

STATE OF MINNESOTA } ss.
COUNTY OF SCOTT

I, Hugo P. Hentges, Clerk of the District Court,

in and for said County, hereby certify that I have compared the foregoing copy of
-Findings of Fact Conclusions of Law, and Order.

with the records remaining on file in this office, that the same are correct transcripts from, and of the whole
In the matter of the Contest of the election held November 6,
of such original records ~~1934~~ to the office of the State Senator from the 21st Senatorial
District of the State of Minnesota. P.W. Morrison, Contestant vs- Al. H. Ruppert,
Contestee. Witness my hand and seal of said District Court, at Shakopee, Minnesota, in said County.

this 17th day of December A. D. ~~1934~~ 1934.

By Hugo P. Hentges Clerk
Deputy

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State of Minnesota
COUNTY OF SCOTT

IN DISTRICT COURT

In the matter of the Contest of the
Election held November 6, 1934, to the
Office of the State Senator from the
31st Senatorial District of the State
of Minnesota.

P.W. Morrison, Contestant.
PLAINTIFF

vs.

Al. H. Ruppert,

Contestee

DEFENDANT

Certified copy of Findings
of Fact, Conclusions of Law and
Order.

L.E. Brophy
Attorney for Contestant
918 McKnight Bldg.,
Minneapolis, Minn.

The Shakopee Printing Co.
Filed Dec. 17, 1934.
Eugo P. Hentges, Clerk, Scott Co.,
Minn.

STATE OF MINNESOTA
COUNTY OF SCOTT

DEC 17 1934

[Handwritten Signature]
Secretary of State

STATE OF MINNESOTA
COUNTY OF SCOTT

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

IN THE MATTER OF THE CONTEST OF THE ELECTION
HELD NOVEMBER 6, 1934, TO THE OFFICE OF
THE STATE SENATOR FROM THE 21st SENATORIAL
DISTRICT OF THE STATE OF MINNESOTA.

P. W. Morrison, Contestant,

-VS-

Al H. Ruppert, Contestee.

FINDINGS OF FACT
CONCLUSIONS OF LAW,
AND ORDER.

The above entitled cause being an election contest wherein the contestant, P. W. Morrison, contested the election of the contestee and the findings of the State Canvassing Board declaring the said contestee, Al. H. Ruppert, to be elected to the office of State Senator from the 21st Senatorial District in the State of Minnesota and whereas as provided by Section 486, Mason's Minnesota Statutes for 1927, the matter has been brought on for hearing and trial on December 17, 1934, and upon a Notice of Motion, L. E. Brophy, Esq., appearing as attorney for the contestant and moving for an Order of this Court declaring P. W. Morrison to be the duly elected State Senator from the 21st Senatorial District and declaring the said P. W. Morrison to have been elected at the General Election held November 6th, 1934, and to said office for the term of four (4) years, beginning January 1st, 1935, and for the further Order of the court ordering and directing the Honorable Mike Holm, Secretary of State, to issue a Certificate of Election to said P. W. Morrison, as such duly elected Senator and

Geo L. Brophy Esq appeared
on behalf

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of said contestee; the court, after hearing the argument ~~of~~ counsel and upon examination of all the files and records in said proceeding including the Notice of Contest, the Petition for Inspection of Ballots, the Order of the court appointing such Referee Inspectors, the acceptance of such appointment and Oath of such referee-inspectors, together with their report of such inspection, rereading, recounting and recanvassing of said ballots, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

As fact, the Court finds, as provided in Section 484, Mason's Minnesota Statutes for 1927, the contestant instituted a contest against the contestee attacking the declaration of the State Canvassing Board, declaring the said contestee to be elected to the office of State Senator.

The Court further finds as fact that the contestant filed with the Clerk of the District Court in the County of the residence of the contestee, within the required time a Notice of Contest and caused said Notice of Contest to be served upon the Contestee within the time prescribed by such statute.

The Court further finds as fact, as provided by Section 485, Mason's Minnesota Statutes for 1927, that the contestant made a written and verified Petition and Application to the Court for the inspection of the ballots in said 21st Senatorial District; that as provided by said statute the court appointed referee-inspectors to reinspect, reread, recount and recanvass the votes and ballots cast for the parties to the contest; and in said Order required said inspectors, as provided by such statute, to make a written report of such recount and recanvass and to report the number of votes for each of the parties to the contest and report upon any disputed ballots upon which the inspectors could not agree.

The Court further finds as fact, that the referee-inspectors appointed by said Order were Albert Zieper of Norwood, Henry C. Busch of Jordan, and Walter Lundstrom of Chaska, and that said

referee-inspectors appointed by said Order accepted in writing such appointment and took the oath of office as such inspectors and that thereafter they made a report to this court as provided by said Order, showing that they had recounted and recanvassed all of the votes in all of the precincts and/or election districts within the said 21st Senatorial District and further showing that the contestant, P. W. Morrison received a greater number of the votes cast in said District than were cast for the contestee, Al H. Ruppert.

The Court further finds as fact that the said Notice of Contest, Petition for Inspection of Ballots, Order appointing referee-inspectors, Acceptance of such appointment and oath of inspectors and the report of said recount and recanvass by said inspectors have been filed in the office of the Clerk of District Court in the county in which said contestee resides and are now contained in the file in this court.

CONCLUSIONS OF LAW

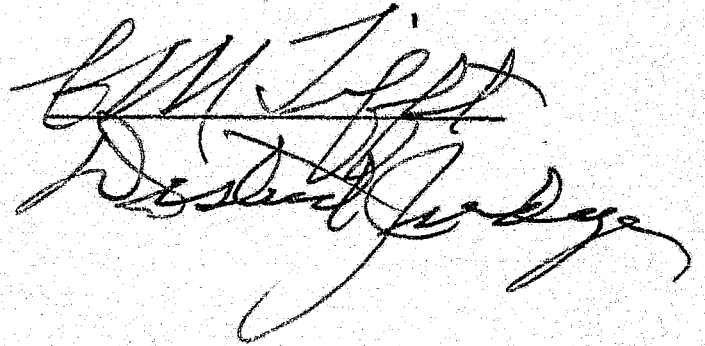
As Conclusions of law the court finds that the said P. W. Morrison received the highest number of votes legally cast at the election held November 6, 1934, for the office of State Senator from the 21st Senatorial District as shown by the report of said referee-inspectors and is entitled to receive the Certificate of Election to said office for the term of four (4) years beginning January 1st, 1935.

ORDER

It is therefore, the order of this court, that upon the foregoing Findings of Fact and Conclusions of Law, the said P. W. Morrison was duly elected to the office of State Senator from the 21st Senatorial District and he is declared to have been elected to such office at the general election held November 6, 1934, for the term of four (4) years, beginning January 1st, 1935.

It is the further Order of this Court that the Honorable Mike Holm, Secretary of State of the State of Minnesota, is hereby ordered and directed to issue and ~~to~~ deliver to P. W. Morrison, a Certificate of Election as such duly elected Senator from the said 21st Senatorial District.

BY THE COURT:

A handwritten signature in cursive script, appearing to read "W. M. Tipton" followed by a flourish.

Dated December 17, 1934.