



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

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hand
No. 1189 Title

DISTRICT COURT,
CARVER COUNTY, MINN.

Margaret Lennquist
Plaintiff.

vs.
Anna L. Danielson &
Kustav Danielson
Defendant.

E. Hainlin
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry December 27th, 1878

Register of Actions "A" Page 239

Term Tried 1

Judgment for Plaintiff

Amount of Judgment \$ 57.85

Date of Judgment February 20th, 1879

Minute Record "A" Page 557
Judgment Book

Default Judgment Book Page

Date of Docketing February 20th, 1879

Judgment Book "A" page 286-

STATE OF MINNESOTA,

County of *Larver*

DISTRICT COURT,

Eighth

JUDICIAL DISTRICT.

Maryann Finneyan Plaintiff

against

Anna S Danielson and

Gustave Danielson Defendants

SUMMONS.

THE STATE OF MINNESOTA TO THE ABOVE-NAMED DEFENDANTS:

You *and each of you* are hereby summoned and required to answer the Complaint of the Plaintiff in the above entitled action which has been filed

in the office of the Clerk of said Court in

Chaska in said County of *Larver*

and to serve a copy of your answer to said Complaint on the subscriber at his office in the *Village* of *Watson* in said County of *Larver* within twenty days after the service of this Summons upon you, exclusive of the day of such service, and if you fail to answer said complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief demanded in said complaint

together with the costs and disbursements herein.

Dec 7 A. D. 1916

Ernest Kocumlin

Plaintiff's Attorney *Watson* Minn.

as aforesaid.

That subsequent to the death of the said Thomas Moor as aforesaid, Letters of Administration were duly issued to me John Moor a brother of the said Thomas Moor deceased, and he the said John Moor was by the Probate Court of Carver County, Minnesota, duly appointed Administrator of the estate of the said Thomas Moor deceased.

That the said John Moor accepted said appointment and administration was duly had upon the estate of the said deceased Thomas Moor -

That all the debts against the estate of the said Thomas Moor deceased have been fully paid.

That on the 2nd day of July A.D. 1878 a Decree was duly made and entered by the Probate Court of the County of Carver aforesaid in the matter of the Administration of the estate of the aforesaid Thomas Moor deceased, which matter was then then pending of which matter the aforesaid Probate Court had competent jurisdiction, whereby the legal title to all the land herein before described and all the hereditaments and appurtenances thereto belonging was vested in this plaintiff for and during the full term of the natural life of said plaintiff, a

State of Minnesota District Court
County of Leaver 8th Judicial District

Margaret Finnegan Plaintiff }
 against- } Complaint
 Anna S. Danielson and }
 Gustave Danielson Defendants }

The plaintiff in the above entitled action respectfully states and shews to the Court and jurors.

That on the 12th day of October
AD 1873 her late husband Thomas Moore
did intestate at the city of Minneapolis
Minnesota being at that time an inhabitant
of the aforesaid County of Leavitt, and being
at the time of his death as aforesaid
the owner, and seized in fee simple of
all the following described piece or
parcel of land situate lying and being
in the County of Leavitt and State of Minnesota
to-wit: "The South half ($\frac{1}{2}$) of the Northeast
a quarter ($\frac{1}{4}$) of Section No Seven (7) in
a Township No one hundred and seven-
a ten (117) of Range No Twenty five
"(25) containing eighty (80) acres more
or less"

That at the time of the death
of the said Thomas Moore as aforesaid
this plaintiff was the lawful wife of
him the said Thomas Moore.

That the said Thomas Moore left
no issue living at the time of his death

isolated - And no judgment for damages
can be recovered against them

That said defendants ~~are~~ now engaged
in cutting down, destroying, and
carrying away the forest trees, timber
and wood now standing, growing and
being upon the land herein before described,
and threaten to continue to cut down, destroy,
and carry away the forest trees, timber
and wood now standing and growing
upon said land, and the whole thereof,
and to cut, take, and carry away the
hay, grass, and other produce that
may grow or be raised upon said
land, and to dispossess said plaintiff
of her estate in said land, to her
irreparable injury and damage,

That said defendants, at divers
and sundry times since the said 2nd day
of December A.D. 1878 has, and yet does
deny that this plaintiff has any right
title interest or estate in or to said land,
and did on the 19th day of December A.D. 1878
deny to this plaintiff the right to enter
into or upon said land or to enjoy or
possess her estate therein and did then
and there on the day last aforesaid drive
off and away from said land the
servant of this plaintiff and present
this plaintiff by her said servant
from entering into or upon said land

True copy of which said decree is hereto
annexed, marked "Exhibit A" and
made a part of this complaint.

That ever since the death of the said
Thomas Merritt as aforesaid this plaintiff
has been and yet is in possession of the
heretofore described premises, and
is the lawful owner thereof for and during
the full term of her natural life.

That on the 2nd day of December
AD 1878 said defendants claiming some
interest in and to the land heretofore
described adverse to this plaintiff and
her estate therein, did wrongfully and
unlawfully, and without the knowledge
or consent of this plaintiff, enter into
and upon the land heretofore described
and take possession thereof, and did on
the said 2nd day of December AD 1878
and at divers and several days
subsequent to the said 2nd day of
December AD 1878, cut down, destroy,
and carry away a large amount of
valuable forest trees, timber and
wood then standing and being
upon said land, to the great and
irreparable injury of this plaintiff and
her estate in and to said land, and
to the damage in the sum of Fifty
Dollars.

That said defendants are wholly

or injuring her estate therein,

Wherefore plaintiff demands
judgment.

1. That the claim of said defendants to
any estate or interest in or to the land hereinbefore
described adverse to this plaintiff be determined,
and that this plaintiff be adjudged and
decreed to be the lawful owner thereof for
and during the full term of her natural life,
and that she have possession thereof for
and during the full term of her natural life,
and for her costs and disbursements herein.

2. That said defendants, their agents and
servants, and all persons claiming by through
or under them, be by the proper order of the
Court enjoined and restrained from entering
into or upon the land hereinbefore described
or taking possession thereof during the natural
lifetime of this plaintiff, and that said
defendants, their agents servants and assigns
be enjoined and restrained, from cutting
down, removing, destroying or carrying
away from said land, any tree, timber,
wood, hay, grass, grain, or other
produce, that may stand, grow, be,
or be produced upon said ^{land} during the
natural lifetime of said plaintiff, and
for such other and further relief as to
the Court shall seem just and equitable
in the premises. Dated December 24th 1888

Ernest Hornum

Att'y for Plaintiff
Watson Minn

that all the debts against the estate of said deceased have been fully paid —

And it further fully appears that the only heirs to the estate of said Thomas Moore deceased are James. C. Moore a brother of said deceased now residing at Mobile in the state of Alabama, and John Moore a brother of said deceased now residing in Minneapolis, Minnesota, and Julia Maloy the only child of Julia Moore Maloy deceased ~~consisting of~~ of said Thomas Moore deceased now residing in the City of New York. —

And it further appears that the widow of said deceased Margaret Moore (now Terreghan) is now living —

Now on Motion of John Moore the Administrator of the estate of said Thomas Moore deceased it is hereby ordered adjudged and decreed by this Court that all the said herein before described ^{real estate} with all the appurtenances thereunto belonging be, and the same is hereby vested in fee simple in the heirs

Decree.

State of Minnesota } In Probate Court
County of Casser } Special Term

In the matter of the
 estate of Thomas Moore late of said
County deceased.

At a special term of
 said ~~Cass~~ Court held at Chaska
 July 2^d A.D. 1878 present J. A. Sargent
Judge.

Whereas it has been fully pro-
 ved to this Court that the said Thomas
Moore died intestate being an inhab-
 itant of said County of Casser on or
 about the 12th day of October A.D. 1873
 being the owner at the time of his
 death in fee simple, of the follow-
 ing described piece of land lying
 and being in the town of Watertown
Casser County Minnesota to wit: The
South half of North East quarter of
Section Seven in Township One hun-
 dred and Seventeen of Range Twenty
five, containing Eighty acres more
 or less.

And it further fully appearing

Decree

In matter of the
estate of Thomas
Moore deceased

Recorded in book
of Probate Record
"A" pages 81 & 82
J. A. Sargent
Judge Probate

Copies

filed November 14th 1898
J. A. Sargent
Judge

To be sent to Widener
original recorded in Reg. Office

at law of the said Thomas Moore
deceased to wit: the aforesaid John
Moore - James C. Moore - and
Julia Maloy and their heirs and
assigns forever - Subject only to the
right of dower therein of Margaret
Moore the widow of said deceased

In testimony whereof I have hereunto
set my hand and seal of the
Probate Court of said County this
2 day of July A. D. 1878

J A Sargent
Judge Probate

State of Minnesota
County of Carnegie

I hereby
certify that the annexed is a
true copy of Original Deed issued
by the Probate Court in the matter
of estate of Thomas Moore de-
ceased -

Dated July 2, 1878
J A Sargent
Judge Probate
Carnegie Co Minn

State of Minnesota, District Court
County of Leaver } 8th Judicial District
Margaret Finnigan Plaintiff }

- vs -

Anna & Davidson and

Gustave Davidson Defts }

} Affidavit
for Injunction

State of Minnesota }
County of Scott } ss

James Finnigan

being first duly sworn says that
he is the agent of the plaintiff
in the above entitled action, that
he has read the complaint of
the plaintiff in said action and
knows the contents thereof, that
defendants know of his own knowledge
that each and every allegation
statement, matter or thing in
said complaint contained is
true, that said complaint is
herein referred to and made
a part of this affidavit, and
prays that a writ of injunction
be issued as therein prayed for.

Subscribed and sworn to, James Finnigan
before me this 26th day of }
December A.D. 1878 }

J. D. MacDonald
Judge 8th Dist.

State of Minnesota
District Court
8th Judicial Dist
County of Leaver

Margaret Finney

- 15 -

Anna S. Danielson &
Karlson Danielson

affidavit for injunction

Before filing the within
affidavit came the true
herein, this day appeared
by me, Clerk of the
Court of Injunction as
issued as proposed for
herein.
Dated December 2nd 1878

J. L. MacDonald
Judge 8th Dist

Filed December 2nd 1878.
J. H. Hagenbuhl Clerk.

Ernest Wainlin
attor for P & P
Watertown
Mn

plaintiff Margaret Finnegan
has applied to the District Court
above named for a writ of
injunction against the above
named ^{Anna & Daniel and} defendants, ^{and} Gustave
Danielson, now therefore the
condition of this obligation is
such,

That if said writ of
injunction shall issue, and
said plaintiff shall pay to
said defendants all damages
that they may sustain by reason
of said writ, if the court finally
decide that said plaintiff was
not entitled thereto, then this
obligation shall be void otherwise
the same shall be and remain in
full force and virtue

signed sealed and delivered } Margaret Finnegan *Ed*
in presence of } James Finnegan *Ed*
Ernest Kautilie } Mathew Kelly *Ed*
C. S. Halgren }

State of Minnesota }
County of Cass }
}

But it is known, that
on this 25th day of December
AD 1878 before me personally came

State of Minnesota, In District Court
 County of Leaver } 8th Judicial District
 Margaret Finnegan Plaintiff }
 vs }
 Gustave Danielson Defendant }

Know all men by these
 presents that we Margaret
 Finnegan the above named
 plaintiff as principal and
 James Finnegan and Martin
 Kelly as sureties all of ~~the County~~
 the County of Leaver and State
 of Minnesota are held and
 firmly bound unto Gustave
 Danielson the above named
 defendant in the penal
 sum of Three Hundred
 Dollars lawful money of
 the United States to the payment
 of which well and truly
 to be made we bind ourselves
 our heirs executors and
 administrators jointly and
 severally firmly by these
 presents.

Signed sealed and dated
 this 25th day of December
 A.D. 1878.

Whereas the above named

State of Minnesota
District Court
8th Judicial Dist
Leavenworth County

Margaret Finnegan

-vs-

Gustave Damsen

Bond for injunction

I hereby approve
the within bond and
the sureties thereon
Dated Dec 26th 1878

J. L. Macdonald
Judge 8th Dist.

Filed, December 24th 1878.
Subwaymuhl, Clerk

Ernest Baerlein

Att'y for Pkff
=139= Waluign
Hill

Margaret Finnigan, James
Finnigan and Mathew Kelly
to me known to be the same
persons who executed the
forgoing bond and they
acknowledged that they executed
the same freely and voluntarily
for the uses and purposes therein expressed

C. S. Halgren

Notary Public Minn.

State of Minnesota
County of Leaver }

James Finnigan
and Mathew Kelly being duly
sworn on oath doth say each
for himself, that he is a
freeholder and resident of
the State of Minnesota, that he is
the surety named in the forgoing
bond, and is worth the sum
of three hundred dollars specified
therein over and above his debts and
liabilities and property exempt from
execution

Subscribed and sworn to before me this 25th day of Dec 1876. } James Finnigan
Mathew Kelly

C. S. Halgren

Notary Public Minn.

and each of you, your agents, and servants, and all persons who claim by, through, or under you, are hereby enjoined and restrained from entering into, or upon, the land described in said complaint, which said land is described as follows, to wit:

The south half ($\frac{1}{2}$) of the North East quarter ($\frac{1}{4}$) of Section No Seven (7) in Township No One hundred and twentieth (117) of Range No Twenty five (25), which said land is situated in the County of Leavenworth and State of Missouri, and from taking possession of said land during the natural lifetime of the said plaintiff Margaret Finnegan, or until the further order of the Court, and you the said defendants Anna S. Danielson and Gustave Danielson, and each of you, and your agents, servants, and assigns are hereby restrained and enjoined from cutting down, removing, destroying, or carrying away from said land any tree, timber, wood, hay, grass, grain, or other produce, that may stand, grow, be, or be produced upon said land

State of Minnesota, District Court
County of Lower } Eighth Judicial District

Margaret Finnegan Plaintiff }
against }
Anna S Davidson and }
Gustave Davidson Defendants }

Suit of Injunction

On reading and filing the complaint of the plaintiff in the above entitled action, and the affidavit of James Finnegan, the agent of said plaintiff, herein made, and it appearing therefrom, that said plaintiff is entitled to the relief demanded in said complaint, and that a part of such relief consists in restraining the defendants above named from the commission and continuance of the acts therein mentioned and complained of.

On motion of Ernst H. Smith Esq Attorney for said plaintiff, Ordered: That you, the above named defendants Anna S Davidson, and Gustave Davidson, and each of you, and your agents and servants, and all persons claiming by, through, or under you, be, and you, the said defendants Anna S Davidson and Gustave Davidson

State of Minnesota 3rd
 County of Carver 3rd I hereby Certify
 And Return that I did, at the
 Township of Watertown, on December
 27th 1898, serve the within "Writ of
 Injunction" on the within named
 Anna S Danielson and Gustav Danielson
 by exhibiting the original writ
 with the Seal of the Court thereon,
 and also by handing each of them
 true and correct copies hereof.
 J. E. DuToit
 Sheriff.

Fees. Service Writ 2 defendants \$2.00,
 2 copies of Writ 1.00
3.00.

State of Minnesota
 District Court
 8th Judicial District
 County of Carver

Margaret Finnegan
 -vs-
 Anna S. Danielson
 Gustav Danielson

Writ of Injunction.

Filed February 19th 1899
 W. H. Gray, Clerk

234

Ernest Kocaulin
 Atty for Pff
 Watertown
 Minn

State of Minnesota 3rd
 County of Carver 3rd

heretofore described during the
natural lifetime of the said plaintiff
Margaret Finneyan, or until the
further order of the Court.

Witness the Honourable John L
MacDonald Judge of said Court
at Chaska in said County of Larimer
this 26th day of December 1878

J. W. Weyenbuhl
|| Clerk

State of Minnesota } District Court
County of Leaver } 4th Judicial District
Margaret Finnigan Plff }

- vs -
Anna S. Danielson and
Gustave Danielson Defts }

State of Minnesota }
County of Leaver } ss

Ernest Mainline being
duly sworn, says that he is Attorney
for the plaintiff in the above entitled
action. That the summons in the
above entitled action was duly
served on each of the defendants therein
on the 28th day of December 1898
at the County of Leaver Minnesota in
the manner prescribed by law, as
more fully appears by the return of
the Sheriff of said County returned
thereon. That more than twenty
days have elapsed since the
service of said summons as
aforesaid, and that neither of said
defendants have in any manner
appeared in said action, by answer
demurrer or otherwise, but have made
default therein. and further

District Court
County of Leon
8th Judicial District
State of Minnesota

Margaret Finnegan

-vs-

Anna S. Dainelson
et al

Affidavit of defendant

Filed February 1st A.D. 1879
J. F. Dille
Notary Public

Ernest Hansen
Attorney for Plaintiff
Washington
D.C.

deponent said not.
Subscribed and sworn to } Ernest Hansen
before me this 27th day }
of January A.D. 1879 }
J. F. Dille
Justice of the Peace

State of Minnesota } District Court
County of Cass } 8th Judicial District
Margaret Finnigan Plff,

-15-

Anna S. Davidson and
Gustave Davidson Defts }

Order

On reading and
filing the summons in this action
and return of the sheriff endorsing
thereon, and the affidavit of Ernest
Haindl Esq Attorney for the Plaintiff
herein, and it appearing therefore
that neither of said defendants, have
in any manner appeared in said
action within the time prescribed
by law, but have made default
therein, on motion of Ernest Haindl
Esq atty for plaintiff, ordered,
that this cause be, and the same
is hereby referred to David Cochran
Esq, Attorney at Law of Waverly Minnesota
to take the testimony on the part of
the plaintiff herein and report the
same to this court without delay

Dated January 27th A.D. 1879

J. L. MacDonald
Judge 8th Dist.

Undersecretary
Appointing Reference

Filed, July 19th AD 1879.
G. K. Kuykendahl
Adm.

State of Minnesota District Court
 County of Leaver } 8th Judicial Dist.
 Margaret Finnegan Plff }
 vs - }
 Anna S. Danielson and }
 Gustave Danielson Defs }

out of Refere

State of Minnesota }
 County of Leaver } 22

I, David Cochran
 do solemnly swear that I will
 faithfully and fairly hear and
 examine this action wherein
 Margaret Finnegan is plaintiff
 and Anna S. Danielson and
 Gustave Danielson are defendants
 and make a just and true report
 thereon according to the best of
 my understanding and
 ability so help me God.

Subscribed and sworn to }
 before me this 4th day of }
 February A.D. 1879 }

C. G. Halgren
 Notary Public Minn.

Act of Reference.

Filed July 19th 1849.
G. H. Raymond
Clerk.

State of Minnesota, District Court
County of Leavenworth } 8th Judicial Dist

Margaret Finnegan Plff }
against } Evidence &
Anna S Danielson and } Report of Referee
Augusta Danielson Defs }

To the Honorable John L
MacDonald Judge of said Court.
I, David Cochran
the Referee in the above entitled
cause do hereby certify and
report, that pursuant to the
order of the Court herein made,
and after taking the oath
prescribed by law, I did on
the 6th day of February A.D. 1879
at Watertown Leavenworth County
Minnesota, proceed to take
the evidence on the part of the
plaintiffs, which evidence is
herewith reported as follows:

viz:

Margaret Finnegan
sworn says, "My name is
"Margaret Finnegan, I am
"the plaintiff in this action,
"I am now the wife of James

Frimigan and reside in
the town of Watertown Leaven
County Missouri. I know
Thomas Morn late of said
County in his lifetime. He
was my husband at the
time of his death. I was
married to him on the 29th
day of June A.D. 1848 in Ireland.
My former husband Thomas
Morn died on the 12th day
of October A.D. 1873 at Minneapolis
Minnesota ^{Intestate} - He left no issue
living at the time of his death
and none have been born
since he died. I have borne
two children, the issue of my
marriage with my former
husband Thomas Morn, they
both died before he died - at
the time my former husband
Thomas Morn died, he was
the owner of the land described
in the complaint in this action,
he had a deed to the land,
this is the deed, (witness here
produced a deed which was
then offered and received
in evidence and by me

marked "plaintiffs exhibit
A" and is herewith returned
and reported to the Court.)

After my husband Thomas
More's death, his brother
John More was appointed
Administrator of his estate
and administration was
had upon the estate, and
all the debts against the
estate have been paid - John
More was appointed Administrator
of the estate by the Probate Court
of Leavenworth Co. Missouri. and
a final decree has been entered
in the matter by said Probate
Court. (Decree for plaintiffs
here offered in evidence a
certified copy of the final
decree of the Probate Court of
Leavenworth Co. Mo. in the matter
of the Administration of the estate
of Thomas More deceased,
which is herewith returned
marked "plaintiffs exhibit B")
I have never sold or assigned
my interest in the land mentioned
and described in the Complaint
or any part of it -

I have lived in Western Iowa
County for more than twenty
years last past.

Margaret Finnegun

John A Scott sworn for plaintiff
says, I am nineteen years old,
I reside with the plaintiff, she
is my aunt, I know the
defendants, I know the
land mentioned in the
complaint in this action,
I have seen the deft Gustave
Danielsen at work upon the
land described in the
complaint in the month
of December 1878, I have
also seen his Brother-in-
law at work there in the
same month - They were
cutting and splitting rails,
In the month of December
last I went onto the land
described in the complaint to
cut a stick for an axe handle
for the use of the plaintiff and
her husband, and deft
Bro-in-law forbade me to

cut the tree for the axe handle,
I was then acting as the
servant of the self. he said
deft. Brown said that Finnegan
should not cut any wood or
take any thing from the land,
and had no right there, I
did not want to be contrary and
went away without cutting the
tree - The defts have cut down
and removed the timber from
at least two and one half acres
of the land,

John A. Scott

James Finnegan sworn says,
I am the husband of the
plaintiff in this action.
I know the defendants.
I know the land described
in the complaint. I know
that the defendants entered
upon the land about the
1st or 2nd day of December
AD 1878 and commenced
cutting down and removing
the forest trees, timber and
wood then standing and

being thereon. I mean
the land described in the
complaint in this action.
I first saw the deft at
work on the land on the 5th
day of December ad 1878, at
that time they had cut
down and removed the
timber trees and wood on
about two acres of land -
when I saw them at work
I went to the defendant
Gustave Dornelson and asked
him why he was working
there. he said he had purchased
the land from John Moore, I told
him I did not think John
Moore could give him a
good title to the land, that
he had no right to sell it - Deft
said he had - I then asked
him if he did not know that
the widow of Thomas Moore was
still living and had an
interest in the land, Deft. replied
that he did not know or
care anything about the
widow - and that he had
a deed for the land - I then

as agent for my wife, (the
plaintiff) forbade him to
cut any timber or do any
more work upon the land.
Dft refused to cease work
upon the land and continued
to work cutting the timber and
clearing on the land the rest
of that day and until noon
the next day. When I again
ordered him to stop work, and
advised him to take counsel
in the matter, the defendants
then ceased work for about
one week, when they again
commenced cutting down
destroying and removing the
forest trees, wood and
timber from the land, and
continued to do so until the
28th day of December 1888, when
the writ of injunction issued
in this action was served upon
them - Dfts have cut down
removed and destroyed the
timber on at least three
acres of the land described
in the complaint - The depy
Sustave Danielson told me that

he intended to build a house
on the land stay there and
make a farm there, and
that neither me, nor any one
else could scare him nor
drive him away from there,
he told me several times that
he had a warranty deed to
the land and that no one could
take it away from him.

James Gimmyn

S.B. Kohler sworn says, I reside
in Watutun Leavor County Miss.
have resided here more than
twelve years last past. I know
the plaintiff in this action, I have
known her ever since I have
lived here, I knew her former
husband Thomas Moon in
his lifetime. I knew him from
the time I settled here until he
died, I know that the plaintiff
Margaret Gimmyn and Thomas
Moon lived together as husband
and wife all the time I was
acquainted with them until
Thomas Moon died.

S.B. Kohler

John A. C. Flood being sworn
says, That he resides in
Watkins Canyon Co. Min. and
has resided there for more than
twenty years. That he knows
the plaintiff in this action
Margaret Finnerman, and
knew her former husband
Thomas Moore in his
lifetime. That he was intimately
acquainted with said plaintiff
and her said husband Thomas
Moore while they resided in
the said town of Watkins for
more than eighteen years
and that the said plaintiff
and the said Thomas
Moore lived together as
husband and wife during
all that time and until the
death of the said Thomas
Moore.

J A C Flood

I further certify that the
foregoing testimony was reduced
to writing in my presence and
under my direction, That each
and all of the persons whose

names appear above as
witnesses were duly sworn
as witnesses according to
law before they testified. That
Ernest Hamlin Esq. atty for
plaintiff was present and
assisted in the examination
of said witnesses.

Respectfully Submitted
David Cochran
Referee.

Witnessed Report of Referee.

Filed July 19th and 18th 1894
Witnessed and
Signed,
David Cochran

State of Minnesota } In Probate
County of Carver } Court-Special
Term

In the matter of the
estate of Thomas Moore late of said
county deceased—

At a special term
of said court held at Shaska July
2 A. D. 1878 present J. A. Sargent
Judge.

Whereas it has been fully
proved to this court that the said
Thomas Moore died intestate, being an
inhabitant of said county of Carver, on
or about the 12th day October A. D. 1873
being the owner at the time of his
death, in fee simple, of the following
described piece of land lying and being
in the town of Watertown Carver County
Minnesota, to wit:

The South half
of North east quarter of Section Seven
in Township One hundred and Seventeen
of Range Twenty five, containing ^{eighty} acres
more or less —

And it further fully
appearing that all the debts against—

the estate of said deceased have been fully paid.

And it further fully appears that the only heirs to the estate of said Thomas Moore deceased, are James L. Moore, a brother of said deceased now residing at Mobile in the State of Alabama, and John Moore, a brother of said deceased, now residing in Minneapolis Minnesota and Julia Maloy, the only child of Julia Moore Maloy deceased a sister of said Thomas Moore deceased, now residing in the City of New York—

And it further appears that the widow of said deceased, Margaret Moore (now Pennegan) is now living—

Now on motion of John Moore the Administrator of the estate of said Thomas Moore deceased, it is hereby ordered. Adjudged and decreed by this Court, that all the said hereinbefore described real estate with all the appurtenances thereunto belonging be, and the same is hereby, vested in fee simple in the heirs at law of the said Thomas Moore deceased, to wit:

the aforesaid John Moore - James L
Moore and Julia Maloy and their heirs
and assigns forever, subject only to
the right^{of doct.} therein, of Margaret Moore
the widow of said deceased

In testimony whereof
I have hereunto set my hand and
seal of the Probate Court of said County
the 2^d day of July A.D. 1878

J A Sargent
Judge of Probate

State of Minnesota }
County of Carver } ss. In Probate
Court

I hereby certify
that the above is a true copy of the original
decre made by this Court in the matter
of the estate of Thomas Moore deceased,
that I have compared the same with
the original and find it to be a true
transcript thereof - Given under my
hand ^{& seal} this 28th day of January, 1879

J A Sargent

Judge Probate
Carver Co Minn

Plaintiffs Exhibit -
"13"
David Lockman
Referee.

Filed July 19th ad 1849.
Gehrayenbuch
Ueluth.
-1239-

State of Minnesota District Court
County of Leaver Eighth Judicial District
Margaret Finnigan Plff.

- vs -
Anna S. Davidson and
Kustine Davidson Defs. } Affidavit of
disbursements &
costs.

State of Minnesota
County of Leaver } ss

James Finnigan
being duly sworn say - that he
is the agent of the plaintiffs
in the above entitled action,
and that the following is a true
and correct statement and bill
of said plaintiffs costs and
disbursements in said action
to-wit -

Costs on return for adjunction	\$10.00
Statute costs on judgment	\$10.00
Clerks fees stated.	\$9.25-
Referee fees 3 days @ 5.00	\$15.00
Sheriffs fees	\$9.60
Witness fees	
John A. Scott 1 day	\$1.00
James Finnigan " "	1.00
S. B. Trolen " "	1.00
J. A. Co. Clerk	1.00
Total	\$57.85

and deponent further says
that each and every item
of disbursements above charged
have been necessarily paid
or incurred in said action
by said plaintiff and further
so with not.

Subscribed and sworn
to before me this 20th day
of February A.D. 1879

Geo. Graymuhl

Notary Public

Barabaminn

James Finckham

Attest of Notary Public

Filed February 20th A.D. 1879,
Geo. Graymuhl
Notary

— 239. —

Feb 1

State of Minnesota } District Court
County of Canon } Eighth Judicial District
Margaret Finnigan Plff }

-75-

Anna S. Davidson &
Gustave Davidson Dfts }

This cause having been

commenced, by the filing of the
Complaint herein, on the 27th day
of December A.D. 1878 with the
Clerk of said Court and the issuance
of the summons herein, and it
appearing that said summons was
duly served upon both of said
defendants in said County on the
28th day of December A.D. 1878
and that said defendants have
failed to answer said complaint
or appear in said action in any
manner, and have made default
therein, This Court did on the 27th
day of January A.D. 1879 by order
duly made herein refer said action
to David Cochran Esq. an Attorney
at Law of Woorby Minnesota
State the testimony on the part
of the plaintiff herein and

report the same to this Court; and
the said David Cochran having
this day as such referee made
and presented his report to
this Court a part of which and
substantially therein is the testimony
of said plaintiffs taken before
him as such referee.

After considering the
proofs and allegations of said
plaintiffs herein, I find the facts
stated in said Complaint to
be true, except the amount of
damages which said plaintiffs
have sustained by reason of
the acts of the defendants, and
the allegation relating to the insolvency
of said defendants, there being no
evidence offered as to ^{the amount of} said
damages or insolvency of said
defendants.

Now therefore it is adjudged
determined and decreed by the
Court, that the claim of said
defendants to any estate right
title or interest in or to the land
described in the Complaint in
this action, to-wit. The South Half (1/2)

of the North East quarter (1/4) of
Section No Seven (7) in Township
No one hundred and seventeenth
(117) of Range No Twenty five (25)
in said County, adjoins to this
plaintiff is void, and of no
force or effect either in law or
equity, and that said plaintiff is
the lawful owner thereof for and
during the full term of her natural
life and entitled to the full and
undisturbed possession of the same.

It is further adjudged,
determined, and decreed, that said
defendants their agents and
servants, and all persons claiming
by through or under them be,
and they hereby are, perpetually
enjoined and restrained from
interfering with said premises or
anything growing or standing thereon
or in any manner interfering
with the free use and enjoyment
of the same by said plaintiff or
her assigns during the said full
period of her natural life.

It is further adjudged
and determined that said

plaintiff recover of said defendants
her costs and disbursements in this
action taxed at Fifty Seven
Dollars, ^{and Eighty Six Cents.} and that she
have lawful process therefor.

Dated February 19th 1879

By the Court

J. L. McDonald
Judge 8th Dist.

Attest: G. H. Gayendahl
Clerk.

State of Minnesota
District Court
County of Carver,

Margaret Pennigan
vs
Anna, S. Danielson
and Gustave Danielson,

Judgment Roll,

Judgment costs \$57.85,
for Plaintiff.

Filed, February 21st 1889.
Getragentzahl *delivered*

- 239 -

E. Martin atty for P. A.