



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

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NAME STEWART, John S.

FRAME # 411

ORIGINAL ROLL # 39

File No. 1163

Case 218

Register One Page 531

IN PROBATE COURT

WASECA COUNTY, MINN.

ESTATE OF

John S Stewart

Deceased.

ESTATE OF

Deceased.

JUSTIFICATION.

State of Minnesota,
County of Waseca, ss. *O B Johnson*
and H E Johnson

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 *O B Johnson* in the sum of Five Hundred Dollars,
the said *H E Johnson* in the sum of Five Hundred 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
18th day of December, A. D. 1901.
H F Besterman
Notary Public.
Waseca County, Minn.

My commission expires March 1 1917

APPROVAL.

I do hereby approve the within Bond, this 18th day of December, A. D. 1901.
Chas Spillane
Judge of Probate.

(Court Seal)

OATH.

State of Minnesota,
County of Waseca, ss. I, John J. Spillane,
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 S. Stewart, Decedent, to the best of my ability. So help me God.

Subscribed and sworn to before me this 18th day of December, 1901.
John J. Spillane
H. F. Besterman
Notary Public.

Waseca County, Minn
My commission expires March 1 1917

State of Minnesota,
County of *Waseca*
PROBATE COURT,
IN THE MATTER OF THE ESTATE OF
John S. Stewart
Decedent.
BOND AND OATH
OF
REPRESENTATIVE.
Filed the 18th day of
December 1901
and said bond recorded in Book 4
of Bonds, page 3/3 of Probate
Records.
Chas Spillane
Clerk, Judge of Probate.

State of Minnesota,

County of Waseca

ss.

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

John S. Stewart,

Deceased

BOND.

Know all Men by these Presents, That we John J. Spillane,

of New Richland,

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

O. B. Johnson and H. E. Johnson, as sureties,

of said County and State, as sureties, are held and firmly bound to Chas. Spillane,

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

FIVE HUNDRED ----- DOLLARS,

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

The condition of this obligation is such that if the above bounden John J. Spillane,

who has been appointed representative of the estate of the above named John S. Stewart, Deceased, shall

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

Witness, our hands and seals this 18th day of December, 1901.

Signed, Sealed and Delivered in Presence of

H. J. Bestmann

A. H. Haugan

John J. Spillane

O. B. Johnson

H. E. Johnson

[SEAL]

[SEAL]

[SEAL]

[SEAL]

[SEAL]

[SEAL]

ACKNOWLEDGEMENT.

State of Minnesota,

County of Waseca,

ss.

Be it Known, That on this 18th day of December, A. D. 1901.

personally appeared before me John J. Spillane,

O. B. Johnson and

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 therein expressed.

H. J. Bestmann

Notary Public.

Waseca

County, Minn.

My commission expires March 1 1917

Fifth—That said decedent died seized and possessed of certain real property and estate, described in said petition, lying and being in the County of Waseca State of Minnesota, and that it is necessary and expedient that said will be allowed and admitted to probate in this court, and the said property and estate administered herein and under said will.

Sixth—That John J. Spillane whose Post Office address is New Richmond in Waseca County, State of Minnesota (3)

is a suitable and competent person to act as Administrator with Will annexed, of said will and said estate in this State.

It is Therefore Ordered, That said will be allowed and admitted to probate in this State, and that said authenticated copies of said will and of the said probate thereof be filed and recorded in this court; and that said John J. Spillane be, and hereby is appointed Administrator

of said estate of decedent; and that upon the filing by him in this court of the oath required by law and his bond in the sum of Two Hundred Dollars conditioned according to law, and the approval thereof by the judge of this court, letters of Administration be to him issued.

Dated December 18th 1911 Chas Spillane Probate Judge.

Note (1) If one appointed failed or refused to act, died or resigned, state facts.

Note (2) If one appointed failed or refused to act, has died, resigned, or refuses to act in this state, set out facts.

Note (3) If same person named in will, or appointed in other state, so state here.

5-
State of Minnesota,

County of Waseca

PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

John J. Stewart

ORDER ADMITTING FOREIGN WILL TO PROBATE AND APPOINTING EXECUTOR OR ADMINISTRATOR WITH WILL ANNEXED.

Filed this 18th day of

December 1911, and

Recorded in Book C of Orders,

Page 3/5

Chas Spillane
Judge of Probate.

State of Minnesota,
County of Waseca

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

John S Stewart
Decedent.

ORDER ADMITTING FOREIGN WILL TO PROBATE.

The above entitled matter came on to be heard by the court, on the 18th day of December 1911, upon the petition of Levi A Stewart praying for the admittance and allowance of the will of said decedent to probate; and the court, having heard the said petition and the evidence in support thereof, and examined the said will and the authentication thereof and the files and records in said matter, finds the following facts:

First—That notice of said hearing has been given by the publication in The New Richland Star of the citation of this court for said hearing issued on the 17th day of November 1911 as required by law

Second—That said decedent died on the 6th day of July 1896 at Milwaukee in the County of Milwaukee State of Wisconsin leaving a last will and testament, in which Mary Stewart is named and appointed to be executrix thereof and it further appearing that (1) the said Mary Stewart died at Milwaukee, Wisconsin on the 14th day of September 1911

Third—That said will of said decedent was duly proved, allowed and admitted to probate in and by the County court in and for the County of Milwaukee State of Wisconsin on the 9th day of September 1896 and letters testamentary thereon issued to Mary Stewart on the 9th day of September 1896. (2)

Fourth—That the County court above named, in which the said will was proved, allowed and admitted to probate, was a court of competent jurisdiction to allow said will and admit it to probate, and that it does not appear that the order and decree of said court allowing said will and admitting the same to probate is not still in force.

FILED in my office this 26th
day of January, 1917

Nelson Peters
clerk Judge of Probate,
Waseca County, Minn.

State of Minnesota }
County of Waseca }

I, Cliff Brown being duly sworn

depose and say, that I was during all the time hereinafter named, and am now proprietor of the NEW RICHLAND STAR, a weekly Newspaper printed in the English language, which said Newspaper has been published and generally circulated in said county for more than one year preceding the date of said notice, at the village of New Richland, in said county and State.

That the annexed printed Notice of Order Limiting Time to File Claims and for Hearing Thereon was taken from said Newspaper, and was duly published therein once in each week for three (3) successive weeks, on the regular publication days of said Paper, on the days following, to wit: Dec 29, 1911 & Jan 5 & 12, 1912

Printer's Fees, \$ 5.80

Cliff Brown

Subscribed and sworn to before }
me..... A. D. 190 . }

Order Limiting Time to File Claims and for Hearing Thereon.

State of Minnesota, }
County of Waseca } ss
In Probate Court, Special Term December 18, 1911.

In the matter of the estate of John S. Stewart, deceased.

Letters of administration on the estate of John S. Stewart, deceased, late of the County of Milwaukee and State of Wisconsin being granted to John J. Spillane.

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 having claims or demands against the said deceased are required to file the same in the Probate Court of said county, for examination or allowance, or be forever barred.

It is further ordered that the 25th day of March 1912 at 10 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 the 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 New Richland Star a weekly newspaper printed and published in said County. Dated at Waseca Minnesota, this 18th day of December 1911

By the Court,
(Court Seal) 49 Chas. Spillane,
Judge of Probate.

State of Minnesota }
County of Waseca }

I, Cliff Brown, being duly sworn

depose and say, that I was during all the time hereinafter named, and am now proprietor of the NEW RICHLAND STAR, a weekly Newspaper printed in the English language, which said Newspaper has been published and generally circulated in said county for more than one year preceding the date of said notice, at the village of New Richland, in said county and State.

That the annexed printed Notice of Order Limiting Time to File Claims and for Hearing Thereon was taken from said Newspaper, and was duly published therein once in each week for three (3) successive weeks, on the regular publication days of said Paper, on the days following, to wit: Dec 29, 1911 & Jan 5 & 12, 1912

Printer's Fees, \$ 5.80

Subscribed and sworn to before
me..... A. D. 190 .

Order Limiting Time to File Claims and
for Hearing Thereon.

State of Minnesota, }
County of Waseca } ss
In Probate Court, Special Term December
18, 1911.

In the matter of the estate of John S. Stewart, deceased.

Letters of administration on the estate of John S. Stewart, deceased, late of the County of Milwaukee and State of Wisconsin being granted to John J. Spillane.

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 having claims or demands against the said deceased are required to file the same in the Probate Court of said county, for examination or allowance, or be forever barred.

It is further ordered that the 25th day of March 1912 at 10 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 the 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 New Richland Star a weekly newspaper printed and published in said County. Dated at Waseca Minnesota, this 18th day of December 1911

By the Court.

(Court Seal) 49 Chas. Spillane,
Judge of Probate.

9.

State of Minnesota

County of Waseca

PROBATE COURT

In the Matter of the Estate of

John S. Stewart

Deceased

Order Limiting Time to File
Claims and for Hearing Thereon

Filed this *18th* day of

December 19 *11*, and

recorded in Book

of Orders at Page

Chas. Spillane

Judge of Probate.

By *Hulda Peters*

Clerk.

Order Limiting Time to File Claims and for Hearing Thereon

State of Minnesota, }
County of Waseca }

ss.

IN PROBATE COURT

Special Term December 18, 1911

In the matter of the Estate of John S. Stewart, Deceased:

Letters of administration on the estate of
John S. Stewart, deceased, late of the County of Milwaukee
and State of Wisconsin, being granted to John J. Spillane

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 having claims or demands against the said deceased are required to file the same in the Probate Court of said County, for examination or allowance, or be forever barred.

It is further ordered, that the 25th day of March
1912 at 10 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 New Richland Star a weekly newspaper printed and published in said County.

Dated at Waseca, Minnesota, this 18th day of December 1911

By the Court

Chas Spillane
Judge of Probate.

(Court Seal)

No. 5

State of Minnesota

County of Waseca

PROBATE COURT

In the Matter of the Estate of

John S. Stewart

.....
Deceased

Affidavit of No Debts

Filed this 18th day of

December 1911

Chas. S. Sweeney

Judge-Clerk of Probate.

Affidavit of No Debts

State of Minnesota,
County of Waseca

} ss.

IN PROBATE COURT

In the matter of the Estate of John S. Stewart, Deceased.

STATE OF MINNESOTA.
COUNTY OF WASECA.

} ss.

John J. Spillane, being first duly sworn, on oath deposes and says that he is the representative 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 representative 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 to and in conformity with Section 3727 of Chapter 74 of the Revised Laws of the State of Minnesota for the year 1905 and amendments thereto, for the purpose of obtaining an order limiting 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

18th day of December, 1911.

A. F. Besterman

Judge of Probate, Waseca County, Minn.

John J. Spillane

NOTARY PUBLIC, Waseca County, Minn.
My Commission expires March 1st, 1917.

No. 7

• In Probate Court,

County of _____

In the Matter of the Estate of

John S. Stewart
Deceased.

Letters of Administration
WITH THE WILL ANNEXED.

State of Minnesota,

County of Mason

} ss.

• I hereby certify that the within
Letters of Administration with the
Will Annexed was duly recorded this
..... day of 190.....
in Book L of Letters.....
..... page 207

Nelda Peters
clerk Judge of Probate.

Filed this 18th day of
December A. D. 1901.

• Nelda Peters
clerk Judge of Probate.

State of Minnesota,

IN PROBATE COURT.

County of

Waseca

ss.

General

Term Dec 18th

1901

The last Will of John S Stewart

deceased, having been proved and recorded in the Probate Court of the County of

Waseca

and there being no Executor named in the Will

being deceased, John J Spellane

is hereby appointed Administrator with the Will annexed.

WITNESS. Chas Spellane

Judge of the Probate Court of the County of

Waseca

and the seal of the

Court affixed, the 18th day of

December

A. D. 1901

SEAL

By the Court,

Chas Spellane

Judge of Probate,

Waseca

County, Minn.

Certificate of
Probate.

In the Matter of
the estate of
John S. Stewart,
Deceased.

Recorded in Book
B of Mills Page
299-305

FILED in my office this 18th
day of December 1911

.....
Hilda Peters
 Clerk Judge of Probate,
 Waseca County, Minn.

State of Minnesota,
County of Waseca.

IN PROBATE COURT.

In the matter of the estate of
John S. Stewart, deceased.

Be it remembered that on the day of the
date hereof at a Special Term of said Probate Court, pur-
suant to notice duly given, the authenticated copy of the
Last Will and Testament of John S. Stewart, deceased, late
of the County of Milwaukee and State of Wisconsin, bearing
date April 19, 1894, was duly proven before this Court and
was duly allowed and admitted to probate by said Court acc-
ording to law, as and for the last Will and testament of said
John S. Stewart, deceased, and is recorded in the Probate
Registry of said Waseca County,

IN TESTIMONY WHEREOF, The Judge of the
Probate Court of said County has hereunto set his hand and
affixed the seal of said Court at the City of Waseca in said
County on this 18th day of December A. D. 1911.

Chas Spillane

Judge of Probate.

No. 2213

United States of America.

STATE OF WISCONSIN, } ss.
COUNTY OF MILWAUKEE.

I, FRANK GOTTSCHALK, Register of Probate for the County Court of the County of Milwaukee, State of Wisconsin, do hereby certify that I have compared the annexed copy ~~ies~~ with the original ~~has~~ *Will and Testament, Order admitting will to Probate and Order appointing in the matter of the Last Will and Testament of John S. Stewart, deceased* now on file and of record in the Probate Office of said County, and that the same ~~are~~ true, perfect and complete copy ~~ies~~ thereof, and of the whole thereof.

I further certify that the files and records of said County Court are in my custody and possession as such Register of Probate, and that I am authorized by the Statutes of this State to certify to copies of papers, records and judicial proceedings of said County Court.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said court at Milwaukee, this 12th day of November

A. D. 1911,

Frank Gottschalk

Register of Probate.

STATE OF WISCONSIN, } ss.
COUNTY OF MILWAUKEE.

I, M. S. Sheridan, do hereby certify that I am one of the Judges of the County Court of said County of Milwaukee in said State, and acting as such Judge, and that FRANK GOTTSCHALK whose name is subscribed to the above certificate, is and was at the date thereof Register of Probate for the County Court of the County of Milwaukee in the State aforesaid, duly appointed and qualified; that I am well acquainted with his handwriting and know the signature thereto to be genuine, and further, that said certificate of attestation is in due form of law, and that the seal thereto attached is the proper seal of said court.

WITNESS my hand at Milwaukee in said County this 12th day of November A. D. 1911.

M. S. Sheridan

County Judge.

STATE OF WISCONSIN, } ss.
COUNTY OF MILWAUKEE.

I, FRANK GOTTSCHALK, Register of Probate of Milwaukee County, in the State of Wisconsin, (said Court being a Court of Record), do hereby certify that the Honorable M. S. Sheridan whose name is subscribed to the annexed and foregoing certificate, was, at the time of the signing thereof, and now is, one of the Judges of the County Court of the County of Milwaukee, and sole presiding Judge of the First Division of said County Court duly commissioned and qualified, and that his said signature is genuine.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of said County Court, at my office, in the City of Milwaukee, County of Milwaukee and State of Wisconsin, this 12th day of November 1911.

Statement of Fees
Certificate 50
Copy -
Comparison 65
Total \$1.15

Frank Gottschalk

Register of Probate.

70/6

Milwaukee County Court

In Probate

*In the Matter of the Last
Will and Testament*

*John T. Stewart
Deceased*

Will and Probate

*Feibing & Zellulea
Attorneys for Estate*

Recorded in Vol. 85
Page 465 of Wills

*Milwaukee County Court
In Probate*

Filed Sep 9. 1896

*Albert Froede
Register of Probate*

Last Will and Testament of

John S. Stewart,

of Milwaukee, Wis.

I, John S. Stewart, of the town of Milwaukee, being of sound and disposing mind and memory, ^{but} ~~and~~ mindful of the uncertainty of human life and being desirous that after my death my property and estate be so distributed and divided as I deem just and equitable, I do hereby make, publish and declare this to be my last will and testament, in manner and ⁱⁿ ~~form~~ ^{as follows} ~~as follows~~, to-wit:

It is my will and I direct that all my just debts and obligations, the expenses of my last sickness, and of my funeral, be paid and settled by the executrix hereinafter named, out of my personal estate as soon as may conveniently be done after my death.

I hereby give, bequeath and devise unto my beloved wife, Mary Stewart, in lieu and satisfaction of all homestead and dower rights or interest in, to or against my property or estate, or any part or portion thereof, and in lieu and satisfaction of any and every provision made by law for her benefit, and in satisfaction of any and every claim or demand which she may be or become entitled to as against my estate, for and during such term of her natural life as she may ^{be and} remain my widow and not remarry, the free use and usufruct of my estate, both real and personal, with full power to collect all rents and with full power to collect, receive, and receipt for all principal sums of money secured by mortgage or otherwise or interest due or hereafter and during such term to accrue thereon, with power to execute satisfactions of mortgage, in case of the payment of any principal sum secured by mortgage, but I desire and direct that my beloved wife do not sell any of my real estate.

Upon my beloved wife's death or in case of her re-marriage, ^{age} ~~age~~, and upon the happening of either event it is my wish and I hereby direct, that all my estate of whatever ^{name} ~~kind~~ or nature the same may

be, be distributed and divided in equal portions share and share alike, among and between the following persons, viz: Mary Kempf, (nee Hetherington) wife of John J. Kempf, of Milwaukee, Wis.; Maggie Stewart (nee Hetherington) of Milwaukee, Wis., formerly wife of Alexander Stewart; Geo. W. Aker, of Grand Forks, North Dakota; Levy Stewart (son of my brother Wm. Stewart) of Milwaukee County Wis. ^{concur} William Stewart (son of my brother James Stewart) of Highland County Ohio; James Stearns (son of my sister Maggie Stearns) of Milwaukee County, Wis. ^{concur} Dolly Stewart and Walter Stewart (children of my daughter Maggie Stewart) and I hereby give be-queath and devise the same unto them and their respective heirs and assigns forever, as aforesaid.

I hereby nominate and appoint my beloved wife, Mary Stewart sole executrix of this my last will and testament, and I do hereby will and direct that she, as such executrix, shall not be required to give any bond, security or undertaking for the faithful performance of the trust herein in her reposed.

I hereby revoke any and all former wills and Testaments by me made or executed.

In witness whereof I have hereunto set my hand and seal at the city of Milwaukee, this 19th day of April A. D. 1894.

John S. Stewart (Seal)

The foregoing instrument was here subscribed by the testator John S. Stewart, and by him published and declared as and for his Last Will and Testament, and we, at his request, and in his presence and in the presence of each other have hereunto subscribed our names as attesting witnesses thereto, the day and year first above written.

Weil
Moritz ~~Stewart~~ of Milwaukee Wis.

Chas. Friedrich " " "

STATE OF WISCONSIN,)
County of MILWAUKEE ~~COUNTY~~.) SS.

IN PROBATE.

At a County Court, held in and for the County of Milwaukee,
at the Probate Office in the City of Milwaukee, on the ninth ~~day~~
A.D. day of September, 1896.

Present, J. E. Mann, County Judge.

In the Matter of the Last Will and
Testament of
John S. Stewart,
Deceased.

PURSUANT TO THE ORDER OF THIS COURT, made in said matter on
the twenty second day of July, A. D. 1896, the application of
Mary Stewart praying that the Last Will and Testament of John S.
Stewart, late of the Town of Milwaukee in the County of Milwaukee,
may be proved and admitted to Probate, came on this day to be heard.
Satisfactory proof of the due publication of the notice required
by said order to be given to all persons interested, of the time
and place of hearing the said application was made and filed, ~~and~~
Moritz ^{Weil} ~~Holt~~, one of the subscribing witnesses to the said Last
Will and Testament, appeared, and being duly sworn, testified that
the annexed instrument, on the day of the date thereof, to-wit:
on the nineteenth day of April, A. D. 1894, at the City of Mil-
waukee, in said county was signed and sealed by the said testator;
that the said testator then and there published and declared said
instrument to be his Last Will and Testament in the presence of
the said Moritz ^{Weil} ~~Holt~~ and of Chas. Friedrich the other subscribing

And upon such proof, it appearing satisfactorily to this Court that the said Last Will and Testament was duly executed according to law, that the same is genuine and valid, and that said testator at the time of executing the same, was in all respects competent to dispose of his estate,

IN TESTIMONY WHEREOF, We have caused the seal of our County Court for the County of Milwaukee and State of Wisconsin, to be hereunto affixed.

Judge of the County Court of

By the Court,

County Judge.

MILWAUKEE COUNTY
COURT
WISCONSIN

3 1/2

Index Dec 18-1911
Chas Spillane

State of Minnesota }
County of Waseca } ss

I, C. W. Brown being duly sworn
depose and say, that I was during all the time hereinafter named,
and am now Proprietor of the NEW RICHLAND STAR, a weekly Newspaper printed in the English language, which said Newspaper has been published and generally circulated in said county for more than one year preceding the date of said notice, at the village of New Richland, in said county and State.

That the annexed printed Notice of Hearing

was taken from said Newspaper, and was duly published therein once in each week for Three successive weeks, on the regular publication days of said Paper, on the days following, to wit: Nov. 24, Dec 1 & 8, 1911

Printer's Fees, \$ 5.80

Subscribed and sworn to before }

me Dec 18th A. D. 1911.

Chas Spillane
Judge of Probate

State of Minnesota, } ss
County of Waseca, }

In PROBATE COURT.

It the matter of the estate of John S. Stewart, deceased.

Whereas, an instrument in writing purporting to be the last will and testament of John S. Stewart, deceased, late of Milwaukee county, State of Wisconsin, has been delivered to this court:

And, whereas, Levi A. Stewart has filed therewith his petition representing among other things that the said John S. Stewart died testate on the 8th day of July A. D. 1898, leaving estate in Waseca County, Minnesota, and praying that said instrument may be admitted to probate and that letters of administration with the will annexed be issued to John J. Spillane.

It is ordered, that the proofs of said instrument and the said petition, be heard before this court, at the Probate Office in the city of Waseca in said county on Monday the 18th day of Dec. A. D. 1911, at 10 o'clock in the forenoon, when all persons interested may appear for or contest the probate of said instrument:

And it is further ordered, that notice of the time and place of said hearing 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 New Richland Star a weekly newspaper printed and published at New Richland in said county.

Dated at Waseca, Minnesota, this 17th day of November A. D. 1911.

By the Court.

[SEAL]
44

CHAS. SPILLANE,
Judge of Probate.

State of Minnesota }
County of Waseca }

I, C. W. Brown being duly sworn
depose and say, that I was during all the time hereinafter named,
and am now proprietor of the NEW RICH-
LAND STAR, a weekly Newspaper printed in the English lan-
guage, which said Newspaper has been published and generally
circulated in said county for more than one year preceding the
date of said notice, at the village of New Richland, in said county
and State.

That the annexed printed Notice of Hearing

was taken from said Newspaper, and was duly published therein
once in each week for Three successive weeks, on the
regular publication days of said Paper, on the days following,
to wit: Nov. 24, Dec 1 & 8, 1911

Printer's Fees, \$ 5.80

Subscribed and sworn to before }
me Dec 18th A. D. 1911 }

Chas Spillane
Judge of Probate

State of Minnesota. ss
County of Waseca. }

In PROBATE COURT.

It the matter of the estate of John S. Stewart, deceased.

Whereas, an instrument in writing purporting to be the last will and testament of John S. Stewart, deceased, late of Milwaukee county, State of Wisconsin, has been delivered to this court;

And, whereas, Levi A. Stewart has filed therewith his petition representing among other things that the said John S. Stewart died testate on the 8th day of July A. D. 1896, leaving estate in Waseca County, Minnesota, and praying that said instrument may be admitted to probate and that letters of administration with the will annexed be issued to John J. Spillane,

It is ordered, that the proofs of said instrument and the said petition, be heard before this court, at the Probate Office in the city of Waseca in said county on Monday the 18th day of Dec. A. D. 1911, at 10 o'clock in the forenoon, when all persons interested may appear for or contest the probate of said instrument;

And it is further ordered, that notice of the time and place of said hearing 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 New Richland Star a weekly newspaper printed and published at New Richland in said county.

Dated at Waseca, Minnesota, this 17th day of November A. D. 1911.

[SEAL]
44

By the Court.
CHAS. SPILLANE,
Judge of Probate.

no 2

STATE OF MINNESOTA,
WASECA COUNTY,
PROBATE COURT.

In the Matter of the
Estate of

JOHN S. STEWART,
Deceased.

PETITION FOR APPOINTMENT
OF ADMINISTRATOR WITH
WILL ANNEXED

Orig.

FILED in my office this 17.....
day of November 1911.....
Char Spillan
Judge of Probate,
Waseca County, Minn.

True and personal service
is hereby admitted this

State of Minnesota,)
County of Waseca.)

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF JOHN S. STEWART.
TO THE PROBATE COURT IN AND FOR SAID COUNTY:

YOUR PETITIONER REPRESENTS, ALLEGES AND SHOWS TO THE COURT:

First, That your petitioner is a resident of the Town of Milwaukee in the County of Milwaukee and State of Wisconsin, and is an adult and is interested in the estate of decedent.

Second, That said decedent died on the 6th day of Sept. July 1896, and at the time of his death was a resident of Milwaukee County in the State of Wisconsin and left an estate in the County of Waseca and State of Minnesota.

Third, That said decedent died leaving a Last Will and Testament, a certified copy of which is herewith presented and filed in said Court.

Fourth, That said Last Will and Testament of said deceased was proven, allowed and admitted to probate in the County of Milwaukee, State of Wisconsin on the 9th day of September, 1896.

Fifth, That under and by virtue of the terms of said Last Will and Testament an inheritance was therein created in favor of Mary Stewart, widow of said decedent, and your petitioner further states that said Mary Stewart, widow of said deceased died in the City of Milwaukee and State of Wisconsin on the 14th day of September, 1911.

Sixth, That estate of decedent at the time of his death consisted in part of real estate in the County of Waseca and State of Minnesota of the estimated value of Seventy-five hundred (7500) Dollars.

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

Mary Kempf,	age, <u>53</u> years,	Residence <u>Milwaukee, Wis.</u>
Maggie Stewart,	age, <u>47</u> years,	Residence <u>Milwaukee, Wis.</u>
George W. Akers,	age, <u>63</u> years,	Residence <u>Grand Forks N. D.</u>
Levy Stewart,	age, <u>64</u> years,	Residence <u>North Milwaukee, Wis.</u>
James Starns,	age, <u>35</u> years,	Residence <u>La Porte, Ind.</u>
Dolly Stewart,	age, <u>25</u> years,	Residence <u>Milwaukee, Wis.</u>
Walter Stewart,	age, <u>27</u> years,	Residence <u>Milwaukee, Wis.</u>
William Stewart age <u>63</u> years,		Residence <u>Hillsboro, Ohio</u>

Eighth, That John J. Spillane, whose Post Office address is New Richland, Minnesota is a suitable person and a competent person to be administrator with the Will annexed.

Wherefore your petitioner prays that said foreign will be allowed and admitted to probate and that said John J. Spillane be appointed administrator with the Will annexed, that that upon due qualification as provided by law, letters be issued thereon to him.

Dated this 14th day of November A. D. 1911.

Levi A. Stewart
Petitioner.

State of Wisconsin,)
County of Milwaukee) ss.

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

Levi A. Stewart

Subscribed and sworn to before me this 14th day of Nov.

A. D. 1911.

My Commission expires

12 1915

O. G. Hoolcock
Notary Public.

No 3.

Order for Hearing
Proof of Will

Estate of John S. Stewart
Deceased

Recorded in Book
I Page 613

Hulda Peters
Clerk of Probate

FILED in my office this 17th
day of November 1911

Hulda Peters
Clerk of Probate,
Waseca County, Minn.

Due service of within
order is hereby admitted
this 17th day of November 1911

J. W. Ressler
County Treasurer

State of Minnesota,
County of Waseca.

IN PROBATE COURT.

In the matter of the estate of
John S. Stewart, deceased.

WHEREAS, An instrument in writing purporting to be the Last Will and Testament of John S. Stewart, deceased, late of Milwaukee County, State of Wisconsin, has been delivered to this Court;

AND WHEREAS, Levi A. Stewart has filed therewith his petition representing among other things that the said John S. Stewart died testate on the 6th day of July A. D. 1896, leaving estate in Waseca County, Minnesota, and praying that said instrument may be admitted to probate and that letters of administration with the Will annexed be issued to John J. Spillane,

IT IS ORDERED, That the proofs of said instrument, and the said petition be heard before this Court, at the Probate Office in the city of Waseca in said county, on Monday the 18th day of December A. D. 1911, at ten o'clock in the forenoon, when all persons interested may appear for or contest the probate of said instrument;

IT IS FURTHER ORDERED, That notice of the time and place of said hearing 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 New Richland Star a weekly news paper printed and published in said county.

Dated at Waseca, Minnesota, this 17th day of November
A. D. 1911.

By the Court,

Chas Spillane
Judge of Probate.

54/527 No 1 W/a

State of Wisconsin
Milwaukee County
County Court
In Probate

In the Matter of the Estate
of
John G. Stewart
Deceased

Order

Milwaukee County Court
In Probate

Filed Oct. 11. 1911

Frank Gottschalk
Register of Probate

Chas G. Woolcock
Atty for Administrator

FILED in my office this 17th
day of November 1911

Chas. Williams
Judge of Probate,
Waseca County, Minn.

Recorded in Vol. _____

Page 474 of _____

P.C.

S T A T E O F W I S C O N S I N ,
M I L W A U K E E C O U N T Y : C O U N T Y C O U R T : I N P R O B A T E .

In the Matter of the Estate of

JOHN S. STEWART,

Deceased.

No. 11903.
Dated October 11, 1911.

The verified petition of Maggie A. Stewart, one of the beneficiaries under the last will and testament of said deceased, for the appointment of an administrator de bonis non, with the will annexed, of said estate, having been duly filed herein this 11th day of October, A. D. 1911, from which said petition it appears that said John S. Stewart died testate on the 9th day of September, 1896, in Milwaukee County, and that letters testamentary in said matter were thereupon duly issued to Mary Stewart, widow of said deceased; that in and by the terms and provisions of said will the said widow was to receive and enjoy the free use and usufruct of the estate of said deceased during the period of her natural life, and upon her death said estate was to be divided among eight certain beneficiaries named in said petition, all of whom are now surviving and of age; that on the 14th day of September, 1911, said Mary Stewart died in the City of Milwaukee, Wisconsin, leaving real estate and personal property belonging to the estate of said John S. Stewart, deceased; the value of said real estate, according to the inventory on file, being \$27,570.00, and of the personal \$8100.00, and that the income of said real property does not exceed \$1200.00 per annum.

And it further appearing that all of said beneficiaries have duly signed a waiver of notice of said application and consent to the appointment of Levi A. Stewart as such administrator,

etc., and it appearing that said Levi A. Stewart is a fit and proper person to act as such administrator, etc.; now therefore, it is

O R D E R E D, That the said Levi A. Stewart be appointed administrator de bonus non, with the will annexed, of the estate of John S. Stewart, deceased, upon his giving bond in the penal sum of \$15,000.00 with proper surety, to be approved by the Court.

Dated October 11, 1911.

BY THE COURT:

M. S. Sheridan

County Judge.

And afterward to-wit, on the 11th day of October A. D. 1911, at the place aforesaid, the said Levi A. Stewart, appeared and produced the bond required by the former order of this Court and the same being approved, and he having taken and subscribed the oath of office, which said bond and oath are filed herein;

Whereupon, Letters of Administration with the will annexed did issue to the said Levi A. Stewart under the seal of this Court.

By the Court:

M. S. Sheridan

County Judge.

Cr.

Dr.

Brought Forward

5. DEBTS DUE OTHER CREDITORS.

By paid the several claims and demands allowed by order of Court,
per vouchers numbered _____ to _____ to-wit:

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

No. _____

Total debts paid

Total paid by

Balance in hands of

Dated July 29- 1912

John J. Spillane

State of Minnesota,

County of

Waseca

ss.

On this 29th day of July A. D. 1912, before me personally
appeared John J. Spillane above named,
and made oath that the above and foregoing account, signed by him is just and true, and that
he has actually paid out and expended the said several sums therein named.

Chas Spillane
Judge of Probate.

IN PROBATE COURT

County of

In the Matter of the Estate of

Deceased.

ACCOUNT OF

Filed this _____ day of

A. D. 1910

Judge of Probate.

State of Minnesota,

IN PROBATE COURT.

County of

Waseca

ss.

Account of

Administrator

In the Matter of the Estate of

John S Stewart

Deceased:

The said Estate in Account with

John J Spiceland

Cr.

Dr.

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

Receipts from Produce of Farm for the year

Receipts from ~~Interest on~~ *Wale's atty for Lewis*

78.40

THE SAME.

1. EXPENSES OF ADMINISTRATION.

By paid Probate Fees, as per voucher No. 1

Paid Appraisers as per voucher No. 2

Paid Printer as per voucher No. 3

Paid Labor on Farm

Paid Improvements on Real Estate

Paid Personal Services as per account

*Recording papers**Bond*

9.50

6.00

17.40

25.00

5.50

15.00

78.40

2. TAXES.

By paid Taxes for the year 190..., voucher No.

Paid Taxes for the year 190..., voucher No.

Total Taxes Paid

Total Expenses of Administration

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

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.

Amount forward

None

5
State of Minnesota,

County of _____

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

John S. Stewart

Citation for Hearing on Final
Account and Distribution

Filed this *28th* day of

June 19 *12*

Hulda Peters

Clerk—~~Judge~~ of Probate Court.

ESTATE OF.....

State of Minnesota, County of Waseca.....In Probate Court.In the Matter of the Estate of John S. Stewart.....Decedent.

THE STATE OF MINNESOTA TO.....

all persons interested in the final account and distribution of the estate of said decedent: The representative...of the above named decedent, having filed in this Court his final account of the administration of the estate of said decedent, together with his petition praying for the adjustment and allowance of said final account and for distribution of the residue of said estate to the persons thereunto entitled: 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 Waseca in the County of Waseca State of Minnesota, on the 29th day of July 19 12, at ten o'clock A. M., why said petition should not be granted.

Witness, The Judge of said Court, and the Seal of said Court, this 28th day of June 19 12.



Chas. Spillane

Probate Judge.

Attorney...for Petitioner.

No. 4

IN PROBATE COURT,

County of _____

In the Matter of the Estate of

John S. Stewart
Deceased.

**Petition for Settlement of
Administration Account.**

Filed this 28th day of

June A. D. 1917

Hulda Peters
clerk Judge of Probate.

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

In the Matter of the Estate of John S Stewart Deceased:

To the Probate Court in and for said County:

The Petition of John J. Spillane, administrator
 of said estate of John S. Stewart deceased, respectfully represents
 that said estate has been fully administered, as will appear by the final account of his
 administration, filed with this Court.

Your petitioner would therefore pray that an order be made, fixing a time and place on which 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 New Richland, Minnesota the 28th day of
June A. D. 1912.

John J. Spillane

State of Minnesota, }
 County of Waseca } ss.

John J Spillane

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

John J. Spillane

Subscribed and sworn to before me, this 28th day of June 19 12,

Chas Spillane

Judge of Probate.

No. 1

IN PROBATE COURT

County of Massachusetts

In the Matter of the Estate of

John S. Stewart
Deceased.

WARRANT TO APPRAISERS

Filed the 26th day

of July A. D. 191 2

Hilda Peters
Clerk Judge of Probate.

State of Minnesota,
County of Waseca }

PROBATE COURT

The State of Minnesota to Theodore Peterson and
R N Garland of said County, Greeting:

Whereas, John S Stewart
late of the County of Walworth in ~~said~~ ^{Wisconsin} State, lately died testate, leaving
real estate, and also goods, chattels, rights and credits, within said ^{Waseca} County, the administration
whereof has been granted to John J. Guilane
of the County of Waseca in said State,
and whereas, we are desirous that said estate be duly appraised, pursuant to the statute in such
case made and provided;

Therefore, Trusting in your integrity and disinterestedness, we have appointed, and do by
these presents appoint, you appraisers of all the estate and effects, of said deceased, which may
be in said County; and having been severally duly sworn to the faithful discharge of your
duties, and having procured from the said representative
a true inventory of the real estate, and of all the goods, chattels, rights and credits of said
deceased, and the said real estate, goods, chattels, rights and credits having been shown and
exhibited to you by the said representative

you are hereby required to classify the different items under their respective heads, to faith-
fully and impartially appraise the same, setting down opposite to each item in said inventor
distinctly in figures the value thereof in money, as by you determined, and to foot up the
amount of each class; and the said inventor and appraisal so made you will certify and
subscribe, and, together with this Warrant, deliver without delay to the said

Representative Hereof fail not.

Witness, The Judge of said Court and the seal thereof this 26

day of June 1917

Chas. Spillane
Judge of Probate.

No. 2

State of Minnesota

County of Waseca

PROBATE COURT

In the Matter of the Estate of

John S. Stewart

Deceased

Order Appointing Appraisers

Filed this 26th day of

July 1912

Hulda Peters

Judge-Clerk of Probate.

Order Appointing Appraisers

State of Minnesota,
County of Waseca

ss.

IN PROBATE COURT

In the matter of the Estate of

Special
John J. Stewart

Term *June 26* 19*12*

Deceased:

Letters

of administration
John J. Spillane

being granted unto

of said county, on the estate of said deceased, and it appearing from the proofs this day heard and considered, that said deceased left sundry goods, chattels, rights, credits and estate within this county, and that it is necessary that the same be duly appraised, and on application of *John J. Spillane* representative aforesaid, to have two or more disinterested persons appointed to appraise said estate;

It is ordered, that *Theodore Peterson* and *R. D. Garland* of said county be and they are hereby appointed such appraisers.

And it is further ordered, that such appraisers, before entering upon their duties, be sworn to the faithful discharge of their duties, and that the appraisal by them made of all of the estate and effects of said deceased, be returned to the said representative as aforesaid, to be by returned to the Probate Court.

Dated at Waseca, Minnesota, the *26th* day of *June* A. D. 19*12*

By the Court,

Char Spillane

Judge of Probate.

VERIFICATION.

State of Minnesota,
County of Waseca } ss.
_____ John J. Spellane _____
being duly sworn, on oath say 3, that he is the representative of the estate above specified:
that he has read the foregoing inventory subscribed by him and know the contents
thereof, and that the same is true of his own knowledge, save as to those matters therein stated on
information and belief, and as to those matters he believes it to be true.

Subscribed and sworn to before me this
26th day of June A. D. 1912
Chas Spellane _____
Notary Public. Representative
Waseca County, Minnesota.
My commission expires Dec 15 1917

CERTIFICATE OF APPRAISERS.

State of Minnesota,
County of Waseca } ss.
We, the undersigned appraisers duly appointed by
the Probate Court of Waseca County, Minnesota, to appraise the estate of
John S. Stewart Decedent, having first duly taken and sub-
scribed the oath prescribed by law and hereto annexed, hereby certify and return, that we have carefully
examined and considered the inventory of said estate delivered to us by the representative of said estate
and the property therein described, and have faithfully and impartially and to the best of our knowledge and
ability appraised the said property, and set down opposite each item thereof in figures the value thereof in
money, and have footed up by itself the amount and value of each class of said property, and of the whole of
said estate.
Dated this 26th day of June A. D. 1912

Phredon Peterson
R. D. Garland
Appraiser

File No. <u>3</u>	State of Minnesota	PROBATE COURT	In the Matter of the Estate of <u>John S. Stewart</u>	Decedent.	INVENTORY and APPRAISEMENT	Total Personal - \$	Total Real Estate - \$	Total Appraisement - \$	Filed this <u>26th</u> day of <u>July</u> A. D. 19 <u>12</u>	<u>Phredon Peters</u> Judge, Clerk of Probate Court.	No. 118.
County of <u>Waseca</u>											

State of Minnesota,

County of Waseca

IN PROBATE COURT

In the Matter of the Estate of

John S. Stewart

Decedent.

INVENTORY AND APPRAISEMENT

OATH OF APPRAISERS.

State of Minnesota,

County of WasecaR. N. Garland

ss.

Theodore Peterson and

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

Subscribed and sworn to before me this

26thday of June1917Charles Appellane

Notary Public.

Waseca

County, Minnesota.

My commission expires Dec 15th 1917Theodore PetersonR. N. Garland

INVENTORY AND APPRAISEMENT.

The undersigned representative of the estate of the above named decedent represents and shows to the court:

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

CLASS I.

REAL ESTATE.

VALUE

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

(b) All other real estate of decedent, being in the County of Waseca
State of Minnesota, described as follows, to wit: The Southwest
Quarter of Section Two 3^d
The North Half of the Northeast Quarter of
Section Ten, all in Township One Hundred
Five, Range Twenty Three. 14 400

CLASS V.

Mortgages, bonds, notes, and other evidences of debt: (Here list any written obligations of any kind due and owing decedent.)

None

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

CLASS VI.

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

None

Total value of all other personal property: \$

SUMMARY.

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

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

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

Respectfully submitted,

John J. Spillane

Representative

7

State of Minnesota,
County of Waseca

Probate Court •

In the Matter of the Estate of

John S. Stewart

Order Allowing Final Account

Filed this *29th* day of
July 19*12*, and
recorded in Book *8* of Orders at
Page *615*
Hulda Peters
clerk ~~Judge~~ of Probate.

Order Allowing Final Account

At a Probate Court Held at the office of the Judge of Probate in the City of Waseca in and for the County of Waseca
on the 29th day of July 1912

Present, Chas. Spillane Judge of Probate.

IN PROBATE COURT, WASECA COUNTY

In the Matter of the Settlement of the Final Account of John J. Spillane, administrator with the will annexed of the estate of John S. Stewart Deceased:

The Probate Court of the County of Waseca, Minnesota, makes and records this summary statement of the account of administrator of the estate of deceased, as finally allowed and settled by the said Probate Court:

THE DEBIT SIDE OF SAID ACCOUNT.

Whole amount of Inventory	-	-	-	\$	
The increase of said inventory	-	-	-	\$	
Receipts from Chas. G. Wolcox attorney for heirs	\$	78.40		\$	78.40

THE CREDIT

Expense of Administration	-	-	-	\$	78.40
Expense, the last sickness	-	-	-	\$	
Funeral expenses	-	-	-	\$	
Amount paid widow and minor children by order of court	\$				
The debts of testate	-	-	-	\$	
				\$	
				\$	78.40
Leaving a balance of				\$	None

IN PROBATE COURT, WASECA COUNTY

In the Matter of the Settlement of the Final Account of John J. Spillane, administrator with the will annexed of the estate of John S. Stewart, Deceased:

On this 29th day of July 1912, at the office of the Judge of Probate for the said County, the order made by the said Probate Court on the petition of John J. Spillane, administrator with will annexed of estate of said deceased, being returned duly served, and the said administrator appearing in proper person, and no adverse appearance or objection being made

Whereupon the said Probate Court proceeded to examine the said administrator upon oath, and the inventory of the estate which was produced before the said Court, and the vouchers and accounts of the said administrator

And it appearing that the said administrator has accounted for every part of the said estate, and that no profit has been made by him of any increase in the inventory, and the accounts of the said administrator having been finally settled and adjusted, and a summary statement of the same as finally settled, allowed and adjusted by this Court, having been above and herewith recorded, on motion of John J. Spillane Ordered, that the said accounts be and the same are finally settled and allowed as filed and adjusted in and by this Court.

Chas. Spillane
Judge of Probate.

8
IN PROBATE COURT

County of Nasca

IN THE MATTER OF THE ESTATE OF

John S. Stewart
Deceased.

Final Decree Assigning
Residue of Estate.

State of Minnesota,

County of _____ } 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..... A. D. 19....

.....
Judge of Probate.

Filed this 29th day of

July A. D. 1917, and
recorded in Book 2 of Orders, on

page 617

Hilda Peters
clerk Judge of Probate.

State of Minnesota,

IN PROBATE COURT

County of Waseca

ss.

Special

Term

July 29,

19 12

In the Matter of the Estate of John S. Stewart, Deceased:

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

John J. Spillane, administrator with the will annexed

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.....testate, and the residue of said Estate consists of the following described.....real.....Estate, to-wit: That tract.....or parcel.....of land situate and being in the County of.....Waseca.....and State of Minnesota, described as follows:

The Southwest Quarter of Section Two (2), and the North one-half of the Northeast Quarter of Section Ten (10), all in Township One Hundred Five (105), Range Twenty Three (23).

And it further Appearing, That the following named person s arethe person.....
entitled to.....inherit.....said Estate by law, viz:

Mary Kempf, Maggie Stewart, George W. Aker , Levy Stewart, James
Stearns, Dolly Stewart, Walter Stewart and William Stewart,

Now, Therefore, On the petition of.....John J. Spillane, administrator.....
as aforesaid,

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 de-
scribed.....real.....property be, and the same is hereby assigned to [and]vested in the said
above named persons

Forever, in the following proportions, to-wit:

To the said Mary Kempf an undivided one-eighth thereof in fee
simple.

✓ To the said Maggie Stewart an undivided one-eighth thereof in
fee simple.

To the said George W. Aker an undivided one-eighth thereof in
fee simple.

● To the said Levy Stewart an undivided one-eighth thereof in

✓ fee simple.

✕ To the said James Stearns an undivided one-eighth thereof in fee simple.

✓ To the said Dolly Stewart an undivided one-eighth thereof in fee simple.

✕ To the said Walter Stewart an undivided one-eighth thereof in fee simple.

✓ To the said William Stewart an undivided one-eighth thereof in fee simple.

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

(Court Seal)

Chas. Spiceman

Judge of the Probate Court.

Waseca

County, Minnesota.

NAME SAUFERER, Emelie

FRAME # 467

ORIGINAL ROLL # 39

File No. 1164

Case *88*

Register *One* **Page** *394*

**In PROBATE COURT,
WASECA COUNTY, MINN.**

ESTATE OF

Emilie Sauffer

Deceased

ESTATE OF

Deceased.

6
IN PROBATE COURT
Waseca County, Minn.

LETTERS OF ADMINISTRATION

to

Charles J. Saufferer

Administrator of the estate of

Emilie Saufferer
deceased.

I hereby certify that the within
Letters were issued on the *14th*
day of *May* A. D.
19*10* and recorded in Book *F*
of Letters at page *487*
Chas Spieck
Judge of Probate.

By

State of Minnesota, {
County of Waseca, ss.

In Probate Court

Special Term, May 14th, 19 10.

Charles J. Saufferer is hereby appointed
administrator of the estate of Emelie Saufferer, deceased.

Witness: Hon. Chas. Spillane,

Judge of the Probate Court of the County of
Waseca and the seal of the Court affixed, the
14th day of May,

A. D. 19 10.

By the Court:

Chas. Spillane

Judge of Probate, Waseca County, Minnesota.

JUSTIFICATION.

State of Minnesota, }
County of Waseca, } ss.
John Moonan
being duly sworn, each for himself, on oath says, that he is a resident and freeholder of and in the State of Minnesota, that he justifies upon the foregoing bond as follows;
the said John Moonan in the sum of Five Hindred Dollars,
the said in the sum of 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 John Moonan
14th day of May, A. D. 1910.
John Skillane
Notary Public.
Waseca County, Minn.
My commission expires November 2nd 1914.

APPROVAL.

I do hereby approve the within Bond, this 14th day of May, A. D. 1910.
Chas Skillane
(Court Seal) Judge of Probate.

OATH.

State of Minnesota, }
County of Waseca, } ss.
I, Charles J. Saufferer,
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 Emelie Saufferer, Decedent,
to the best of my ability. So help me God.

Subscribed and sworn to before me this 14th day of May, 1910.
Charles J. Saufferer
John Skillane
Notary Public.
Waseca County, Minn
My commission expires November 2nd 1914.

State of Minnesota,

County of Waseca

PROBATE COURT,

IN THE MATTER OF THE ESTATE OF

Emelie Saufferer
Decedent.

BOND AND OATH
OF
REPRESENTATIVE.

Filed the 14th day of May 1910
and said bond recorded in Book 4
Bonds, page 254 of Probate
Records.

Chas Skillane
Clerk, Judge of Probate.

State of Minnesota, } ss.
 County of Waseca,

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF
Emelie Saufferer,

BOND.

Know all Men by these Presents, That we Charles J. Saufferer,
 of _____
 in the County of Waseca, State of Minnesota, as principal and
John Moonan,
 of said County and State, as sureties, are held and firmly bound to Charles Spillane
 Judge of Probate of the County of Waseca, Minnesota in the sum of
Five Hundred - - - - - DOLLARS,
 lawful money of the United States, to be paid to the said Judge of Probate or his successors in office; for which
 payment well and truly to be made, we bind ourselves, our, and each of our, heirs, executors and administra-
 tors, jointly and severally, firmly by these presents.

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

Witness, our hands and seals this 14th day of May, 1910

Signed, Sealed and Delivered in Presence of

John Spillane
Chas Spillane

Charles J. Saufferer [SEAL]
John Moonan [SEAL]
 [SEAL]
 [SEAL]
 [SEAL]
 [SEAL]

ACKNOWLEDGEMENT.

State of Minnesota, } ss.
 County of Waseca,

Be it known, That on this 14th day of May, A. D. 1910,
 personally appeared before me Charles J. Saufferer and John Moonan,

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 therein
 expressed.

John Spillane
 Notary Public

Waseca, County, Minn.

My commission expires November 2nd 1914

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State of Minnesota,
County of Waseca

Probate Court

In the matter of the estate of

Emilie Laupper
Decedent.

Order Appointing Administrator

Filed the *14th* day of

May 19*10*

Recorded in Book "H" of Orders, page *577*

Chas Spilleng
Judge of Probate.

Order Appointing Administrator

State of Minnesota,
County of Waseca

{ ss.

IN PROBATE COURT,

Special Term, May 14th, 1910.

In the matter of the estate of Emelie Saufferer, Deceased:

Pursuant to an order made in the above entitled matter, on the 16th day of April, 1910 the petition of Charles J. Saufferer, that LETTERS OF ADMINISTRATION upon said estate be granted unto Charles J. Saufferer was this day brought on to be heard and considered; and the affidavit of J. E. Child, 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 Emelie Saufferer died on the 23rd day of October, 1894, at the Town of Blooming Grove, intestate, and that she was a resident of Waseca County, Minnesota, at the time of her 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 Four Hundred - - - - - DOLLARS, and that said petitioner is surviving husband said deceased, and that said Charles J. Saufferer is a suitable and competent person to administer upon said estate, pursuant to said petition, said petitioner appearing and

It is ordered, That said Charles J. Saufferer be, and he is hereby appointed administrator of the said estate of Emelie Saufferer deceased, and that said Charles J. Saufferer before entering upon his duties as such administrator and before Letters of Administration be to him issued, give bond to the Judge of this Court in the sum of Five Hundred - - - - - DOLLARS, with sufficient sureties, to be approved by said Judge, conditioned according to law.

Dated at Waseca, Minnesota, this 14th day of May, A. D. 1910.

By the Court,

Chas. Spillay

Judge of Probate.

FILED in my office this 14
day of May 1910

Chas. Spillman
Judge of Probate,
Waseca County, Minn.

Order for Hearing Application for Appointment of Ad- ministrator.

STATE OF MINNESOTA, COUNTY OF
Waseca, ss. In Probate Court, special term
April 16th, 1910.

In the matter of the estate of Emelle Sauferer
deceased.

On receiving and filing the petition of Charles J.
Sauferer of the county of Waseca representing,
among other things, that Emelle Sauferer late
of the county of Waseca in the state of Minne-
ota, on the 23d day of October A. D. 1894, at
the county of Waseca died intestate, and being
an inhabitant of this county at the time of her
death, leaving goods, chattels, and estate within
this county, and that the said petitioner is hus-
band of said deceased, and praying that adminis-
tration of said estate be to him granted:

It is ordered, that said petition be heard be-
fore said court Saturday the 14th day of May
A. D. 1910, at ten o'clock a. m., at the Probate
Office, in the courthouse, 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 on Friday for three successive weeks prior
to said day of hearing, in the WASECA HERALD, a
weekly newspaper printed and published at the
city of Waseca in said county.

Dated at Waseca, Minnesota, the 16th day of
April, A. D., 1910.

By the Court, CHAS SPILLANE,
334 (Court Seal.) Judge of Probate.

PRINTER'S AFFIDAVIT OF PUBLIC

State of Minnesota

County of Waseca

ss.

James E. Child

sworn, deposes and says that he knows of his own knowledge, that

"Order for Hearing Application" hereto attached, was cut from the columns of the Friday

known as "WASECA HERALD"; that said notice was printed and pub

paper once in each week for three successive weeks; that

printed and published in said newspaper on Friday

day of April A. D. 1910 and was thereafter print

said newspaper on each and every succeeding Friday

Friday the 6th day of May

That during the time aforesaid, said newspaper was regularly print

Friday of each week at the City of Waseca, State of

further says that he now is, and during all the time of the publicatio

been, one of the publishers and printers of said newspaper. Affiant fur

knows of his own knowledge that all of the following conditions ha
one year immediately prior to the first publication of said notice, and du
said publication, to-wit: First, said newspaper has been printed in the
purports to be issued, to-wit, the City of Waseca, in said County and
language and in column and sheet form equivalent in space to at least
columns to the page, each seventeen and three-fourths inches long; Seco
issued at least once each week from a known office established in said
and equipped with skilled workmen and the necessary material for prep
same (excepting newspaper press); Third, that it has contained and now
local news, comment and miscellany, not wholly nor substantially duplica
cation and not entirely made up of patents, plate matter, and advertisem
of them; Fourth, that it has been circulated in and near its said place
extent of not less than 240 complete copies thereof regularly delivered t
that prior to the date of the first publication of said notice the publish
filed in the office of the County Auditor of said County of Waseca, Sta
affidavit required by section 5516, Revised Laws 1905.

James E. Child

Subscribed and sworn to before me, this 14 day of May

Chas Spillane

Notary Public, Waseca

My commission expires June

**Order for Hearing Application
for Appointment of Ad-
ministrator.**

STATE OF MINNESOTA, COUNTY OF
Waseca, ss. In Probate Court, special term
April 16th, 1910.

In the matter of the estate of Emelle Saufferer
deceased.

On receiving and filing the petition of Charles J.
Saufferer of the county of Waseca representing,
among other things, that Emelle Saufferer late
of the county of Waseca in the state of Minneso-
ta, on the 23d day of October A. D. 1894, at
the county of Waseca died intestate, and being
an inhabitant of this county at the time of her
death, leaving goods, chattels, and estate within
this county, and that the said petitioner is hus-
band of said deceased, and praying that adminis-
tration of said estate be to him granted:

It is ordered, that said petition be heard be-
fore said court Saturday the 14th day of May
A. D. 1910, at ten o'clock a. m., at the Probate
Office, in the courthouse, 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 on Friday for three successive weeks prior
to said day of hearing, in the WASECA HERALD, a
weekly newspaper printed and published at the
city of Waseca in said county.

Dated at Waseca, Minnesota, the 16th day of
April, A. D., 1910.

By the Court, CHAS SPILLANE,
134 (Court Seal.) Judge of Probate.

PRINTER'S AFFIDAVIT OF PUBLICATION

State of Minnesota

County of Waseca

ss.

James E. Child being first duly
sworn, deposes and says that he knows of his own knowledge, that the printed notice of
"Order for Hearing Application ----- Administrator"
hereto attached, was cut from the columns of the Friday edition of the newspaper
known as "WASECA HERALD"; that said notice was printed and published in said news-
paper once in each week for three successive weeks; that said notice was first
printed and published in said newspaper on Friday the 22d
day of April A. D. 1910, and was thereafter printed and published in
said newspaper on each and every succeeding Friday until and including
Friday the 6th day of May A. D. 1910.
That during the time aforesaid, said newspaper was regularly printed and published on
Friday of each week at the City of Waseca, State of Minnesota. Affiant
further says that he now is, and during all the time of the publication of said notice has
been, one of the publishers and printers of said newspaper. Affiant further says that he

knows of his own knowledge that all of the following conditions have existed for at least
one year immediately prior to the first publication of said notice, and during the full period of
said publication, to-wit: First, said newspaper has been printed in the place from which it
purports to be issued, to-wit, the City of Waseca, in said County and State in the English
language and in column and sheet form equivalent in space to at least four pages with five
columns to the page, each seventeen and three-fourths inches long; Second, that it has been
issued at least once each week from a known office established in said place of publication
and equipped with skilled workmen and the necessary material for preparing and printing the
same (excepting newspaper press); Third, that it has contained and now contains general and
local news, comment and miscellany, not wholly nor substantially duplicating any other pub-
lication and not entirely made up of patents, plate matter, and advertisements or any or either
of them; Fourth, that it has been circulated in and near its said place of publication to the
extent of not less than 240 complete copies thereof regularly delivered to paying subscribers;
that prior to the date of the first publication of said notice the publishers of said newspaper
filed in the office of the County Auditor of said County of Waseca, State of Minnesota, the
affidavit required by section 5516, Revised Laws 1905.

Subscribed and sworn to before me, this 14 day of May A. D. 1910

Notary Public, Waseca County, Minn.

My commission expires Dec 15 1910

No. 7

IN PROBATE COURT

County of Waseca

In the Matter of the Estate of

Emilie ~~John~~ Saufferer
Deceased.

Order for Hearing and Notice of
Application for Appointment
of Administrator.

Filed this 16th day of
April A. D. 1900, and
recorded in Book 74 of Orders,
on page 577

Chas Spollane
Judge of Probate

State of Minnesota,

IN PROBATE COURT,

County of Waseca

ss.

Special Term, April 16th 1910

In the Matter of the Estate of Emelie Saufferer Deceased:

On receiving and filing the petition of Charles J. Saufferer
of the County of Waseca representing, among other things, that
Emelie Saufferer
late of the County of Waseca in the State of Minnesota, on the
23d day of October A. D. 1894, at the County of
Waseca died intestate, and being an inhabitant of this County at the
time of her death, leaving goods, chattels, and estate within this County, and that the
said petitioner is husband of said deceased, and praying
that administration of said estate be to him
granted;

It is Ordered, That said petition be heard before said Court, on Saturday
the 14th day of May A. D. 1910, at ten 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 Herald a weekly newspaper printed and
published at the city of Waseca in said County.

Dated at Waseca, Minnesota this 16th day of
April A. D. 1910

By the Court:

Chas. Spellman

Judge of Probate.

Sat. 14 May.

No. 1

In Probate Court

County of Waseca

IN THE MATTER OF THE ESTATE OF

Emelie Saupfer
Deceased.

Petition for Letters of Administration

Filed this 16 day of April

A. D. 1909

Chas. Spillay
Judge of Probate.

State of Minnesota,

County of

Maseca

ss.

In Probate Court.

In the Matter of the Estate of

Emelie Sauffer

Deceased

To the Probate Court in and for said County:

The petition of Charles J. Sauffer of the Town of Bloomington in the County of Maseca and State of Minnesota, respectfully shows. That Emelie Sauffer who was at the time of her death a resident of the Town of Bloomington in the County of Maseca and State of Minnesota, died on the 23rd day of October A. D. 1874, at the Town of Bloomington in the County of Maseca 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 residences of the heirs of said deceased, so far as known to your petitioner are as follows:

Charles J. Sauffer 52 yrs of age
residing in Bloomington Town Maseca Co Minn
Blanche & Sauffer 20 yrs residing in
Bloomington Town Maseca Co Minn
Elmer R. Sauffer Bloomington
Town Maseca Co Minn Jan 1880

That the probable value of the personal estate is Two Hundred Dollars; and the probable value of the real property is Nothing Dollars; and its character is as follows: —

That your petitioner is Servicing the bond of said deceased.

That the name of the person for whom administration is prayed, is Charles J. Sauffer and his address is Marmolston Minn

Your petitioner therefore prays that Letters of Administration of the estate of the said intestate be granted to the said Charles J. Sauffer

Dated the 16th day of April A. D. 1900

Charles J. Sauffer

State of Minnesota,

County of

Maseca

ss.

Charles J. Sauffer

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

Subscribed and sworn to before me,

this

16th day of April1900

Chas Spillan
 Judge of Probate.

Charles J. Sauffer

NAME SPELLANE, Douglas

FRAME # 484

ORIGINAL ROLL # 39

File No. 1165

Case.....

Register..... Page.....

IN PROBATE COURT

WASECA COUNTY, MINN.

ESTATE OF

Douglas Shillan
Deceased.

Recorded

ESTATE OF

Deceased.

State of Minnesota,

ss.

County of Waseca.

William Spillane,

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

Subscribed and sworn to before me, this

30th day of June, 1906.

John Noonan,

-Judge of Probate-

Notary Public, Waseca Co., Minn.

Wm Spillane

My Commission Expires July 6, 1908.

No.

IN PROBATE COURT,

County of Waseca

IN THE MATTER OF THE ESTATE OF

Douglas Spillane
Deceased.

PETITION OF EXECUTOR PRESENT-
ING WILL FOR PROBATE.

Filed this

9th

day of

June, 1906

Geoffrey A. Johnson
Judge of Probate.

State of Minnesota,

ss.

In Probate Court.

County of Waseca.In the Matter of the Estate of Douglas Spillane, Deceased.

TO THE PROBATE COURT IN AND FOR SAID COUNTY:

The Petition of William Spillane,
of Woodville, in the County of Waseca and State of Minnesota,
respectfully represents that Douglas Spillane late of Woodville,
in the County of Waseca and State of Minnesota, died
the thirtieth day of May, A. D. 1906, at the County of
Waseca testate, as Petitioner believes; that the instrument in writing herewith
presented to this Court, is the Last Will and Testament of said deceased, as Petitioner believes; and that
your Petitioner is the identical William Spillane,
named and appointed in and by said
Last Will and Testament as execut or thereof.

That the names, ages and residences of the heirs and devisees of the decedent, so far as known to
your Petitioner are as follows:

Ellen D. Spillane, years of age, residing at Woodville, Waseca
County, Minnesota;

Joseph J. Spillane, eight years of age, residing at Woodville, Waseca
County, Minnesota.

That the probable value of the personal property of the estate is One thousand -----
Dollars.

That the probable value of the real property of the estate is Ten thousand -----
Dollars, and its character is as follows:

That the name of the execut or named in the Will is William Spillane,
and his residence is Woodville, Waseca
County, Minnesota.

Your Petitioner therefore prays that said Will may be proved and allowed as the Last Will and
Testament of said Douglas Spillane, deceased, and that
Letters Testamentary be granted to William Spillane.

Dated June 30, the thirtieth day of
June, A. D. 1906.

Wm Spillane

State of Minnesota,
County of Waseca. } ss.

Be it Known, That on this sixth day of August, A. D. 1891-1906,
personally appeared before me William Spillane, and Ellen Spillane
and Timothy Donovan
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 Noonan
Judge of Probate.
Notary Public, Waseca Co., Minn.

My Commission Expires July 6, 1908.

State of Minnesota,
County of Waseca. } ss.

Timothy Donovan and Ellen Spillane
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 Five hundred -----
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
sixth day of August, 1890-06
John Noonan
Judge of Probate.
My Commission Expires

Ellen Spillane
Timothy Donovan

I do hereby approve the within Bond:

Dated this 6th day of August, A. D. 1890-06
Geo A. Wilson
Judge of Probate.

No

IN PROBATE COURT

County of Waseca

In the Matter of the Estate of

Douglas Spillane

EXECUTORS BOND.

Filed and approved this 6th

day of August, A. D. 1890-06

Geo A. Wilson

Judge of Probate.

STATE OF MINNESOTA,
County of Waseca } ss.

I hereby certify that the within
Executor's Bond was duly recorded
this 6th day of August
A. D. 1890-06 in Book No. 12 of
Bonds, page 22 of Probate Records.
Geo A. Wilson
Judge of Probate.

EXECUTOR'S BOND.

Know all Men by these Presents, That we William Spillane,

as principal, and

Ellen Spillane and Timothy Donovan

as sureties,

are held and firmly bound unto Hon. George A. Wilson,

Judge of Probate of the County of Waseca

Minnesota, in the sum of

Five 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 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 sixth day of

August,

A. D. 189 1906.

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

Letters Testamentary upon the estate of Douglas Spillane,

late of Waseca county, Minnesota,

deceased, being to him granted, shall and will, well and faithfully, execute the trust reposed in him as Executor 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 his possession or knowledge, or to the possession of any other person for him; and shall administer according to law, and to the will of the said deceased, all the goods, chattels, rights, credits and estate of said deceased, which shall at any time come to his possession, or to the possession of any other person for him and out of the same shall pay and discharge all debts, legacies 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 his 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 him 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

John Noonan

Geo A Wilson

Wm Spillane
Ellen Spillane
Timothy Donovan

Seal

Seal

Seal

Seal

Seal

Seal

No.

In Probate Court,

County of Waseca

In the Matter of the Last Will and Testament of

Douglas Spilars
Deceased.

TESTIMONY OF

John Moorman
Subscribing Witness to Will.

Taken, sworn, subscribed and filed
this 6th day
of August 1906

Geo A Wilson
Judge of Probate.

State of Minnesota,

IN PROBATE COURT

County of Waseca

ss.

General Term, August 6, 1906.

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

Douglas Spillane,

Deceased.

State of Minnesota,

ss.

County of Waseca.John Moonan,

being duly sworn,

on behalf of the proponent of the will, doth depose and say: that he is one of the subscribing witnesses to the instrument now shown him, bearing date the 22nd day of May, A. D. 1906, and purporting to be the last will and testament of Douglas Spillane,

of the County of Waseca and State of Minnesota,

now here presented for probate: that he

knew and was well acquainted with the said Douglas Spillane,

deceased, in his lifetime and at the time of his death; that

the day of the date of said instrument, to-wit, the 22nd day of May, A. D. 1906,

he said instrument was signed, sealed, executed and then and there acknowledged, published and declared by the said Douglas Spillane, deceased, to be his last

will and testament, in the presence of deponent and of Katie Spillane,

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

the other subscribing witness did then and there, in the presence of the said Douglas Spillane, deceased, and at his request severally subscribe said instrument as witnesses thereto.

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

And further deponent saith not.

Subscribed and sworn to before me, this sixth

day of August,

A. D. 1906.

Geo A Wilson

Judge of Probate.

John Moonan,

Filed Dec 17th 1906
Geo A Wilson
Judge of Probate

Order to Examine Accounts.

STATE OF MINNESOTA, COUNTY OF WA
SECA } ss. In Probate court, special term
November 19, 1906.

In the matter of the estate of Douglas Spillane, deceased.

On reading and filing the petition of William Spillane, administrator of the estate of Douglas Spillane, deceased, representing among other things, that he has fully administered said estate, and praying that a time and place be fixed for examining and allowing the final account of his 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 heard by this Court, on Monday, the 17th day of December, A. D. 1906, at 10 o'clock a. m., at the Probate Office, in the City of Waseca, in said county.

And it is further ordered, that notice thereof be given to all persons interested by publishing a copy of this order once in each week for three successive weeks prior to said day of hearing in the WASECA HERALD, a weekly newspaper printed and published at Waseca, in said county.

Dated at Waseca, Minnesota, the 19th day of November, A. D. 1906.

By the Court,
(SEAL)

GEO. A. WILSON,
Judge of Probate.

PRINTER'S AFFIDAVIT.

State of Minnesota, }
COUNTY OF WASECA. } ss.

Came personally before me James E. Child and being

sworn, deposes and says, that he now is and during all the time hereinafter mentioned

been one of the publishers of THE WASECA ~~COUNTY~~ HERALD, a weekly

paper printed and published in the city of Waseca, in said county, on Friday

of each week; that he knows of his own knowledge that the printed notice of Order

to Examine Accounts hereto attached, cut from the co

of said newspaper, was inserted, printed and published in said newspaper once in each we

three successive weeks, and all of said publications were made in the English lang

that said notice was first inserted, printed and published in said newspaper on Friday

the 28th day of November 1906, and was printed and published there

each and every Friday thereafter until and including Friday

the 7th day of December 1906; that during all the time aforesaid

newspaper was a collection of general and local news, comments and miscellaneous li

items, and regularly issued and published on Friday of each week from a k

office of publication, said office being equipped with the necessary material, presses and s

workmen for producing the same, and has consisted of not less than four pages, of five col

or more to each page, each column of not less than seventeen and three-fourths incl

length, and never made up wholly of patents, plates and advertisements, or either or a

them, and has not been substantially a duplicate of any other newspaper, and has been

regularly delivered each week to more than two hundred and forty paid subscribers, and tha

newspaper, composed and consisting as above set forth, was printed and published in the

lish language weekly, and generally circulated in said county for more than one year nex

ceeding the date of the first publication of said notice. That the publishers of said news

prior to the date of the publication of said notice, filed with the county auditor of said c

an affidavit setting forth the facts required by section 2, chapter 33, of the laws of the St

Minnesota, for the year 1893, and laws amendatory thereof.

Subscribed and sworn to before me, this 17th day of December

James E. Child
Geo A Wilson
Judge of Probate

Order to Examine Accounts.

STATE OF MINNESOTA, COUNTY OF WA
SECA } ss. In Probate court, special term
November 19, 1906.

In the matter of the estate of Douglas Spillane, deceased.

On reading and filing the petition of William Spillane, administrator of the estate of Douglas Spillane, deceased, representing among other things, that he has fully administered said estate, and praying that a time and place be fixed for examining and allowing the final account of his 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 heard by this Court, on Monday, the 17th day of December, A. D. 1906, at 10 o'clock a. m., at the Probate Office, in the City of Waseca, in said county.

And it is further ordered, that notice thereof be given to all persons interested by publishing a copy of this order once in each week for three successive weeks prior to said day of hearing in the WASECA HERALD, a weekly newspaper printed and published at Waseca, in said county.

Dated at Waseca, Minnesota, the 19th day of November, A. D. 1906.

By the Court,
(SEAL)

GEO. A. WILSON,
Judge of Probate.

PRINTER'S AFFIDAVIT.

State of Minnesota, }
COUNTY OF WASECA. } ss.

Came personally before me James E. Child and being duly

sworn, deposes and says, that he now is and during all the time hereinafter mentioned has

been one of the publishers of THE WASECA COUNTY HERALD, a weekly news-

paper printed and published in the city of Waseca, in said county, on Friday

of each week; that he knows of his own knowledge that the printed notice of Order

to Examine Accounts hereto attached, cut from the columns

of said newspaper, was inserted, printed and published in said newspaper once in each week for

three successive weeks, and all of said publications were made in the English language;

that said notice was first inserted, printed and published in said newspaper on Friday

the 28d day of November 1906 and was printed and published therein on

each and every Friday thereafter until and including Friday

the 7th day of December 1906; that during all the time aforesaid said

newspaper was a collection of general and local news, comments and miscellaneous literary

items, and regularly issued and published on Friday of each week from a known

office of publication, said office being equipped with the necessary material, presses and skilled workmen for producing the same, and has consisted of not less than four pages, of five columns or more to each page, each column of not less than seventeen and three-fourths inches in length, and never made up wholly of patents, plates and advertisements, or either or any of them, and has not been substantially a duplicate of any other newspaper, and has been regularly delivered each week to more than two hundred and forty paid subscribers, and that said newspaper, composed and consisting as above set forth, was printed and published in the English language weekly, and generally circulated in said county for more than one year next preceding the date of the first publication of said notice. That the publishers of said newspaper prior to the date of the publication of said notice, filed with the county auditor of said county an affidavit setting forth the facts required by section 2, chapter 33, of the laws of the State of Minnesota, for the year 1893, and laws amendatory thereof.

Subscribed and sworn to before me, this 17th day of December 1906

Geo A Wilson
Judge of Probate

IN PROBATE COURT

State of Minnesota,

County of Waseca

IN THE MATTER OF THE ESTATE OF

Douglas Shillars
Deceased.

Affidavit of No Debts.

Filed this 6th day

of Dec 1906
Geo A Wilson
Judge of Probate.

State of Minnesota,

County of Waseca

ss.

IN PROBATE COURT

In the Matter of the Estate of

Douglas Spillane
Deceased.Executor's or Administrator's Affidavit
of No Debts.

State of Minnesota,

County of Waseca

ss.

William Spillane being duly sworn, on oath says, that
he is the Executor of the estate of Douglas Spillane
Deceased, duly appointed and qualified as such in the above named Court.

That he is familiar and fully acquainted with the condition of said estate, as to both the assets
and obligations thereof; and that there are no debts or claims outstanding or unpaid against said estate.

Subscribed and sworn to before me this

6th

day of

August1906John MoonauNotary Public Waseca
Judge of Probate.

Filed Aug 6th 1906
Geo A Wilson
Judge of Probate

Order for Hearing Proof of Will.

STATE OF MINNESOTA, COUNTY OF WASECA, ss. In Probate Court, Special Term.
July 9, 1906.

In the matter of the estate of Douglas Spillane, deceased.

Whereas, an instrument in writing, purporting to be the last will and testament of Douglas Spillane, deceased, late of said county, has been delivered to this court; and

Whereas, William Spillane has filed therewith his petition, representing among other things that said Douglas Spillane died in said county, on the 30th day of May, 1906, testate, and that said petitioner is the sole executor named in said last will and testament, and praying that the said instrument may be admitted to probate, and that letters testamentary be to him issued thereon;

It is ordered, that the proofs of said instrument, and the said petition, be heard before this court, at the probate office in said county, on the 6th day of August, A. D. 1906, at 10 o'clock in the forenoon, when all persons interested may appear for, or contest the probate of said instrument.

And it is further ordered, that notice of the time and place of said hearing 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 Herald, a weekly newspaper printed and published at the city of Waseca in said county.

Dated at Waseca, Minnesota, the 9th day of July, A. D. 1906.

By the Court:
(Seal.)

GEO. A. WILSON,
Judge of Probate.

PRINTER'S AFFIDAVIT.

State of Minnesota, } ss.

COUNTY OF WASECA.

Came personally before me James E. Chil and be

sworn, deposes and says, that he now is and during all the time hereinafter mentio

been one of the publishers of THE WASECA COUNTY HERALD, a week

paper printed and published in the city of Waseca, in said county, on Friday

of each week; that he knows of his own knowledge that the printed notice of Order

for hearing Proof of Will hereto attached, cut from the

of said newspaper, was inserted, printed and published in said newspaper once in each

three successive weeks, and all of said publications were made in the English la

that said notice was first inserted, printed and published in said newspaper on Friday

the 2nd day of July 1906, and was printed and published t

each and every Friday thereafter until and including Friday

the 2nd day of August 1906; that during all the time afore

newspaper was a collection of general and local news, comments and miscellaneous

items, and regularly issued and published on Friday of each week from

office of publication, said office being equipped with the necessary material, presses and workmen for producing the same, and has consisted of not less than four pages, of five or more to each page, each column of not less than seventeen and three-fourths length, and never made up wholly of patents, plates and advertisements, or either them, and has not been substantially a duplicate of any other newspaper, and has been delivered each week to more than two hundred and forty paid subscribers, and newspaper, composed and consisting as above set forth, was printed and published in English language weekly, and generally circulated in said county for more than one year preceding the date of the first publication of said notice. That the publishers of said newspaper prior to the date of the publication of said notice, filed with the county auditor of said county an affidavit setting forth the facts required by section 2, chapter 33, of the laws of the State of Minnesota, for the year 1893, and laws amendatory thereof.

Subscribed and sworn to before me, this 6th day of Aug

Geo A. Wilson
Judge of Probate

Order for Hearing Proof of Will.

STATE OF MINNESOTA, COUNTY OF WASECA, ss. In Probate Court, Special Term, July 9, 1906.

In the matter of the estate of Douglas Spillane, deceased.

Whereas, an instrument in writing, purporting to be the last will and testament of Douglas Spillane, deceased, late of said county, has been delivered to this court; and

Whereas, William Spillane has filed therewith his petition, representing among other things that said Douglas Spillane died in said county, on the 30th day of May, 1906, testate, and that said petitioner is the sole executor named in said last will and testament, and praying that the said instrument may be admitted to probate, and that letters testamentary be to him issued thereon;

It is ordered, that the proofs of said instrument, and the said petition, be heard before this court, at the probate office in said county, on the 8th day of August, A. D. 1906, at 10 o'clock in the forenoon, when all persons interested may appear for, or contest the probate of said instrument.

And it is further ordered, that notice of the time and place of said hearing 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 Herald, a weekly newspaper printed and published at the city of Waseca in said county.

Dated at Waseca, Minnesota, the 9th day of July, A. D. 1906.

By the Court:
(Seal.)

GEO. A. WILSON,
Judge of Probate.

PRINTER'S AFFIDAVIT.

State of Minnesota, } ss.
COUNTY OF WASECA.

Came personally before me James E. Child and being duly

sworn, deposes and says, that he now is and during all the time hereinafter mentioned has

been one of the publishers of THE WASECA COUNTY HERALD, a weekly news-

paper printed and published in the city of Waseca, in said county, on Friday

of each week; that he knows of his own knowledge that the printed notice of "Order

for Hearing Proof of Will" hereto attached, cut from the columns

of said newspaper, was inserted, printed and published in said newspaper once in each week for

three successive weeks, and all of said publications were made in the English language;

that said notice was first inserted, printed and published in said newspaper on Friday

the 13th day of July 1906, and was printed and published therein on

each and every Friday thereafter until and including Friday

the 27th day of July 1906; that during all the time aforesaid said

newspaper was a collection of general and local news, comments and miscellaneous literary

items, and regularly issued and published on Friday of each week from a known

office of publication, said office being equipped with the necessary material, presses and skilled workmen for producing the same, and has consisted of not less than four pages, of five columns or more to each page, each column of not less than seventeen and three-fourths inches in length, and never made up wholly of patents, plates and advertisements, or either or any of them, and has not been substantially a duplicate of any other newspaper, and has been regularly delivered each week to more than two hundred and forty paid subscribers, and that said newspaper, composed and consisting as above set forth, was printed and published in the English language weekly, and generally circulated in said county for more than one year next preceding the date of the first publication of said notice. That the publishers of said newspaper prior to the date of the publication of said notice, filed with the county auditor of said county an affidavit setting forth the facts required by section 2, chapter 33, of the laws of the State of Minnesota, for the year 1893, and laws amendatory thereof.

Subscribed and sworn to before me, this 6th day of Aug 1906

Geo A. Wilson
Judge of Probate

No.

IN PROBATE COURT,

County of Wasceca

In the Matter of the Estate of

Douglas Spillane
Deceased.

ORDER FOR HEARING PROOF OF WILL

Filed this 9th day
of July A. D. 1906 and
recorded in Book 4 of Orders,
on page 149

Geo A Wilson
Judge of Probate.

State of Minnesota, }
 County of Waseca, } ss. In Probate Court,
 Special Term, June 30, 1906.

In the Matter of the Estate of
 Douglas Spillane, }
 Deceased.

Whereas, An instrument in writing, purporting to be the Last Will and Testament of
 Douglas Spillane,

deceased, late of said County, has been delivered to this Court; and

Whereas, William Spillane
 has filed therewith his petition, representing among other things that
 said Douglas Spillane died in said County,
 on the thirtieth day of May, 1906, testate, and that said petitioner
 is the sole Executor named in said Last Will and Testament, and
 praying that the said instrument may be admitted to probate, and that letters testamentary be to
 him issued thereon;

It is Ordered, That the proofs of said instrument, and the said petition, be heard before this
 Court, at the Probate office in said County, on the 6th day of August
 A. D. 1906, at ten o'clock in the forenoon, when all persons interested may appear
 for, or contest the probate of said instrument.

And it is further Ordered, That notice of the time and place of said hearing 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 County Herald,"
 a weekly newspaper printed and published at the City of Waseca, in said County.

Dated at Waseca, Minnesota, the thirtieth 9th day
 of July A. D. 1906.

By the Court,

Geo A Wilson
 Judge of Probate.

No.

IN PROBATE COURT,

County of Wasco

IN THE MATTER OF THE ESTATE OF

Douglas Skellam
Deceased.

Order for Hearing on Claims.

Filed this 6th day of

Aug A. D. 1906

Recorded in Book I of Orders, on
page 200

Geo A. Wilson
Judge of Probate.

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

General Term, August 6, 1906.

IN THE MATTER OF THE ESTATE OF

Douglas Spillane. *Deceased.*

Letters of Testamentary on the estate
of Douglas Spillane, deceased, late of the County
of Waseca and State of Minnesota, being granted
to William Spillane, 1

It is Ordered, That ~~two~~^{seven} 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 _____ 12th day of
November 1906,
_____ at 10 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 _____ 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 Herald,
a weekly newspaper printed and published at Waseca,
in said County.

Dated at Waseca, Minnesota, this sixth day of August, 1906.

By the Court:

Geo A Wilson
Judge of Probate.

No.

IN PROBATE COURT,

County of Wasell

In the matter of the Estate of

Douglas Sullivan
Deceased.



EXECUTOR'S OATH.

Filed this 6th day

of Aug A. D. 1906

Geo A Wilson
Judge of Probate.

State of Minnesota,

88.

In Probate Court.

County of Waseca.

I do Solemnly swear that I will well and truly execute the Last Will and Testament of Douglas Spillane deceased, by paying first the debts, and then the legacies mentioned therein, as far as his goods and chattels will thereunto extend, and the law charge me; and that I will make a true and perfect inventory of all such goods and chattels, rights, credits and effects, as may come to my hands or knowledge, belonging to the estate of said deceased, and render a fair and just account of my Executorship, when thereunto required by law, to the best of my knowledge and ability. So help me God.

Subscribed and sworn to before me, this

sixth day of August, A. D. 1906.John Mornau

Notary Public, Waseca Co., Minn.

~~Judge of Probate.~~

My Commission Expires July 15, 1908.

Wm Spillane

IN PROBATE COURT,

Waseca County,
MINNESOTA.

Letters Testamentary

TO

William Spelline

EXECUTOR OF THE ESTATE OF

Douglas Spelline
Deceased.

I hereby certify that the within Letters
were issued the 6th
day of August A. D. 1906
and recorded in Book 4 of Letters
at page 661

Geo A Wilson
Judge of Probate.

By

State of Minnesota, } IN PROBATE COURT,
County of Waseca } ss. August-6th General Term, 1906

The last Will of Douglas Spillane
deceased, having been proved and recorded in the Probate Court of the County of
Waseca Minn. William Spillane
who is named therein as such, is hereby appointed executor.

Witness: Geo A Wilson

Judge of the Probate Court of the County of
Waseca and the seal
of the Court affixed, the 6th
day of August A. D. 1906

By the Court:

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

No.

IN PROBATE COURT

County of Waseca

In the Matter of the Estate of

Douglas Millard
Deceased.

ORDER ADMITTING WILL TO PROBATE

Filed this 6th day of

Aug A. D. 1906

Recorded in Book 4 of Orders,

on page 199

Geo A Wilson
Judge of Probate.

State of Minnesota,

IN PROBATE COURT,

County of Waseca,

ss.

General

Term,

August 6,1906.In the Matter of the Estate of Douglas Spillane, Deceased.Pursuant to the Order of this Court Made in the above entitled matter, on the 9thday of July, 1906, the hearing of the proofs of that certain instrument bearing date the 22nd day of May, 1906, purporting to be the last will and testament of Douglas Spillane, deceasedcame on this day; and it appearing to the satisfaction of the Court that the notice directed in the order aforesaid to be given has been given, thereupon John Maanan one of and

the subscribing witnesses to said instrument, were duly sworn and examined on behalf of the proponent thereof, their testimony reduced to writing, subscribed

by them and filed. And it appearing to the Court, after a full hearing and examination of the testimony in said matter, that said Douglas Spillane died on the 30thday of May, 1906, testate, in the said County of Waseca, and

that he was at the time of his death a resident of said County, and left assets therein; that said instrument, offered for probate as and for the last will and testament of said deceased, was duly executed as his last will and testament by said testator according to law; that said testator, at the time of executing the same was of sound mind, of lawful age, and under no restraint, and that the same is valid and genuine; and no adverse appearance or objection being made,

Now, Therefore, It is ordered, adjudged and decreed, that said instrument be, and hereby is, established and allowed as the last will and testament of said Douglas Spillane, deceased, and that the same hereby is admitted to probate. Ordered, further, that said last will and testament, with a certificate of the probate thereof, be recorded.

Dated at Waseca, Minnesota, the sixth day ofAugust, A. D. 1906.

By the Court:

Geo A Wilson
Judge of Probate.

No

IN PROBATE COURT

County of Waseca.

IN THE MATTER OF THE ESTATE OF

Douglas Swillane.

Deceased.

Petition for Settlement of Administration Account.

Filed this 19th day of Mar

A. D. 1906

Geo A. Wilson
Judge of Probate.

State of Minnesota,

ss.

IN PROBATE COURT.

County of Waseca,

In the Matter of the Estate of Douglas Spillane,

Deceased

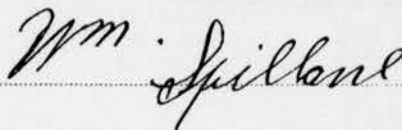
To the Probate Court in and for said County:

The petition of William Spillane, Executor of the Estate of said Douglas Spillane, deceased, respectfully represents that said estate has been fully administered, as will appear by the final account of his 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, Minnesota, the seventeenth day of November,

A. D. 1906.



Executor of the Estate of Douglas Spillane, Deceased.

State of Minnesota,

ss.

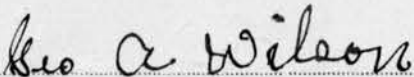
County of Waseca,

William Spillane,

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

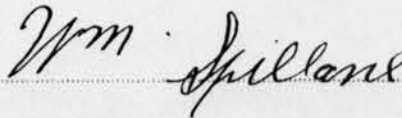
Subscribed and sworn to before me,

this 19th day of November 1906.



Judge of Probate.

Notary Public, Waseca Co., Minn.



copy.

No.

In Probate Court,

County of Waseca.

IN THE MATTER OF THE ESTATE OF

Douglas Scillane.
Deceased.

Order to Examine Account, etc.

Filed this 19th day of

Nov A. D. 1906

Recorded in Book 4 of Orders

on page 201

Geo A Wilson
Judge of Probate.

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

IN PROBATE COURT

Special Term, November 19th 1906.

IN THE MATTER OF THE ESTATE OF

Douglas Srillane,

Deceased.

On Reading and Filing the Petition of William Srillane, Administrator

of the estate of

Douglas Srillane, deceased, representing, among other things, that he has fully administered said estate, and praying that a time and place be fixed for examining and allowing the final account of his 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 heard by this Court, on the 17th day of December A. D. 1906 at o'clock M., at the Probate Office, in the City of Waseca, in said County.

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

Dated at Waseca, Minnesota, the 19th day of November, A. D. 1906.

By the Court,

Geo A Wilson

Judge of Probate.

Filed Oct 15-1906
Geo A Wilson
Judge of Probate

Order for Hearing on Claims.

STATE OF MINNESOTA, COUNTY OF WA-
SECA } ss. In Probate court, general term,
August 6, 1906.

In the matter of the estate of Douglas Spillane,
deceased.

Letters testamentary on the estate of Douglas
Spillane, deceased, late of the county of Wa-
seca, and state of Minnesota, being granted to
William Spillane.

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 having claims
or demands against the said deceased are re-
quired 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 12th day of
November, 1906, at 10 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 in-
terested in said estate by forthwith publishing
this order once in each week, for three succe-
ssive weeks, in the Waseca Herald, a weekly
newspaper printed and published at city of Wa-
seca in said county.

Dated at Waseca, Minnesota, this 6th day of
August, 1906.

By the Court,
(SEAL)

GEO. A. WILSON,
Judge of Probate.

PRINTER'S AFFIDAVIT.

State of Minnesota, } ss.

COUNTY OF WASECA.

Came personally before me *J. E. Child* and be

sworn, deposes and says, that he now is and during all the time hereinafter men-
tioned

been one of the *publishers* of THE WASECA COUNTY HERALD, a week

paper printed and published in the city of Waseca, in said county, on *Friday*

of each week: that he knows of his own knowledge that the printed notice of "*Or*

for Hearing on Claims" hereto attached, cut from the

of said newspaper, was inserted, printed and published in said newspaper once in each

three successive weeks, and all of said publications were made in the English

that said notice was first inserted, printed and published in said newspaper on *Fr*

the *10th* day of *August* 1906, and was printed and published

each and every *Friday* thereafter until and including *Friday*

the *24th* day of *August* 1906; that during all the time afo-

newspaper was a collection of general and local news, comments and miscellane-

items, and regularly issued and published on *Friday* of each week from

office of publication, said office being equipped with the necessary material, presses and
workmen for producing the same, and has consisted of not less than four pages, of five
or more to each page, each column of not less than seventeen and three-fourths
length, and never made up wholly of patents, plates and advertisements, or either
them, and has not been substantially a duplicate of any other newspaper, and has
regularly delivered each week to more than two hundred and forty paid subscribers, and
said newspaper, composed and consisting as above set forth, was printed and published in
English language weekly, and generally circulated in said county for more than one year
preceding the date of the first publication of said notice. That the publishers of said
newspaper prior to the date of the publication of said notice, filed with the county auditor of
said county an affidavit setting forth the facts required by section 2, chapter 33, of the laws of the
State of Minnesota, for the year 1893, and laws amendatory thereof.

Subscribed and sworn to before me, this

15th day of *Oct*

Geo A Wilson
Judge of Probate

Order for Hearing on Claims.

STATE OF MINNESOTA, COUNTY OF WASECA, ss. In Probate court, general term, August 6, 1906.

In the matter of the estate of Douglas Spillane, deceased.

Letters testamentary on the estate of Douglas Spillane, deceased, late of the county of Waseca, and state of Minnesota, being granted to William Spillane.

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 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 12th day of November, 1906, at 10 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 Herald, a weekly newspaper printed and published at city of Waseca in said county.

Dated at Waseca, Minnesota, this 6th day of August, 1906.

By the Court,
(SEAL)

GEO. A. WILSON,
Judge of Probate.

PRINTER'S AFFIDAVIT.

State of Minnesota, } ss.
COUNTY OF WASECA.

Came personally before me J. E. Child and being duly

sworn, deposes and says, that he now is and during all the time hereinafter mentioned has

been one of the publishers of THE WASECA COUNTY HERALD, a weekly news-

paper printed and published in the city of Waseca, in said county, on Friday

of each week; that he knows of his own knowledge that the printed notice of "Order

for Hearing on Claims" hereto attached, cut from the columns

of said newspaper, was inserted, printed and published in said newspaper once in each week for

three successive weeks, and all of said publications were made in the English language;

that said notice was first inserted, printed and published in said newspaper on Friday

the 10th day of August 1906, and was printed and published therein on

each and every Friday thereafter until and including Friday

the 24th day of August 1906; that during all the time aforesaid said

newspaper was a collection of general and local news, comments and miscellaneous literary

items, and regularly issued and published on Friday of each week from a known

office of publication, said office being equipped with the necessary material, presses and skilled workmen for producing the same, and has consisted of not less than four pages, of five columns or more to each page, each column of not less than seventeen and three-fourths inches in length, and never made up wholly of patents, plates and advertisements, or either or any of them, and has not been substantially a duplicate of any other newspaper, and has been regularly delivered each week to more than two hundred and forty paid subscribers, and that said newspaper, composed and consisting as above set forth, was printed and published in the English language weekly, and generally circulated in said county for more than one year next preceding the date of the first publication of said notice. That the publishers of said newspaper prior to the date of the publication of said notice, filed with the county auditor of said county an affidavit setting forth the facts required by section 2, chapter 33, of the laws of the State of Minnesota, for the year 1893, and laws amendatory thereof.

Subscribed and sworn to before me, this 15th day of Oct 1906

Geo A Wilson
Judge of Probate

No. Original.

State of Minnesota,

Waseca County,

Probate Court,

vs. Plaintiff

Defendant

FINAL DECREE.

Due and personal service of the within
is hereby admitted
this day of
190.....

Attorney.....for

Attorney.....for

Attorney.....for

No. 172.
Filed December 17th 1906
Geo A. Wilson
Judge of Probate

State of Minnesota,

County of

ss.

being duly sworn, says that on the day of 190....., at

he served the within personally, by handing to and leaving with said
upon the within named a true and correct copy of said

STATE OF MINNESOTA,)
 County of Waseca,) ss.

IN PROBATE COURT,

Special Term, December 17, 1906.

In the Matter of the Estate of Douglas Spillane, Deceased:

It appearing to the Court now here, on satisfactory proofs and the evidence, that 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 William A. Spillane, executor 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 cases made and provided.

And it further appearing, that the said deceased died testate, and the residue of said estate consists of the following described real estate, to-wit: That tract or parcel of land situate and being in the County of Waseca and State of Minnesota, described as follows: the Southeast quarter of the Southeast quarter of Section thirteen (13), the Northeast quarter of the Northeast quarter of Section twenty-four (24), and the Southwest quarter of the Southeast quarter of Section thirteen (13), and the Northwest quarter of the Northeast quarter of Section twenty-four (24), all in township one hundred and seven (107), range twenty-two (22), in the county of Waseca and state of Minnesota.

And it further appearing, that the following named persons are the persons entitled to inherit said estate and the last will and testament of said Douglas Spillane, Deceased, by law, viz: Ellen E. Spillane, widow of said Deceased, and Joseph J. Spillane, son of said Deceased:

NOW, THEREFORE, On petition of William Spillane, executor of said

estate, 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, adjudged 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 Ellen B. Spillane, widow, and Joseph J. Spillane, son of said Deceased, forever in the following proportions, to-wit:

To the said Ellen B. Spillane, widow of said Deceased, the Southeast quarter of the Southeast quarter of Section thirteen (13), and the Northeast quarter of the Northeast quarter of Section twenty-four (24), all in Township one hundred and seven (107), Range twenty-two (22), in the county of Waseca and state of Minnesota: to Have, Hold and Enjoy the same in fee simple, to her own use and benefit, forever.

Also, to the said Ellen B. Spillane, the use of the Southwest quarter of the Southeast quarter of Section thirteen (13), and the Northwest quarter of the Northeast quarter of Section twenty-four (24), all in Township one hundred and seven (107), Range twenty-two (22), in Waseca county, Minnesota; to have and to use the same and to have and enjoy such use and the rents and profits thereof until said Joseph J. Spillane shall reach the age of twenty-one years: subject, however, to the provisions hereinafter in this decree contained relating to the sale of said land.

To Joseph J. Spillane, the Southwest of the Southeast quarter of Section thirteen (13), and the Northwest quarter of the Northeast quarter of Section twenty-four (24), all in Township one hundred and seven (107), Range twenty-two (22), in the county of Waseca and State of Minnesota; to Have, Hold and Enjoy the same in fee simple: subject, however, to the right hereinbefore decreed and given to Ellen B. Spillane, widow of said Deceased, to use and enjoy the rents and profits thereof until the said Joseph J. Spillane shall arrive at the age of twenty-one years; and subject to the further provisions contained in the will of said Douglas Spillane, deceased, and hereinafter in this decree contained in reference to the sale of the real estate of which the said Douglas

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Spillane died seized and possessed.

Whereas it is in said will of said Douglas Spillane provided that it may become desirable to sell the real estate hereinbefore described and all thereof, and may be for the best interests of said Ellen B. Spillane, widow of said Deceased, and Joseph J. Spillane, son of said Deceased, to sell all of said real estate in one tract; and,

Whereas it is in said will provided and directed that said real estate may be sold as one tract whenever it shall appear to said widow, Ellen B. Spillane, and the Guardian of the estate of said minor son, Joseph J. Spillane, for the best interest of said widow and said minor son so to do; and,

Whereas it is in said will provided that the Guardian of the estate of said Joseph J. Spillane and the said widow, Ellen B. Spillane, be, and they are, thereby and therein by their joint deed authorized to sell and convey the same and all of said real estate as fully as said Deceased might or could do in his life-time; and,

Whereas it is in said will provided that in case either of said parties therein mentioned, to-wit: said Ellen B. Spillane and the Guardian of the estate of said Joseph J. Spillane, shall not deem it advisable to sell and dispose of said real estate, that then and in that case the same shall not be sold, unless the Judge of the Probate Court in and for the County of Waseca shall decide and determine it to be for the best interest of said Ellen B. Spillane, widow, and said Joseph J. Spillane, to sell and dispose of the same; and,

Whereas it is in said will provided that in the event of such sale the said Joseph J. Spillane shall be and become immediately upon such sale the owner of the proceeds of the sale of the Southwest quarter of the Southeast quarter of Section thirteen (13) and the Northeast quarter of the Northeast quarter of Section twenty-four (24), in Township one hundred and seven (107), Range twenty-two (22), in Waseca county, state of Minnesota, (being the land hereinbefore decreed to him) without any deduction from such proceeds by reason of or on account of any unexpired portion of the term of the use thereof by said will given and bequeathed to the said Ellen B. Spillane:

Now, therefore, it is hereby decreed, and the foregoing real estate is decreed, to the parties hereinbefore named, subject to the following, to-wit: that if it becomes desirable to sell the same and for the best interests of said Ellen M. Spillane and said Joseph J. Spillane to sell all of said real estate in one tract, then and in that case the said real estate may be sold as one tract and may be so sold whenever it shall appear to said Ellen M. Spillane and the Guardian of the estate of Joseph J. Spillane for the best interests of said Ellen M. Spillane and said Joseph J. Spillane so to do.

And it is further decreed that the said Ellen M. Spillane and the Guardian of the estate of Joseph J. Spillane may by their joint deed sell and convey the same in fee simple.

And it is further adjudged and decreed that in the event either of said parties, to-wit, Ellen M. Spillane, or the Guardian of the estate of Joseph J. Spillane, shall not deem it advisable to sell and dispose of said real estate, then and in that case the same shall not be sold, unless the Judge of Probate in and for the county of Waseca and state of Minnesota shall determine it to be for the best interests of said Ellen M. Spillane and Joseph J. Spillane to sell and dispose of the same.

And it is further adjudged and decreed that in the event of such sale said Joseph J. Spillane shall be and become immediately upon such sale the owner of the proceeds of the sale of the Southwest quarter of the Southeast quarter of Section thirteen (13) and the Northeast quarter of the Northeast quarter of Section twenty-four (24), in Township one hundred and seven (107), Range twenty-two (22), in Waseca county, state of Minnesota, (being the land hereinbefore decreed to him) without any deduction from such proceeds by reason of or on account of the unexpired portion of the term of the use thereof hereinbefore decreed to the said Ellen M. Spillane; and,

Whereas by the Sixth Subdivision of said Last Will and Testament of Douglas Spillane, Deceased, it is provided by said testator and he thereby nominates and appoints his brother, William Spillane, to be guardian of the estate of his said son, Joseph J. Spillane, and it is

therein directed that he give such bond as guardian of the estate of said son as shall be required and determined upon by the Judge of Probate of the county of Waseca, in the state of Minnesota:

Now, therefore, it is hereby ordered, adjudged and decreed, that William Spillane be, and he hereby is, appointed guardian of the estate of the said Joseph J. Spillane, minor, during his minority, and that he give a bond containing the provisions required by law of such guardian, in the sum of *Five Thousand (\$4000.00)* Dollars, to be approved by the Judge of Probate in and for the county of Waseca and state of Minnesota, conditioned for the faithful performance of his duties as such guardian and containing all the conditions and provisions required by law to be in such guardian's bond.

It is further ordered, adjudged and decreed, that all the rest, residue and remainder of the proper of said Douglas Spillane, Deceased, not hereinbefore specifically decreed, be, and the same is, hereby, decreed to the said Ellen M. Spillane, widow of said Deceased.

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 persons and their heirs and assigns, forever.

Geo A Wilson

Judge of the Probate Court,

Waseca County, Minnesota.

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PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Douglas Shellen
Deceased.

Certificate of Proof of Will.

Recorded in Book *B*

50
of Wills, page *51, 52, 53, 54* and filed

this *6th* day of

Aug A. D. 190*6*

Geo A Wilson
Judge of Probate.

CERTIFICATE OF PROBATE.

State of Minnesota, }
County of Waseca.

IN PROBATE COURT.

In the Matter of the Estate of Douglas Spillane, Deceased.

Be it Remembered, That on the day of the date hereof, at a General Term
of said Probate Court, pursuant to notice duly given, the Last Will and Testament of
Douglas Spillane, late of said County of
Waseca deceased, bearing date the sixth 22nd day of
August, May 1906, and being the annexed written instrument, was duly proved
before the Probate Court in and for the County of Waseca, aforesaid;
and was duly allowed and admitted to probate by said Court according to law, as and for the Last
Will and Testament of said Douglas Spillane, deceased,
which said Last Will and Testament is recorded and the examination taken thereon filed in this
office.

In Testimony Whereof, The Judge of the Probate Court of
said County hath hereunto set his hand and affixed the seal of
the said Court at Waseca,
in said County, this sixth day of
August, A. D. 1906.

Geo A. Wilcox
Judge of Probate.

STATE OF MINNESOTA,

COUNTY OF

..... Court.

Plaintiff,

vs.

Defendant.

Due and personal service of the
within
admitted this
day of 19.....

Attorney for.....

*Filed July 9th 1906
Geo A. Wilson
Judge of Probate*

Attorney for.....

Minn.

C. F. GREENWOOD, MANKATO, MINN.

STATE OF MINNESOTA, } ss.
COUNTY OF

..... being
first duly sworn upon oath deposes and says, that at the
in said county and state, on the day of 19....., he served
the within upon
the therein named, personally, by
leaving with said at the house of the usual abode
of said with , a person of
suitable age and discretion, then resident therein, a true and correct copy of said
....., that said is to affiant well known to be
the same as the within named

Subscribed and sworn to before me this }
..... day of 19.....

Notary Public..... County, Minn.

State of Minnesota,
County of Waseca } ss.

IN PROBATE COURT.

IN THE MATTER OF THE ESTATE OF

Douglas Spillane
Deceased.

A True Inventory Of all the Real Estate and of all the goods, chattels, rights, credits and estate of Douglas Spillane Deceased, which have come to the possession or to the knowledge of the undersigned William Spillane Executor of the said estate.

No.	REAL ESTATE	Appraised Value
1.	<i>All the Real Estate:</i> The Southeast quarter of the Southeast quarter of Section thirteen (13); the Northeast quarter of the Northeast quarter of Section twenty-four (24); the Southwest quarter of the Southeast quarter of Section thirteen (13), and the Northwest quarter of the Northeast quarter of Section twenty-four (24), all in Township one hundred and seven (107), Range twenty-two (22), in Waseca County, Minnesota.	10,000 --

PERSONAL ESTATE		Appraised Value		Selected	
		Dollars	Cents	Dollars	Cents
2.	<i>All the Furniture and Household Goods.</i>				
3.	<i>All Wearing Apparel and Ornaments.</i>				
4.	<i>All Stock in Banks and other Corporations.</i>				
5.	<i>All Mortgages, Bonds, Notes and other Written Evidence of Debt.</i>				

6. All other Personal Property.

Seeder,	2	75
1 cow,	18	--
Feed mill,	1	--
1 cow,	19	50
Disk harrow,	9	--
1 white cow,	23	50
Hay rake,	1	--
1 red cow,	17	50
4 horse drag,	1	75
2 heifers,	26	50
2 horse drag,	1	75
2 heifers,	15	00
corn cultivator,	2	--
2 bulls,	15	--
Bob sleighs,	3	--
1 boar pig,	5	00
Cultivator,	2	75
4 pigs,	22	--
corn cultivator,	6	--
8 pigs,	40	--
Mower,		
Corn in crib, @ 35¢,		
single buggy,	3	--
Chickens, @ 25¢ each,		
double buggy,	5	--
Double harness,	4	50
horse blankets,	1	80
Driving harness,	2	50
Fanning mill,	5	75
1 double harness,	2	--
Drawing knife,		30
belt,		05
Brace,		05
Double harness,	17	--
Fly net,		10
Collar,	1	25
Twine,		25
1 bay mare,	156	--
4 milk cans at one dollar each,	4	--
1 bay horse,	95	--
milk can,		90
1 black horse,	60	--
swill cart,		80
1 red cow and calf,	29	50
1 lard kettle,	1	25
1 dark red cow,	28	--
Hog trough,		75
1 roan cow,	20	--
Hog rock and box,	1	25
1 roan cow,	23	--
Low down wagon and rock,	15	50
1 roan cow,	21	50
Single harness,	6	75
1 cow and calf,	22	50
1 cow,	17	--
1 bedstead,		10
Waggon,	7	75
Planks,		60
Gang plow,	7	--
Breaking plow,		50
Crossing plow,		80

W.S. & B. PARAGON LINE
MADE IN U.S.A.

I, Douglas Spillane, of the Township of Woodville, in the County of Waseca and State of Minnesota, being of sound mind and memory, and considering the uncertainty of this frail and transitory life, do, therefore, make, ordain, publish and declare this to be my Last Will and Testament:

FIRST, It is my will, and I hereby direct, that my Executor, hereinafter named, sell my personal property of which I shall die possessed, and out of the proceeds thereof pay all my just debts and funeral expenses as soon after my decease as conveniently may be done, and erect a proper and suitable monument over my grave, and if there shall be any surplus, after the payment of said debts, funeral expenses and the purchase of said monument, I hereby give, devise and bequeath the same to my beloved wife, Ellen D. Spillane, and direct my Executor to pay the same to her.

SECOND, I give, devise and bequeath to my beloved wife, Ellen D. Spillane, the following described real estate, to-wit: the Southeast quarter of the Southeast quarter (S. E. $\frac{1}{4}$ of S. E. $\frac{1}{4}$) of Section thirteen (13); also the Northeast quarter of the Northeast quarter (N. E. $\frac{1}{4}$ of N. E. $\frac{1}{4}$) of Section twenty-four (24), all in Township one hundred seven (107), Range twenty-two (22), lying and being in the Township of Woodville, County of Waseca and State of Minnesota: To Have, Hold and Enjoy the same, in fee simple, to her own use and benefit, Forever.

THIRD, I also give, devise and bequeath to my said wife, Ellen D. Spillane, the use of the Southwest quarter of the Southeast quarter (S. W. $\frac{1}{4}$ of S. E. $\frac{1}{4}$) of Section thirteen (13), and the Northwest quarter of the Northeast quarter (N. W. $\frac{1}{4}$ of N. E. $\frac{1}{4}$) of Section twenty-four (24), all in Township one hundred seven (107), Range twenty-two (22), lying and being in the Township of Woodville, County of Waseca and State of Minnesota: To Have and to Use the same, and to Have and Enjoy such use and the rents and profits thereof until my son Joseph J. Spillane shall reach the age of twenty-one years; subject, however, to the provision hereinafter in this Will contained relating to the sale of the land of which I shall die seized and possessed.

MADE IN U.S.A.

FOURTH, I give, devise and bequeath to my beloved son, Joseph J. Spillane, the Southwest quarter of the Southeast quarter (S. W. $\frac{1}{4}$ of S. E.) of Section thirteen (13), and the Northwest quarter of the Northeast quarter (N. W. $\frac{1}{4}$ of N. E. $\frac{1}{4}$) of Section twenty-four (24), all in Township one hundred seven (107), Range twenty-two (22), lying and being in the Township of Woodville, County of Waseca and State of Minnesota: To Have, Hold and Enjoy the same, in fee simple; subject, however, to the right hereinbefore given and bequeathed to my said wife, Ellen D. Spillane, to use and enjoy the rents and profits thereof until my said son Joseph J. Spillane shall arrive at the age of twenty-one years, and subject to the further provision hereinafter in this Will contained in reference to the sale of the real estate of which I shall die seized and possessed.

FIFTH, Whereas I have hereinbefore bequeathed to my wife, Ellen D. Spillane, and my son, Joseph J. Spillane, the different tracts of real estate hereinbefore described; and, whereas it may become desirable to sell the same and may be for the best interests of my said wife and my said son, Joseph J. Spillane, to sell all of said real estate in one tract, it is, therefore, my will, and I hereby direct, that said real estate may be sold as one tract whenever it shall appear to my said wife, Ellen D. Spillane, and the guardian of the estate of my son, Joseph J. Spillane, for the best interests of my said wife, Ellen D. Spillane, and my said son Joseph J. Spillane, so to do, and I hereby authorize and empower the guardian of my said son, Joseph J. Spillane, and my said wife, Ellen D. Spillane, by their joint deed to sell and convey the same as fully as I might or could do. And it is further my will, that in case ^{either} of said parties shall not deem it advisable to sell and dispose of said real estate, then and in that case the same shall not be sold, unless the Judge of the Probate Court in and for the County of Waseca shall decide and determine it to be for the best interests of my said wife, Ellen D. Spillane, and my said son, Joseph J. Spillane, to sell and dispose of the same. And it is further my will, and I

MADE IN U.S.A.

hereby direct, that in the event of such sale my said son, Joseph J. Spillane, shall be and become immediately upon such sale the owner of the proceeds of the sale of the Southwest quarter of the Southeast quarter (S. W. of S. E. $\frac{1}{4}$) of Section thirteen (13), and the Northeast quarter of the Northeast quarter (N. E. $\frac{1}{4}$ of N. E. $\frac{1}{4}$) of Section twenty-four (24), in Township one hundred seven (107), Range twenty-two (22), lying and being in the Township of Woodville, County of Waseca and State of Minnesota, being the land hereinbefore devised and bequeathed to him, without any deduction from such proceeds by reason of or on account of any unexpired portion of the term of the use thereof in this Will given and bequeathed to my said wife, Ellen D. Spillane: it being my intention by this Will that in the event of the sale of said real estate before my said son, Joseph J. Spillane, shall reach the age of twenty-one years then and in that case the use of said real estate so devised to him and which use is by this Will given to my said wife until he, the said Joseph J. Spillane, arrives at the age of twenty-one years shall at once terminate and no deduction from the proceeds of the sale of the land devised to my said son shall be made in favor of my said wife on account of the unexpired term of said use.

SIXTH, I hereby nominate and appoint my brother, William Spillane, to be the guardian of the estate of said son, Joseph J. Spillane, and I will and direct that he give such bond as guardian of the estate of my said son as shall be required and determined upon by the Judge of Probate of the County of Waseca, in the State of Minnesota. All the rest, residue and remainder of my property, not hereinbefore specifically devised and bequeathed, I give, devise and bequeath to my beloved wife, Ellen D. Spillane.

LASTLY, I make, constitute and appoint William Spillane to be Executor of this my Last Will and Testament, hereby revoking all former Wills by me made.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal, this twenty-second day of May, in the year of our Lord one thousand nine hundred and six (1906). Daglas J. Spillane (SEAL)

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

John Noonan

Residing at Waseca, Minnesota.

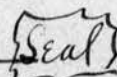
Katie Spillane,

Residing at Woodville, Minn. Minnesota.

I, Ellen D. Spillane, wife of Douglas Spillane, who made and executed the above and foregoing Will as his Last Will and Testament, do hereby consent to the above Will and each and all of the terms thereof and do hereby expressly give my consent thereto in writing and do hereby agree and acknowledge myself bound by the terms thereof and do hereby accept the provisions of said Will and the provisions made for me therein and do hereby accept the same and the provisions made for me therein in lieu and instead of all the rights which I would take as widow of said Douglas Spillane under the laws of the State of Minnesota, and do hereby in consideration of the provisions made for me in said Will waive and relinquish all other and different rights which I might have as widow of Douglas Spillane under the laws of the State of Minnesota, hereby accepting the provisions of said Will in lieu and instead thereof.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal this twenty-second day of May, in the year of our Lord one thousand nine and six (1906).

Ellen Spillane



Wife of Douglas Spillane.

The foregoing consent to the provisions of the Will of Douglas Spillane was on the day of the date thereof signed and executed by the said Ellen D. Spillane, wife of said Douglas Spillane, in our presence, who, at her request, have subscribed our names thereto as witness, in her presence and in the presence of each other.

John Noonan

Residing at Waseca, Minnesota.

Katie Spillane,

Residing at Woodville Waseca Co., Minn.