ 5.00

Affidavits, - - - - - \$

Acknowledgments, - - - - - \$

Sheriff's Fees, - - - - - \$

Jury Fees, - - - - - \$

Clerk's Fees (to be taxed), - - - - - \$ 1.95

WITNESS FEES, VIZ.,

(Give name of each Witness, Residence, Number of Days and Dates of Attendance and Number of Miles Traveled.)

NAMES	RESIDENCE	NO. DAYS ATTENDANCE	DATES OF ATTENDANCE	NO. MILES TRAVELED	
					\$
					\$
					\$
					\$
					\$
					\$
					\$

The above Bill of Costs and Disbursements taxed and allowed at - - - - - \$

Dated March 3rd 1909 H.O. Muehlberg Total amount, \$ 6.95

Clerk.

AFFIDAVIT OF DISBURSEMENTS.

State of Minnesota, } ss.
County of Ramsey

P.D. Scamell
being duly sworn, says on oath, that he is - - - the Attorney of the appellant in the above entitled action; that the foregoing is a true and correct statement of the costs and disbursements of said appellant in the above entitled action, and that the foregoing items of disbursements, and each item thereof, have been actually and necessarily paid or incurred therein, by and on behalf of said appellant; and that each of the above named witnesses was a material witness for the said appellant in said action, and was duly sworn, and testified on the trial of said action, on behalf of said appellant.

That each of said witnesses actually and necessarily traveled the number of miles above set opposite his name, in going from his said place of residence to, and returning to said place of residence from, the place of trial of said action, and for the purpose of so testifying, actually and necessarily attended said Court the number of days and on the dates hereinbefore stated; and that the residence of each of said witnesses is at the place above stated.

Subscribed and sworn to before me this

19th day of February 1909
Leonard J. Dobner

Notary Public Ramsey County, Minn.

P.D. Scamell

My Commission Expires Jan 4, 1915.

NOTICE OF TAXATION OF COSTS.

State of Minnesota, }
County of Carver } ss.

District
MUNICIPAL COURT,
Eighth Judicial District
CITY OF ST. PAUL.

In the matter of the Estate of John Kersten, Decedent.

John Kersten - - Appellant,
vs

Anna Kersten, as administratrix of the Estate of John Kersten Decedent

Sir: Please Take Notice, That on the 3rd day of March 1909
at 11:30 o'clock A.M., application will be made to Hon. H. O. Muehlberg Esq.
Clerk of said Court, at his office in the Court House in the City
of Chaska in the County of Carver and State of Minnesota, to have the
within bill of costs and disbursements taxed and inserted in the judgment then and there to be entered herein.

Dated _____ 190

Yours respectfully,

P. D. Scammon

Attorney for Appellant

To Hon. John J. Foley
C. M. Foley
Attorney for Respondent

CARVER COUNTY,
FILED

MAR 3 1909
H. O. Muehlberg Clerk

original
MUNICIPAL COURT
COUNTY OF CARVER
Re: John Kersten
Decedent
to show cause & offer proof

f Taxation of Costs and Bill of
ists and Disbursements.

service of the within bill of dis-
ts and affidavit to same, and
taxation thereof, by delivery of
proof, is hereby admitted this
day of Feb 1909, at

Attorney for

61902 2M RP

State of Minnesota
County of Carver
In Probate Court

original

ORIGINAL COURT
CITY OF ST. PAUL, MINN.
COUNTY OF RAMSEY

Re: *John Kersten*
deceased

Order to Show Cause

of Taxation of Costs and Bill
of Costs and Disbursements.

service of the within bill of
costs and affidavit to same, or
taxation thereof, by delivery
hereof, is hereby admitted
this 2 day of July 1909

Attorney for

61902 2M NP

State of Minnesota
County of Carver

In Probate Court

In the matter of the Estate of John
Kersten, deceased
"Order to Show Cause" brought by John Kersten, Heir.

This matter came before the Court
at Howard Minnesota, as an
order to show Cause why the Findings
of the Court of March 19th 1908 should
not be amended.

After hearing argument of Counsel
said motion was granted with Two
Dollars Costs in favor of John Kersten
and against the Estate of John Kersten deceased.
The Court having made its Findings
therein which have been duly filed.

Judgment is Entered accordingly.

Signed H. O. Muehlberg

clerk of said Court

Dated at Chaska Carver Co.

Minnesota this 3rd day of March 1909

Statutory Costs \$5.00
Clerk's fees 1.95
Total \$6.95

*State of Minnesota
County of Carver
District Court*

*In the Matter of the
Estate of John Kersten
deceased*

*Judgment in
Estate of John Kersten*

ARVER COUNTY,
FILED
MAR 3 1909
Mudberg, Clerk

v. B. page 106.

STATE OF MINNESOTA,

DISTRICT COURT,

COUNTY OF CARVER,

EIGHTH JUDICIAL DISTRICT.

In the Matter of the Estate of)
John Kersten,)

Decedent.)

John Kersten, Appellant,)

vs.)

Anna Kersten, as administratrix)
of the Estate of John Kersten,)
decedent.)

Respondent.)

Now comes the Respondent, Anna Kersten, in the above entitled matter and objects to the taxation of costs therein on the grounds and for the reasons hereafter stated.

1. That the costs of Appellant have already been taxed in said proceeding.

2. That Judgment has long since been entered in said proceeding.

3. That the item of \$5.00 for Statutory Costs is not a proper item to be taxed as costs in said proceeding.

Dated March 2nd., 1909.

*John T. Gahan &
O. M. Tipton*

Attorneys for Respondent.

Judge of said Court.

Judge of said Court.

In the Matter the Estate of
John Kuster, deceased
Appeal of John Kuster
Heir

Amended order of
Judge Morrison
on 1st appeal

CARVER COUNTY,
FILED

MAY 11 1908

H. O. Muehlberg, Clerk.

(534)

IN THE MATTER OF THE ESTATE OF

JOHN KERSTEN, DECEASED.

COURT OF CHANCERY

CITY OF MINNEAPOLIS

County of Carver.

Eighth

Judicial District.

In the Matter of the Estate of John Kersten,

Decedent. John Kersten, Appellant.

vs.

Anna Kersten, as Administratrix of the Estate

of John Kersten, Decedent, Respondent.

JUDGMENT.

The above entitled matter, by consent of parties, came duly on for hearing and was tried by the Court at Chambers in Norwood, on the 14th day of March 1908; and after hearing all proofs and arguments of Counsel and examination of the records and files, said Court on the 19th day of March A. D. 1908 made and filed his order and decision herein and thereby ordered and adjudged "that the said order and decision of the Probate Court of Carver County made on the 8th day of November A. D. 1907 appointing Anna Kersten administratrix of the Estate of said deceased in the above entitled cause be, and the same hereby is, in all things affirmed with costs." That thereafter upon the application of said Appellant for an amended finding and decision in said matter, said cause, upon said application was, by consent of parties, duly heard by said Court at Chambers in the Village of Norwood on the 24th day of April 1908, and the said Court, after hearing said application, on the 24th day of April A. D. 1908, made an order and decision amending his said decision so made on the said 19th day of March 1908, and thereby ordered and adjudged "that said appeal from the order of said Probate Court of Carver County made on the 8th day of November A. D. 1907 appointing Anna Kersten administratrix of the Estate of said deceased, be and the same is hereby dismissed with Five Dollars costs."

Now therefore, on motion of John J. Fahey and C. M. Tifft, attorneys for said respondent, it is hereby adjudged that the appeal from said Probate Court be dismissed with costs and that the respondent recover from said appellant her costs herein taxed and allowed in the sum of Ten and 41/100 Dollars and that she have lawful process therefor.

By the Court,

H. O. Muehlberg, Clerk

No. 15th day of February 1909
 DISTRICT COURT, Eighth Judicial District,
County of Carver
In Kersten, Appellant,
 AGAINST
Anna Kersten Respondent
 DOCKET ROLL
10 o'clock A.M.
D. Muehlberg Clerk.
 Deputy.
 Brown, Treacy & Co., St. Paul.

STATE OF MINNESOTA
 COUNTY OF CARVER

DISTRICT COURT
 EIGHTH JUDICIAL DISTRICT

In the Matter of the Estate
 of John Kersten, Deceased

To John J. Fahey, Esq. and M. C. Tift, Esq., Attorneys for
 Anna Kersten, as Administratrix, Respondent:

Please take notice that at the time and place set and
 appointed in the order to show cause hereto annexed, the under-
 signed as attorney for John Kersten, appellant, herein will apply
 to and move said Court for an order amending and correcting the
 order heretofore entered in said matter on the 19th day of March,
 A. D. 1908, by substituting in place thereof, the following:

"It is therefore ordered that the said appeal from the ap-
 pointment of said administratrix made by the said John Kersten, ap-
 pellant, be and the same is hereby dismissed with costs. Let judg-
 ment be entered accordingly."

That said motion and application will be made upon the
 affidavit and order to show cause heretofore annexed and upon all
 the files, records and proceedings in the above entitled matter, to-
 gether with this notice; that the grounds of said motion and appli-
 cation are that the said order as entered results to the prejudice
 of the said appellant, and that the said Court was without jurisdic-
 tion to make the same.

You will further take notice that at the said time and place
 the said appellant will apply to said Court for a further stay of
 proceedings in said matter and for such other relief therein as may
 be proper.

J. J. Fahey
 Attorney for Appellant,
 John Kersten.

V. the Kersten' as administrator of the estate of
John Kersten, deceased, and the said John Kersten, deceased,
as the matter of the estate of John Kersten, deceased.

of John Kersten, deceased
in the matter of the estate of John Kersten, deceased.

CORRECTION OF CIVIL
CLERK OF MINNESOTA

EIGHTH JUDICIAL DISTRICT
DISTRICT COURT

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

In the Matter of the Estate
of John Kersten, Deceased

Upon the affidavit of P. D. Scannell, hereto annexed, and
upon all the files, records and proceedings in the above entitled
matter,

IT IS ORDERED that Anna Kersten, administratrix and re-
spondent herein, be and she is hereby required to show cause be-
fore this Court at Chaska, Minnesota in Carver
County, Minnesota, on the 24th day of April, 1908, before the
undersigned, one of the Judges of said Court, why the order hereto-
fore entered in the above entitled matter on the 19th day of March,
A. D. 1908 should not be amended and corrected by substituting in
place thereof, the following: "It is therefore ordered that the
said appeal from the appointment of said administratrix made by the
said John Kersten, appellant, be and the same is hereby dismissed
with costs. Let judgment be entered accordingly."

It is further ordered that pending the hearing and deter-
mination of this order to show cause, that all proceedings in the
above entitled matter be and the same are hereby stayed.

It is further ordered that a copy of this order and the
annexed affidavit be served upon John J. Fahey, Esq., or M. C. Tift,
Esq., attorneys for the said respondent, on or before the 24th day
of April, 1908.

Dated this 24th day of April, 1908.

P. D. Scannell
District Judge.

UPON THE AFFIDAVIT OF P. D. SCAMMELL, DEPOSED ANNEXED, AND
THE VERDICT OF THE JURY, THE COURT ORDERED THAT THE
JUDGMENT OF THE PROBATE COURT OF CARVER COUNTY, MINNESOTA,
MADE ON THE 8TH DAY OF NOVEMBER, A. D. 1907, BE REVERSED,
AND THAT THE ORDER OF THE PROBATE COURT OF CARVER COUNTY,
MADE ON THE 19TH DAY OF MARCH, A. D. 1908, BE AFFIRMED,
WITH COSTS.

OF JOHN KERSTEN, DECEASED
IN THE MATTER OF THE ESTATE

CORRELL OF CUMBER
SEVERE OF MINNESOTA

HIGH JUDICIAL DISTRICT
DISTRICT COURT

STATE OF MINNESOTA DISTRICT COURT
COUNTY OF CARVER EIGHTH JUDICIAL DISTRICT

In the Matter of the Estate
of John Kersten, Deceased

STATE OF MINNESOTA }
COUNTY OF RAMSEY } ss

P. D. Scammell, being first duly sworn, on
oath deposes and says: that he is attorney for John Kersten, heir
and appellant in the above entitled matter; that prior to the 19th
day of March, A. D. 1908, an appeal was taken by the said appellant
from the order of the Probate Court of Carver County appointing Anna
Kersten administratrix of the estate of said deceased; that said
appeal was made and taken more than thirty days after the appoint-
ment of said administratrix; that thereafter the said appeal came
duly on to be heard and was heard by the above named Court and that
on the 19th day of March, A. D., 1908, the said Court made and filed
herein its order, in words and figures following, namely:

"It is, therefore, ordered that the said order and decision
of the Probate Court of Carver County, made on the 8th day of Novem-
ber, A. D. 1907, appointing Anna Kersten administratrix of the es-
tate of said decedent in the above entitled cause, be and the same
hereby is in all things affirmed with costs. Let judgment be en-
tered accordingly."

That the said order is erroneous and in conflict with the
memorandum of the trial court accompanying the same in this:

That the said trial court in said memorandum decides and
determines that said appeal was taken more than thirty days after
the entry of the order appointing the said administratrix, and, there-
fore, the said Court was without jurisdiction to do anything except

SEVEN OF MINNESOTA

of John Kersten, deceased
in the matter of the estate

COURT OF CIVIL
SEVEN OF MINNESOTA

EIGHTH JUDICIAL DISTRICT
DISTRICT COURT

dismiss the said appeal, and that the order of the said Court as entered is erroneous, because it assumes to determine the merits of the appointment without having jurisdiction thereof.

Affiant farther says that the said order as entered prejudices the rights of the said appellant, because it assumes to determine the competency and qualifications of the said administratrix as such, a matter which the said Court in its said memorandum has stated and determined was not before it.

Affiant further says that he resides in the City of St. Paul at a distance from said Carver County, and owing to said distance, the absence of regular special terms at said Court, and the difficulty and inconvenience of bringing said matter on for hearing, he has been unable to make arrangements therefor prior to this time, or to bring said matter on for hearing by an ordinary notice of motion. That the stay of proceedings heretofore entered in this matter will expire on the 29th day of April, 1908.

WHEREFORE affiant prays that the said administratrix may be required to show cause before this Court at such time and place as it may appoint, why the order heretofore entered by it in the above matter as hereinbefore stated, should not be amended and corrected by substituting in place thereof, the following: "It is therefore ordered that the said appeal from the appointment of said administratrix made by the said John Kersten, appellant, be and the same is hereby dismissed with costs. Let judgment be entered accordingly;" and that pending the hearing and determination of said motion, if the same be made returnable subsequent to the 29th day of April, 1908, a further stay of proceedings be granted.

P. D. Seavall

Subscribed and sworn to before me
this 23rd day of April, 1908.

James P. Day
Notary Public, Ramsey County, Minn.

My Commission expires June 21/1913

Original

DISTRICT COURT
CARVER COUNTY

In the Matter of the Estate
of John Kersten, Deceased

AFFIDAVIT, ORDER TO SHOW
CAUSE, and NOTICE OF MO-
TION TO AMEND ORDER.

CARVER COUNTY,
FILED

MAY 11 1908

H. O. Muehlberg, Clerk.

(534)

DISTRICT COURT,
CARVER COUNTY,

In the Matter of the Estate of)
John Kersten, Deceased.)

Appeal of John Kersten from the)
Order of the Probate Court of said)
County, dismissing his petition for)
the removal of Anna Kersten, as ad-)
ministratrix of said estate, and for)
other relief and dismissing the order)
to show cause theretofore issued)
thereon.)

John Kersten, Appellant,)
vs.)
Anna Kersten, administratrix of the)
estate of John Kersten, deceased.)
Respondent.)

=====

NOTE OF ISSUE.

COURT CASE.

000 P. D. Scannell, 000
Attorney for Appellant.

John J. Fahey
and
C. M. Tifft,
Attorneys for Respondent.

Will the Clerk please file
this Note of Issue, and enter the
cause on the Calendar for the
September A. D. 1908 General Term
of this Court.

Yours, etc.,

ATTORNEYS FOR RESPONDENT.

Original

Class 6.

No. 16.

DISTRICT COURT,

Carver

County.

In the matter of the
Estate of John Kersten
deceased

NOTE OF ISSUE.

LAST PLEADING SERVED,

190.
Appeal from Probate
Court Case.
Attorney for Plaintiff
John J. Fahy and M. C. Lott
Attorney for Defendant
R. S. Randall

Will the Clerk please file this Note of
Issue, and enter the cause on the Calen-
dar for the 28th Sept. A. D. 1908
General Term of this Court.

Yours, etc.,

R. S. Randall
Attorney for Plaintiff.

Filed Sept. 28 1908
H. O. Marshallburg Clerk.

The \$3.00 deposit required by Sec. 2, Chap. 48, General Laws
of 1883, must be paid before any action will be entered in
Clerk's Office.

No. 83.—Pioneer Press Co., St. Paul, Minn.

(549)

DISTRICT COURT,
CARVER COUNTY,

In the Matter of the Estate of)
John Kersten, Deceased.)

Appeal of John Kersten from the)
Order of the Probate Court of said)
County, dismissing his petition for)
the removal of Anna Kersten, as ad-)
ministratrix of said estate, and for)
other relief and dismissing the order)
to show cause theretofore issued)
thereon.)

John Kersten, Appellant,)
vs.)
Anna Kersten, administratrix of the)
estate of John Kersten, deceased.)
Respondent.)

=====

NOTE OF ISSUE.

COURT CASE.

100 P. D. Scannell, 100
Attorney for Appellant.

John J. Fahey

and

C. M. Tifft,
Attorneys for Respondent.

Will the Clerk please file
this Note of Issue, and enter the
cause on the Calendar for the
September A. D. 1908 General Term
of this Court.

Yours, etc.,

John J. Fahey
C. M. Tifft
ATTORNEYS FOR RESPONDENT.

STATE OF MINNESOTA,
COUNTY OF CARVER.

===

DISTRICT COURT.

===

In the Matter of the
Estate of John Kersten, deceased.

Appeal of John Kersten
from the Order of the Probate
Court of said County, dismissing
his petition for the removal of
Anna Kersten as administratrix
of said estate, and for other
relief and dismissing the order
to show cause theretofore issued
thereon.

John Kersten, Appellant,
vs.
Anna Kersten, administratrix of
the estate of John Kersten,
deceased. Respondent.

===

NOTE OF ISSUE.

===

John J. Fahey, Norwood, Minn.
and
G. M. Tifft, Glencoe, Minn.
Attorneys for Respondent.

===

CARVER COUNTY,
FILED

SEP 19 1908
H. O. Muehlberg, Clerk.

(549)

State of Minnesota

County of Carver

District Court

In the matter of the estate of Kohn Kersten, deceased.

Appeal of John Kersten from the order of the Probate Court of said county dismissing his petition for the removal of Annie Kersten as administratrix of said estate and for other relief and dismissing the order to show cause theretofore issued thereon.

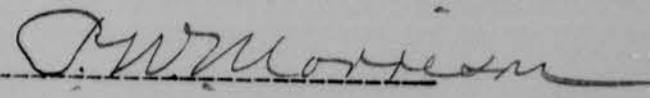
The said appeal came duly on to be heard this 28 day of September 1908 at a general term of said district court held at Chaska in said county.

P.D. Scannell Esq., appeared as attorney for appellant and John J. Fahey Esq. and C.M. Tiffet Esq., as attorneys for respondent.

After hearing the arguments of counsel and duly considering the same

Ordered, that said action be and the same hereby is remanded to the Probate Court of said County for further proceedings.

Dated this 28 day of September 1908



District Judge.

1844-1845

Based upon the fact of September 1908

County of said County for a certain period.

ordered, that said action be and the same may be removed to the proper
court having the jurisdiction of said matter and with consideration the same
and the same may be removed to the proper court.

and the same may be removed to the proper court.

and the same may be removed to the proper court and the same may be removed to the proper court.

and the same may be removed to the proper court.

and the same may be removed to the proper court.

and the same may be removed to the proper court.

and the same may be removed to the proper court.

CARVER COUNTY
FILED

SEP 29 1908

H.O. Muehlberg
(549)

State of Minnesota,

DISTRICT COURT.

County of Carver

Eighth

Judicial District.

In the Matter of the estate of John Kersten, Decedent

John Kersten, Appellant,

vs

Anna Kersten, as administratrix of the estate of

John Kersten, decedent, Respondent.

AMOUNT OF JUDGMENT OR VERDICT.

Amount of Judgment or Verdict, \$

Interest on same from the day of 19 \$

COSTS AND DISBURSEMENTS.

Statutory Costs, \$ 5.00

Affidavits, \$

Acknowledgements, \$

Jury Fees, \$

Clerk's Fees (to be taxed), \$ 5.41

Witness Fees, viz: (Give the name of each Witness, Residence, Number of Days and Dates of Attendance and Number of Miles Traveled.)

NAMES	RESIDENCE	NO. DAYS ATTENDANCE	DATES OF ATTENDANCE	NO. MILES TRAVELED
				\$
				\$
				\$
				\$
				\$
				\$

The above Bill of Costs and Disbursements taxed and allowed at \$

Dated February 15th 1909 Total Amount, \$ 10.41

H. O. Muehlberg Clerk.

AFFIDAVIT OF DISBURSEMENTS.

State of Minnesota,

County of McLeod

C. M. Tiff

being duly sworn, says, on oath, that he is one of the Attorney of the respondent in the above entitled action; that the foregoing is a true and correct statement of the costs and disbursements of said respondent, in the above entitled action; and that the foregoing items of disbursements and each item thereof, have been actually and necessarily paid or incurred therein, by and on behalf of said respondent; and that each of the above named witnesses was a material witness for the said respondent in said action, and was duly sworn, and testified on the trial of said action, on behalf of said respondent. That each of said witnesses actually and necessarily traveled the number of miles above set opposite his name, in going from his said place of residence to, and returning to said place of residence from, the place of trial of said action, and for the purpose of so testifying actually and necessarily attended said Court the number of days and on the dates hereinbefore stated; and that the residence of each of said witnesses is at the place above stated.

Subscribed and sworn to before me, this

10 day of February 1909

Theodore Kosnik

Register of Deeds

Notary Public McLeod County, Minn.

C M Tiff

NOTICE OF TAXATION OF COSTS.

State of Minnesota,

DISTRICT COURT,

County of Carver

8th

Judicial District.

In the Matter of the estate of John Kersten, decedent
John Kersten, Appellant,

vs

Anna Kersten, as administratrix of the estate of
John Kersten, decedent, Respondent.

Sir: Please Take Notice, That on the 15 day of February 1909
at 10 o'clock A. M., application will be made to H.O. Muehlburg Esq.
Clerk of said Court, at his office in the Court House in the City
of Chaska in the County of Carver and State of Minnesota,
to have the within bill of costs and disbursements taxed and inserted in the judgment then and there to be
entered herein.

Dated

19

Yours respectfully,

John J. Foley
Norwood, Minn.
and
Glencoe, Minn.
Attorney for Anna Kersten,
Respondent

To P.D. Scannell Esq.,
Attorney for Appellant

State of Minnesota,)
County of McLeod,) ss.

C. M. Tiff, came before me personally and
being first duly sworn, deposes and says that he is one of the Attorneys
for Anna Kersten, the respondent in the within entitled action, and re-
sides at the Village of Glencoe, in the County of McLeod in said State;
that P. D. Scannell is the Attorney for John Kersten, the appellant in
the within entitled action and he resides at the City of St. Paul in said
State and has his office at No. 307- Court Block in said City; that be-
tween said Village of Glencoe and said City of St. Paul there is a regular
daily communication by mail. Affiant further says that on the 10th day
of February 1909, he served the within affidavit of costs and disburse-
ments and Notice of Taxation upon said P. D. Scannell, by then and there
depositing in the United States Post Office at said Village of Glencoe,
a true and correct copy of said Affidavit and Notice, which said copy was
then and there duly enclosed in a sealed envelope with the postage duly
prepaid thereon and addressed to said P. D. Scannell at said No. 307-
Court Block, St. Paul, Minn.

Subscribed and sworn to before me this 10th day of February, 1909.

Phedon W. H. H. H.
Register of Deeds, McLeod County, Minn.

DISTRICT COURT,

Judicial District.

County of Carver

*L. R. Estate
of John Kersten*

(First Appeal)

Notice of Taxation of Costs and Bill
of Costs and Disbursements.

Due service of the within bill of dis-
bursements and affidavit to same,
and notice of taxation thereof, by
delivery of copy thereof, is hereby
admitted this 13 day
of February A. D. 1909

Attorney for

H.O. Muehlburg
Clerk.

John J. Foley
Attorney for Respondent

(534)

State of Minnesota
County of Carver

District Court
8th Judicial District.

In the matter of the Estate of John Kersten, Deceased.

-----Appeal of John Kersten from the order of the Probate Court of said County dismissing his petition for the removal of Anna Kersten as administratrix of said estate and for other relief and dismissing the order to show cause theretofore issued thereon.

This appeal was heard by Hon. P.W. Morrisson Judge of said Court on the 28th day of September 1908 at a General Term of said Court at Chaska, in said County, and the Court having on said date made and filed an order therein remanding said cause to the Probate Court of said County for further proceedings. Judgment is entered accordingly.

Signed H.O. Muehlberg
Clerk of said Court.

Done at Chaska, Carver County,
Minnesota, this 1st day of January February
1909.

Costs in favor of John Kersten appellant are taxed as per stipulation of counsel for appellant and Respondent filed in this Court on January 6th, 1909.

Jan. 1908.

of counsel for appellant and respondent filed in this court on January 1908 in favor of John Kester appellant are taxed as per stipulation

1908.
Minnesota, this day of January
Dated at Cassia, Carver County.

Signed _____ Clerk of said court.

Further proceedings. Judgment is entered accordingly.

Wherein remaining said cause to the Probate Court of said county in said county, and the court hearing on said date made and the 28th day of September 1908 at a General Term of said court at Cassia, this docket was heard by Hon. P. W. Morrison Judge of said court on

CARVER COUNTY
FILED
FEB 1 1909
H. C. Marshallburg

dissolving the order to show cause theretofore issued thereon.

And Kester as administrator of said estate and for and for the relief and date court of said county dissolving his petition for the removal of

Adversely of John Kester from the order of the Probate Court of the estate of John Kester, necessary.

County of Carver
State of Minnesota

Notary Public
Notary Court

State of Minnesota, } ss.
County of Carver
24th day of December 1907, at the Town of Young America
in the County of Carver in said State, I served the within petition
upon the within named defendant, Anna Kersten personally
Administratrix by then and there handing to and leaving with her a true
copy of said petition
Dated this 24th day of December 1907
Sheriff's Fees, Return, \$ 1.00 G. A. Gatz.
Mileage 40 \$ 4.00 Sheriff Carver County, Minn.
\$ 5.00 By H. Heimken Deputy.
Paid.

Copy of order to show cause

STATE OF MINNESOTA

COUNTY OF CARVER.

IN PROBATE COURT.

In the matter of the Estate of John Kersten Deceased.

Upon reading the petition of John Kersten, son of the above named deceased, praying for the reason^{set} forth in said petition that Anna Kersten, the Administratrix herein, be required to file a true inventory of all the estate of said deceased, and that she be removed as such Administratrix and some disinterested and competent person be appointed in her place and that pending the hearing of this petition and untill the further Order of the Court said Administratrix be restrained from disposing in any manner of any property in her hands or under her control as such Administratrix, and that she be required to account for all estate received by her or under her control either individually or as Administratrix herein, and for such other and further relief as shall be proper in the premises;

On motion of P. D. Scannell, Esq., attorney for said petitioner, It is Ordered that said petition be heard and considered at a special term of this Court to be held in the court house in the City of Chaska, in the County of Carver, State of Minnesota, on the 4th day of February, 1908, at 2. O'clock in the afternoon of said day, at which time and place said Administratrix is required to show cause, if any there be, why the prayer of said petitioner should not in all things be granted and pending the hearing of said petition and untill the further order of the Court herein, said Administratrix is restrained from in any manner disposing of any of the property or estate in her hands or under her control as such Administratrix, or of any property held by her as an individual in which the deceased was in his life time interested; and it is further ordered that this order and the foregoing petition be served upon said Administratrix personally within three (3) days from the date hereof in the same manner as is required by statute in case of ^{the} service of a summons in proceedings pending in the District Court.

Dated December 23rd, 1907.

(Court Seal.)

John Glaeser,
Judge of Probate.

STATE OF MINNESOTA
COUNTY OF CARVER

IN PROBATE COURT.

In the matter of the estate of John Kersten, deceased.
To the Honorable, the Judge of Probate of said Carver County,
Your petitioner, the undersigned, begs leave to show to this Court as follows:-

1. That on or about the 26th day of November, A.D. 1906.

John Kersten, at Norwood in said County, and State, died intestate leaving considerable property consisting in part of a number of Real Estate Mortgages, Money in Bank, and Cash on hand.

2. That said deceased left surviving him, your petitioner, John Kersten, of St Paul, Minnesota, his only Son and only heir-at-law.

3. That on or about the 1st day of October, 1907, a petition for letters of Administration on the estate of said deceased was filed in the above named Court, being file No, 1528 of the records of said Court, by a woman calling herself Anna Kersten and claiming to be the wife of said deceased, but who was not so related to the deceased.

4. That acting upon the belief that said petition contained truthful information the said above Court issued a citation for hearing in said matter which said citation appears to have been published in the Norwood Times, a newspaper published at said place; that no notice of said intended proceeding was sent to your petitioner and only heir as aforesaid, And he had no knowledge thereof untill the 27th day of November 1907, when he called at said above Court with his attorney, Mr, P.D. Scannell, of St Paul, Minnesota.

5. That, on the 8th day of November, 1907, pursuant to said published citation, the Court heard the petition for letters as aforesaid and granted letters of Administration to the applicant therefor, said pretended wife calling herself Anna Kersten as aforesaid and that said letters were procured by fraud and misrepresentation on the part of said applicant.

6. That said pretended wife through such fraud and misrepresentation as aforesaid, qualified and became the Administratrix of the estate of said deceased on or about the 13th day of November, 1907, and since that time has been acting in that capacity,

7. That said pretended wife, the said Administratrix has filed and pretended "Inventory" of the property of the estate of said deceased in said Court in which she, the said pretender, makes it appear that the entire estate of said deceased consists only of one real estate Mortgage for the sum of One Thousand Dollars, when in truth and in fact said deceased at the time of his death was the owner of real estate Mortgages, securing indebtedness, aggregating more than Nine Thousand Dollars: that She has already filed her application in said Court to be allowed the entire amount so inventoried, claiming by virtue of her statutory right as the widow of the deceased.

8. That said pretended Anna Kersten the said pretended wife of the deceased aforesaid on the 24th day of June in the year 1878, was married at Isabelle, Wisconsin to one Leon Cournier, a Baker then residing at Red Wing, Minn.

9. That a short time after such marriage to her said spouse at Isabelle, Wisconsin, she deserted her said Husband and fled to the vicinity of Cologne, Minn., where John Kersten, the deceased and Your petitioner resided on a Farm; that her said Husband, Leon Cournier followed her to the said Farm and demanded her return, and that the deceased, in the presence of petitioner told the said Leon Cournier to take her away if she was his wife.

10. That she, the said pretended widow of the deceased did not depart with her said Husband but remained on said Farm as housekeeper of the deceased and has exercised great influence over the acts of the said deceased and that the said pretended widow made life a burden for Your petitioner, untill he became 21 years old, when he enlisted in the Army of the United States; that your petitioner was compelled to and many times had to sleep in the Hay loft on the Farm with his Gun under his pillow to be ready to defend himself in an instant as the said pretended widow of his said deceased Father had on sundry

2

and various occasions threatend his life.

11. That said pretended widow of the said deceased has caused to be recorded various spurious and false assignments of real estate mortgages propoerting to have been made by the deceased to her and that said assignments had been recorded on the 3rd day of December, 1906, in the Office of the Register of Deeds of McLeod County, Minnesota, seven days after the death of the deceased.

12. That deceased was about 75 years old at time of his decease and for several years a sufferer from Dropsy and other deceases which coupled with his advanced age made him weak in mind and body and unable to exercise his faculties in a sane, sound, and enteligent manner, and that the pretended widow took advantage of such condition to mislead said deceased, by the exercise of undue influence and cunning knavery to procure transfers of his property while he was so incapacitated and oblivious to the nature of his acts, and not of sound and disposing mind and memory; that said assignments are false, fraudulent, and spurious, were never made by the deceased, were given if at all, without consideration and were never in fact, delivered by the deceased in his life time or by any one authorized so to do, to said pretended widow, and same are void, invalid, and contrary to law, and are now and have always been, part of the estate of said deceased as a matter of fact.

13. That said pretended widow of said deceased made and procured said assignments by false and fraudulent representations for the sole purpose of defeating the interest of your petitioner and depriving him as heir, of his lawfull interest in the estate of his deceased Father.

14. That there is a conflict of interest between your petitioner the only Son and heir of the deceased and the Administratrix, the pretended widow of the deceased, as she is attempting to cover up and has covered up and hidden the property of the estate for her own benefit as pretended widow and assignee as she has failed to make a proper inventory of all the property of the deceased.

15. That this conflict of interest cannot be settled or adjudicated, unless a disinterested person shall be acting as representative herein.

16. That if she is permitted to act as administratrix the estate will suffer and never be properly collected and administered and the rights of Your petitioner seriously injured, affected and impaired.

17. That it is apparent that several proceedings will have to be instituted in which the present acting administratrix the said pretended widow, will be a party, to secure a proper inventory of the assets of the estate and the rights of those rightfully interested therein, and as said proceedings would have to be commenced in the name of said administratrix she would appear in a dual capacity.

18. Your petitioner is informed and believes that there are large sums of money in Banks in the name of said pretended widow and out of Bank in her possession and control which is in fact the property of the estate of said deceased and that the said administratrix the ^{said} pretended widow, has failed to inventory same or any part thereof.

19. W H E R E F O R E. your petitioner prays that said administratrix be required to file a true inventory of all the property, of said deceased of every description whatever, whether real or personal and whether standing in her name or the name of said deceased, a partial list of which said property is as follows:-

1. One Real estate mortgage dated August 22, 1903. given by Joseph Lhotka and Nettie Lhotka, his wife, recorded in Book 11, of Mortgages Page 303, for One Thousand Dollars. (\$1,000.00) running for 5 years interest at 5% per annum.

2. One Real estate mortgage dated July 9, 1904. given by Julia Lanchstedt and Gustave Lanchstedt, her husband, to John Kersten, recorded in Book 11. of mortgages, page 427. for Sixteen Hundred Dollars (\$1600.00) running for 5 years.

3. One real estate mortgage dated August 3, 1904. given by May Nemitz and Rudolph Nemitz, her husband, to John Kersten, recorded in Book 11.

in Book 11, of mortgages page 434, for Seventeen Hundred Dollars, (\$1700.00) running for Ten Years.

4. One Real Estate mortgage dated November 3. 1904. given by Mary M. Nemitz and Rudolph Nemitz her husband, to John Kersten, recorded in Book 11. of mortgages. page 460. for Seven Hundred Dollars (\$700.00) running for Ten Years.

5. One Real estate mortgage dated December 8. 1905, given by Jacob Terlinden and wife to John Kersten, recorded in Book 11; of mortgages, page 606, for Nineteen Hundred Dollars. (\$1.900.00) running for Four Years.

6. One Real estate mortgage dated September 17. 1906 given by Wilhelm Bathen and Mary Bathen, his wife to John Kersten, recorded in Book 17. of mortgages, page 56. for Eighteen Hundred Dollars, (\$1.800.00) interest 5 and 1/2 per cent per annum, running for Five Years. All Recorded in Office Register Deeds, McLeod Co Minn.

7. One House, and Two Acres of land, more or less, the Homestead of the deceased at Norwood, Minnesota.

Also all cash on hand, money in the Bank, or other evidences of indebtedness due or owing to said deceased and within the knowledge of said pretended widow; that in order that there be a proper administration of ^{this} said estate, it is necessary and advisable that said Anna Kersten (so called) be removed as administratrix herein and that some disinterested and competent person be appointed in her place, and that pending the hearing of this petition and untill the further order of the Court said administratrix be restrained from disposing in any manner of any property in her hands or under her control as such administratrix and that she be required to account for all estate received by her, or under her control as representative herein, or individually, and for such other and further relief as shall be proper in the premises.

John Kersten.

John Kersten

Petitioner.

P.D.Scannell. Attorney for said petitioner, 307 Court Block,
St. Paul, Minnesota.

Original
 State of Minnesota
 County of Ramsey.
 in presence of
 County of Ramsey
 State of Minnesota
 Decerned.
 Before of John Kersten.
 in the matter of the
 Petition of John Kersten
 for the removal of
 John Kersten.
 Filed Dec. 19. 1907.
 John Kersten.
 John Kersten.
 P. D. Scannell.
 Notary Public, Ramsey County, Minnesota.
 My Commission Expires Feb. 28. 1912.

John Kersten being duly sworn says that he is the
 petitioner in the above entitled proceedings, that he has read
 the foregoing petition and knows its contents and the same is true
 of his own knowledge, except as to those matters stated on infor-
 mation and belief, and as to such matters he believes it to be true.

John Kersten.
 John Kersten.

Subscribed and sworn to before me this
 19th day of December, A. D. 1907.

P. D. Scannell.
 P. D. Scannell.

Notary Public, Ramsey County, Minnesota.

My Commission Expires Feb. 28. 1912.

(NOTARIAL SEAL)

Original

State of Minnesota
County of Carver
In Probate Court.

In the matter of the
Estate of John Kersten.
Deceased.

Petition of John Kersten,
Son of the Deceased,
praying for Removal of
Administratrix and other
Relief.

Filed Dec. 27. 1907.
John Glaeser.
Judge of Probate.

P. D. Scannell.
Attorney for petitioner
307 Court Block
St. Paul Minnesota.

John Kersten being duly sworn deposes that he is the
petitioner in the above entitled proceedings, that he has read
the foregoing petition and knows its contents and the same is true
of his own knowledge, except as to those matters stated on info-
rmation and belief, and as to such matters he believes it to be true.

Test given at December, A. D. 1907.
Subscribed and sworn to before me this

John Kersten.

P. D. Scannell.

Notary Public, Carver County, Minnesota.

(NOTARIAL SEAL)

ORIGINAL

IN THE MATTER OF THE ESTATE OF
JOHN KERSTEN
PROBATE COURT

IN THE MATTER OF THE ESTATE OF
JOHN KERSTEN
PROBATE COURT

JOHN KERSTEN, Decedent

vs.
Anna Kersten,
Respondent.

Filed for the 4th day of
January, 1908.

Attest:
John J. Fahey,
Attorney for Respondent.

John J. Fahey and C. M. Tifft,
Attorneys for Respondent.

JOHN KERSTEN, Decedent

vs.
Anna Kersten,
Respondent.

Attest:
John J. Fahey and C. M. Tifft,
Attorneys for Respondent.

JOHN KERSTEN, Decedent

STATE OF MINNESOTA,
County of Carver.

) ss.

IN PROBATE COURT.

In the matter of the estate of John Kersten, deceased.

Now comes the Respondent, Anna Kersten and by her attorneys, John J. Fahey and C. M. Tifft, and appears specially and for the purpose of this motion only and objects to the jurisdiction of this Court, and moves to dismiss the order to show cause, dated the 23rd day of December 1907, and returnable at this time, on the ground and for the reason that this Court has no jurisdiction in the premises, or to determine said matter; for the reason, that on, to-wit, the 24th day of December 1907, the petitioner, John Kersten, appealed to the District Court in and for Carver County, from an Order duly made by said Probate Court, appointing the said Respondent, Anna Kersten, Administratrix of said estate, and on said day served a notice of appeal in said matter on John J. Fahey, the Attorney of Record in said estate, and on the 26th day of December 1907, filed said Notice of appeal with proof of such service thereof with the Honorable John Glaeser, Judge of said Probate Court, and on the 26th day of December 1907, filed an appeal bond with said probate Court, which said bond was on said day duly approved and filed in said Court, in said proceedings.

John J. Fahey,
and
C. M. Tifft.
Respondent's Attorneys.

Complex of Glass. 1937
State of Indiana
nt.

THE BROWN COMPANY

umber 1907, filed in said court, and on the 28th day of Dec-
ember, Judge of said Probate Court, and on the 28th day of Dec-
ember with proof of such service thereof with the Honorable John
Sawyer, and on the 28th day of December 1907, filed said notice of
appeal in said matter on John J. Mahoney, the Attorney at Record in said
Administratrix of said estate, and on said day served a notice of
by said Probate Court, appointing the said Respondent, Anna Kereken,
the District Court in and for Garver County, from an order duly made
said day of December 1907, the petitioner, John Kereken, appealed to
or to determine said matter; for the reason, that on, to-wit, the
for the reason that this Court has no jurisdiction in the premises,
day of December 1907, and returnable at this time, on the second and
Court, and moved to dismiss the order to show cause, dated the 22nd
purpose of this motion only and objects to the jurisdiction of this
John J. Mahoney and C. W. Tipton, and appears specially and for the
Now comes the Respondent, Anna Kereken and by her attorneys,
in the matter of the estate of John Kereken, deceased.

[illegible]

John J. McGowan, Jr.

ber 1903, filed an appeal from the order of the Honorable John
Hessner, Judge of said Probate Court, and on the 28th day of Dec-
ember with proof of such service thereof with the Honorable John
Hessner, and on the 28th day of December 1903, filed said notice of
appeal in said matter on John J. Babey, the Attorney of Record in said
Administratrix of said estate, and on said day served a notice of
appeal said Probate Court, appointing the said Respondent, Anna Kerkston,
the District Court in and for Garver County, from an order duly made
34th day of December 1903, the Petitioner, John Kerkston, appealed to
or to determine said matter; for the reason, that on, to-wit, the
for the reason that this Court has no jurisdiction in the premises,
day of December 1903, and returnable at this time, on the second and
Court, and moved to dismiss the order to show cause, dated the 23rd
purpose of this motion only and objects to the jurisdiction of this

John J. Fahey and C. M. Tiff.
Attys, for Respondent
Anna Kersten.

1908.
IN PROBATE
STATE OF MINNESOTA,)
COUNTY OF CARVER.)

IN PROBATE COURT.

In the matter of the Estate of John Kersten, Decedent.

The petition of John Kersten, praying for an Order requiring the Administratrix of said Estate to show cause, why she should not be removed as such Administratrix of said Estate, came on for hearing on the 4th day of February, 1908. at 2. O'clock P.M.

John Kersten the petitioner in this matter appeared in person and by his Attorneys P. D. Scannell and J. E. Stivers,

Anna Kersten, the Administratrix appeared in person and by her Attorneys John J. Fahey and C. M. Tiff, specially and for the purpose of this motion only and objects to the jurisdiction of this Court, and moves to dismiss the order to show cause, dated the 23rd day of December A. D. 1907. and filed Dec, 27th, 07. And returnable at this time, on the ground and for the reason that this Court has no jurisdiction in the premises, or to determine said matter; for the reason, that on the 24th day of December 1907, the petitioner John Kersten, appealed to the District Court in and for Carver County, from an Order duly made by said Probate Court, appointing the said Respondent, Anna Kersten, Administratrix of said Estate, and on said day served a Notice of appeal in said matter on John J. Fahey, the Attorney of Record in said Estate, and on the 26th day of December 1907, filed said Notice of Appeal with proof of such service thereof with John Glaeser, Judge of Probate of Carver County, and on the 26th day of December 1907. filed an appeal Bond with said Probate Court, which said bond was on the said day duly approved and filed in said Court in said proceedings.

ORDERED, That the above Motion be Granted and said Order together with petition thereof, be dismissed.

Dated this 4th, day of
February, A. D. 1908.

John Glaeser.
Judge of Probate.

(Court Seal.)

1528.

COUNTY OF BRUNNEN.
STATE OF MINNESOTA.)
IN PROBATE COURT.

In the matter of the Estate
of
John Kersten, Decedent.

Order Granting Motion for Dis-
missing petition and Order for
removing Administratrix.

Recorded in Bond Record
E. page 560

Filed Feb. 4th 1908.

John Glaeser,
Judge of Probate.

Whereby and for the reason that this Court has no jurisdiction in the
A. D. 1907 and filed Dec. 31st, 07. and returned at this time, on the
motion to dismiss the order to show cause, dated the 31st day of December
of this motion only and objects to the jurisdiction of this Court, and
Attorneys John J. Kelly and C. M. Witt, specially and for the purpose
John Kersten, the Administratrix appeared in person and by her
by his Attorneys P. D. Gonnelli and J. E. Givens.

John Kersten the petitioner in this matter appeared in person and
the day of February, 1908, at 3 o'clock P.M.
moved as such Administratrix of said Estate, came on for hearing on the
Administratrix of said Estate to show cause, why she should not be re-
The petition of John Kersten, praying for an order redubbing the
in the matter of the Estate of John Kersten, Decedent.

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

IN THE MATTER OF THE Estate

OF

John Kersten.

Know all Men by these Presents,

That we, John Kersten of St. Paul, Minnesota.

as principal,
and J. H. Bohrer and Albert Hanft.as sureties,
are held and firmly bound unto Hon. John Glaeser.Judge of Probate
of the County of Carver Minnesota, in the sum ofFive Hundred, DOLLARS, lawful money of the
United States, to be paid to the said Judge of Probate, or to his successors in office; for which pay-
ment, 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.Signed with our hands and sealed with our seals, this 20th day of
February A. D. 1908The Condition of this Obligation is Such, That whereas the above bounden
John Kersten, Son and heirof John Kersten deceased, being aggrieved by an order of
Hon. John Glaeser Judge of the Probate Court of the County of
Carver aforesaid, made on the 14th day of
February A. D. 1908and intends to appeal therefrom to the District Court of the
Eighth Judicial District, in and for said County of CarverNow, Therefore, If the said John Kersten
do and will prosecute his appeal with due diligence to a final determination, and pay all
costs and disbursements that may be awarded on such appeal, and secure the estate of the said
deceased, from all damages and
costs in consequence of such appeal, and secure the intervening damages and costs to the said
adverse party, and abide the order
of the Court therein, then this obligation shall be void; otherwise it shall be and remain in full
force and virtue.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

P. D. Scannell

F. E. Stivers.

John Kersten

J. H. Bohrer

Albert Hanft.

State of Minnesota, } ss.
County of Ramsey

Be it Known, That on this 20th day of February
A. D. 1908, personally appeared before me J. H. Bohrer and Albert Hanft,

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

P. D. Scannell.
Notary Public, Ramsey Co., Minnesota.
(Notarial Seal) My Commission expires February 28th 1912.

State of Minnesota, } ss.
County of Ramsey

J. H. Bohrer and Albert Hanft.

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 J. H. Bohrer, in the sum of Two Hundred Fifty Dollars,

the said Albert Hanft, in the sum of Two Hundred Fifty Dollars,

the said in the sum of Dollars,

the said in the sum of Dollars,

and that each respectively is worth 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 Albert Hanft

20th day of February A. D. 1908 J. H. Bohrer

P. D. Scannell
Notary Public.

(Seal) Ramsey County, Minn.

My commission expires Feb. 28th, 1912

I do hereby approve the within Bond, this 28th day of February A. D. 1908

(Court Seal) John Glaeser,
Judge of Probate.

St Paul, Minn. February 20th 1908.

If the within bond was presented to me for approval, I would approve the
same with the sureties thereon, E. W. Bazille. Judge.

Original
No. 1528
IN PROBATE COURT,
County of Ramsey
IN THE MATTER OF THE Estate
OF
John H. Bohrer
APPEAL BOND.
Filed and approved this 28th
day of February A. D. 1908
John Glaeser
Judge of Probate.
State of Minnesota, } ss.
County of Ramsey
I hereby certify that the within Appeal
Bond was duly recorded this 28th
day of February A. D. 1908
in Book No. 1 of bonds, page 232
John Glaeser
Judge of Probate.
No. 76

State of Minnesota,
County of Carver

} ss

IN PROBATE COURT.

IN THE MATTER OF THE Estate
OF

John Kersten, deceased.

Notice is Hereby Given, That John Kersten, heir
being aggrieved by the order of Hon John Glaeser. of the Probate Court of the
County of Carver Minnesota, made on the 4th
day of February A. D. 1908, Whereby the Court rules that it has
lost jurisdiction of the subject matter then under consideration and at the
same time entertains and grants a motion vacating and dismissing one of
its former Orders therein,
hereby appeals therefrom to the District Court of the Eighth Judicial District, in and
for said County of Carver

Dated the 20th day of February A. D. 1908

To Messrs John J. Fahey and M.C. Tifft.

P. D. Scannell

Attorney for Respondent.

Attorney for Appellant.

XXXXXXXXXXXX

IN PROBATE COURT,

IN THE MATTER OF THE Estate
OF

John Kersten.

NOTICE OF APPEAL TO DISTRICT COURT.

Due service of the within notice is
hereby admitted this 21
day of February A. D. 1908
at Norwood, Minn.

John J. Fahey.
pr A. C. Klancke.
Attorney for Respondent

P. D. Scannell.
Attorney for Appellant.

Filed the 28th day of
February A. D. 1908

John Glaeser.
Judge of Probate.

No. 138.

the former Cuban foreign minister, and the latter a former American and Japanese ambassador, are of some importance and illustrate a notion of American and Japanese foreign policy that is not infrequently of the same sort. The American foreign policy is to keep the world in a state of anarchy, the Japanese foreign policy is to keep the world in a state of anarchy.

CERTIFICATE OF TRANSCRIPT.

State of Minnesota
County of Carver

} ss

In Probate Court.

I, John Glaeser., Judge of the

Probate Court of said County, do hereby certify that I have compared the annexed
copies of Petition for Removal of Administratrix, Order to
Show Cause, Return of Service, Motion to Dismiss, Order Granting
Motion to Dismiss, Appeal Bond and Notice of Appeal.

with the original records preserved in said Probate Registry, and that the same is a true copy thereof, and of
the whole of said original records.

In Testimony Whereof, I have hereunto set my hand and affixed the seal
of said Court at Chaska, Minn., this 6th day of April A. D. 1908
John Glaeser.
Judge of Probate, Carver County, Minn.



No.

IN PROBATE COURT

County of Carver

In the Matter of the Estate of

John Kersten, Deceased.

Certificate of Transcript.

Filed this.....day of

.....A. D., 190

Judge of Probate.



Filed this 28th day of
October A.D. 1908
H. O. Muehlberg. Clerk
By Albert Meyer Deputy.
(549)

RESIDENCE:
TWIN CITY TEL. 2106

PATRICK D. SCANNELL
ATTORNEY AND COUNSELOR AT LAW

OFFICE: 307 COURT BLOCK

OFFICE:
N. W. TEL. MAIN 170

ST. PAUL, MINN. March 5th, 1909.

Hon. C. H. Tift,

Glencoe, Minn.

My dear Judge:-

I called at the office of the Clerk of the District Court at Chaska yesterday, pursuant to notice of Taxation of costs served upon you previously. The Clerk showed me your objections thereto.

You remember in the 1st appeal which was tried at Norwood, the Judge dismissed the appeal and tried case on Merits at same time. In this you would be entitled to \$10.00 Dollars costs on Merits, but upon an order to show cause in the same matter, why the Judge should not amend his findings, the Judge simply dismissed the appeal granting the amendment I prayed for. This reduced your costs on dismissal to \$5.00 Dollars, but costs were awarded to me on my order to show cause amounting to \$5.00 Dollars or in the Language of Gentlemen who shake dice - "Horse a Piece" However, you have seen fit to cause Judgment to be entered on your order of Dismissal with Costs and I had to retaliate by having Judgment entered on my order to show cause with costs.

The Clerk, however, has included in your Judgment \$3.00, Clerks Fee's which I have already paid him and which he admits to be error. Your Judgment should be \$5.00 Costs and \$2.41 Clerks Fee's or \$7.41, while my Judgment is \$5.00 Costs and \$1.95 Clerks Fee's or \$6.95.

In the Second appeal remanding cause to Probate Court for further consideration the Clerk did not include either his own Fees or any disbursements but simply the Statutory costs \$10.00. There has been so many moves in the case that it - has bothered the Clerk to keep track of them. I told Mr. Muhlberg that you and Mr. Fahey would be at Chaska on the 17th or 25th of March and that we would set him right on these costs matters.

RESIDENCE
TWIN CITY TEL. 2100

PATRICK D. SCANNELL
ATTORNEY AND COUNSELOR AT LAW
OFFICE: 307 COURT BLOCK
ST. PAUL, MINN.

OFFICE
N. W. TEL. MAIN 170

The Costs and disbursements in the 2nd appeal which is now
back to the Probate Court should read as follows:-

I Certified Copy	.750
Clerks Fee's Deposited	3.00
7 Certified Copies and Transcript, Judge of Probate	4.85
Clerk entering Judgment	<u>1.36</u> 9.96
Statutory Costs	10.00
Bond	<u>5.00</u> \$24.96

These matters we will, however, leave for adjustment until we
meet again.

I enclose you copy of citation with complaint attached of
matter set for March 17th. Hoping you are well, I remain,

Yours truly,

P. D. Scannell

Ok. March 5th 1901

by P. D. Scannell

C. M. Liff

H. M. Munkley
clerk

*See stipulation
of which this becomes
a part and
attached hereto*

Letter to
Judge Tift
4/5/09

Enclosing
Copies of Citation
and Complaint
for Embury's Complaint

State of Minnesota
County of Carver

District Court
8th Judicial District

In the matter of the Estate of
John Kersten, deceased
Appeals from Probate Court of ~~Said~~
Said County.

It is hereby stipulated by and between the
Parties hereto and their respective attorneys
that Judgment may be entered
in said Court, pursuant to order
of said Court of September 28th
1908 remanding said matter to the
Probate ^{Court} aforesaid for further
proceedings.

That Ten dollars Costs may
be inserted in said Judgment
in favor of appellant.

That Notice of Taxation of
Costs is hereby waived and
all other formalities preliminary
to the entry of Judgment

W. H. Hamell

Dated at Chaska
Minn Jan 6th 1909

} - attorney for appellant
John J. Fahney
and
C. M. Tiff
Attys for Respondent

*See Amendment
attached hereto
as per Letter
to Judge & Tiff*

In the Matter of the Estate
of John Keisten, deceased

Appeal of John Keisten
Heir

Costs & Disbursements
2^d appeal

CARVER COUNTY,
FILED

JAN 6 1908

H.O. Marshall
Clerk.

(549)

Judgment Book D. pag 281

State of Minnesota,
County of Carver.

District Court,
Eighth Judicial District.

-----0-----
IN THE MATTER OF THE ESTATE
of John Kersten, Deceased.
-----0-----

The above entitled cause was brought to this Court on an appeal by John Kersten, heir, from the order of the probate court of Carver county made on the 8th day of November, A. D. 1907, wherein and whereby Anna Kersten was appointed administratrix of the estate of John Kersten, deceased.

By consent of parties said cause was tried to the Court at Chambers in the Village of Norwood, in said District, on the 14th day of March, A. D. 1908.

P. D. Scannell, Esquire, appeared as counsel for the Appellant; John J. Fahey, Esquire, and M. C. Tiff, Esquire, appeared as counsel for Anna Kersten.

It appeared from the return of probate court that Anna Kersten was duly and regularly appointed administratrix of said estate upon her petition to said court, showing among other things that she was the surviving spouse of John Kersten, decedent, and, as such, was entitled to be appointed as such administratrix by the probate court of said county under Sec. 3698, R. L. 1905, there being no objection to her appointment at the time said petition was heard, and no appearance in any manner on the part of the appellant until an appeal was taken to this Court more than 30 days after the order of the probate court appointing said administratrix.

This is not an appeal from the order of the probate court refusing to remove said administratrix, but it is contended by the appellant that this Court has the power and authority to remove the administratrix on the proceedings now before the Court. In that contention I cannot concur. The Court is of the opinion that, if any cause ex-

ists for the removal of the administratrix from the office to which she has been appointed by the probate court of said county, the application for such removal must be first addressed to the probate court, and from the order refusing to remove the administratrix the appellant could appeal, and upon such appeal this Court would then have authority to order such removal, provided the evidence so warranted.

The evidence adduced at the hearing in this case does not show any cause whatever why the administratrix should be removed from her office, even if the Court had the authority under the proceedings now before it, to order such removal.

It is therefore O R D E R E D , That the said order and decision of the probate court of Carver county, made on the 8th day of November, A. D. 1907, appointing Anna Kersten administratrix of the estate of said decedent in the above entitled cause be, and the same hereby is, in all things affirmed, with costs.

Let judgement be entered accordingly.

Dated at Norwood, Minnesota, this 19th day of March, A. D. 1908.

J. W. Morrison
Judge of said Court.

State of Minnesota
County of Carver
District Court.
In matter of
Estate of John
Hudson, deceased.

Decision and
Order

CARVER COUNTY,
FILED

MAR 20 1908

H. O. Muehlberg, Clerk.

(534)

State of Minnesota,
County of Carver.

District Court,
Eighth Judicial District.

John Kersten,
against

Appellant,

Anna Kersten,

Respondent.

At the General March 1908 Term of the above named Court, on the preliminary call of the calendar, the respondent moved the Court to dismiss the appeal on the ground that the same was not taken from the order of the Probate Court within 30 days from the making thereof.

John J. Fahey, Esquire, appeared as counsel for the respondent in support of such motion;

P. D. Scannell, Esquire, appeared as counsel for the appellant, in opposition thereto.

After hearing the arguments of counsel for the respective parties, and giving all matters and things involved in said proceeding due consideration, it is

O R D E R E D , That said motion of the respondent to dismiss the appeal upon the grounds stated be and the same hereby is denied.

Dated at Chaska, Minnesota, this 3d day of March, A. D. 1908

R. D. Morrison
Judge.

Judge.

Noted at Chicago, Minnesota, this 24 day of March, A. D. 1908
by its parties.

Where the subject upon the grounds stated be and the same here-
O R D E R E D . That said motion of the respondent to dis-
proceeding due consideration, it is
refused, and giving all matters and things involved in said

After hearing the arguments of counsel for the respective
applicant, in opposition thereto.

H. D. Seannell, Esquire, appeared as counsel for the
respondent in support of such motion;

John L. Leibel, Esquire, appeared as counsel for the
20 days from the making thereof.
same was not taken from the order of the court and the
moved the court to dismiss the subject on the grounds
on the preliminary bill of the respondent.
At the General March Term of the above named court.

CARVER COUNTY
FILED
MAR 3 1908
H. C. Mulholland, Clerk

VINCE KOSTER, Respondent.

Attorney

JOHN KOSTER, Applicant.

COUNTY OF CARVER,
State of Minnesota

2 Now comes the above Appellant and moves this Court to declare
3 the Order of the said Probate Court of said Carver County NULL, VOID
4 and of NO FORCE and EFFECT for the REASON that said Probate Court
5 was without JURISDICTION to make such Appointment on said day or at
6 any other time, BECAUSE said Court had not COMPLIED with Sec. 13 of
7 CHAPTER 288 of the General Laws of Minnesota for the year 1905 ~~and~~
8 prior to the day of hearing the PETITION in said matter.

9 Said Sec. 13 reads as follows:

10 "Sec. 13 Upon the presentation of any petition to any
11 Probate Court of this State for letters testamentary
12 or of administration, or ancillary letters, testamentary
13 or of administration, the Probate Court shall cause a
copy of the CITATION or order for HEARING of such
PETITION to be served upon the COUNTY TREASURER of HIS
COUNTY not less than 10 DAYS prior to such HEARING".

14 If this Honorable Court should deny this MOTION, then said App-
ellant prays for a reversal of said order on the following grounds:

1 STATE OF MINNESOTA

DISTRICT COURT

2 COUNTY OF CARVER

EIGHTH JUDICIAL DISTRICT.

3 In the Matter of the appeal of John Kersten, from an order of the
4 Probate Court, of said above County, made on the 8th day of November,
5 1907, appointing Anna Kersten, administratrix of the estate of John
6 Kersten, deceased.

7
8 John Kersten, the said ^{above} appellant, begs leave to file the
9 following objections to the appointment of Anna Kersten, (so called)
10 in this, the said above court.

11 1. The said above appellant is the son and heir of John Kersten,
12 deceased, and that Anna Kersten (so called), claims to be the widow
13 of said deceased, and that said Anna Kersten is illiterate, incompetent
14 and unsuitable to, properly fill and discharge the duties of the office
15 of administratrix.

16 2. That said administratrix has filed a pretended inventory of
17 the estate of said deceased in ^{the Probate Court of said County} ~~said~~ Court, in which she makes it
18 appear that the entire estate of said deceased consists of one
19 only, real estate mortgage for the sum of One Thousand Dollars, (\$1,000.00
20 when in truth and in fact said deceased at the time of his death was
21 the owner of real estate mortgages securing indebtedness aggregating
22 more than Nine Thousand Dollars. (\$9,000.00), and that she has
23 already filed her application in said Court for the allowance of the
24 entire amount so inventoried, claiming same by virtue of her statutory
25 right as widow of the deceased.

26 3. That said administratrix has caused to be recorded various
27 spurious and false assignments of ^{said} real estate mortgages purporting to
28 have been made by the deceased to her and that said assignments have
29 been recorded in the office of the Register of Deeds of McLeod
30 County, Minnesota, on the 3rd day of December, 1906, seven days after
the death of the deceased.

4. That said administratrix procured said assignments wrong-
fully, unlawfully, and ^{by} false and fraudulent representations, and ~~±~~
that the same are void, invalid, and contrary to law, and are in fact
a part of the estate of the deceased.

5. That there is a conflict of interest between the above appellant
the only son and heir of the deceased, and the administratrix, the

1 so called widow of the deceased, as the appellant is informed and believes
2 she is not the widow of the said deceased.

3 6. That she is attempting to cover up and has covered up and
4 hidden the property of the estate for her own benefit as pretended
5 widow and assignee, as she has failed to make a proper inventory of
6 all the property of the deceased.

7 7. That this conflict of interest cannot be settled or adjudicated
8 unless some disinterested person shall be acting as representative
9 herein, and in order that there be a proper administration of this
10 estate, it is necessary and advisable that said Anna Kersten (so called)
11 the administratrix herein, be removed, and some disinterested and
12 competent person appointed in her place, as it is apparent that sev-
13 eral proceedings will have to be instituted in which the said admin-
14 istratrix the said Anna Kersten, will be a party, to secure a proper
15 inventory of the assets of the estate, and the rights of those right-
16 fully interested therein, and as said proceedings would have to be
17 commenced in the name of said administratrix, she would appear in
18 said actions in a dual capacity.

19 8. The said above appellant is informed and believes that there
20 are large sums of money in banks in the name of said Anna Kersten
21 (so called) and out of bank in her possession and control, ^{and also other evidences of indebtedness} which are
22 in fact the property of the estate of said deceased, and that she
23 has failed to inventory same or any part thereof.

24 W H E R E F O R E, appellant prays that the order of said Probate
25 Court aforesaid be reversed, and for an order or decree of this Court
26 appointing some suitable and competent person the administrator of
27 said estate, so that full justice may be done between all parties
28 concerned, and for his costs and disbursements herein.

29 *P.D. Scannell*
30 P.D. Scannell,

Signed

John Kersten
John Kersten, Appellant

Attorney for said Appellant,

307 Court Block,

St. Paul, Minn.

1
2
3 State of Minnesota)
4 County of Ramsey) ss

5 John Kersten, being duly sworn, says that he is
6 the Objector in the above entitled matter, that he has read the fore-
7 going objections, and the same are true of his own knowledge, except
8 as to those matters stated on information and belief, and as to such
9 matters he believes them to be true.

10 Signed

John Kersten
John Kersten.

11 Subscribed and sworn to

12 before me, this 24th day of February, A.D. 1908.

13 *P.D. Scannell*
P.D. Scannell,

14 Notary public,

15 Ramsey County, Minnesota.

16 My Commission Expires Feb. 28th, 1912.

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NOTARIAL
SEAL.

Original

R. F. MARVIN.

NO. 3.

State of Minnesota,
County of *Carver*

District Court.

*In the matter of the appeal of
John Kersten from an order of
the Probate Court of Carver Co.
appointing Anna Kersten administratrix
of the estate of John Kersten
deceased*
Defendant

"OBJECTIONS"
+ *appellant*.

Due and personal service of the within
this *X* day of *X*
is hereby admitted

A. D. 19

Attorney for

P. D. Scamell
Attorney for *appellant*
*307 Court Block
St Paul Minn*

CARVER COUNTY,
FILED

MAR 2 1908

H. O. Muehlberg Clerk.

(534)

State of Minnesota, }
County of Carver } ss.

District Court,
Eighth Judicial District.

In the matter of the appeal of John Kersten
from an order of the Probate Court of Carver
County appointing Anna Kersten administratrix
of the Estate of John Kersten,
Deceased

Notice of Trial.

SIR: You Will Please Take Notice, That
the above entitled ~~Matter~~ will be brought on for

at the next

General Term of said Court, to be held at the Court House, in the City of
Chaska in said County, on *Monday*
the *Second* day of *March* A. D. 190*8* at the opening of said Court on that
day, or as soon thereafter as Counsel can be heard.

Dated

March 20th 190*8**P. D. Scamell*

Attorney for

*Appellant*To *John J. Fahy Esq*

Attorney for

Respondent

Original

District COURT,
County of *Carver*

John Kersten
Appellant
vs.
Anna Kersten
Respondent

NOTICE OF TRIAL.

Due Service of the within notice is hereby ad-
mitted this *21* day of *March*
A. D. 190*8* *February*

John J. Fisher
Attorney for Respondent
P. D. Scamell
Attorney for Appellant

Filed this *28th* day of
February A. D. 190*8*
H. O. Muehlberg

R. F. Marvin, St. Paul, Minn.

(534)

State of Minnesota,

County of Carver.

In Probate Court.

IN THE MATTER OF THE ESTATE OF

John Kersten.

Decedent.

Petition for Administration.

TO THE PROBATE COURT ABOVE NAMED:

Your Petitioner Anna Kersten.

respectfully represents and states to the court:

First—That your petitioner is a resident of Young America Township (1)
in the County of Carver State of Minnesota, and is an adult who has an

interest in whatever estate the decedent above named may have left at the time of his death, to-wit:

said petitioner is the wife of said decedent. (2)

Second—That said decedent died on the 26th day of November 1906
aged 70 years, and was at the time of his death a resident of Carver

County, State of Minnesota, and was the owner of estate in the County of
Carver State of Minnesota, at the time of his said death.

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

Fourth—That said estate of decedent, at the time of his death, included some (3)
personal property of the probable value of \$1000.00, divided as follows:

- | | | | |
|----------------------------|---|--------------------------|---|
| 1. Household goods \$ | X | 2. Wearing Apparel \$ | X |
| 3. Stock \$ | X | 4. Notes, Bonds, Etc. \$ | |
| 5. Miscellaneous \$1000.00 | | 6. \$ | X |

That said estate included no (3) real estate of the estimated and probable
value of \$ consisting principally of lands in the County of

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

- | | | | |
|---------------------------|-----------------------------|----|--|
| 1. Homestead in | County, State of Minnesota, | \$ | |
| 2. City property | (3) lots without buildings | \$ | |
| City property | lots with buildings | \$ | |
| 3. Rural or farm property | acres, unimproved land | \$ | |
| Rural or farm property | (3) acres, improved land | \$ | |

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

NAMES	AGES years	RESIDENCE	RELATIONSHIP
Anna Kersten	64	Young America Twship.	Wife
John Kersten	46	St Paul. Minn.	Son.

Sixth—That Anna Kersten. whose post office address is Norwood, Carver Co. Minnesota.

is a suitable and competent person to administer the said estate, and is lawfully entitled thereto

being that said Anna Kersten is Wife of Decedent.

Wherefore, your petitioner prays that administration of the estate of said decedent be granted by the court, and that, upon due qualification, letters of administration be issued to the said

Anna Kersten.

Anna Kersten.
Petitioner.

State of Minnesota,
County of Carver } ss.

Anna Kersten.

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

Subscribed and sworn to before me this
21st day of September 1907 Anna Kersten.

John J. Fahey.

Notary Public.
Carver County, Minnesota.

(Notarial Seal)

My commission expires April 6 1913

Note 1—Insert name of town, village, city, as case may be.
Note 2—Insert relationship or interest, as heir, creditor, etc.
Note 3—If no property, insert word "No" and strike out unnecessary words.

State of Minnesota
County of Carver

In Probate Court

In the Matter of the Estate of

John Kersten
Decedent

Petition for Administration

Filed this 1st day of

Oct. 1907

John Glaeser
Judge of Probate

John J. Fahey
Attorney for Petitioner
Norwood, Minn.

State of Minnesota,

IN PROBATE COURT

County of Carver.

IN THE MATTER OF THE ESTATE OF

ORDER FOR HEARING ON

John Kersten.

PETITION FOR ADMINISTRATION.

Decedent.

The Petition of Anna Kersten.
having been filed in this court, representing, among other things, that John Kersten.
then being a resident of the County of Carver
State of Minnesota. died intestate, in the County of Carver
State of Minnesota. on the 26th
day of November 1906; leaving estate in the County of Carver
State of Minnesota, and that said petitioner is the Surviving Spouse.
of said decedent, and praying that letters of administration of the estate of
said decedent be granted to Anna Kersten.

It is Ordered, That said petition be heard before this court, at the Probate Court Rooms in the
Court House, in the City of Chaska, County of Carver, State of Minnesota, on the 8th day of
November 1907, at 10 o'clock, A., M., and that the citation of this Court
issue to all persons interested in said hearing and said matter, and that such citation be served by the
publication thereof in The Norwood Times. according to law.

Dated October, 1st. 1907.

By the Court,

John Glaeser.

Probate Judge.

(Seal)

1528.

State of Minnesota,

County of Carver.

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

John Kersten, Decedent.

**Order of Hearing on
Petition for Administration**

Filed this 1st. day of
Oct. 1907 and Recorded
in Book " " of Orders, Page

John Glaeser,
Judge of Probate.

ESTATE OF **John Kersten.**STATE OF MINNESOTA, COUNTY OF **CARVER** IN PROBATE COURT.In the Matter of the Estate of **John Kersten.** Decedent.**THE STATE OF MINNESOTA TO Anna Kersten, Widow and John Kersten, Son**
of decedent and

all persons interested in the granting of administration of the estate of said decedent: The petition of

Anna Kersten having been filed in this court, representing that**John Kersten**, then a resident of the County of **Carver**State of **Minnesota** died intestate on the **26th** day of **November**190 **6**; and praying that letters of administration of **his** estate be granted to**Anna Kersten**; and the court,

having fixed the time and place for hearing said petition; 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 **Chaska** in the County of **Carver**State of Minnesota, on the **8th** day of **November** 190 **7**, at **10.**o'clock **A. M.**, why said petition should not be granted.Witness, the Judge of said Court, and the Seal of said Court, this **1st** day of
October 190 **7**COURT
SEAL**John J. Fahey.**

Attorney for Petitioner

John Glaeser.

Probate Judge.

1528

State of Minnesota,

County of Carver

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

John Kersten, Decedent.

Citation for Hearing on Petition for Administration.

Filed this 1st day of

Oct, 1907

John Glaeser.

~~Attest~~ Judge of Probate Court.

**Citation for Hearing on
Petition for Administration
Estate of John Kersten.**
State of Minnesota. County
of Carver, In Probate Court.
In the matter of the
Estate of John Kersten, de-
cedent. The State of Minne-
sota to Anna Kersten, Widow
and John Kersten, Son of
decendent, and all persons
interested in the granting
of Administration of the
estate of said decedent;
The petition of Anna Kersten
having been filed in this
Court, representing that
John Kersten, then a reside-
nt of the County of Carver,
State of Minnesota, died in
testate on the 26th day of
Nov, 1906 and praying that
Letters of Administration
his estate be granted to
Anna Kersten and the Court
having fixed the time and
place for hearing said pe-
tition; Therefore, You, And
Each Of You, are hereby ci-
ted 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 Chaska, in the County of Carver, State of
Minnesota, on the 8th day of November 1907, at 10
O'clock A.M. why said petition should not be granted.
Witness the Judge of said Court, and the Seal of said Court,
this 1st day of Oct, 1907. John Glaeser, Probate Judge.

(Seal)

Pub. Oct. 18-25 Nov. 1. 07

State of Minnesota, ss.
County of Carver,

J. W. Craven.

being duly sworn says that he is
and during all the time hereinafter mentioned has been the printer and publisher of a weekly news-
paper known as **The Norwood Times**, that said newspaper is a collection of reading matter in
columns and sheet form, consisting of general and local news, comment, and literary items, that dur-
ing all the time for ten years last past the said newspaper has been and now is published in the English
language, weekly, in the Village of Norwood, in Carver County, Minnesota, at an established office
therein, equipped with the necessary materials and skilled workmen for producing the same, and that
the said newspaper has been during all of said time and now is printed in part in said office in said city,
where the same is dated, that said newspaper during all of said time has had and now has general cir-
culation in said village and throughout the said Carver County, and during all of said time has consti-
tuted and now consists of not less than four pages of six columns to each page, each column not less than
seventeen and three quarter inches long, that during all of said time there has been and now is pub-
lished and delivered, weekly, at each regular issue of said paper more than 240 complete copies of said
paper to paying subscribers, that said paper is not substantially a duplicate of any other publication,
is not made up wholly of patents and plates and advertisements, that the publisher of said paper did
file with the county auditor of Carver County an affidavit setting forth the facts required by Section 2,
of Chapter 33, of the Laws of the State of Minnesota for the year 1893 and amendments thereto. That

the annexed printed notice of **Citation for Hearing on petition..**

hereto attached and made a part hereof, was cut from the
columns of said newspaper and was published in said newspaper for **3** successive weeks, once in
each week; that said notice was first published in said newspaper on Friday, the **18** day of
October A. D. 190**7** and was thereafter published in said newspaper on each and
every succeeding Friday until and including Friday, the **1st** day of **November**
A. D. 190**7** (**3** insertions) and that during all of said period said newspaper was published on Friday
of each week.

J. W. Craven.

Sworn and subscribed to before me this **6** day of **November** A. D. 190**7**

Geo. J. Bradley.

Notary Public, Carver County, Minnesota.

My Commission expires
July 19th, 1912.

(Notarial Seal)

70

this last day of Oct. 1907. John Glaesser, Probate Judge.
 Witness the Judge of said Court and the seal of said Court.
 6 o'clock A.M. with said petition should not be granted.
 Minnesota on the 8th day of November, 1907, at 10
 City of Chicago, in the County of Cook, State of
 Probate Court Room in the Court House, in the
 case of J. W. Glaesser, Petitioner, vs. J. W. Glaesser,
 and requested to show
 that the said J. W. Glaesser, hereby at-
 tention of the Court, and the Court
 having fixed the time and
 place for hearing and the Court
 of his estate as granted
 before of Administration
 Nov. 1907 and the said day of
 estate of Minnesota, died in
 of the County of Cook, State
 of Cook, Illinois, then a resi-
 dent of the County of Cook, State
 of Illinois, and all his
 estate of said J. W. Glaesser,
 and John Glaesser, and
 heirs to said J. W. Glaesser,
 estate of John Glaesser, and
 heirs to said J. W. Glaesser,
 of Cook, Illinois, in Probate Court
 State of Minnesota, County
 of Cook, Illinois, and
 estate of J. W. Glaesser,
 Petitioner for Administration on
 Citation for Hearing on

1528

Filed Nov. 7, 1907.
 John Glaesser,
 Judge of Probate.

October 1 2

1

1st November

2

19

J. W. Glaesser.

Geo. J. Bradley.

November

1

My Commission expires
July 1st, 1918.

Citation for Hearing on Petition

J. W. Glaesser.

State of Minnesota,
County of Carver.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

John Kersten

Decedent.

ORDER GRANTING ADMINISTRATION.

The petition of Anna Kersten
praying that letters of administration upon said estate be granted to her said Anna Kersten,
came duly on for hearing at a Special Term of this Court, held on
the 8th day of November 1907. Said petitioner appeared in person
and no one appeared in opposition.

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

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

Second: That the said decedent died intestate on the 26th day of
November 1906.

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

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

Therefore, it is ordered that said petition be granted and Anna Kersten
be, and hereby is appointed Administratrix of the estate of said decedent, and
that letters of administration issue to her upon her filing in this Court
the oath by law required and a bond in this court in the penal sum of One Thousand,-----
Dollars, with surties to be approved by the
Judge of this Court conditioned according to law.

By the Court,

Dated November 8th, 1907.

(Court Seal)

John Glaeser

Judge of Probate.

15-28

State of Minnesota,

County of Carver

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

John Kersten
Decedent.

Order Granting Administration.

Filed the *8th* day of
Nov. 190*7* and Recorded
in Book *1* of Orders, Page *293*.
John Glauser
Judge of Probate.

STATE OF MINNESOTA,
County of Carver. } IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF }
John Kersten. } BOND.

Know all Men by these Presents, That we Anna Kersten
of the Township of Young America,
in the county of Carver, state of Minnesota, as principal and George J. Bradley and
August H. Fabel,

of said County and State, as sureties, are held and firmly bound to John Glaeser
Judge of Probate of the County of Carver, Minnesota in the sum of

----- One Thousand (\$1000.00) ----- DOLLARS
lawful money of the United States, to be paid to the said Judge of Probate or his successors in office; for
which payments will and truly to be made, we bind ourselves, our, and each of our, heirs, executors and ad-
ministrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounden Anna Kersten
who has been appointed representative of the estate of the above
named John Kersten, shall
well and faithfully discharge all the duties of her trust as representative of said estate according to law then
this obligation shall be void; otherwise it shall be and remain in full force and virtue.

WITNESS, our hands and seals this 13th day of November 1907.
SIGNED, SEALED AND DELIVERED IN PRESENCE OF
John J. Fahey
Adam Stadick.
Anna Kersten [SEAL]
Geo. J. Bradley [SEAL]
August H. Fabel. [SEAL]
[SEAL]
[SEAL]
[SEAL]

ACKNOWLEDGEMENT.

State of Minnesota, }
County of Carver. }
Be it Known, That on this 13th day of November A. D. 1907...
personally appeared before me a Notary Public within and for said County,
Anna Kersten, George J. Bradley and August H. Fabel.
to me well known to be the same person who executed the foregoing bond, and they severally acknowledged the
same to be their own free act and deed, and that they executed the same for the uses and purposes therein ex-
pressed

John J. Fahey.
Notary Public,
Carver County, Minn.
My commission expires April 6. 1913.
(Notarial Seal).

(110401101 2001) *

JUSTIFICATION.

State of Minnesota,

County of Carver.

ss.

VOL 11 4*

12

George J. Fahey and August H. Fabel.

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 George J. Bradley in the sum of One Thousand Dollars,

the said August H. Fabel in the sum of One Thousand Dollars,

the said in the sum of 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 exempt from execution

Subscribed and sworn to before me, this

Geo. J. Bradley

13th day of Nov. A. D. 1907.

August H. Fabel

John J. Fahey

Notary Public.

(Notarial Seal)

Carver County, Minn.

My commission expires April 6. 1913.

APPROVAL.

I do hereby approve the within Bond, this 13th day of Nov. A. D. 1907.

John Glaeser

(Court Seal)

Judge of Probate.

OATH.

STATE OF MINNESOTA,

County of Carver.

ss.

I, Anna Kersten

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 John Kersten, Decedent,

to be the best of my ability. So help me God.

Anna Kersten

Subscribed and sworn to before me this 13th day of Nov. 1907.

John J. Fahey

Notary Public.

Carver County, Minn.

(Notarial Seal)

My commission expires April 6. 1913.

State of Minnesota,
County of Carver

PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

John Kersten
Decedent.

BOND AND OATH
or
REPRESENTATIVE.

Filed this 13th day of

Nov. 1907

and said bond recorded in Book No. 1

of Bonds, page 36 of Probate

Records.

John Glaeser
Clerk, Judge of Probate.

No. 11.

State of Minnesota,
County of Carver

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

John Kersten.

Decedent.

LETTERS OF ADMINISTRATION

Anna Kersten having filed in
this Court his bond and oath to act as administrator of said estate as by law provided.

Now, Therefore, the said Anna Kersten
is hereby appointed administrator of the estate of John Kersten.
decedent, with full powers and duties as follows:

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

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

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

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

Fifth, Within three months hereafter to make and return a verified inventory and appraisement of all the real and personal estate of decedent which shall have come to his possession or knowledge.

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

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

Dated November 13th. 1907 By the Court.

John Glaeser.

Judge of Probate.



15-28.

In Probate Court.

IN THE MATTER OF THE ESTATE OF

John Kersten
Decedent.

LETTERS OF ADMINISTRATION.

Filed this *13th* day of
Nov. 190*7* and
recorded in Book *No. 1* of Letters
on page *352*

John Glauser
Clerk, Judge of Probate.

Notice of Appeal to District Court.

STATE OF MINNESOTA, ss.
COUNTY OF CARVER.

IN PROBATE COURT.

In the matter of the Estate of
John Kersten, Deceased.

NOTICE IS HEREBY GIVEN, That John Kersten, heir, being aggrieved by an order of Hon. John Glaeser Judge of the Probate Court of the County of Carver, Minnesota, ^{made} on the Eighth day of November, A.D. 1907. wherein Anna Kersten (so called) was appointed Administratrix of said Estate, hereby appeals therefrom to the District Court of the Eighth Judicial District, in and for said County of Carver.

Dated the 24th day of December, A.D. 1907.

To John J. Fahey Esq,
Attorney for Administratrix,
and
Anna Kersten, Administratrix.

P.D. Scannell.

Attorney for Appellant.
307 Court Block,
St Paul, Minn.

Original.

No 1528

IN PROBATE COURT,
County of Carver

In the matter of the Estate
of
John Kersten, Deceased.

NOTICE OF APPEAL TO DISTRICT COURT

Due service of the within notice is
hereby admitted this 26th day of
December A. D. 1907. at Nerwood, Minn.

Attorney for Administratrix.

Attorney for Appellant.

Filed the 26th day of December,

A. D. 1907.

John Glaeser,
Judge of Probate.

To John J. Parnes Esq.

Attorney for Administratrix.

and

Anna Kersten, Administratrix.

E. D. Gannett.

307 Court Block,
Attorney for Appellant.

Notice of Appeal to District Court.

IN PROBATE COURT.

STATE OF MINNESOTA,)
COUNTY OF CARVER.) SS.

P. D. Scannell being first duly sworn deposes and says that at the Village of Norwood in said County and State, on the 24th day of December A. D. 1907. he served the attached Notice of Appeal to the District Court, on John J. Fahey Esq, the Attorney who appeared in said matter in the Probate Court of said County and State, by leaving the same in a Conspicuous place in his said Office at Norwood, Minn., at about 3 O' clock in the afternoon of said day, No person being in Charge of his said Office Nor at his residence in said Village.

Subscribed and Sworn to)
before me this 26th day of)
December A. D. 1907.)

P. D. Scannell.

(Seal)

John Glaeser,
Judge of Probate.

Judge of Probate.
(seal)
John Gleason.

December A. D. 1907.

before me this 26th day of .)

B. D. Gannett.

Subscribed and sworn to)

residence in said Village.

said day. No person being in charge of his said Office nor at his Office at Norwood, Minn., at about 3 O' clock in the afternoon of said date, by reason of same in a conspicuous place in his said who appeared in and before the Probate Court of said County of Adams to the Probate Court, on John J. Hays Esq. the Attorney on the 26th day of December A. D. 1907. he served the attached Notice and says that at the Office of Norwood in said County and State.

CORRECTED ON OATH
STATE OF MINNESOTA

Filed, Dec. 26, 1907
John Gleason,
Judge of Probate.

Gannett being first duly sworn before

STATE OF MINNESOTA, } SS.
County of Ramsey.

On this 23rd. day of December A.D. 1907, before me appeared Walter T. Lemon, to me personally known, who being by me duly sworn, did say, that he is the Attorney in fact of The Bankers Surety Company, of Cleveland Ohio, a Corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said Corporation, and that said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and said Walter T. Lemon acknowledged said instrument to be the free act and deed of said Corporation.

Gregory P. Ritt.

Notary Public Ramsey County, Minnesota.
My Commission Expires June 1st 1914.

(Notarial Seal)

State of Minnesota,
County of Carver

ss.

IN PROBATE COURT.

IN THE MATTER OF THE Estate
OF

John Kersten, Deceased.

Know all Men by these Presents,

That we, John Kersten of St Paul, Minnesota.

as principal,

and The Bankers Surety Company, a Corporation of Ohio, duly authorized
to do business in the State of Minnesota, as sureties,

are held and firmly bound unto Hon John Glaeser,

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

-- Five Hundred and no/100 ----- DOLLARS,

lawful money of the United States, to be paid to the said Judge of Probate, or to 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.

Signed with our hands and sealed with our seals, this 23rd day of

December A. D. 1 907

The Condition of this Obligation is Such, That whereas the above bounden

John Kersten, Son and heir

of John Kersten deceased, being aggrieved by an order of

Hon. John Glaeser Judge of the Probate Court of the County of

Carver aforesaid, made on the Eighth day of

November A. D. 1 907 wherein Anna Kersten (so called) was

appointed Administratrix of said Estate,

and intends to appeal therefrom to the District Court of the

Eighth Judicial District, in and for said County of Carver

Now, Therefore, If the said John Kersten

do and will prosecute his appeal with due diligence to a final determination, and pay

all costs and disbursements ~~that may be awarded on such appeal, and secure the estate of the said~~

~~deceased, from all damages~~

~~and costs in consequence of such appeal, and secure the intervening damages and costs to the said~~

~~the adverse party, and abide the~~

order of the Court therein, then this obligation shall be void; otherwise it shall be and remain in full

force and virtue.

Signed, Sealed and Delivered in Presence of

J.E. Stivers as to principal.

P.D. Scannell

G. P. Ritt. as to Surety.

P.D. Scannell.

John Kersten.

The Bankers Surety Co.,

By Walter T. Lemon,
Attorney in Fact.

(The Bankers Surety Company. Cleveland O. Seal)

State of Minnesota,
County of Ramsey

Be it Known, That on this 23rd day of December
A. D. 1907, personally appeared before me John Kersten, the principal

to me well known to be the same persons who executed the foregoing Bond, and he acknowledged the same to be his own free act and deed, and that he executed the same for the uses and purposes herein expressed.

P.D. Scannell
Notary Public Ramsey Co., Minn.
My Commission Expires Feb. 28-1912.
(Notarial Seal)

State of Minnesota,
County of Ramsey

being duly sworn, each for himself, deposes and says that he is a freeholder, and resident of the State of Minnesota, and is worth the sum of

DOLLARS, over and above all just debts, liabilities and responsibilities, and exclusive of his property exempt from execution.

Subscribed and sworn to before me, this day of
A. D. 1907

I do hereby approve the within Bond:

Judge of Probate.

Dated this 26th day of December A. D. 1907

John Glaeser

Judge of Probate.

(Court Seal)

IN PROBATE COURT,

COUNTY OF Ramsey

IN THE MATTER OF THE Estate of

John Kersten
Deceased.

APPEAL BOND.

Filed and approved this 26th day of December A. D. 1907

John Glaeser
Judge of Probate.

State of Minnesota,
COUNTY OF

I hereby certify that the within Appeal Bond was duly recorded this day of A. D. 1907 in Book of Bonds, page

Judge of Probate.

CERTIFICATE OF TRANSCRIPT.

State of Minnesota
County of Carver

ss

In Probate Court.

I, John Glaeser, Judge of the

Probate Court of said County, do hereby certify that I have compared the annexed
copies of Petition for Administration, Order for Hearing on
said petition, Citation for Hearing on said petition, Affidavit of
Order Granting Administration,
Publication, Bond and Oath of Representative, Letters of Administration,
Notice of Appeal, Proof of Service of Notice of Appeal, and
Appeal Bond.

with the original records preserved in said Probate Registry, and that the same is a true copy thereof, and of
the whole of said original records.

In Testimony Whereof, I have hereunto set my hand and affixed the seal
of said Court at Chaska, Minn., this 5th day of February A. D. 19 08.

John Glaeser
Judge of Probate, Carver County, Minn.



No.....

IN PROBATE COURT

County of Carver

In the Matter of the Estate of

John Karsten, Decedent.

Certificate of Transcript.

Filed this.....day of

.....A. D., 190

Judge of Probate.



*Estate of
John Kersten
Decedent.*

CARVER COUNTY,
FILED

FEB 28 1908

H. O. Muehlberg Clerk

(534)

No. 3117

DISTRICT COURT,
CARVER COUNTY, MINN.

The State of Minnesota
Plaintiff.

vs.

*Susan Hill, John Hill +
George Schneider*
Defendant.

Thos. F. Craven
Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry *Mar. 3, 1908*

Register of Actions *29* Page *530*

Term Tried *1*

Judgment for

Amount of Judgment \$

Date of Judgment *1*

Judgment Book Page

Default Judgment Book Page

Date of Docketing *1*

State of Minnesota,
County of Carver

THE DISTRICT COURT,

Eighth Judicial District.

March Term, A. D. 1908

THE STATE OF MINNESOTA, AGAINST

Susan Thill, John Thill and *George* Schneider are
ACCUSED by the Grand Jury of the County of Carver and State of Minnesota,
by this Indictment, of the crime of Grand Larceny In The Second Degree

committed as follows:
The said *Susan* Thill, John Thill and *George* Schneider

on the 27th day of October A. D. 1907, at the Township
of *Chanhassen* in the County of Carver and State of Minnesota, did,
under circumstances not amounting to grand larceny in the first degree,
wrongfully unlawfully and feloniously take steal and carry away from the
possession of Adam Teich, and in and from a certain building and and ware-
house located on *East of N. E. 1/4 Section 35* in said township of *Chanhassen*, which
said building and warehouse was then and there owned by George Riis, in
the night time of said twenty seventh day of October 1907, ten bushels
of wheat of the value of Eight Dollars; all said property, to wit, said ten
bushels of wheat being then and there the property of, and in the lawful
possession of, and belonging to said Adam Teich, and all said property, to
wit, said ten bushels of wheat being then and there in the said building
and warehouse aforesaid there situate; with intent then and there had
and entertained by them, the said *Susan* Thill, John Thill and *George* Sch-
neider, and by each one of them, to deprive the said Adam Teich, the true
owner of said property, to wit, said wheat, of his said property, and to ap-
propriate the said property, to wit, said wheat, to the use of them the said
Susan Thill, John Thill and *George* Schneider

Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Minnesota.

Dated at Chaska in the County of Carver and State of Minnesota, this 3rd day of March A. D. 1908

H. A. Stahlke

Foreman of the Grand Jury.

The following are the names of the Witnesses duly sworn and examined before the Grand Jury upon the findings of the above Indictment:

Adam Fick
Ernst Fick
William Fick

DISTRICT COURT,

Eighth Judicial District,
Carver County,

The State of Minnesota,

AGAINST

Susan Hill, John Hill &
George Schneider

INDICTMENT

For Conspiracy and Rape

A TRUE BILL.

H. A. Stahlke
Foreman of the Grand Jury.

Presented by the Foreman, in the presence of the Grand Jury, to the Court, and filed in the office of the Clerk of the District Court in and for the County of

Carver Minnesota, this 3rd day of March 1908

H. O. Mueller

Clerk.

Wm. F. Coover
County Attorney
(333)

The District Court for the County of

Carver

and State of Minnesota.

ss.

Eighth

Judicial District.

March

Term, A. D. 190

THE STATE OF MINNESOTA

AGAINST

Susan Thill, John Thill and Goerge Schneider

Susan Thill, John Thill and George Schneider are

ACCUSED by the Grand Jury of the County of Carver and State of Minnesota, by
this Indictment of the crime of Grand Larceny in the Second Degree

committed as follows:

The said Susan Thill, John Thill and Goerge Schneider

on the 27th day of October A. D. 1907, at the Township of
Chanhausen in the County of Carver and State of Minnesota, did

under circumstances not amounting to grand larceny in the first degree,
wrongfully, unlawfully and feloniously take, steal and carry away from the possession of Adam Teich, and in and from a certain building and warehouse located on East 1/2 of N.E. 1/4 of Section 35 in said township of Chanhausen, which said building and warehouse was then and there owned by George Ries, in the right time of said twenty seventh of October 1907, ten bushels of wheat of the value of Eight Dollars; all said property, to-wit, said ten bushels of wheat being then and there the property of, and in the lawful possession of, and belonging to said Adam Teich, and all said property, to-wit, said ten bushels of wheat being then and there in the said building and warehouse aforesaid there situate; with intent then and there had and entertained by them, the said Susan Thill, John Thill and George Schneider, and by each one of them, to deprive the said Adam Teich, the true owner of said property, to-wit, said wheat, of his said property, to-wit, said wheat, to the use of them the said Susan Thill, John Thill and George Schneider

Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Minnesota.

Dated at Chaska in the County of Carver and State of
Minnesota, this 3rd day of March A. D. 1908

H. A. Stahlke

Foreman of the Grand Jury.

~~Names of witnesses examined before the Grand Jury.~~

The following are the names of the Witnesses duly sworn and examined before the Grand Jury upon the findings of the above Indictment:

Adam Teich

Gust Gatz

William Teske

District Court,

Eighth Judicial District,
County of Carver

The State of Minnesota

AGAINST

Susan Thill, John Thill &
George Schneider

INDICTMENT

For Grand Larceny 2^d Degree

A TRUE BILL

H. A. Stahlke

Foreman of the Grand Jury.

Presented by the Foreman, in the
presence of the Grand Jury, to the
Court, and filed in the office of the
Clerk of the District Court in and for
the County of Carver

Minnesota, this 3^d day of
March 1908

H. O. Muehlberg
Clerk.

Thos. J. Craven

County Attorney.

Minn.

The District Court for the County of

Carver

ss.

Eighth

Judicial District.

and State of Minnesota.

March

Term, A. D. 190⁸THE STATE OF MINNESOTA
AGAINST

Susan Thill, John Thill and George Schneider

Susan Thill, John Thill and George Schneider are

ACCUSED by the Grand Jury of the County of Carver and State of Minnesota, by
this Indictment of the crime of Grand Larceny in the Second Degree

committed as follows:

The said Susan Thill, John Thill and George Schneider

on the 27th day of October A. D. 1907, at the Township of
Chanhasen in the County of Carver and State of Minnesota, didunder circumstances not amounting to grand larceny in the first degree,
wrongfully, unlawfully and feloniously take, steal and carry away from the
possession of Adam Teich, in and from a certain building and warehouse locatedEast 1/2 of N.E. 1/4 of Section 35 in said township of Chanhasen, which
building and warehouse was then and there owned by George Ries, in the
night time of said twenty seventh of October 1907, ten bushels of wheat of
the value of Eight Dollars; all said property, to-wit: said ten bushels of wheat
then and there the property of, and in the lawful possession of, and belong-
ing to said Adam Teich, and all said property, to-wit, said ten bushels of wheat
being then and there in the said building and warehouse aforesaid there
situate; with intent then and there had and entertained by them, the saidSusan Thill, John Thill and George Schneider, and by each one of them, the said
deprive the said Adam Teich, the true owner of said property, to-wit, said wheat
and to appropriate said property to-wit,
of his said property, said wheat, to the use of them the said Susan Thill
John Thill and George Schneider.

Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Minnesota.

Dated at Chaska in the County of Carver and State of Minnesota, this 3^d day of March A. D. 1908

H. A. Stahlke

Foreman of the Grand Jury.

Names of witnesses examined before the Grand Jury.

The following are the names of the Witnesses duly sworn and examined before the Grand Jury upon the findings of the above Indictment

Adam Teich

Gust Gatz

William Teske

District Court,

Eighth Judicial District.

County of Carver

The State of Minnesota

AGAINST

Susan Thill, John Thill &
George Schneider

INDICTMENT

For Grand Larceny 2^d Degree

A TRUE BILL

H. A. Stahlke

Foreman of the Grand Jury.

Presented by the Foreman, in the presence of the Grand Jury, to the Court, and filed in the office of the Clerk of the District Court in and for the County of Carver day of March 1908 Minnesota, this

H. O. Muehlberg Clerk.

Thos F. Craven

County Attorney.

Minn.

No. 3118

DISTRICT COURT,
CARVER COUNTY, MINN.

The State of Minnesota
Plaintiff.

vs.

Susan Hill John Hill +
George Schneider Defendant.

Thos F. Craven
Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry March 3, 1908

Register of Actions 2 Page 536

Term Tried.....1.....

Judgment for.....

Amount of Judgment \$.....

Date of Judgment.....1.....

Judgment Book.....Page.....

Default Judgment Book.....Page.....

Date of Docketing.....1.....

The District Court for the County of

Carver
and State of Minnesota.

ss.

Eighth Judicial District.
March Term, A. D. 1908.THE STATE OF MINNESOTA
AGAINST

Susan Thill, John Thill and George Schneider are
 ACCUSED by the Grand Jury of the County of Carver and State of Minnesota, by
 this Indictment of the crime of Grand Larceny in the Second Degree
 committed as follows:

The said Susan Thill, John Thill and George Schneider
 on the 28th day of October A. D. 1907, at the Township of
 Chamhassen in the County of Carver and State of Minnesota, did
 under circumstances not amounting to grand larceny in the first degree,
 wrongfully, unlawfully and feloniously take, steal and carry away from
 the possession of Adam Terch, in the day time of said 28th day of October 1907
 and in and from a certain grainary building located on E. 1/2 of N. 6 1/2 of Section
 35 in said Township of Chamhassen which said grainary building is
 commonly known as the George Ries building, fifteen bushels of wheat
 then and there of the value of twelve dollars, all said property, to wit,
 said fifteen bushels of wheat, being then and there the property of,
 and in the lawful possession of, and belonging to said Adam Terch,
 and all said property, to wit, said fifteen bushels of wheat, being
 then and there in the said grainary building aforesaid then situated,
 with intent then and there had and entertained by them, the said
 Susan Thill, John Thill and George Schneider, and by each one
 of them, to deprive the said Adam Terch, the true owner of said
 property, to wit, said fifteen bushels of wheat, of his said property,
 to wit, said fifteen bushels of wheat, and to appropriate the said
 property, to wit, said fifteen bushels of wheat, to the use of
 them the said Susan Thill, John Thill and George Schneider

Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Minnesota.

Dated at Chaska in the County of Carver and State of
Minnesota, this 3^d day of March A. D. 1908

H. A. Stahlke

Foreman of the Grand Jury.

~~Names of witnesses examined before the Grand Jury.~~

The following are the names of the Witnesses duly sworn and examined before the Grand Jury upon the findings of the above Indictment

Udam Teich
Gust Gatz
William Teske

District Court,
Eighth Judicial District,
County of Carver

The State of Minnesota

AGAINST

Susan Thell, John Thell &
George Schneider

INDICTMENT

For Grand Larceny 2^d Degree

A TRUE BILL

H. A. Stahlke

Foreman of the Grand Jury.

Presented by the Foreman, in the presence of the Grand Jury, to the Court, and filed in the office of the Clerk of the District Court in and for the County of Carver Minnesota, this 3^d day of March 1908

H. O. Muehlberg
Clerk.

Thos F Caven
County Attorney.

Minn.

The District Court for the County of

Carver
and State of Minnesota.

ss.

Eighth

Judicial District.

March

Term, A. D. 190

THE STATE OF MINNESOTA
AGAINST

Susan Thill, John Thill and George Schneider are
 ACCUSED by the Grand Jury of the County of Carver and State of Minnesota, by
 this Indictment of the crime of Grand Larceny in the Second Degree

committed as follows:

The said Susan Thill, John Thill and George Schneider
 on the 28th day of October A. D. 1907, at the Township of
 Chamassan in the County of Carver and State of Minnesota, did
 under circumstances not amounting to grand larceny in the first degree,
 wrongfully, unlawfully and feloniously take, steal and carry away from
 the possession of Adam Teich, in the day time of said 28th day of October 1907
 and in and from a certain grainary building located in E 1/4 of NE 1/4 of Section
 35 in said Township of Chamassan which said grainary building is
 commonly known as the George Reis building, fifteen bushels of wheat
 then and there of the value of twelve dollars, all said property, to wit, said
 fifteen bushels of wheat, being then and there the property of, and in the
 lawful possession of, and belonging to said Adam Teich, and all said
 property, to wit, said fifteen bushels of wheat, being then and there in
 the said grainary building aforesaid there situated, with intent then
 and there had and entertained by them, the said Susan Thill, John
 Thill and George Schneider, and by each one of them, to deprive the
 said Adam Teich, the true owner of said property, to wit, said fifteen
 bushels of wheat, of his said property, to wit, said fifteen bushels of
 wheat, and to appropriate the said property, to wit, said fifteen
 bushels of wheat, to the use of them the said Susan Thill, John Thill
 and George Schneider

Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Minnesota.

Dated at Chaska in the County of Carver and State of Minnesota, this 3^d day of March A. D. 1908

H. A. Stahlke
Foreman of the Grand Jury.

Names of witnesses examined before the Grand Jury.

The following are the names of the Witnesses duly sworn and examined before the Grand Jury upon the findings of the above Indictment.

Adam Teich
Gust Gatz
William Teske

District Court,

Eighth Judicial District,
County of Carver

The State of Minnesota

AGAINST

August Thill John Thill &
George Schneider

INDICTMENT

For Grand Larceny 2^d Degree

A TRUE BILL

H. A. Stahlke
Foreman of the Grand Jury.

Presented by the Foreman, in the presence of the Grand Jury, to the Court, and filed in the office of the Clerk of the District Court in and for the County of Carver Minnesota, this 3^d day of March 1908

H. O. Muehlberg
Clerk.

Thos F Craven
County Attorney,
Minn.

The District Court for the County of

Carver
and State of Minnesota.

ss.

Eighth

Judicial District.

Ninth

Term, A. D. 1908.

THE STATE OF MINNESOTA
AGAINST

Susan Thill, John Thill and George Schneider are
ACCUSED by the Grand Jury of the County of *Carver* and State of Minnesota, by
this Indictment of the crime of *Grand Larceny in the Second Degree*

committed as follows:

The said *Susan Thill, John Thill and George Schneider*
on the *28th* day of *October* A. D. 1907, at the *Township of*
Chanhassen in the County of *Carver* and State of Minnesota, did
under circumstances not amounting to grand larceny in the first degree,
wrongfully, unlawfully and feloniously take, steal and carry away from
the possession of *Adam Teich*, in the day time of said *28th* day of *October* 1907
and in and from a certain grainary building located in *E. 1/2 of Sec. 35*
in said *Township of Chanhassen*, which said grainary building is commonly
known as the *George Ries building*, fifteen bushels of wheat then and there
of the value of twelve dollars, all said property, to wit, said fifteen bushels of
wheat, being then and there the property of, and in the lawful possession
of, and belonging to said *Adam Teich*, and all said property, to wit, said
fifteen bushels of wheat, being then and there in the said grainary building
aforesaid there situated, with intent then and there had and entertained
by them, the said *Susan Thill, John Thill and George Schneider*, and
by each one of them, to deprive the said *Adam Teich*, the true owner of said
property, to wit, said fifteen bushels of wheat, of his said property, to wit,
said fifteen bushels of wheat, and to appropriate the said property, to wit,
said fifteen bushels of wheat to the use of them the said *Susan Thill,*
John Thill and George Schneider.

Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Minnesota.

Dated at Chaska in the County of Carver and State of Minnesota, this 3rd day of March A. D. 1908

H. U. Stahlke
Foreman of the Grand Jury.

~~Names of witnesses examined before the Grand Jury.~~

The following are the names of the Witnesses duly sworn and examined before the Grand Jury upon the findings of the above Indictment

Adam Teich
Gust Gatz
William Teske

District Court,
Eighth Judicial District,
County of Carver

The State of Minnesota
AGAINST

Sworn Thill, John Thill
and George Schneider

INDICTMENT

For Grand Larceny 2^d Degree

A TRUE BILL

H. U. Stahlke
Foreman of the Grand Jury.

Presented by the Foreman, in the presence of the Grand Jury, to the Court, and filed in the office of the Clerk of the District Court in and for the County of Carver Minnesota, this 3rd day of March 1908

H. O. Muehlberg
Clerk.

Thos A. Craven
County Attorney.

Minn.

The District Court for the County of

Carver
and State of Minnesota.

ss.

Eighth
March

Judicial District.

Term, A. D. 1908.

THE STATE OF MINNESOTA
AGAINST

Susan Thill, John Thill and George Schneider are
ACCUSED by the Grand Jury of the County of Carver and State of Minnesota, by
this Indictment of the crime of Grand Larceny in the Second Degree
committed as follows:

The said Susan Thill, John Thill and George Schneider
on the 27th day of October A. D. 1907, at the Township of
Chandassen in the County of Carver and State of Minnesota, did
under circumstances not amounting to grand larceny in the first
degree, wrongfully, unlawfully and feloniously take, steal and
carry away from the possession of Adam Teich, and in and from
a certain building and warehouse located on East 1/2 of N.E. 1/4 Section
35 in said township of Chandassen, which said building and warehouse
was then and there owned by George Ries, in the night time of said
twenty seventh day of October 1907, ten bushels of wheat of the value
of Eight Dollars; all said property, to wit, said ten bushels of
wheat being then and there the property of, and in the lawful
possession of, and belonging to said Adam Teich, and all said
property, to wit, said ten bushels of wheat being then and there in
the said building and warehouse aforesaid there situate, with
intent then and there had and entertained by them, the said
Susan Thill, John Thill and George Schneider, and by each
one of them, to deprive the said Adam Teich, the true owner
of said property, to wit, said wheat, of his said property, and
to appropriate the said property, to wit, said wheat, to the
use of them the said Susan Thill, John Thill and George
Schneider

Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Minnesota.

Dated at Chaska in the County of Carver and State of
Minnesota, this 3rd day of March A. D. 1908

H. A. Stahlke
Foreman of the Grand Jury.

~~Names of witnesses examined before the Grand Jury.~~

The following are the names of the Witnesses duly sworn and examined before the Grand Jury upon the findings of the above Indictment.

Adam Feich
Gust Gatz
William Teske

District Court,
Eighth Judicial District,
County of Carver

The State of Minnesota
AGAINST

Susan Thill, John Thill
George Schneider

INDICTMENT

For Grand Larceny 2nd Degree

A TRUE BILL
H. A. Stahlke
Foreman of the Grand Jury.

Presented by the Foreman, in the presence of the Grand Jury, to the Court, and filed in the office of the Clerk of the District Court in and for the County of Carver day of March 1908
H. A. Muehlberg Clerk.

Thos D. Craven
County Attorney,
Minn.

Upon motion of Thos. J. Craven as County Attorney of Carver County, Minn., it is hereby ordered, that a bench warrant issue for the arrest of the within named defendants, Susan Thill, John Thill and George Schneider and placed in the hands of the Sheriff of said County for service.

Done in open Court this 3rd day of March 1908.

J. W. Morrison
Judge.

State of Minnesota,
County of Carver

THE DISTRICT COURT,

Eighth Judicial District.

March Term, A. D. 1908

THE STATE OF MINNESOTA, AGAINST

Susan Thill, John Thill and *George* Schneider are
ACCUSED by the Grand Jury of the County of Carver and State of Minnesota,
by this Indictment, of the crime of Grand Larceny in the Second Degree

committed as follows:

The said *Susan* Thill, John Thill and *George* Schneider

on the 28th day of October A. D. 1907, at the Township
of Chanhassen in the County of Carver and State of Minnesota, did,
under circumstances not amounting to grand larceny in the first degree,
wrongfully, unlawfully and feloniously take steal and carry away from the
possession of Adam Teich, in the day time of said 28th day of October 1907,
and in and from a certain grainary building located on E. 1/2 of N. 1/2 of Section 35
in said Township of Chanhassen which said grainary building is commonly known
as the George Rice building, fifteen bushels of wheat then and there of
the value of twelve dollars; all said property, to wit, said fifteen bushels
of wheat, being then and there the property of, and in the lawful possession
of, and belonging to said Adam Teich, and all said property, to wit, said
fifteen bushels of wheat, being then and there in the said grainary build-
ing aforesaid there situated; with intent then and there had and enter-
tained by them, the said *Susan* Thill, John Thill and *George* Schneider, and by
each one of them, to deprive the said Adam Teich, the true owner of said
property, to wit, said fifteen bushels of wheat, of his said property, to wit,
said fifteen bushels of wheat, and to appropriate the said property, to wit,
said fifteen bushels of wheat, to the use of them the said *Susan* Thill,
John Thill and *George* Schneider

Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Minnesota.

Dated at Chaska in the County of Carver and State of Minnesota, this 3rd day of March A. D. 190 8

H. A. Stahlke
Foreman of the Grand Jury.

The following are the names of the Witnesses duly sworn and examined before the Grand Jury upon the findings of the above Indictment:

Adam Tuck
Gust Gatz
William Tuck

DISTRICT COURT,

Carver Judicial District,
Carver County.

The State of Minnesota,

AGAINST

Edward Thill, John Thill
and George Schneider

INDICTMENT

For Grand Larceny 2nd Degree.

A TRUE BILL.

H. A. Stahlke
Foreman of the Grand Jury.

Presented by the Foreman, in the presence of the Grand Jury, to the Court, and filed in the office of the Clerk of the District Court in and for the County of

Carver Minnesota, this 3rd day of March 190 8

H. O. Muehlberg
Clerk.

John F. Cravens
County Attorney

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