

First National Bank of Montgomery,

Plaintiff,

vs.

RETURN TO ORDER TO SHOW CAUSE

Jerome Daly,

Defendant.

Martin V. Mahoney, Justice of the Peace, Credit River Township, Scott County, Minnesota hereby appears specially and not generally and objects to the Jurisdiction of this Court over the subject matter herein and over his person and makes the following return to the Application of An Order and to the Order to Show cause upon the following grounds:

1. That the hearing is not held in the proper County.

2. That I am not a party to the above entitled action and never have been; that the Court has no Jurisdiction over me personally; that the Order of January 30, 1969 is not a proper Order and is made without Jurisdiction and does not conform to the proper procedure to perfect an appeal to the District Court.

3. That I did not allow the Appeal because M.S.A. 532.38 was not complied with requiring a deposit of \$2.00 within <sup>10</sup> 2/days with the Clerk of the District Court; that thereafter the First National Bank of Montgomery, Minnesota did not proceed against me by Attachment according to M.S.A. 532.43 and 532.44; therefore the Jurisdiction of the District Court on Appeal is not invoked according to Law and the District Court has acquired no jurisdiction over me personally or over the subject matter to compel the allowance of an appeal by attachment or certorari.

4. That it appears that no notice was given to Jerome Daly of these proceedings.

5. That the Plaintiff "Bank" did not appear at the hearing set by me to consider the legal basis for their claim that the paper fiat Federal Reserve Notes are a legal tender.

I certify the above as my return to the Order to Show cause, together with a copy of this Court's decision of Feb. 6, 1969.

*Martin V. Mahoney*

Martin V. Mahoney  
Justice of the Peace  
Credit River Township  
Scott County, Minnesota