



Waseca County (Minn.).
Probate Court.
Case Files.

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Correction

NAME ROESLER, William H

FRAME # 134

ORIGINAL ROLL # 39

File No. 116

Case _____

Register _____ Page _____

In Probate Court,

WASECA COUNTY, MINN.

ESTATE OF

William H. Raesler

Deceased.

ESTATE OF

Deceased.

The Journal Print, Waseca, Minn.

Bleed Through

That the name of the person for whom administration is prayed is Paulina Roesler ~~the~~ ^{her} address is Waseca, Minnesota

Your petitioner therefore prays that Letters of Administration of the estate of the said intestate be granted to the said Paulina Roesler

Dated the 9th day of May A. D. 1904.

Paulina Roesler

State of Minnesota, } ss.
County of Waseca

Paulina Roesler

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

Subscribed and sworn to before me this

16th day of May 1904.

John J. Isker

Judge of Probate.
Notary Public.

Paulina Roesler

No. _____
IN PROBATE COURT

County of Waseca

IN THE MATTER OF THE ESTATE OF

William H. Roesler
Deceased.

PETITION FOR LETTERS OF ADMINISTRATION.

Filed this 17th day

of May A. D. 1904

Geo. A. Wilson
Judge of Probate.

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

IN THE MATTER OF THE ESTATE OF

William H. Roesler

Deceased.

To the Probate Court in and for said County:

The Petition of Paulina Roesler of the city of Waseca in the County of Waseca and State of Minnesota, respectfully shows: That William Roesler who was at the time of his death a resident of the city of Waseca in the County of Waseca and State of Minnesota, died on the 24th day of February A. D. 1904 at the city of Waseca in the County of Waseca and State of Minnesota, leaving estate therein and without leaving any Last Will and Testament to the knowledge, information or belief of your petitioner.

That the names, ages and residence of the heirs of said deceased, so far as known to your petitioner, are as follows:

Paulina Roesler, wife of said deceased, aged 38 years, residing at Waseca, Minn.

Bertha Roesler, daughter of said deceased, aged 18 years, residing at Waseca, Minn.

Edna W. Roesler, daughter of said deceased, aged 17 years, residing at Waseca, Minn.

Elsie Roesler, daughter of said deceased, aged 15 years, residing at Waseca, Minn.

George Roesler, son of said deceased, aged 8 years, residing at Waseca, Minn.

aged _____ years, residing at _____

aged _____ years, residing at _____

aged _____ years, residing at _____

aged _____ years, residing at _____

That the probable value of the personal estate is Two-hundred (200)

Dollars; and the probable value of the real property is four-thousand (4000) Dollars, and its character is as follows:

eighty acres farm land

That your petitioner is the wife

of said deceased,

State of Minnesota, } ss.
County of Waseca

Be it Known, That on this 13th day of June
A. D. 1904, personally appeared before me Paulina Roesler,

August Senske and G. C. Koerbitz.
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.

John J. Isker,
Notary Public Waseca ~~Judge of Probate~~ County, Minn.

State of Minnesota, } ss.
County of Waseca

August Senske and G. C. Koerbitz
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 one hundred (100)
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
thirteenth day of
June A. D. 1904

August Senske
G. C. Koerbitz

John J. Isker,
Notary Public Waseca County, Minn. ~~Judge of Probate.~~

I do hereby approve the within Bond:

Dated this thirteenth day of June A. D. 1904.

Geo A Wilson
Judge of Probate.

No. _____
IN PROBATE COURT,
County of Waseca

IN THE MATTER OF THE ESTATE OF

William H. Roesler
Deceased.

ADMINISTRATOR'S BOND.

Filed the 13th day of
June A. D. 1904.

Geo A Wilson
Judge of Probate.

State of Minnesota, } ss.
County of Waseca

I hereby certify that the within Ad-
ministrator's Bond was duly recorded
this 18th day of
June A. D. 1904
in Book _____ of Bonds, page _____
Probate Records.

Geo A Wilson
Judge of Probate.

Know all Men by these Presents,

That ~~we~~ I Paulina Roesler as principal,
and August Senske and G.C. Voerbitz
as sureties,
are held and firmly bound unto Geo. A. Wilson Judge of Probate
of the County of Waseca Minnesota, in the sum of
one hundred (100) DOLLARS, lawful money of the United
States, to be paid to the said Judge of Probate, or his successors in office; for which payment, well
and truly to be made, we bind ourselves, our and each of our heirs, executors and administrators,
jointly and severally, firmly by these presents.

Signed with our hands and sealed with our seals this thirteenth day of
June A. D. 1904.

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

Paulina Roesler to whom
letters of administration upon the estate of William H. Roesler
late of Waseca, Waseca county, Minnesota
deceased, being to her granted,
shall and will, well and faithfully, execute the trust reposed in her as administratrix of
all and singular the goods, chattels, credits and estate of said deceased; and shall make and return
into the Probate Court of the County of Waseca and State of Minnesota,
within three months, a true and perfect inventory of all the goods, chattels, rights, credits and estate
of said deceased, which shall come to her possession or knowledge, or the possession of any
other person for her; and shall administer according to law, all the goods, chattels, rights,
credits and estate of said deceased, which shall at any time come to her possession or to the
possession of any other person for her and out of the same shall pay and discharge all debts
and charges chargeable on the same, or such dividends thereon as shall be ordered and decreed by said
Court; and shall render a true and just account of her administration to said Court within
one year, and at any other time when required by said Court; and shall perform all orders and
decrees of said Court, by her to be performed in the premises, then this obligation shall be void;
otherwise it shall be and remain in full force and virtue.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Theodore Peterson
John J. Isen

Paulina Roesler Seal
August Senske Seal
G.C. Voerbitz Seal
Seal
Seal

IN PROBATE COURT.

In the Matter of the Estate of

William H. Raesler

LETTERS OF ADMINISTRATION.

Filed this *13th* *day of*

June *1904*

Geo A Wilson

Judge of Probate.

LETTERS OF ADMINISTRATION.

State of Minnesota, } ss.
County of Waseca

The State of Minnesota, to all to whom these presents shall come or may concern, and especially to Paulina Raesler
of Waseca la GREETING:

Know Ye, That whereas, William H Raesler
late of Waseca la Winn deceased,
lately died intestate, at Said county having while
he lived, and at the time of his death, goods, chattels, rights, credits and estate with-
in said county whereby the granting administration of all and
singular the goods, chattels, rights, credits and estate of said deceased, and also the
auditing, allowing and finally discharging the account thereof, is within the juris-
diction of the Probate Court of said County;

And Whereas, Paulina Raesler
being entitled to the administration of said estate, ha given bond to the Judge of said
Court for the faithful execution of the trust of administrator of said estate, which said
bond has been approved by said Judge and filed in said Probate Court;

We, Therefore, Reposing full confidence in your integrity and ability, do by these
presents constitute and appoint you the said Paulina Raesler
Administrator of all and singular, the goods, chattels, rights, credits and estate of said
deceased; and do hereby authorize and empower you to take and have possession of
all the real and personal estate of said deceased, and to receive the rents, issues
and profits thereof until said estate shall have been settled, or until delivered over by
order of said Court to the heirs of said deceased; and to demand, collect, recover and
receive all and singular the debts, claims, demands, rights and choses in action,
which to the said deceased, while living and at the time of his death, did belong;

And Requiring You, to keep in good tenantable repair, all houses, buildings and
fences on said real estate, which may and shall be under your control; and in accord-
ance with your bond, approved and filed as aforesaid, to make and return into said
Probate Court of said County, within three months, a true and perfect inventory of all
the goods, chattels, rights, credits and estate of the said deceased, which shall come to
your possession or knowledge, or to the possession of any other person for you; to ad-
minister, according to law, all the goods, chattels, rights, credits and estate of the said
deceased, which shall at any time come to your possession, or to the possession of any
other person for you, and out of the same to pay and discharge all debts and charges
chargeable on the same, or such dividends thereon as shall be ordered and decreed by
said Court; to render a just and true account of your administration to said Court
within one year, and at any other time when required by said Court; and to perform
all orders and decrees of said Court by you to be performed in the premises.

In Testimony Whereof, We have caused the seal of our Probate Court to be
hereunto affixed: WITNESS the Hon. Geo A Wilson

Judge of our said Probate Court, at Waseca in said
County, this 13th day of June A. D. 1904

Geo A Wilson
Judge of Probate.

No

IN PROBATE COURT,

County of Waseca

In the Matter of the Estate of

Wm. H. Roesler

Deceased.

Order to Examine Accounts, etc.

Filed this 18th day
of August 1908.

Recorded in Book of Orders,

on page

Geo. A. Wilson

Judge of Probate.

State of Minnesota, }
 County of Waseca } ss. IN PROBATE COURT.
 Special Term Aug. 18th 1908

In the Matter of the Estate of Wm. H. Roesler Deceased.

On reading and filing the petition of Paulina Roesler, administratrix.

of the estate of Wm. H. Roesler deceased
 representing, among other things, that she has fully administered said estate, and praying that a time and place be fixed for examining and allowing her account of her administration and for the assignment of the residue of said estate to the parties entitled thereto by law.

It is Ordered, That said account be examined, and petition and application for the allowance of said claims and debts so paid by her and not yet allowed according to law, be heard by this Court on Monday the 14th day of September A. D. 1908, at ten o'clock A. M., at the Probate Office in City of Waseca in said County.

And it is Further Ordered, That notice thereof be given to all persons interested, by publishing this order once in each week for three successive weeks prior to said day of hearing, in the Waseca Journal Radical a weekly newspaper, printed and published at Waseca in said County.

Dated at Waseca, Minnesota, the 18th day of August A. D. 1908

By the Court,

Geo. A. Wilson

Judge of Probate.

Filed Aug 13th 1904
Geo A Wilson
Judge of Probate

Order For Hearing on Claims, Etc.
STATE OF MINNESOTA, } In Probate Court
 County of Waseca. { ss.

Special Term, June 13th, 1904.
 In the matter of the estate of William
 H. Roesler, deceased.

Letters of Administration on the estate of
 William H. Roesler, deceased, late of the
 County of Waseca, and State of Minnesota,
 being granted to Paulina Roesler.

It is ordered, that three months be and the
 same is hereby allowed from and after the
 date of this order, in which all persons hav-
 ing claims or demands against the said de-
 ceased, are required to file the same in the
 Probate Court of said county, for examina-
 tion and allowance, or be forever barred.

It is further ordered, that the 13th day of
 September, 1904, at 10 o'clock, A. M., at a spe-
 cial term of said Probate Court, to be held at
 the Probate Office in the Court House in the
 city of Waseca in said County, be and the
 same hereby is appointed as the time and
 place when and where the said Probate
 Court will examine and adjust said claims
 and demands.

And it is further ordered, that notice of
 such hearing be given to all creditors and
 persons interested in said estate by forth-
 with publishing this order once in each
 week for three successive weeks in the Wa-
 seca Journal - Radical, a weekly newspaper
 printed and published in said county.

Dated at Waseca this 13th day of June, 1904.

By the Court,
 (SEAL) GEO. A. WILSON,
 37-39 Judge of Probate.

State of Minnesota, }
County of Waseca. { ss

W. A. Clement being duly sworn
 says he is the manager and printer of

WASECA JOURNAL-RADICAL;

that the same is a weekly news-paper printed and published
 at the City of Waseca in said Waseca County on
 Thursday of each week; that he knows of his own knowledge
 that the printed *Order for Hearing*

on Claims hereto attached was cut from the columns of said news-
 paper and was printed and published therein once in each
 week for *3* successive weeks and that all of said pub-
 lications were made in the English language; that said

Order was first printed and published
 therein on Thursday the *1st* day of *June*
 1904 and was printed and published therein on each Thurs-
 day thereafter until and including the *29th* day of *June*

1904; that on and for more than the three years im-
 mediately prior to the second day of January, 1902, the Waseca
 Journal and the Waseca Radical were and had each been legal
 news-papers and each published at the said City of Waseca
 in said County; that on said second day of January, 1902,
 they were consolidated under the name of Waseca Journal-
 Radical and said consolidated news-paper has ever since
 that time been published at said City of Waseca; that said
 consolidation was made in compliance with all the terms
 and provisions of chapter ten of the general laws of Minne-
 sota for the year 1899, and each and all the requirements of
 that chapter have been fully complied with; that prior to the
 date of the first publication of said *Order*

the publisher of said Waseca
 Journal-Radical filed with the County Auditor of said
 county the affidavit required by section 2, chapter 33 of the
 General Laws of said State for the year 1893; that at the
 date of said consolidation W. A. Clement and Company
 were the publishers of the said Waseca Journal and C. E.
 Graham was the publisher of the said Waseca Radical; that
 the name of the publisher of said Waseca Journal-Radical
 is Waseca Journal-Radical Printing Company.

W. A. Clement
 Subscribed and sworn to before me this *13th* day of

August 1904. *Geo A Wilson*
Judge of Probate

Order For Hearing on Claims, Etc.
STATE OF MINNESOTA, } In Probate Court
 County of Waseca. } ss.

Special Term, June 13th, 1904.
 In the matter of the estate of William
 H. Roesler, deceased.

Letters of Administration on the estate of
 William H. Roesler, deceased, late of the
 County of Waseca, and State of Minnesota,
 being granted to Paulina Roesler.

It is ordered, that three months be and the
 same is hereby allowed from and after the
 date of this order, in which all persons hav-
 ing claims or demands against the said de-
 ceased, are required to file the same in the
 Probate Court of said county, for examina-
 tion and allowance, or be forever barred.

It is further ordered, that the 19th day of
 September, 1904, at 10 o'clock, A. M., at a spe-
 cial term of said Probate Court, to be held at
 the Probate Office in the County House in the
 city of Waseca in said County, be and the
 same hereby is appointed as the time and
 place when and where the said Probate
 Court will examine and adjust said claims
 and demands.

And it is further ordered, that notice of
 such hearing be given to all creditors and
 persons interested in said estate by forth-
 with publishing this order once in each
 week for three successive weeks in the Wa-
 seca Journal - Radical, a weekly newspaper
 printed and published in said county.

Dated at Waseca this 13th day of June, 1904.

(SEAL)
 37-39

By the Court,
 GEO. A. WILSON,
 Judge of Probate.

State of Minnesota, } ss
County of Waseca.

W. A. Clement being duly sworn
 says he is the manager and printer of

WASECA JOURNAL-RADICAL;

that the same is a weekly news-paper printed and published
 at the City of Waseca in said Waseca County on
 Thursday of each week; that he knows of his own knowledge
 that the printed *Order for Hearing*

on Claims hereto attached was cut from the columns of said news-
 paper and was printed and published therein once in each

week for *3* successive weeks and that all of said pub-
 lications were made in the English language; that said

Order was first printed and published

therein on *Wed* Thursday the *1st* day of *June*

190*4* and was printed and published therein on each Thurs-

day thereafter until and including the *29th* day of *June*

190*4*; that on and for more than the three years im-

mediately prior to the second day of January, 1902, the Waseca

Journal and the Waseca Radical were and had each been legal

news-papers and each published at the said City of Waseca

in said County; that on said second day of January, 1902,

they were consolidated under the name of Waseca Journal-

Radical and said consolidated news-paper has ever since

that time been published at said City of Waseca; that said

consolidation was made in compliance with all the terms

and provisions of chapter ten of the general laws of Minne-

sota for the year 1899, and each and all the requirements of

that chapter have been fully complied with; that prior to the

date of the first publication of said *Order*

the publisher of said Waseca

Journal-Radical filed with the County Auditor of said

county the affidavit required by section 2, chapter 33 of the

General Laws of said State for the year 1893; that at the

date of said consolidation W. A. Clement and Company

were the publishers of the said Waseca Journal and C. E.

Graham was the publisher of the said Waseca Radical; that

the name of the publisher of said Waseca Journal-Radical

is Waseca Journal-Radical Printing Company.

W. A. Clement
 Subscribed and sworn to before me this *13th* day of

August 190*4*.

Geo. A. Wilson

Judge of Probate

July 26 - 1904

— W. H. Roessler - Deceased
In account with
A. M^{rs}. Donald

July 27th 1903 - \$18.²⁵ — Cash loaned

Received

In Probate Court,

State of Minnesota,

County of

Waseca

ss.

In Probate Court,

In the Matter of the Estate of

W. H. Roesler

Deceased.

State of Minnesota,

County of

Waseca

ss.

A. McDonald

being duly sworn says that he is

A. McDonald the claimant

in the annexed Itemized Claim against said

W. H. Roesler

Deceased; that the amount due thereon is

Eighteen --- 25 --- Dollars,

That the same is just and true; that no payments have been made thereon which are not credited,
and that there are no offsets to the same to the knowledge of affiant.

Subscribed and sworn to before me this

26th day of July 1904

A. D. Matson

Judge of Probate.

notary Public

A. McDonald

Received 1 July 1904 the sum of 19.90

payment in full of claim and interest due 22nd day of May A.D. 1906

3.

3.

Filed Aug 6th 1904
Geo A Wilson
Judge of Probate
allowed

HAYES-LUCAS LUMBER CO.

LUMBER AND BUILDING MATERIAL.

Nasca Minn. Aug 6th 1904
 SOLD TO *N. H. Reesler*

Estate

GENERAL OFFICE,
WINONA, MINN.

1903

Oct	24	To 9160 # Stone	@ 9 ⁰⁰	7 20
Nov	3	" 1 Blk. Lumber		85
"	4	" 4190 # Stone		3 10
		1 Blk. Lumber		85
		1 Bu. "		35
		Total		<u>17 35</u>

Received Payment

Dec 17th 04

Hayes Lucas Lumber
HL

Filed June 13th 1904
Geo A Wilson
Judge of Probate

State of Minnesota, }
County of Waseca. } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

William H. Roesler
Deceased.

State of Minnesota, }
County of Waseca. } ss.

Paulina Roesler, being first duly sworn on oath, deposes and says that he is the administratrix of and for the above and foregoing estate, duly appointed as such by the Probate Court of Waseca county, and that he has accepted such trust and entered upon the performance of his duties as such, and is now the acting administratrix of said estate. That there are no debts against the estate and no claims of any kind existing against said estate and that there are no creditors of said estate and that he makes this affidavit pursuant and in conformity with Section 1 of Chapter 82, of the General Laws of the State of Minnesota for the year 1899 for the purpose of obtaining an order limiting the time in which creditors may present their claims against said estate to three months and further affiant saith not.

Subscribed and sworn to before me

this 13th day of June, A. D. 1904.

Geo A Wilson
Judge of Probate, Waseca County, Minn.

Paulina Roesler

No.

IN PROBATE COURT,

County of Waseca

In the Matter of the Estate of

William H. Raesley
Deceased.

ORDER FOR HEARING ON CLAIMS

Filed this 13th day
of June 1898 and
recorded in Book of

Orders, on page

Geo. A. Wilson
Judge of Probate.

State of Minnesota,
County of Waseca) ss.

In Probate Court,
Special Term, June 13th 18904

In the Matter of the Estate of
William H Raesler Deceased.)

Letters of Administration on the estate
of William H Raesler deceased, late of the County
of Waseca and State of Minnesota, being granted to
Paulina Raesler

It is Ordered, That ^{three}~~two~~ months be and the same is hereby allowed from and after the date
of this order, in which all persons having claims or demands against the said deceased are required
to file the same in the Probate Court of said County, for examination and allowance, or be forever
barred.

It is further Ordered, That the 19th day of September 18904

at ten o'clock A. M., at a special term of said Probate Court, to be held at the Probate
Office in the Court House in the city of waseca in said County, be and the
same hereby is appointed as the time and place when and where the said Probate Court
will examine and adjust said claims and demands.

And it is further Ordered, That notice of such hearing be given to all creditors and persons
interested in said estate by forthwith publishing this order once in each week, for three successive
weeks, in the Waseca Journal Radical Weekly newspaper
printed and published in said County.

Dated at Waseca this 13th day
of June 18904

By the Court,

Geo A Wilson
Judge of Probate.

GEO. A. WILSON
Judge of Probate



OFFICE OF THE
JUDGE OF PROBATE

Waseca County Minnesota

WASECA, MINN., _____, 190__

Jan 21, 1904
William Roder
Macedonia

Dear Sir

We received \$20.00 to apply
on account. We have placed
same to your credit and en-
closed an receipt for same
would be pleased if you
should reduce this some
more as soon as possible
make an effort to do so

Warrent closed at \$0 ¹³/₁₀₀
winter in some weather
marked letter

Yours very truly
L A M Donald & Co

^{up}
Filed Feb 1st 1905
Geo A Wilson
Judge of Probate

In the matter of the claim of D. A. McDonald & Co.
against the Estate of William Roesler.

CLAIMANT'S BRIEF.

The claim filed is for money paid by the Claimant for the deceased on various dates between June 9th and August 8th 1903. The evidence establishes the payments and the employment of the Claimant by the deceased. It shows the transactions and the parties with whom the transactions were had. And that ~~the~~ Jan. 1904 account ~~XXXX~~ was presented to the deceased which he acknowledged and paid twenty dollars (\$20.00) thereon, this evidence establishes that the debt was incurred by the deceased and that the account was correct.

The only question then open for discussion relates to the illegality of the transaction. The defence claims that it was void because it was a gaming contract. The burden of proof is upon the defense to establish this contention. The law in relation to dealings of this character is well settled in this state. It is held by the Supreme Court that contracts in form for ~~XXXXXX~~ future delivery, not intended to represent actual transactions, but merely to pay and receive the difference between the agreed price and the Market price at a future day, are in the nature of wagers on the future price of the commodity, and void.

Oscar Mohr vs Anton Miesen--47 Minn. 228.

In the case of

McCarthy vs Weare Commission Co. 87 Minn. --11.

In the last case it is held that the legal intention of one of the parties will not avail unless the other party knows or ought to know of such illegal purpose. The evidence does not show any illegal contract entered into between the deceased and the claimant.

Under the decisions above quoted unless such an illegal contract is proven, the transaction cannot be ~~proven~~ attacked as illegal.

Bleed Through

There is no evidence from which to infer or presume any such illegal understanding between the parties, the deceased was running and operating an elevator in Waseca and was selling the wheat received at such elevator to this commission Company, and it had the right to presume that he was able and ready to carry out his contracts.

The evidence shows that under his contracts with the claimant for the purchase or the sale of grain he could if he so desired receive the actual grain so purchased, and if he did not accept and pay for the grain purchased at the time for delivery he was liable for damages for such failure, and the damage would be the difference between the Market price of the grain when purchased and the price at the time it was to be delivered, ~~ix~~ this is the legal rule of damages in law cases for the purchase of a contract to purchase any property.

SM. Gove

No

IN PROBATE COURT,

County of Waseca

In the Matter of the Estate of

Williams & Ressler
Deceased.

ORDER APPOINTING ADMINISTRATOR.

Filed this 13th day of June

A. D. 1904. and recorded in Book

.....of Orders, on page.....

Geo. A. Nelson
Judge of Probate.

State of Minnesota,

County of

Waseca

ss.

In Probate Court,

Special Term, June 13th 1904

In the Matter of the Estate of

William H Raesler

Deceased.

PURSUANT TO AN ORDER made in the above entitled matter, on the
17th day of May A. D. 1904, the petition of

Paulina Raesler

that Letters of Administration upon said estate be granted unto

Paulina Raesler

was this day brought on to be heard

and considered, and the affidavit of

W A Clement

printer having been filed herein, showing that the notice required to be given and
published by said order has been given and published as ordered. And it appearing

to the satisfaction of this Court, by competent proof, that the said

William H Raesler

died on the

24th

day of

February 1904

, at the County of

Waseca

in the State of Minnesota, intestate, and that he was a resident of the County

of

Waseca

in the State of Minnesota, at the time of

his

death, and that the said intestate left estate within this said County

to be administered upon, the probable value of which does not exceed the sum of

Twenty-two hundred

Dollars,

and the said petitioner is

widow

of said deceased,

and that the said

Paulina Raesler

is a suitable and competent

person to administer upon said estate, pursuant to said petition, said petitioner

appearing and no adverse appearance or opposition being made.

IT IS ORDERED, That said

Paulina Raesler

be and he hereby is appointed Administrator of the said estate of

William H Raesler

deceased, and that said

Paulina

Raesler

before entering upon her

duties as such Administrator

and before Letters of Administration be to her

issued

give bond to the Judge of

this Court, in the sum of

Twenty hundred

Dollars,

with sufficient sureties, to be approved by said Judge, conditioned according to law.

Dated at

Waseca

the

13th

day of

June

A. D. 1904.

By the Court,

Geo Aedilson

Judge of Probate.

No.

IN PROBATE COURT,

County of Waseca

IN THE MATTER OF THE ESTATE OF

William H. Roseler
Deceased.

ORDER FOR HEARING AND NOTICE OF
APPLICATION FOR APPOINTMENT
OF ADMINISTRATOR.

Filed this 17th day of

May A. D. 1904

Recorded in Book..... of Orders, on
page.....

Geo A. Walson
Judge of Probate.

State of Minnesota, }
County of Waseca } ss. IN PROBATE COURT,
Special Term, May 17th 1904

In the Matter of the Estate of William H Raesler Deceased:

On Receiving and Filing The petition of Pauline Raesler
of the County of Waseca
representing, among other things, that William H Raesler
late of the County of Waseca
in the State of Minnesota, on the 24th day of February
A. D. 1904, at the County of Waseca died intestate, and being an
inhabitant of this County at the time of his death, leaving goods, chattels and
estate within this County, and that the said petitioner is widow
of said deceased, and praying that administration of
said estate be to her granted;

It is Ordered, That said petition be heard before said Court, on
the 13th day of June A. D. 1904 at 10 o'clock
M., at the Probate Office, in the Court House in The City of Waseca
in said County.

Ordered Further, That notice thereof be given to the heirs of said deceased
and to all persons interested, by publishing this order once in each week for
three successive weeks prior to said day of hearing, in the Waseca
Journal Radical a weekly newspaper printed and published at
in said County.

Dated at Waseca the 17th day of May
A. D. 1904

By the Court,

Geo A Wilson
Judge of Probate.

Brown, Treacy & Co., St Paul.

TRANSCRIPT OF JUDGMENT.—For sale at the Herald office, Waseca, Minn.

State of Minnesota, } ss.

COUNTY OF WASECA,

Malachi Shuman

City of Waseca,

IN MUNICIPAL COURT.

Plaintiff,

AGAINST
A. O. Goodman and W. H. Kessler, Copartners
as Goodman, Kessler

Defendants.

Judgment rendered *February 20th* 1904 A. D. 189 for for damages \$ *26.65*

And costs *6.65*

Cost of transcript *25*

Total *33.45*

Execution issued 189 and returned unsatisfied *Interest 9.00*

STATE OF MINNESOTA, } ss. *Malachi Shuman*

COUNTY OF WASECA.

Judge of the Municipal Court of the City of Waseca, in said county, hereby certify that I have compared the foregoing with the original entry of Judgment rendered in said court in the above entitled action, and that the same is a correct transcript therefrom, as appears from the docket of said court.

Witness the Honorable *Malachi Shuman* Judge of the Municipal Court of the City

of Waseca, Minnesota, this *14* day of *September* A. D. *1904*

S. S. Durin

Municipal Judge.

verified 152

State of Minnesota,
CITY OF WASECA,
IN MUNICIPAL COURT.

TRANSCRIPT OF JUDGMENT.

OFFICE OF CLERK OF DISTRICT COURT,

County of _____ Minn.

Filed on this _____ day of _____
189 , at _____ o'clock _____ M., in this
office.

Clerk of District Court

Murphy, the Printer, Waseca, Minn.

343. Proof of Claim, Verification and Order on Claims.

Brown, Treacy & Co., Mfg. Strs., St. Paul. Class 4.

State of Minnesota,

County of Waseca } ss.

In Probate Court,

In the Matter of the Estate of

Wm H Roscoe } Deceased.

State of Minnesota,

County of Waseca } ss.

being duly sworn says that he is Attorney of the claimant
in the annexed Itemized Claim against said Wm H Roscoe
Deceased; that the amount due thereon is forty two & 45/100 Dollars,

That the same is just and true; that no payments have been made thereon which are not credited,
and that there are no offsets to the same to the knowledge of affiant.

Subscribed and sworn to before me this

14th day of September, 1904

Geo A Wilson

Judge of Probate.

Wm H Roscoe

Dated at Waseca this 13th day of June 1904

Paulina Roessler
Administratrix of the estate of William H Roessler Deceased.

WE, THE UNDERSIGNED APPRAISERS, Do hereby certify that, pursuant to the annexed warrant to us directed, we appraised all the property described and mentioned in the foregoing and within Inventory, which has been to us exhibited, setting down opposite to each item in said inventory, in figures, the value thereof in money, as by us determined.

Witness our hands this _____ day of _____ 190_____

Appraisers.

State of Minnesota,

ss.

County of Waseca

Pauline Roessler
being duly sworn says that she is the Administratrix of the estate of William H Roessler late of said County, deceased, and that the foregoing is a just and true inventory of all the real estate, and of all the goods, chattels, rights and credits belonging to the said _____ deceased, which have come to her possession or knowledge; and that upon diligent inquiry she has not been able to discover any other property or estate belonging to the estate of the said _____ deceased.

Subscribed and sworn to before me this _____

13th day of June 1904
Geo A Wilson
Judge of Probate.

Paulina Roessler

No.

In Probate Court,

County of Waseca

IN THE MATTER OF THE ESTATE OF

William H Roessler
Deceased.

General Inventory.

Filed and approved this 13th

day of June 1904
Geo A Wilson
Judge of Probate.

GENERAL INVENTORY.

State of Minnesota, }
County of Waseca } ss.

IN PROBATE COURT.

In the Matter of the Estate of William H Raesler Deceased:

A True Inventory of all the Real Estate, and of all Goods, Chattels, Rights, Credits and Estate of William H Raesler Deceased which have come to the possession or knowledge of the undersigned Pauline Raesler Administratrix of the said Estate:

REAL ESTATE

APPRAISED VALUE

Dollars Cents

I. All the Real Estate: The East half of South-west quarter Section 11 Town 106 R 23 in Waseca County Minn

3n Probate Court,

In the Within Entitled Matter.

STATEMENT.

OFFSETS ALLOWED:

	\$
	\$
	\$
	\$
	\$
<i>Total, - - -</i>	\$
<i>Interest on Claim to date, -</i>	\$
<i>Final Balance against estate,</i>	\$

It is Ordered, That the foregoing be the amounts of allowance and disallowance on the within claim, and on the offsets thereto, and the final balance thereon against said estate.

the day of A. D. 190

Judge of Probate.

No. _____

PROBATE COURT,

County of

In the Matter of the Estate of

Deceased.

PROOF OF ITEMIZED CLAIM AND ORDER ON CLAIM
OF

Amount, \$.....

Nature of Claim.....

Filed this 19 day
of Sept A. D. 1904

Geo A Wilson
Judge of Probate.



O. M. Carlson Sr.

to W^m S. Packer. Sr.

For services of station

\$
20.

Received payment of this claim this 17th day
of December A. D. 1904.

O. M. Carlson

19th day of Dec. 1904
Geo A Wilson
Judge of Probate.

200

Verification and Order on Claims.

Brown, Treacy & Co., Mfg. Strs., St. Paul. Class 4.

State of Minnesota,

County of

Waseca

ss.

In Probate Court,

In the Matter of the Estate of

William H. Roessler.

Deceased.

State of Minnesota,

County of

Waseca

ss.

John J. Isker.

being duly sworn says that he is the attorney of and for the claimant
in the annexed Itemized Claim against said William H. Roessler
Deceased; that the amount due thereon is twenty dollars Dollars,

That the same is just and true; that no payments have been made thereon which are not credited,
and that there are no offsets to the same to the knowledge of affiant.

Subscribed and sworn to before me this

19th

day of

Sept.

1904

Geo A Wilson

Judge of Probate.

John J. Isker

Rick interest in full
to Feb 29 1903.

Rick interest in
full to Feb 29 1904

\$19.20 interest in full
for one year to Feb 29. 1900
interest in full to

Feb 29 1901
interest in full to Feb.
29. 1902

\$ 238.49

Waseca, Minn.,

Feb 29th 1882.

On or before Two years after date, I promise to pay to

Jos T Lum

or order

Two Hundred and Thirty five ¹⁰⁰ DOLLARS,

For Value Received, with interest from date until paid at Eight per cent. per annum,
interest payable annually.

Payable at Waseca

P. O. Address

W. H. Karsler
Matth. Wanderly

Colored Paper

140

pos J Linn

Received interest in
full for one year

March 1, 1893

Wassena Main March 1-1894

Received of M. Wundelich
\$50.00 on Note and interest
in full to date

Feb 22 Recd interest
in full to Feb 29, 1895

Received interest in
full to Feb 29 1896.

Recd \$45 on principal
Feb 29, 1896.

March 12 Recd. 11²⁰ interest
to Feb 29 - 1897

March 1st 1898.
Recd interest in full
for one year.

Recd interest in full ^{\$11.20}
for one year.

In the Within Entitled Matter.

State of Minnesota,
County of Waseca } ss.

In Probate Court,

In the Matter of the Estate of

William H. Roester Deceased. }

State of Minnesota,
County of Waseca } ss.

Anna Beck

being duly sworn says that she is the the claimant
in the annexed Itemized Claim against said William H. Roester
Deceased; that the amount due thereon is 140 Dollars,
and interest from the 28th day of February 1904

That the same is just and true; that no payments have been made thereon which are not credited,
and that there are no offsets to the same to the knowledge of affiant.

Subscribed and sworn to before me this

14th day of Sept. 1904

John J. Isker

Notary Public Waseca, W. Minn. Judge of Probate.

Anna Beck

Paid

|||||

Filed June 13th 1904
Geo A Wilson
Judge of Probate

Order For Hearing Application for Appointment of Administrator.

STATE OF MINNESOTA } In Probate Court,
County of Waseca. } ss.

Special Term, May 17th, 1904.
In the matter of estate of William H. Roesler, deceased.

On receiving and filing the petition of Paulina Roesler of the County of Waseca, representing, among other things, that William H. Roesler late of the County of Waseca, in the State of Minnesota, on the 24th day of February A. D. 1904, at the county of Waseca, died intestate, and being an inhabitant of this County at the time of his death, leaving goods, chattels and estate within this County, and that the said petitioner is widow of said deceased, and praying that administration of said estate be to her granted.

It is ordered, that said petition be heard before said Court, on the 13th day of June, A. D. 1904, at 10 o'clock A. M., at the Probate Office, in the Court House, in the City of Waseca, in said County.

Ordered further, that notice thereof be given to the heirs of said deceased and to all persons interested, by publishing this order once in each week for three successive weeks prior to said day of hearing, in the Waseca Journal-Radical, a weekly newspaper printed and published in said County. Dated at Waseca the 17th day of May A. D., 1904.

By the Court, 33-35
(SEAL) GEO. A. WILSON,
J. J. Isker, Attorney Judge of Probate.
tor Petitioner.

State of Minnesota, }
County of Waseca. } ss

W. Clement being duly sworn
says he is the manager and printer of

WASECA JOURNAL-RADICAL;

that the same is a weekly news-paper printed and published at the City of Waseca in said Waseca County on *Thursday* of each week; that he knows of his own knowledge

that the printed *Order for hearing*

application for appointment of administrator

hereto attached was cut from the columns of said newspaper and was printed and published therein once in each

week for *3* successive weeks and that all of said publications were made in the English language; that said

Order was first printed and published

therein *and* the *18* day of *May*

1904 and was printed and published therein on each Thursday

day thereafter until and including the *1* day of *June*

1904; that on and for more than the three years immediately prior to the second day of January, 1902, the Waseca

Journal and the Waseca Radical were and had each been legal

news-papers and each published at the said City of Waseca

in said County; that on said second day of January, 1902,

they were consolidated under the name of Waseca Journal-Radical and said consolidated news-paper has ever since

that time been published at said City of Waseca; that said

consolidation was made in compliance with all the terms

and provisions of chapter ten of the general laws of Minnesota for the year 1899, and each and all the requirements of

that chapter have been fully complied with; that prior to the

date of the first publication of said *Order*

the publisher of said Waseca

Journal-Radical filed with the County Auditor of said

county the affidavit required by section 2, chapter 33 of the

General Laws of said State for the year 1893; that at the

date of said consolidation W. A. Clement and Company

were the publishers of the said Waseca Journal and C. E.

Graham was the publisher of the said Waseca Radical; that

the name of the publisher of said Waseca Journal-Radical

is Waseca Journal-Radical Printing Company.

W. Clement

Subscribed and sworn to before me this *13th* day of

June 1904.

Geo A. Wilson

Judge of Probate

Order For Hearing Application for Appointment of Administrator.

STATE OF MINNESOTA } In Probate Court,
County of Waseca. } ss.

Special Term, May 17th, 1904.
In the matter of estate of William H. Roesler, deceased.

On receiving and filing the petition of Paulina Roesler of the County of Waseca, representing, among other things, that William H. Roesler late of the County of Waseca, in the State of Minnesota, on the 24th day of February A. D. 1904, at the county of Waseca, died intestate, and being an inhabitant of this County at the time of his death, leaving goods, chattels and estate within this County, and that the said petitioner is widow of said deceased, and praying that administration of said estate be to her granted.

It is ordered, that said petition be heard before said Court, on the 13th day of June, A. D. 1904, at 10 o'clock A. M., at the Probate Office, in the Court House, in the City of Waseca, in said County.

Ordered further, that notice thereof be given to the heirs of said deceased and to all persons interested, by publishing this order once in each week for three successive weeks prior to said day of hearing, in the Waseca Journal-Radical, a weekly newspaper printed and published in said County. Dated at Waseca the 17th day of May A. D., 1904.

By the Court, 33-35
(SEAL) GEO. A. WILSON,
J. J. Isker, Attorney Judge of Probate.
for Petitioner.

State of Minnesota, } ss
County of Waseca.

W. Clement being duly sworn
says he is the manager and printer of

WASECA JOURNAL-RADICAL;

that the same is a weekly news-paper printed and published at the City of Waseca in said Waseca County on ~~Thursday~~ *Wednesday* of each week; that he knows of his own knowledge

that the printed *Order for Hearing Application for Appointment of Administrator* hereto attached was cut from the columns of said news-

paper and was printed and published therein once in each week for *3* successive weeks and that all of said publications were made in the English language; that said

Order was first printed and published therein on *Wed* ~~Thursday~~ the *18* day of *May*

1904 and was printed and published therein on each ~~Thursday~~ *Wednesday*

day thereafter until and including the *1* day of *June*

1904; that on and for more than the three years immediately prior to the second day of January, 1902, the Waseca

Journal and the Waseca Radical were and had each been legal news-papers and each published at the said City of Waseca

in said County; that on said second day of January, 1902, they were consolidated under the name of Waseca Journal-Radical and said consolidated news-paper has ever since

that time been published at said City of Waseca; that said consolidation was made in compliance with all the terms

and provisions of chapter ten of the general laws of Minnesota for the year 1899, and each and all the requirements of

that chapter have been fully complied with; that prior to the date of the first publication of said *Order*

the publisher of said Waseca Journal-Radical filed with the County Auditor of said

county the affidavit required by section 2, chapter 33 of the General Laws of said State for the year 1893; that at the

date of said consolidation W. A. Clement and Company were the publishers of the said Waseca Journal and C. E. Graham

was the publisher of the said Waseca Radical; that the name of the publisher of said Waseca Journal-Radical

is Waseca Journal-Radical Printing Company.

W. Clement
Subscribed and sworn to before me this *13th* day of

June 1904. *Geo A. Wilson*
Judge of Probate.

No.

IN PROBATE COURT,

County of Waseca Minn.

In the Matter of the Estate of

William H. Roesler

Deceased.

OATH OF ADMINISTRATOR

Filed this 13th day

of June A. D. 190 4,

Geo A. Watson

Judge of Probate.

State of Minnesota,

In Probate Court.

County of Waseca

ss.

In the Matter of the Estate of

William H. Roesler

Deceased.

State of Minnesota,

County of Waseca

ss.

I, Pauline Roeslerof the County of Waseca and State of Minnesota, appointed by the Probate Courtof said County the Administrator of the Estate of William H. Roeslerdeceased, late of the County of Waseca in the State of Minnesota

do solemnly swear that I will well, faithfully and honestly discharge the duties of the trust to the best of my ability, and according to law. So help me God.

Pauline Roesler

Administrator of the Estate of

William H. Roesler Deceased.

Subscribed and sworn to before me, this

13th day of June 190 4Geo A Wilsey
Judge of Probate

No. 4

In Probate Court

County of Waseca

In the Matter of the Estate of

William Kessler

Deceased.

Proof of Claim

—OF—

P. M. Gorm

allowed

Filed

July 16th, 1894
Geo A. Wilson

Judge of Probate.



The estate of William Roesler to P Mc Govern Dr.
To services rendered in an action by Ole Oien vs
A.D. Goodman and William Roesler in the District Court
of Waseca County tried at the March 1899 term of said Court \$35.00
Int for five years 10.50
Paid Jan, 1903 \$13. -----
Balance due \$45.50

\$2,50
~~\$45.50~~
\$45.50

Paid

35.00
10.50
3.00

\$48.50

ENGLISH, JAMES
 1891-1893
 1894-1895
 1896-1897
 1898-1899
 1900-1901
 1902-1903
 1904-1905
 1906-1907
 1908-1909
 1910-1911
 1912-1913
 1914-1915
 1916-1917
 1918-1919
 1920-1921
 1922-1923
 1924-1925
 1926-1927
 1928-1929
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 2006-2007
 2008-2009
 2010-2011
 2012-2013
 2014-2015
 2016-2017
 2018-2019
 2020-2021
 2022-2023
 2024-2025

PROOF OF CLAIM

State of Minnesota }
 County of Waseca }

IN PROBATE COURT

In the Matter of the Estate of William Rosler, Deceased.

State of Minnesota }
 County of Waseca } ss.

John Gorman

of Waseca

being duly sworn, doth depose and say, that the annexed
 claim against the estate of William Rosler, late of the
County of Waseca, State of Minnesota
John Gorman
 marked Exhibit A, is justly due and owing to said
 That no payments have been made thereon, except such as are credited upon said
 claim, and that there are no offsets or counter claims against the same, to the knowl-
 edge of deponent.

Subscribed and sworn to this 15th day of July 1924

188

Before me,

Geo A. Wilson, Judge of Probate.

(Copy)
STATE OF MINNESOTA,

County of

Mason

In Probate

COURT.

W. M. McDonald Co

Plaintiff

Estate of Mrs. Rooster

vs.

Defendant

Copy

Due and personal service of the within

is hereby admitted

this day of

A. D. 190

Attorney for

Attorney for

C. F. GREENWOOD, MANKATO, MINN.

State of Minnesota

In Probate Court

County of Waseca

In the matter of the Estate of William
Roesler Deceased.

To John Isker, Attorney for the Executrix in
the above entitled matter.

Take notice that P A Mc Donald & Co, a cr
creditor of said William Roesler deceased, hereby appeals from the
order made by said Probate Court on the 16th day of February 1905,
in the above entitled matter disallowing a claim of said P.A. Mc
Donald & Co against said Estate of William Roesler deceased,
amounting to four hundred and sixteen and 25/100 and this appeal
is taken from the whole of said order.

Dated March 13th 1905

P. A. McDonald

Attorney for said D.A. Mc Donald & Co

To.....

County Treasurer's Office, Waseca County, Minnesota

Waseca, Minn., 190.....

In answer to yours of.....

Statement of the Amount of Taxes due on the following described property, to-wit:

DESCRIPTION	Lot or Sec.	Block or Town	Range	Acres	School Dist.	Year	Tax	Interest and Penalty	TOTAL
E 1/2 of NW 1/4	11	106	23			1903			20 19
" " "	"	"	"			1904			20 49
" " "	"	"	"			1905			22 78
									63 46

Always send full description of your property and 2-cent postage stamp for mailing this notice.

All Taxes are due on the first Monday in January, each year. Personal property tax becomes delinquent March 1st, when a penalty of 10 per cent is added. Personal Property taxes unpaid April 1st are collected by the Sheriff.

On June 1st a penalty of 10 per cent is added to all unpaid Real Estate tax; *Provided*, if one-half of Real Estate tax is paid by June 1st the other one-half becomes delinquent November 1st and a penalty of 10 per cent is added, and said tax will become delinquent on the first Monday in January next when an additional penalty of 5 per cent is added. Tax sale takes place on the first Monday in May following, and the amount of sale draws interest at the rate of 1 per cent per month until redeemed. If not redeemed within three years from date of sale, all lands become the absolute property of the state or purchaser.

Interest on delinquent taxes figured to....., 190.....

☒ Remit to County Treasurer by Bank Draft, Express Order, Postal Money Order or Postal Note,
but NOT by personal check, unless certified.

RETURN THIS STATEMENT WHEN YOU REMIT

County Treasurer.

State of Minnesota

County of Waseca

Wm. A. Clement, being duly sworn, deposes and says that he was during all the time here after named printer and publisher of THE WASECA JOURNAL - A WEEKLY newspaper, printed and published at the city of Waseca in said County.

Filed Sept 14th 1908

Geo A Wilson
Judge of Probate

State of Minnesota, }
County of Waseca. } SS

Wm. A. Clement, being duly sworn, deposes and says, that he was during all the time hereafter named, printer and publisher of THE WASECA JOURNAL - RADICAL, a weekly newspaper, printed and published at the city of Waseca in said County.

That the annexed printed notice of *Order*
to Examine Accounts

was taken from said newspaper and was duly published therein once in each for 3 successive weeks, on the regular publication days of said paper, on the following days to wit: *August*
19, 26 and Sept 2, 1908

Printer's fees, \$ 5.80

Subscribed and sworn to before

me

W. A. Clement
Sept-14th A. D. 1908 }
Geo A Wilson
Judge of Probate

Order to Examine Accounts, Etc.

State of Minnesota, }
County of Waseca } ss. In Probate Court.

Special Term, August 18th, 1908.

In the matter of the estate of Wm. H. Roesler, deceased.

On reading and filing the petition of Paulina Roesler, administratrix of the estate of Wm. H. Roesler, deceased, representing, among other things, that she has fully administered said estate, and praying that a time and place be fixed for examining and allowing her account of her administration and for the assignment of the residue of said estate to the parties entitled thereto by law.

It is Ordered, That said account be examined and petition and application for the allowance of said claims and debts so paid by her and not yet allowed according to law, be heard by this Court on Monday, the 14th day of September, A. D. 1908, at ten o'clock a. m., at the Probate Office in City of Waseca in said County.

And it is Further Ordered, That notice thereof be given to all persons interested, by publishing this order once in each week for three successive weeks prior to said day of hearing, in the Waseca Journal-Radical a weekly newspaper, printed and published at Waseca, in said County.

Dated at Waseca, Minnesota, the 18th day of August, A. D. 1908.

By the Court,
(Seal) GEO. A. WILSON,
Judge of Probate.

State of Minnesota, }
County of Waseca. } ss

Wm. A. Clement, being duly sworn, deposes and says, that he was during all the time hereafter named, printer and publisher of THE WASECA JOURNAL - RADICAL, a weekly newspaper, printed and published at the city of Waseca in said County.

That the annexed printed notice of Order

to Examine Account

was taken from said newspaper and was duly published therein once in each for 3 successive weeks, on the regular publication days of said paper, on the following days to wit: August

19, 26 and Sept 2, 1908

Printer's fees, \$ 5.80

W A Clement

Subscribed and sworn to before

me Sept 14th A. D. 1908 }

Geo A Wilson
Judge of Probate

Order to Examine Accounts, Etc.

State of Minnesota, } ss. In Probate Court.
County of Waseca }

Special Term, August 18th, 1908.

In the matter of the estate of Wm. H. Roesler, deceased.

On reading and filing the petition of Paulina Roesler, administratrix of the estate of Wm. H. Roesler, deceased, representing, among other things, that she has fully administered said estate, and praying that a time and place be fixed for examining and allowing her account of her administration and for the assignment of the residue of said estate to the parties entitled thereto by law.

It is Ordered, That said account be examined and petition and application for the allowance of said claims and debts so paid by her and not yet allowed according to law, be heard by this Court on Monday, the 14th day of September, A. D. 1908, at ten o'clock a. m., at the Probate Office in City of Waseca in said County.

And it is Further Ordered, That notice thereof be given to all persons interested, by publishing this order once in each week for three successive weeks prior to said day of hearing, in the Waseca Journal-Radical a weekly newspaper, printed and published at Waseca, in said County.

Dated at Waseca, Minnesota, the 18th day of August, A. D. 1908.

By the Court,
(Seal) GEO. A. WILSON,
Judge of Probate.

No

IN PROBATE COURT

County of *Waseca*

IN THE MATTER OF THE ESTATE OF

William H. Prester.
Deceased.

Petition for Settlement of Administration Account.

Filed this *18th* day of *Aug*

A. D. 190*8*.

Geo A. Wilson
Judge of Probate.

State of Minnesota,

County of Waseca

ss.

IN PROBATE COURT.

In the Matter of the Estate of

William H. Roesler

Deceased

To the Probate Court in and for said County:

The petition of Paulina Roesler, administratrix
 of said William H. Roesler deceased, respectfully represents
 that said estate has been fully administered, as will appear by the final account
 of her administration, filed with this Court.

Your petitioner would therefore pray that an order be made, fixing a time
 and place when and where this Court will examine, settle and allow said final
 account, and for the assignment of the residue of said estate to the parties
 entitled thereto by law.

Dated at Waseca the 18th day of August

A. D. 1908

Paulina Roesler

State of Minnesota,

County of Waseca

ss.

Paulina Roesler

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

Subscribed and sworn to before me,

this 18th day of Aug. 1908Paulina Roesler

John J. Isker.
~~Judge of Probate.~~

		CREDIT.		DEBIT.	
		DOLLARS.	CENTS.	DOLLARS.	CENTS.
Brought forward,		154	86	428	41
5. DEBTS DUE OTHER CREDITORS.					
By Paid the several claims and demands allowed by order of Court,					
as per Vouchers numbered.....to.....to-wit:					
No. 1.					
No. 2.	18 25				
No. 3.	42 45				
No. 4.	12 35				
No. 5.	45 50				
No. 6.	20 00				
No.	145 00				
No.					
No.					
No.					
No.					
No.					
No.					
No.					
No.					
No.					
No.					
No.					
No.					
No.					
No.					
Total debts paid		289.55	438 86	438	41
Balance in hands of		4	more.		

Dated Aug 18th 1908 Paulina Roesler

State of Minnesota, } ss. On this 18th day of
County of Waseca August A. D. 1908 before me
personally appeared Paulina Roesler above named
and made oath that the above and foregoing account, signed by her is just and true,
and that she has actually paid out and expended the said several sums therein named.
John J. Fisher.
Notary Public, Waseca County, Minn.
My Commission expires Feb. 4, 1910.

No.	IN PROBATE COURT, County of <u>Waseca</u>	IN THE MATTER OF THE ESTATE OF <u>Wm J. Roesler.</u> Deceased.	ACCOUNT OF	Filed this <u>2/8th</u> day of <u>August</u> A. D. 190 <u>8</u> <u>Geo A. Wilson</u> Judge of Probate.	No. 66.—Pioneer Press Co., St. Paul, Minn.
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State of Minnesota, } ss. IN PROBATE COURT,
 County of Waseca. } Account of Paulina Roessler.
 In the Matter of the Estate of William H. Roessler Deceased.
 Said Estate in Account with Paulina Roessler.

DEBIT.		DOLLARS.	CENTS.
To Personal Estate, as per Inventory and Appraisal			
Increase of Personal Estate Sold as per Order (see report)			
Receipts on Sale of Personal Estate, not inventoried			
Receipts on Claims, Etc., deemed bad and not appraised			
Receipts on Sale of Real Estate, sold as per order (see report)			
Receipts from Rent of Real Estate for the year <u>1907</u>		<u>285</u>	<u>44</u>
Receipts from Produce of Farm for the year <u>1907</u>		<u>175</u>	<u>00</u>
Receipts from Interest on		<u>175</u>	<u>00</u>

CREDIT.		DOLLARS.	CENTS.
1. EXPENSES OF ADMINISTRATION.			
By Paid for Certified Copies and Recording as per Voucher			
Paid Appraisers as per Voucher			
Paid Printer as per Voucher		<u>17</u>	<u>80</u>
Paid Labor on Farm			
Paid Improvements on Real Estate			
Paid Personal Services, as per Account			
Paid Personal Property Selected by Widow			
Paid Widow as per Order of the Court			
<u>Atty fees.</u>		<u>75</u>	<u>00</u>
2. TAXES.			
By Paid Taxes for the year 1904-5-6 Voucher No.		<u>62</u>	<u>46</u>
Paid Taxes for the year 190 Voucher No.			
Total Expenses of Administration			

CREDIT.		DOLLARS.	CENTS.
3. EXPENSES OF LAST SICKNESS.			
By Paid Services, as per Voucher No.			
Paid for Medicines, as per Voucher No.			
Paid for Services, as per Voucher No.			
Total Expenses of Last Sickness			

CREDIT.		DOLLARS.	CENTS.
4. NECESSARY FUNERAL EXPENSES.			
By Paid for Coffin, as per Voucher No.			
Paid for Services, as per Voucher No.			
Paid for Services, as per Voucher No.			
Total Expenses of Funeral			
Amount forward,		<u>154</u>	<u>86</u>

In Probate Court.
W. H. Roessler Estate.

Objections to A. McHardy
Claim.

State of Minnesota () ss
County of Waseca ()

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF WILLIAM H. ROESLER;
DECEASED.

Paulina Roesler, administratrix of the estate of William H. Roesler, deceased, objects to the allowance of the claim of A. Mc.Donald of cash loaned in the sum of eighteen and 75/100 dollars, for the following reasons.

I.

Denies that the claimant loaned money to the deceased in any sum whatever.

II.

That if claimant ever loaned any money to the deceased, or made any advances to him the money so loaned or advanced was used by the said deceased for the purpose of gambling on the price of wheat, and that the claimant had notice that the money was to be so used for illegal purposes.

III.

That at the time said money is alleged to have been loaned to deceased the claimant was dealing in wheat options, that he knew that deceased was operating in futures, and if any advances were made they were made with the knowledge that the same were to be used in unlawfully speculating in the rise and fall of the price of wheat.

WHEREFOR this administratrix prays that the said claim of A. Mc.Donald be disallowed.

Paulina Roesler

IN THE MATTER OF THE ESTATE
OF WILLIAM H. ROESLER,
deceased.

Mc Donald Commission Company

against

Paulina Roesler, as
administratrix.

*Filed Feb 1st 1906
Geo A Wilson
Judge of Probate*

IN THE MATTER OF THE CLAIM OF D.A. Mc DONALD AND
COMPANY, AGAINST THE ESTATE OF WILLIAM H. ROESLER, DECEASED.

BRIEF.

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Claimants in this matter claim to be a commission firm, having a seat on the board of trade at the city of Minneapolis, Minnesota; that as brokers they bought and sold wheat at various times for the deceased at his order. That the claim filed is for money advanced on these sales. Administratrix contests this claim on the ground that all the alleged transactions had between these parties were gambling contracts and void, that there never were any deliveries nor was a delivery intended by either party. The law in cases of this kind is well defined, and contracts of this nature are denied enforcement, a great many states having express statutory declarations against them.

Mechem, one of the authorities on the subject of "Sales", says,

"The cases, however, in which this ground of illegality has been most frequently urged in connection with the subject of sale, are those involving a contract for the sale and future delivery of Merchandise, or what have popularly come to be known as "futures". There is no legal objection to a sale of goods to be delivered in the future, even though the seller be not possessed of the goods at the time, and have no other means of acquiring them than to go into the market and buy them. If the parties actually intend a sale and delivery of the goods, the contract is entirely valid; but if, under the guise of such a contract, valid on its face, the real intention of the parties is not to deliver the goods, but merely to speculate in the rise or fall of prices and to pay the difference between the contract price and the market price at the time agreed upon, then the transaction is a wagering one and void." § 1030

This conclusion is almost unanimously arrived at upon grounds of public Policy. Our own supreme court holds in the case of *Mohr* against *Meisen*, that

"A contract for the sale and delivery of grain or other commodities, to be delivered at a future day, are not per se unlawful where the parties in good faith intend to perform them according to their terms. But contracts in form for future delivery, not intended to represent actual transactions, but merely to pay and receive

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the difference between the agreed price and the market price of a future day, are in the nature of wagers on the future price of the commodity, and void. 47 Minn.228.

In the case of Mc. Carthy against the Weare Commission Company, our court again holds that

"A contract for the sale of goods which the seller can only acquire by purchase is a gambling venture, where the parties do not intend any actual purchase and delivery of the goods to fill the contract but are merely risking the difference of the contract price and the market price of a future day. 87 Minn. 11.

The United States Supreme court holds that,

"Contracts of sale that do not contemplate the actual bona fide delivery of the property by the seller nor the payment by the buyer, but are intended to be settled by paying the difference in price at some future time, are gambling contracts. 142 U.S. 28.

The only question for the court to decide in this case is, whether the parties intended an actual and bona fide sale and delivery of this wheat or whether they solely made these contracts for the purpose of speculating in the future price. We cannot produce any direct evidence as to the intention of the parties as one of the parties is dead and it is for the best interest of the other party to say that all dealings between them were bona fide. If the courts required this of us the estates of deceased persons would at the mercy of unscrupulous claimants. If the attending circumstances are such that claimants might think or know that the intentions of deceased were illegal, the court will be justified in finding that claimants were privy to ^{the} illegal dealings.

In the case of Mohr against Meisen, a part of which has already been quoted, our court says,

"The law will not enforce a contract in favor of a party who has entered into it for an unlawful purpose. A broker or commission merchant who makes advances for his principal and aids him in "operating in futures" with notice of the unlawful intent of the latter, and of the real character of the transactions, cannot recover his commissions or advances; and, in order to show that he is cognizant of the illegality, evidence may be received on the trial, and considered by the jury, showing the nature of the transactions, the relation of the parties, the course of dealing between them, the occupation and financial ability of the principal, and other material facts tending to prove notice.

the parties intended to deliver and the price was determined at that

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shows that they

The itemized statement of claimants/sold deceased 15,000 bushels of wheat in one day. The price for the same amounted to over \$12,000. No payment was made on the same whatever. Claimants' agent also testified that they were held responsible for all sales and purchases they made. Does it seem to the court that this commission company would make a deal of this kind if actual delivery was intended? Does it seem reasonable that these claimants would go responsible for deceased in the sum of \$12,000 when all the property Roesler had, if turned into cash, would not have amounted to one third of that sum? Neither was there any necessity for him to buy wheat from anybody, as personally he was not in any business where any wheat was required. Proof that he was buying wheat for the elevator does not help out claimants any, but only tends to show that he was all the more liable to be lead into transactions of this kind. If this claim were against the elevator company some doubt might exist in the mind of the court as to the intentions of the parties.

The evidence of Fred Roesler is important, as it shows the nature of the business this company was doing with private persons. All that would have been necessary for him to have was \$200 to speculate in wheat and "make some money"; it requires no straining of the imagination to presume that this was the identical way in which W.H. Roesler was lead into these deals.

Claimants in their brief state that because these contracts were not carried out on the part of deceased they are entitled to the difference in the market price as the proper measure of damages. In a bona fide transaction this would be true. The court will see from the itemized statement that all wheat bought was September wheat, that is, wheat to be delivered in September. Most of the deals were closed in July and August. If claimants expected a literal fulfillment of these contracts on the part of deceased, why should they close these deals before the time for fulfilling these contracts had expired? Why did they not wait until September and then ask for their damages?

Contracts of this kind should received the strictest scrutiny of

does not pay one statement and the other to show that he has not
these and must be reduced. Proof that he has, paying more for the statement
him to pay more than he should. He reasonably he has not in any business
accounted to one thing of that kind. Neither has there any necessity for
when all the property has been paid. If turned into cash, money not paid
these statements would be reasonable for received in the sum of \$12,000
of this kind it would certainly be intended. Does it seem reasonable that
does it seem to the court that this commission company would make a deal
that they were paid reasonable for all sales and purchases they made.
Statement was made on the same method. Statement, agent also testified
of more in one deal. The price for the same amounted to over \$12,000. In
the itemized statement of statements, only received 12,000 dollars
shows that they

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the courts before they are enforced. They always appear to be legal,
but to get at the real character of them careful inquiry must be made
into all the facts and circumstances attending or connected with them.

John J. Asker
Atty. for Estate.

To Have and to Hold the same, Together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said above named person and their heirs and assigns, forever.

Geo A Wilson Judge of Probate Court,
Waseca County, Minn.

Office of Register of Deeds, }
County of Waseca Minn. }

I hereby certify that the within Decree was filed in this office for record on the 14th day of September A. D. 1908, at 10 o'clock A. M., and was duly recorded in Book of Deeds, page

Register of Deeds.

By Deputy.

No.

IN PROBATE COURT

County of Waseca

IN THE MATTER OF THE ESTATE OF

Wm. H. Roesler

Deceased.

Final Decree Assigning Residue of Estate.

STATE OF MINNESOTA

County of Waseca ss.

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

IN TESTIMONY WHEREOF, I have hereunto affixed the seal of the Probate Court of said County, and signed my name, this day of 190.

Judge of Probate.

Filed this 14th day of August 1908 and recorded in

page Geo A Wilson Judge of Probate.

No. 295.

FINAL DECREE.

State of Minnesota,
County of Waseca

} ss.

IN PROBATE COURT

General Term, Sept 14th 1908

In the Matter of the Estate of Wm. H. Roesler Deceased:

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

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

And it Further Appearing That due notice of the application for this final decree in said matter, assigning the estate to the persons thereto entitled by law, has likewise been duly given and served pursuant to the law in such case made and provided.

And it Further Appearing That the said deceased died intestate, and the residue of said estate consists of the following described real estate, to-wit:

The East one-half (E. $\frac{1}{2}$) of the South West quarter (S. W. $\frac{1}{4}$) of section eleven (11), Township one hundred and six (106) north of Range twenty three (23) West, Waseca County, State of Minnesota .

And it Further Appearing That the following named person^s are the
person entitled to.....said estate by law, viz.:
Paulina Roesler, wife of said deceased, Bertha Roesler, daughter of
said deceased, Edna W. Roesler, daughter of said deceased, Elsie,
L. Roesler, daughter of said deceased, and George W. Roesler, son
of said deceased.

Now, Therefore, On the petition of Paulina Roesler, administratrix.

and pursuant to due notice and the law in such case provided:

It is Ordered, Adjudged and Decreed, And this Court, by virtue of the powers and authority vested in the same by law, does hereby order, adjudge and decree: That all and singular of the above described real property be, and the same is, hereby assigned to and vested in the said Paulina Roesler, Bertha Roesler, Edna W. Roesler, Elsie L. Roesler and George W. Roesler.

forever, in the following proportions, to-wit: Paulina Roesler, the widow of the deceased, the undivided one-third of said real property,
to Bertha Roesler, the undivided one-sixth of the said real property;
to Edna W. Roesler, the undivided one-sixth of the said real property;
to Elsie L. Roesler, the undivided one-sixth of the said real property;
to George W. Roesler, the undivided one-sixth of the said real property.