



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

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Crow River
Dam Erection

No. 1726

DISTRICT COURT,
CARVER COUNTY, MINN.

In the Matter of the Application
of Wm. F. Sienou & George R.
Cheile for the appointment
of commissioners etc.

Defendant.

H. J. Peck & S. Fowler
Plaintiff's Attorney.

E. Hamilton
Defendant's Attorney.

Date of Entry July 2nd 1879

Register of Actions "A" Page 249

Term Tried 19

Judgment for

Amount of Judgment \$

Date of Judgment July 2nd 1879

Judgment Book Page

Default Judgment Book Page

Date of Docketing 19

State of Minnesota,
County of Carver }

District Court
29th Judicial District

In the matter of the application of
M. F. Leman and George Korscheise
for the appointment of Commissioners
to assess damages caused by the
erection and maintenance of a
dam across Crow River in the
Village of Watertown Carver County
Minnesota at a point just South of
Mary Street as appears by plat of
said Village on file in the office of
the Register of Deeds of said County

Report

The undersigned Commissioners appointed under
and by virtue of an order of the Court aforesaid
dated May 9th 1879 and filed in said Court May 24th
1879 & respectfully report to said Court as follows.

First. That on the 9th day of June 1879 at the point
designated in the aforesaid order we did meet and
having duly qualified according to the Statute in
such case provided did organize said Commission
and did adjourn the said Commission until the
10th day of June A.D. 1879 at 8 o'clock A.M.

Second That on the 10th day of June 1879 at 8 o'clock
A.M. we did meet at the place of erection of said
dam and proceeded to examine the said dam and
the point at which the same is erected and did

Examine into the uses and purposes for which said dam is maintained and we do find and report that said dam is of the height of 7 feet and that the same is erected, used and maintained for the purpose of supplying a water power for operating a flouring mill and saw mill owned by said petitioner situated at the point mentioned in said petition, and we do further report that said dam is of great benefit to said petitioners for the uses and purposes above stated.

Third That on the said 10th day of June A.D. 1879 we did proceed to examine the following described land owned and occupied by Bathsheba Edwards one of the Claimants for damages herein, to wit The West half and the North East quarter of the South East quarter of Section Number Eight in Township one hundred and seventeen Range twenty five also out lots numbers 119- 118- and 117 of the Village of Watertown as surveyed by R. H. Blanding and as appears by the recorded plat thereof And having examined said land, and having had made a survey of the damaged portion of said land, a plat of which survey is filed herewith and made a part of this report, and having heard the allegations of the parties interested in said matter and having heard testimony relative to the damages sustained by the said Bathsheba Edwards by reason

of the erection and maintenance of said dam we do assess said damages in the sum of Two hundred and sixty five dollars

Fourth That thereafter we did proceed to examine the following described land owned and occupied by Ephraim H. Edwards, one of the Claimants for damages herein, to wit:

The South East quarter of the South East quarter of section number eight in Township one hundred and seventeen of Range Twenty five.

And having examined said land and having had made a survey of the damaged portion of said land, as shown by the plat aforesaid, and having heard the allegations of the parties interested in said matter, and having heard testimony relative to the damages sustained by the said Ephraim H. Edwards by reason of the erection and maintenance of said dam we do assess said damages in the sum of Forty Six dollars.

Fifth That thereafter we did proceed to examine the following described land owned ~~and occupied~~ by Andrew Lindgreen one of the Claimants herein for damages, to wit: The North half of the North East quarter of section seventeen in Township one hundred and seventeen North of Range twenty five. And having examined said land and having had made a survey of the damaged portion of said

land, as shown by the plat aforesaid, and having heard the allegations of the parties interested in said matter and having heard testimony relative to the damages sustained by the said Andrew Lindgreen by reason of the erection and maintenance of said dam we do assess said damages in the sum of one hundred and five dollars.

Sixth That thereafter we did proceed to examine the following described land owned and occupied by Adolph V. Oberg one of the Claimants herein for damages to wit:

The North half of the South West quarter of section Number nine in Township one hundred and seventeen of Range number twenty five.

And having examined said land, and having had made a survey of the damaged portion of said land and having heard the allegations of all parties interested in said matter and having heard testimony relative to the damages sustained by the said Adolph V. Oberg by reason of the erection and maintenance of said dam we do assess said damages in the sum of thirty one dollars.

Seventh That thereafter we did proceed to examine the following described land owned by John A. Grief one of the Claimants herein for damages, to wit:

The South Half of the North East quarter of Section Number seventeen in Township one hundred and seventeen Range twenty five. And having examined said land and having heard the allegations of all parties interested in said matter and having heard testimony relative to the damages sustained by the said John A. Grief by reason of the erection and maintenance of said dam we do assess said damages in the sum of Twenty three dollars.

Eighth.

That thereafter we did proceed to examine the following described land owned and occupied by John A. Oberg one of the Claimants herein for damages to wit: The North West quarter ($\frac{1}{4}$) of Section No. Twenty (20) and the South half ($\frac{1}{2}$) of the South West quarter ($\frac{1}{4}$) of Section Number seventeen (17) all in Township Number one hundred and seventeen (117) of Range No. Twenty five (25)

And having examined said land, and having heard the allegations of all parties interested in said matter and having heard testimony relative to the damages sustained by the said John A. Oberg by reason of the erection and maintenance of said dam we do assess said damages in the sum of one hundred and sixty five dollars.

Ninth That thereafter we did proceed to examine the

following described land owned by George Goetschmann one of the Claimants herein for damages to wit:

The South East quarter of Section nineteen in Township one hundred and seventeen of Range twenty-five.

And having examined said land and having heard the allegations of all parties interested in said matter and having heard testimony relative to the damages sustained by the said George Goetschmann by reason of the erection and maintenance of said dam we do assess said damages in the sum of Eighty one dollars.

South. That thereafter we did proceed to examine the following described lands owned by Seraphin Kempf one of the Claimants for damages herein, to wit: The North half of the North East quarter and the East half of the North West quarter of Section number thirty ~~two~~ in Township one hundred and seventeen Range twenty-five. And having examined said land, and having heard the allegations of all parties interested in said matter and having heard testimony relative to the damages sustained by the said Seraphin Kempf by reason of the erection and maintenance of said dam we do assess said damages in the sum of one hundred and twenty two dollars.

Eleventh

That thereafter we did proceed to examine the following described land owned by Rachel C. Hutchins one of the Claimants herein for damages, to wit: The East half of Block Number fifty-two in the Village of Watertown according to the plat of said Village on file in the office of the Register of Deeds of Carver County And having examined said land and having heard the allegations of all parties interested therein relative to the damages sustained by the said Rachel C. Hutchins by reason of the erection and maintenance of said dam we do assess said damages in the sum of Twenty seven dollars.

Twelfth. That thereafter we did proceed to examine the following described land owned by Andrew Lingquist, one of the Claimants herein for damages, to wit: Out lots numbers 123, 124 and 125 in the Village of Watertown as shown by the plat of said Village on file in the office of the Register of Deeds of said County.

And having examined said land, and having heard the allegations of all parties interested therein and having heard testimony relative to the damages sustained by the said Andrew Lingquist by reason of the erection and maintenance of said dam we do assess said damages in the sum of Twelve dollars.

Thirteenth. And we do further report that we did examine the said Crow River at different points above and below said dam, and that we heard testimony of witnesses relative to the different stages of water in said Crow River at different times also in relation to the ordinary stage of water flowing in said River during the summer season.

Fourteenth. And we do further report that in making the assessments of damages hereinbefore mentioned we have taken into consideration the amounts of of land overflowed by the waters of said dam and all damages occasioned or to be hereafter occasioned by the loss of injury to fording places on said lands and also not only the amount of damage already done to the different parcels of land above mentioned but also all damage which in our opinion ~~will result~~ may probably result to said lands by reason of the erection and maintenance of said dam forever.

Dated Watertown June 25th A.D. 1879

All of which is respectfully submitted,

P. Henry
A. W. Tiffany
Jonas P. Atkins

Commissioners

Filed, July 28th A.D. 1879.
J. H. May, Clerk.

Report of Commissioners.

To the Hon. J. L. Macdonald
Judge of the Dist. Court of Beaver
County, Minnesota.

The undersigned your petition
states and shews, that at the time
since the 22 day of May 1877, the
undersigned M. F. Leman and George
Roeschise have been and that
are copartners, doing business
under the firm name of
Leman & Roeschise and as such
copartners, have during all of said
time been engaged in and now
are engaged in the business of
milling and sawing timber in
the village of Watertown Beaver County
Minnesota. That during all of
said time they have been and
now are the owners of and seized
in fee of as tenants in common of
the following described land and
real estate situate in the County of
Beaver Minnesota viz:

Beginning at the South west corner of
lot number five (5) in Block number
fifty (50) in the village of Watertown, thence
running south thirty two degrees west
to the east line of Lewis Street 130
feet,

thence South fifty eight degrees east
one hundred and fifty feet, thence South
thirty two degrees west one hundred and
sixty four feet, thence South fifty
eight degrees east seventy two feet;
thence north $74\frac{1}{4}^{\circ}$ degrees east a
number of feet to a point even with
and where it would intersect with
the west line of Mill Street, thence north
thirty two degrees east to the water's edge
on the west shore of Crow River, thence
down said river with the course
thence to a point intersecting with the
south line of block No fifty (50) thence
north fifty eight degrees west to the
place of beginning containing two acres of
land more or less, including the
Steam Saw-mill and Steam Flouring
mill and all the machinery and
appurtenances thereof situated,
all in the village of Watutown as
surveyed by P. H. Blumley Esqr.
as appears by the plat thereof on file
of record in the office of the Register
of Deeds of said County of Cass, ##
excepting and excluding therefore certain
lots and parcels of land lying upon
the north side of said premises which

##

also Lots 1, 2, 3, 4, 5 & 6 in
Block No 5 in S. Lane, will
Remain accdnt to the town
of Coonitum as appears by
that they are file in the office
of Regr of Taxes in our
own Court Entry book.

for the purposes of this petition it is not necessary to recite or include in this petition, none of which said portion of said premises about shown or be adjoining to said Crow River or are in any manner bounded upon said Crow River, that the water boundary of said premises heretofore described is of the length of about thirty five rods.

And your petitioners further show that among all the title heretofore stated they have been and still are the owners in part tenants in common of Lot No eleven (11) in Block number fifty eight (58) in the village of Watertown Carbon County Minnesota as surveyed by R.H. Blomquist Corp. as appears by the plat thereof on file the record in the office of the Register of Deeds in and for said Carbon County and State of Minnesota to which said lot is situated in said Carbon County Minnesota, that the said lot (11) eleven extends up and down said Crow River a distance of about one hundred and forty feet the north western boundary of which said lot is the center of said Crow River and directly adjoining in a south easterly

to lot one of
direction, the said hwofore first
described premises, that the south
eastern boundary of said hwofore
first described premises is the center
of said Crow River, that the said
Crow River passes over the said
first described premises, and said
lot eleven owned by said plaintiffs
as aforesaid, a part of which is hereto
attached and made a part of this
petition and marked exhibit Ex

And your petitioners further show that
during all of the time hwofore stated
and long prior thereto there was
standing and existing upon said first
described premises a large and
extensive flouring mill and saw mill
owned and operated by said
petitioners doing a large custom
and merchant milling business
which said mill stand upon the
north western shore of said Crow River
and north said River.

That heretofore on or about the
middle of September 1877, your
said petitioners for the purpose of
and with a view of creating a
water power for said mill and of

of securing a power with which
to run and operate said flouring
and saw mill and for no other
purpose or with any other intent
erected and caused to be erected and
constructed and built upon in and
across said Crow River upon
the said premises so owned by them
heretofore described first and said
lot above a dam of the length of
about one hundred feet and of
the height of six feet and six
inches from the bottom of said
river, and your petitioners further
show that they desire to continue
and maintain said mill dam of
the height heretofore indicated for
the purpose of said water power
for said mill and not otherwise

That said petitioners desire to main-
tain said dam across said Crow
River the easterly end of said dam
being about forty feet south of the
southerly boundary of Mary Street
and the westerly end of said dam
being about two feet south of
of the south line of said Mary
Street upon the westerly shore of

said Crow River as said Henry
that officer when the flat of
said village of Watutun and fell
in the office of the Register of
Deeds of said County of Hennepin.
And your petition further, show
that by reason of the foresaid
dam and the erection and main-
tenance thereof the waters of
said Crow River have been and
will be dammed up above said
dam and caused to sit back
and overflow land not within
the natural channel of said
Crow River whereby the following
named persons will be injured
by the overflow of waters from
said dam and the following
described land or some portion
thereof covered by the waters
dammed up and sit back by
said erection and maintenance of
said dam, that the names of
the owners of the lands and the
description of the land some portion
of which will be injured by said over-
flow are as follows to wit, all
of said lands being and being

in the County of Linn Minnesota,
Osbrin Edwards, the South East
quarter of the South East quarter
of Section Eight in Township one
hundred and Seventeen Range twenty
five

Bartholomew Edwards, The West half
of the South East quarter and the
North East of the South East quarter
of Section eight in Township one
hundred and Seventeen Range
Twenty five,

Andrew Lingen, The North half
of the North East quarter of Sec.
seventeen (17) in Township One
hundred and Seventeen north
of Range twenty five

And your petitioners further show, That
the said Crow River is not a
navigable stream or water course, that
by reason of the erection of and
maintaining of said Mill Dam
the waters above said dam will
be raised at the point where
said dam is a height of six feet
and no more,

Wherefore your petitioners pray that

Commissions may be appointed under
and pursuant to the law in such
case made and provided that the
damages caused by the erection and
maintenance of said dam may
be assessed and paid as provided by
law

W. H. Leland

George Roeschke

Charter, as Leland & Roeschke

By H. J. Pick & J. Fowler

Attorneys

State of Minnesota }
County of Scott } ss.

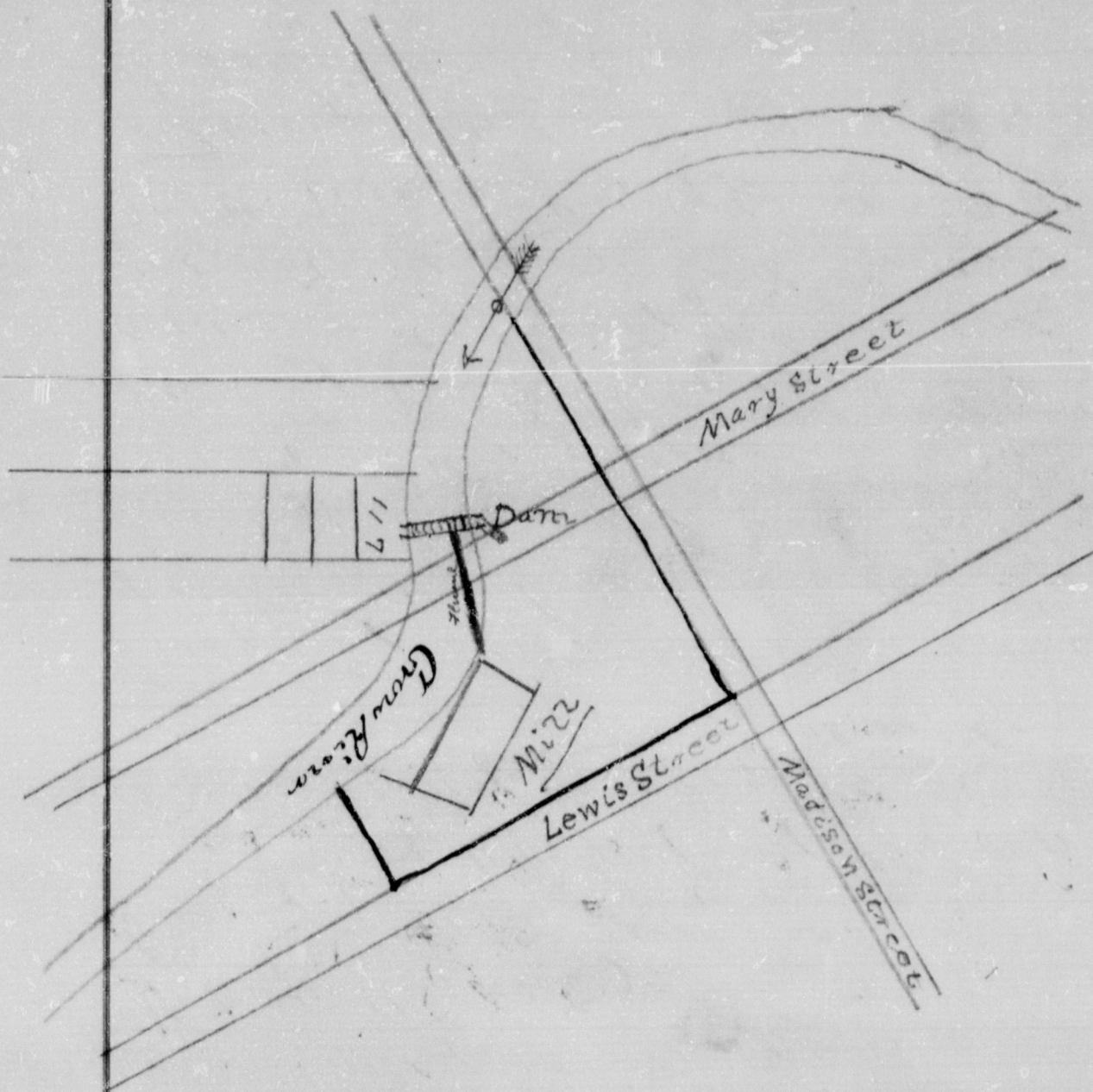
H. J. Pick being duly sworn says
that he is one of the attorneys for the
above named petitioners that the
foregoing facts set forth in said
petition are true to the best of his
knowledge and belief, that the
reason this verification is not
made by said petitioners is that they
reside in the County of Le Sueur and
are not residents of the County of
Scott wherein this office is their
attorney resides.

Subscribed and
sworn to this 18th
day of April 1879

H. J. Pick

Before me,
J. L. Anderson
Judge of the Dist.

Ex "C"



In the matter of the Application of
M. H. Linnam and Geo. Roschire
for the appointment of Commissioners
to assess damages caused by
the erection of a mill dam across
Brown River at a point near Wang
Street in the Village of Watertown in
Leam County Minnesota
Upon the presentation of the petition
of said Linnam & Roschire praying
that Commissioners be appointed for
the purposes aforesaid pursuant
to the Statute in such case made and
provided Now therefore, It is hereby
ordered that the said persons
named in said petition to wit, Ephraim
Edwards, Bartholomew Edwards and
Andrew Linyren show cause before
me at my Chambers in St. Joseph Scott
County Minn. on the 26th day of
April 1879, ^{at one o'clock in the afternoon} why Commissioners should
not be appointed as prayed for in
said petition, and it is further
ordered that a copy of this order
together with a copy of said petition
be served upon each of said persons
at least three days prior to said 26th

day of April 1879.
April 18th 1879.

J. L. McDonald
Judge 8th Dist.

State of Minnesota
County of Cass
District Court & Just

In the matter of the application of
M. H. Leenau and George Roeschke
for the appointment of Commissioners to
assess damages caused by the erection and
maintenance of a dam across Brown
River in the Village of Watertown Cass Co.,
Minnesota at a point just south of
Clary Street as shown by plat of said
Village on file in office of Register of Deeds
of said County,

This matter came on before the Court at his
Chambers in Shakopee on the 26th day of
April 1879 upon an order to show cause
why Commissioners should not be appointed
under and in pursuance of the Statute
in such case made and provided. H. J.
Pick & J. Forster appearing for said petitioners
and E. Heinicke appearing for Opponents
Edwards, Brutholm Edwards and
John Linyman, and after hearing
each of said parties in relation to
said matter, it is hereby Ordered
that Phillip Hank, Jonas P.
Hickins and A. W. Liffert be
and each of them hereby

are appointed such Commissions
whose duty it is after being
duly qualified as provided by
law, to proceed to and ~~ascertain~~^{examine}
the point at which said dam
is erected and proposed to be
maintained and the real estate ^{and}
lands above and below which will
probably be injured by the erection
and maintenance of said dam and
after having all the allegations
and testimony of all parties interested
to proceed to make a separate
assessment of damages which
will result to any person by
the erection and maintenance
of said dam forever.

And it is further ordered that
for the purposes of said exam-
ination and assessment the
said Commission shall meet
at the place of the erection of said
dam in the village of Watutson
in said County of Leavenworth
on the 9th day of ^{June} ~~May~~ A.D. 1879, at
2 o'clock ^{of the} noon to inquire touching
the matters in said petition;
And it is further ordered that

each of said Commissioners he
and they hereby are each allowed
the sum of three dollars per day
for the time necessarily employed in
assessing said claims.
May 9th 1879.

J. L. MacDonald
Judge 8th Dist.

State of Minnesota

County of Cameron { ss.

Philip Henk being first duly
sworn says that he will faithfully
and impartially discharge
his duty as one of the
Commissioners mentioned in the foregoing order
of appointment.

Subscribed and sworn to
before me this 19th day of
May A.D. 1879.

E. A. DuToit

Notary Public, Minn.

P Henk

State of Minnesota

County of Cameron { ss.

Jonas P. Aikens being first duly
sworn says that he will faithfully
and impartially discharge his duty as one of the Commissioners
mentioned in the foregoing order of appointment

Subscribed and sworn to before me
this 19th day of May A.D. 1879

Ernest Heinicke

Notary Public,
Minn.

Jonas P. Aikens

State of Minnesota
County of Carver } ss.

A. W. Tiffany
being first duly sworn
says that he will faithfully and impartially
discharge the duties of his office as one
of the Commissioners mentioned in the
foregoing order of appointment.

Subscribed and sworn to before me this 24th day of May A.D. 1879

James Stranahan
Notary Public

Filed May 24th 1879
J. W. Stranahan
Notary Public

State of Minnesota }
County of Carver }

District Court.
8th Judicial District

In the matter of the application of
M. F. Lienau and George Roschere for
the appointment of Commissioners to
assess damages caused by the erection
of a Mill dam across Crow River in
the Village of Watertown in Carver County
Minnesota. } Stipulation

It is hereby stipulated and agreed by
Andrew Lindquist as owner of the following
described piece or parcel of land situate in Carver
County and lying adjacent to said Crow River
to wit: Out lots numbers 123, 124 and 125 in
the Village of Watertown as shown by the plat of
said Village on file in the office of the Register
of Deeds of said County.

That the Commissioners appointed by said Court
may and shall proceed to examine the land
above described without notice to said owner who
hereby become a claimant for damages caused by
the erection of said dam and that said Commissioners
may forthwith assess said damages in the same
manner and with the same effect as if said owner had
been named in all prior proceedings herein as a party
to this matter.

Dated at Watertown this 10th day of June A.D. 1879.

Signed in presence of Andrew ^{his} Lindquist
of Jonas P. Atkins . mark

District Court
Leavenworth County

Re
Application of M. F.
Linnan et al for
Appointment of
Commissioners &c

Stipulation of
Andrew Lindquist

Filed July 20th 1879.
G. W. Wagonbuhl
Clerk.

State of Minnesota
County of Carver } ss.

District Court
8th Judicial District

In the matter of the application of M. S.
Lienau and George Koschise for the
appointment of Commissioners to
assess damages caused by the erection
of a mill dam across Crow River in
the Village of Watertown in Carver
County Minnesota

Stipulation

It is hereby stipulated and agreed by Mrs Rachel
C. Hutchins as owner of the following described
piece or parcel of land situate in Carver County
and lying adjacent to said Crow River; to wit
the East half of Block number (52)
fiftytwo according to recorded plat of
village of Watertown in said County
& state aforesaid

that the Commissioners appointed by said Court may
and shall proceed to examine the land above described
without notice to said owner who hereby becomes a
claimant for damages caused by the erection of said dam
and that said Commissioners may forthwith assess
said damages in the same manner and with the same
effect as if said owner had been named in all prior
proceedings herein as a party to ~~said~~ ^{this} matter.

Dated at

Waterloo Minnesota this 10th day of June 1879

Signed

Mrs Rachael C. Hutchins
her (F) mark

Witnesses

L. P. Mulford.

District Court
Cass County

Re Application of Mr
F. Linnan et al for
the appointment of
Commissioners of

Superior of Mrs
R. C. Hutchins

Filed July 2nd 1879.
Wm. Gray entrust
Clerk

State of Minnesota
County of Carver }

District Court
8th Judicial District

In the matter of the application of
M^r. Leman and George Roacheise
for the appointment of Commissioners
to assess damages caused by the erection
of a mill dam across Crow River in
the Village of Watertown in Carver
County Minnesota

Stipulation

It is hereby stipulated and agreed by Sophine
Kemper as owner of the following described
piece or parcel of land situate in Carver County
and lying adjacent to said Crow River, to wit:
The North half of the North East quarter and the East half
of the North West quarter of Section number thirty in
Township one hundred and seventeen Range twenty five
that the Commissioners appointed by said Court may
and shall proceed to examine the land above described
without notice to said owner who hereby becomes a
claimant for damages caused by the erection of said dam,
and that said Commissioners may forthwith assess
said damages in the same manner and with the
same effect as if said owner had been named in all
prior proceedings herein as a party to this matter.

Dated at Watertown this 10th day of June A.D. 1879

Sophine Kemper

Distict- Court
Lower County

Re
Application of M. F.
Lienau et al for
appointment of
Commissioners to

Stipulation of
Seraphine Kempf

Filed, July 20. 1879.
G. W. Weyenbult
Clerk.

State of Minnesota,
County of Carver }

District Court
8th Judicial District

In the matter of the application of M^r.
Leman and George Roscheiser for the
appointment of Commissioners to
assess damages caused by the erection
of a Mill dam across Crow River in
the Village of Watertown in Carver
County Minnesota } Stipulation

It is hereby stipulated and agreed by George Gostzman
as owner of the following described piece or parcel of
land situate in Carver County and lying adjacent to
said Crow River, to wit: The South East quarter of Section
Nineteen, in Township one hundred and seventeen of
Range twenty five

that the Commissioners appointed by said Court may
and shall proceed to examine the land above described
without notice to said owner who hereby becomes a
claimant for damages caused by the erection of said
dam and that said Commissioners may forthwith
assess said damages in the same manner and with the
same effect as if said owner had been named in all
prior proceedings herein as a party to this matter.

Dated at Watertown Minnesota this 10th day of June 1879

George Gostzman

District Court
Leavenworth County

Re
Application of M.
F. Linn, et al for
the appointment of
Commissioners &c

Stipulation of
Geo. Gerbman

Filed July 2^d 1849.
J. H. Graymire
Clerk.

State of Minnesota }
County of Cass }

District Court
8th Judicial District

In the matter of the Application of
M. F. Lienan & George Roscheise
for the appointment of Commissioners to
assess damages caused by the
erection of a Mill dam across
Crow River in the Village
of Halikam in Cass County
Minnesota

Stipulated

It is hereby stipulated and agreed by
and on the part of John A. Oberg owner of the
following described piece or parcel of land
situate in said County of Cass and lying
adjacent to said Crow River, to-wit: the North
west quarter (1/4) of Section No Twenty (20) and
the South half (1/2) of the Southwest quarter (1/4) of Section
No Seventeen (17) all in Township No One hundred and
seventeen (117) of Range No Twenty five (25), that
the Commissioners appointed by said Court may and
shall proceed to examine the land above described
without notice to said owner, who hereby becomes a
claimant for damages caused by the erection of said dam,
and that said Commissioners may forthwith assess said
damages in the same manner, and with the same
effect as if said owner had been named in all prior
proceedings herein as a part of this matter.

District Court
Cass County

Dated at Waterbury Minnesota this 10th day of
June A.D. 1879.

Ernest Hansen

Attorney and agent
for John A. Oberg

Re:
Application of Me
H. Green et al for
Appointment of
Commissioners &c

Stipulation of
John A. Oberg

Filed July 2^d A.D. 1879.
B. J. Sargent
Clerk

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

In the Matter of the application of }
M^r Lienau + George Roschinski }
for the assessment of damages &c }

You will please take
notice that I have been retained by, and do
herby appear for John A. Oberg in the
above entitled matter,

Dated June 10th A.D. 1879.

Ernest Hamlin

To H. J. Pick &

S. Fowler

Attys for Petitioners

District Court
Leavenworth County

Re
Application of M. F.
Seiman et al for
appointment of
Commissioners &c

Notice of Return
and appearance in
case of John A. Obry

Filed, July 2^d A.D. 1899.
G. W. Graymuhl
Clerk

Ernest Hamilton
att'y for J. A. Obry
Watertown
Main

State of Minnesota
County of Cameron } ss.

District Court
8th Judicial District

In the matter of the application of
W. F. Lienan and George Roscheise for the
appointment of Commissioners to
assess damages caused by the erection
of a Mill dam across Crow River
in the Village of Watertown in Cameron
County Minnesota } Stipulation

It is hereby stipulated and agreed by John A. Grief
_____ as owner of the following described
piece or parcel of land situate in Cameron County
and lying adjacent to said Crow River, to wit:
The South half of the North East quarter of Section
Number seventeen in Township one hundred and
seventeen Range Twenty five.

that the Commissioners appointed by said Court
may and shall proceed to examine the land above
described without notice to said owner who hereby
becomes a claimant for damages caused by the
erection of said dam, and that said Commissioners
may forthwith assess said damages in the same
manner and with the same effect as if said owner
had been named in all prior proceedings herein
as a party to this matter.

Dated at Watertown this 18th day of June A.D. 1879

John A. Grief

District Court
Leavenworth County

Re
Application of Mc
F. Linn and et al
for the appointment
of Commissioners

Stipulation of
John A. Greif

Filed, July 20. 1879.
H. H. Hagenbahl
Clerk.

State of Minnesota
County of Carver

District Court
8th Judicial District

In the matter of the application of
M. F. Leman and George Roschke
for the appointment of Commissioners
to assess damages caused by the erection
of a Mill dam across Crow River in
the Village of Watertown in Carver County
Minnesota

Stipulation.

It is hereby stipulated and agreed by Adolf
J. Oberz as the owner of the following
described piece or parcel of land situate in
Carver County and lying adjacent to said
Crow River to wit:

The North Half of the South West quarter of Section
Number nine in Township number one hundred
and seventeen of Range Number twenty five.

That the Commissioners appointed by said Court
may and shall proceed to examine the Land above
described without notice to said owner who
hereby becomes a claimant for damages caused
by the erection of said dam and that said
Commissioners may forthwith assess said
damages in the same manner and with the same
effect as if said owner had been named in all
prior proceedings herein as a party to this
matter.

District Court
Leavenworth County

Re
Application of M. F.
Linn for
appointment of
Commissioner &c

Stipulation of
Adolph P. Oberg

Filed July 20. a. d. 1899.
G. Wraymuhl
Clerk.

Noted at Leavenworth the 10th day of June A.D. 1899
Adolph P. Oberg

State of Minnesota 300
County of Carver 3

STATE OF MINNESOTA,
County of Carver,
DISTRICT COURT, 3RD JUDICIAL DISTRICT.
NOTICE.

In the matter of the application of M. F. Lienau and George Roschelske for the appointment of Commissioners to assess damages caused by the erection of a Mill dam across Crow River in the village of Watertown in Carver County Minnesota.

TO ANDREW LINDGREEN.

Notice is hereby given that the undersigned Commissioners appointed on the 9th day of May A. D. 1879 by said court in the above entitled matter will on the 9th day of June A. D. 1879 at 2 o'clock in the afternoon of said day meet at the place of the erection of said dam and will proceed to examine the point at which said dam is erected and proposed to be maintained and the real estate and lands above and below said point which will probably be injured by the erection and maintenance of said dam and will proceed to make a separate assessment of damages which will result to any person by the erection and maintenance of said dam forever.

And notice is hereby given that at said time and place we will proceed to examine the land owned by you lying adjacent to said Crow River and described as follows, to-wit:

The north half of the north east quarter of section seventeen in township one hundred and seventeen north of range twenty five and will proceed to assess the damages which have resulted or may result to said land by reason of the erection and maintenance of said dam.

Dated this 15th day of May A. D. 1879.

PHILIP BENK.

A. W. TIFFANY.

JONAS P. AIRENS.

Commissioners appointed by said Court.

H. J. PECK & S. FOWLER,

Attorneys for Petitioners.

A. L. DuToit
being first duly sworn on
oath says that he is
foreman and one of the
publishers of the Chaska Weekly
"Valley Herald" a newspaper
printed and published at
Chaska in the County of Carver
and State of Minnesota, that
a legal notice in the "Matter
of the appointment of Commissioners
and the assessment of damages"

of which the annexed is printed copy, was
duly published in said Weekly Newspaper
for four (4) successive weeks. The first
publication thereof being on the 15th day
of May A.D. 1879, and the last publication
thereof being on the 5th day of June A.D.
1879.

A. L. DuToit.

Subscribed and sworn to before me
this 9th day of June A.D. 1879

J. P. Dillay

Justice of the peace

Printers fees \$5.00

Affidavit of publication
of Notice.

Filed July 2^d 1879.

Wm. Krayenbuhl
Clerk.

State of Minnesota
County of Carver } ss.

District Court
8th Judicial District

In the matter of the application of
M. F. Lienau and George Roscheise
for the appointment of Commissioners
to assess damages caused by the
erection of a mill dam across Crow
River in the Village of Watertown in
Carver County Minnesota.

Stipulations

It is hereby stipulated and agreed by Ernest
Hainlin as Attorney in the above entitled matter
for Ephraim Edwards and Bathsheba Edwards
that the notices hereto attached and marked
respectively "A" and "B" shall be accepted by
said Ephraim Edwards and Bathsheba Edwards
as having been served within and on the time
required by law for such service, and said
parties by their Attorney aforesaid hereby waive
the service of said notices.

Dated June 9th A.D. 1879

Ernest Hainlin

Atty for Ephraim & Edwards
and Bathsheba Edwards

Stipulations for Admission
of Service of Native by
Ed. B. Edwards.

Filed June 20. A.D. 1849.
Ed. B. Edwards
Clerk

"B"

State of Minnesota,
County of Caver }

District Court
8th Judicial District

In the matter of the application of
M. F. Lienau and George Roschewe
for the appointment of Commissioners
to assess damages caused by the
erection of a Mill dam across
Crow River in the Village of
Watertown Caver County Minnesota

Notice

To Bathsheba Edwards

Notice is hereby given that the undersigned
Commissioners appointed on the 9th day of May A.D.
1879 by said Court in the above entitled matter
will on the 9th day of June A.D. 1879 at 2 o'clock in
the afternoon of said day meet at the place of the
erection of said dam and will proceed to examine
the point at which said dam is erected and proposed
to be maintained and the real estate and lands above
and below said point which will probably be injured
by the erection and maintenance of said dam and
will proceed to make a separate assessment of
damages which will result to any person by the
erection and maintenance of said dam forever.

And notice is hereby given that at said time and
place we will proceed to examine the land owned by you
lying adjacent to said Crow River and described as
follows, to wit: The West half of the South East quarter
and the North East quarter of the South East quarter of
Section eight in Township one hundred and Seventeen
Range Twenty five and will proceed to assess the

1 damages which have resulted or may result to said
2 land by reason of the erection and maintenance of
3 said dam.

4 Dated this 2nd day of June A.D. 1879

5 Philip Henk
6 A. W. Tiffany } Commissioners
7 Jonas R. Atkins } appointed by said
8 Court

9 H. J. Peck & S. L. Foster
10 Attorneys for petitioners

11 District Court
12 Cass County

13 Re Application of
14 M. F. Leman et al for
15 appointment of Commissioners

16 Notice to Bathsheba Edwards

17 Given to Bathsheba Edwards

18 Filed July 2nd A.D. 1879.
19 W. B. Maynard
20 Clerk.

21 H. J. Peck & S. L. Foster
22 Attorneys for Petitioners

State of Minnesota,
County of Carver

District Court
8th Judicial District

In the matter of the application of
M. F. Linnan and George Koscheiss for the
appointment of Commissioners to assess
damages caused by the erection of a
Mill dam across Crow River in the Village
of Watertown in Carver County Minnesota

Notice

J. S. Strain Edwards.

Notice is hereby given that the undersigned
Commissioners appointed on the 9th day of May A.D.
1879 by said Court in the above entitled matter, will
on the 9th day of June A.D. 1879 at 2 o'clock in the
afternoon of said day meet at the place of the erection
of said dam and will proceed to examine the point
at which said dam is erected and proposed to be
maintained and the real estate and lands above and
below said point which will probably be injured
by the erection and maintenance of said dam and
will proceed to make a separate assessment of
damages which will result to any person by the
erection and maintenance of said dam forever.
And notice is hereby given that at said time and place
we will proceed to examine the land owned by you lying
adjacent to said Crow River and described as
follows, to wit: The South East quarter of the South
East quarter of Section Eight in Township one hundred
and Seventeen Range twenty five and will proceed
to assess the damages which have resulted or may
result to said land by reason of the erection and

1 maintenance of said claim.

2 Dated this 2nd day of June A.D. 1879

3 Philip Heuk

4 A. W. Tiffany

5 Jonas F. Atkins

Commissioners
Appointed by
Said Court.

6 H. J. Peck & L. Fowler

7 Attorneys for Petitioners

19 District Court
20 Carver County

21 Re: Application of M. F.
22 Herman et al for
23 appointment of Commissioners

24 Notice to Ephraim Edwards

25 Given to Eph. Edwards

26 Filed, July 2^d A.D. 1879.
27 J. J. Maynard Clerk,

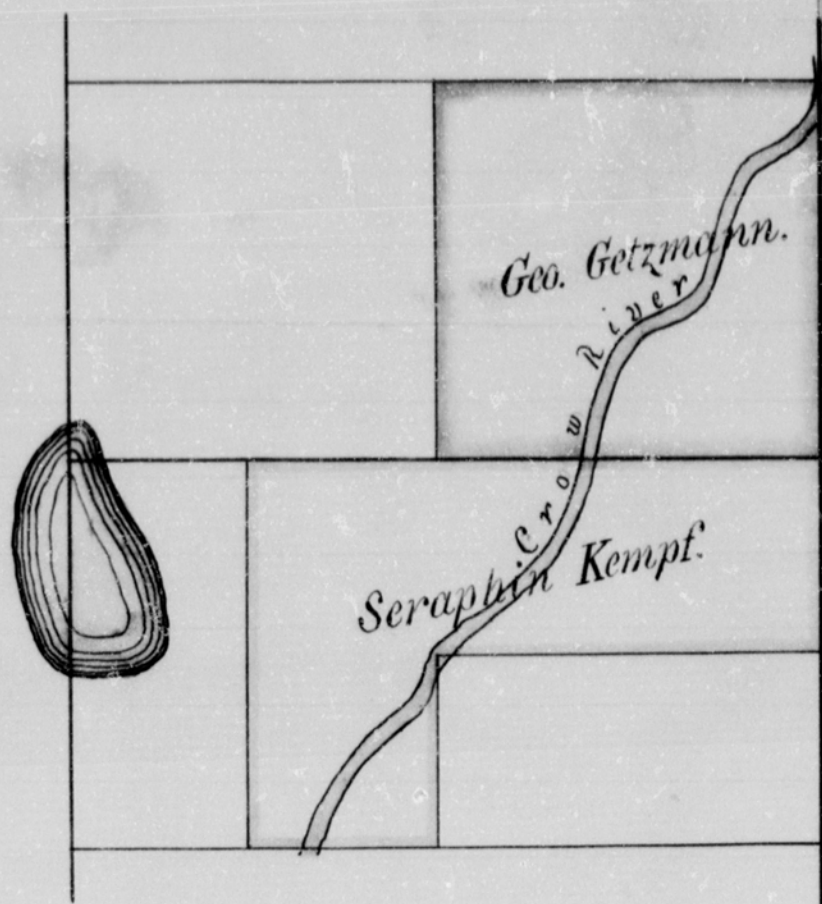
28 H. J. Peck & L. Fowler
29 Attys for Petitioners

State of Minnesota
District Court
County of Carver,

In the matter of the Application of
Wm. F. Hienan and George Rosehede for the
appointment of Commissioners to assess
damages caused by the erection and
maintenance of a dam across Crow River
in the Village of Watertown Carver County
Minnesota at a point just South of Mary
Street as appears by the Plat of said Village
on file in the Office of the Register of Deeds
in said County

Report of Commissioners,

Filed July 22. AD 1899.
Chas. Rayenbuhl Clerk.



PLAT of $N\frac{1}{2}$ of S.30 & $S\frac{1}{2}$ of S.19, T.117, R.25.

Plot of the lands of
Geo. Gultmann and S. Kempp

Filed July 20. a. d. 1879.
Abwegenbuhl
Deluk

249.

Assault

No. 1227

DISTRICT COURT,
CARVER COUNTY, MINN.

State of Minnesota
Plaintiff.

vs.
Michael Schuchitzky
Defendant.

L. L. Gantner
Plaintiff's Attorney.

W. W. Irwin + Sam Fowler
Defendant's Attorney

Date of Entry July 26 1879
Court A Page 250
Register of Actions

Term Tried 19

Judgement for

Amount of Judgement \$

Date of Judgement 19

Judgement Book Page

Default Judgement Book Page

Date of Docketing 19

State of Minnesota }
County of Carver }

District Court
Eighth Judicial District

The State of Minnesota

against

Michael Schuschnitzki

} Petition

Is the Honorable District
Court of the Eighth Judicial District. The petition of
Michael Schuschnitzki the Defendant above
named respectfully shows to the Court

That he is imprisoned and restrained of his
liberty by Frederick E. Du Toit the Sheriff of
the County of Carver in the State of Minnesota
and that the place of imprisonment ^{of this petitioner} is at the
Common Jail in the Village of Chaska in
said County.

That the cause of such confinement is,
according to the best of said petitioner's
knowledge and belief, expressed and set
forth in the copy of the Commitment hereto
attached and marked "A" and made a part
of this application

And said petitioner prays that a
Writ of Habeas Corpus may be issued herein
requiring said Frederick E. Du Toit to have the
body of said petitioner together with the time
and cause of such imprisonment and detention
before the ~~Honorable Judge~~ ^{Said Court} ~~Magistrate~~ Judge
of said District Court to do and receive

what shall them and there be considered
concerning the said Michael Schuschitzki
And your petitioner will ever pray to
Michael Schuschitzky

State of Minnesota
County of Carver

} St. Michael Schuschitzki being
first duly sworn says

That he is the petitioner named in the
foregoing petition and that he has heard
read the said petition and knows the same
to be true of his own knowledge except as to those
matters which are therein stated on his information
or belief - and as to those matters he believes it to
be true

Michael Schuschitzky

Subscribed and sworn to
before me this 23^d day of
July A.D. 1879

Peter Eltis
Justice of the Peace

"A"

State of Minnesota
County of Carver } ss.

The State of Minnesota
To The Sheriff or any constable of said County
and to the keeper of the common jail of said
County -

Whereas Michael Schuschitzki has been brought this day before the undersigned one of the justices of the peace in and for said County charged on the oath of Herman Wagner with having on the 5th day of July A.D. 1879 in said County of Carver in the said State of Minnesota committed the crime of murder that is to say that the said Michael Schuschitzki did on the said 5th day of July A.D. 1879 at the Village of Chaska in said Carver County without authority of law and with malice aforethought did make an assault on one Julius C. Wagner and did then and there with a certain knife which he the said Michael Schuschitzki then and there held in his hand strike and stab the said Julius C. Wagner in and upon the left breast of him the said Julius C. Wagner then and there ~~giving~~ the said Julius C. Wagner with the knife aforesaid by striking and stabbing him as aforesaid a mortal wound of which mortal wound the said Julius C.

Wagner from the said 5th day of July A.D. 1879 until the 14th day of the month and year aforesaid did languish and languishing did live on which said 14th day of July A.D. 1879 the said Julius C. Wagner at Chaska aforesaid of the mortal wound aforesaid died: and that the said Michael Schuschnitzki him the said Julius C. Wagner in manner and form aforesaid feloniously wilfully and of his malice aforethought did kill and murder against the form of the Statute in such case made and provided and against the peace and dignity of the State of Minnesota.

And whereas after examination had in due form of law the said charge and crime aforesaid the said justice did adjudge that the said crime had been committed and that there was probable cause to believe the said Michael Schuschnitzki to be guilty thereof and said offense and crime is not bailable by said justice.

You are therefore commanded forthwith to take the said Michael Schuschnitzki and him convey to the common jail of said County of Carver the keeper whereof is hereby required to detain him said Michael Schuschnitzki in custody in said jail until he shall

be thence discharged according to law.
Given under my hand this 19th day of
July A.D. 1879

J. F. Dilley
Justice of the peace.

State of Minnesota
County of Carver
District Court

State of Minnesota
against

See file
Michael Schnechitaki

Count A 230

Retainer for
Habeas Corpus

Upon reading and filing the
within ordered that a writ
issue as herein prayed for.
July 24th 1879. J. L. McDonald
Judge 8th Dist

Filed July 26th A.D. 1879.
Chas. W. Swain, Clerk.

W. W. Swain and
Brother Att. for Deft.

State of Minnesota
County of Carver

The State of Minnesota
To the Sheriff or any constable of
said County and to the Keeper of the com-
mon jail of said County. Whereas Michael Schuschit-
~~ke~~ has been brought this day before
the undersigned one of the justices of
the peace in and for said County, charged
on the Oath of Herman Wagner
with having on the 5th day of July
A.D. 1879 in said County of Carver in
the said State of Minnesota com-
mitted the crime of Murder, that is
to say that the said Michael Schuschit-
~~ke~~ did on the said 5th day of July
A.D. 1879 at the Village of Chaska
in said Carver County without Authority
of law and with malice aforethought
did make an assault on one Julius
C Wagner and did then and there
with a certain Knife which he the said
Michael Schuschit~~ke~~ then and there
held in his hand strike and stab
the said Julius C Wagner in and upon
the left breast of him the said Julius
C Wagner then and there giving the
said Julius C Wagner with the Knife

offensive by striking and stabbing
him as offensive a mortal wound
of which mortal wound the said
Julius C. Wayne from the said
5th day of July AD 1877 until
the 14th day of the month and
your offensive did languish
and languishing did live, on which
said 14th day of July AD 1877 the
said Julius C. Wayne at Chaska
offensive of the mortal wound
offensive did, and that the said
Michael Schuchitzkin from the said
Julius C. Wayne in manner and form
offensive feloniously well fully and
of his malice aforethought did
kill and murder against the form
of the statute in such case made
and provided and against the peace
and dignity of the State of Minnesota
And whereas after examination
here in due form of law the
said charge and crime afore-
said the said justice did adjudge
that the said crime had been com-
mitted and that there was probable
cause to believe the said Michael Schuchitzkin
to be guilty thereof and some of

incaut crim è nat built up
by civil justice. You are therefore
commanded forthwith to take the
said Michael Schuchutzki and him
convey to the Common Jail of said
County of Cuyahoga the Refuge whereof
it hereby requires to detain him
said Michael Schuchutzki in
custody, in said jail until he
shall be there discharged according
to law.

Given under my hand this 19th day
of July 1879

J. F. Dillay
Justice of the Peace

Justice Court
Carnar County

The State of Minnesota
vs
Michael Schuchitzkin
" "
Commutant

Filed November 11th 1889
G. Wray Clerk
Clerk

State of Minnesota }
County of Carver. } ss.

The return of Frederick Edouard
Sheriff of the County of Carver
in said State of Minnesota to the
Writ of Habeas Corpus hereto annexed.

In obedience to the Writ of Habeas
Corpus hereto annexed I do hereby
certify and return to the District
Court for the Eighth Judicial
District in said State. that before
the coming of the said Writ to
me. to wit on the 19th day of July
1879. at Chaska in said County
and State. the said Michael
Schuschtzki mentioned in said
Writ. was placed in my custody
by virtue of a commitment
issued on said 19th day of July
1879. by James F. Selley Justice
of the Peace of said County of
Carver which said Commitment
is hereto annexed and made
a part of this my return. and
that the said Michael Schuschtzki
is now in my custody under
said Commitment.

All which I certify. and I have

Here the body of the said Michael
Schuchelzki as by the said
writ I am commanded.

Dated July 26th 1879.

F. E. DuToit
Sheriff Larver Co. Minn
~~also~~ County Jailor.

Fees.

Attending Court, Shakopee, July

24th - 1879, 1 day, per diem 3.00

8 miles travel, at 10 cts per mile .80

Fare of prisoner on Railroad
over & back. 30

Attending Court July 26th at

Shakopee, 1 day, per diem 3.00.

8 miles travel, at 10 cts per mile .80

Fare for prisoner 1 way on R.R. 13~

Paid team for transportation of
prisoner home. 2.50

\$ 10.50.

F E DuToit
Sheriff

The State of Minnesota

To Frederick S. DuSart the Sheriff of the
County of Carver in the State of Minnesota

You are hereby commanded to have
the body of Michael Schuschitzki by you
imprisoned and detained, as it is said
together with the time and cause of such
imprisonment and detention by whatever
name the said Michael Schuschitzki shall
be called or charged, before the Honorable
John L. MacDonald Judge of the District Court
of the Eighth Judicial District in said State
immediately after the receipt of this writ
to do and receive what shall then and there
be considered concerning the said Michael
Schuschitzki.

And have you then and there this writ.

Witness The Honorable John L. MacDonald
Judge of said Court at Chaska Carver County
this 24th day of July. A.D. 1879

Geo. W. W. W. W.
Clerk of said Court
Carver County

District Court
County of Carver

State of Minnesota
against
Michael Schuschnitzki

Cont Reg a 250
See fill ✓

Writ of Habeas Corpus

Filed November 11th 1894
J. Krayenbuhl
Clerk

N. W. Swain & S. Fowler
Attys for Deft

State of Minnesota
Dist. Court 8th Dist.
County of Carver.
The State of Minnesota
against.

Michael Schnschitzki

We the jury in the
above entitled action
find the defendant
not guilty.

W H Miles Foreman

Verdict,

Spital, October 23^d 1879
Appenzel
A. Schenk,

State of Minnesota
District Court
Eight Judicial District
County of Carver
The State of Minnesota
Ex rel Michael Schuschetzki
vs
Frederick E. Dubois.
Sheriff of the County of
Carver

In the above entitled matter
the same being an applica-
-tion for an order admitting
said Michael Schuschetzki to
bail on leaving the troops
~~submitted~~ on the part of
the State against said
Michael Schuschetzki on
the preliminary examination
and after hearing of Grover E. [?]
in support of said application.
It is ordered that said applica-
-tion be and the same is
heraby denied, and the writ
of Habeas Corpus dismissed.
July 28th 1879.
J. L. McDonald
Judge 8th Dist.

Promissory
Note
No. 1228

DISTRICT COURT,
CARVER COUNTY, MINN.

Philip Huck
Plaintiff.

vs.
The Chaska Cumber
Turningsburg Defendant.

L. L. Baxter
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry Aug 6, 1879

Book A Page 218

Term Tried Default 1

Judgment for Plaintiff

Amount of Judgment \$ 377.55

Date of Judgment Dec. 15th, 1879

Judgment Book Min. Rec. A Page 581

Default Judgment Book Page

Date of Docketing Dec 15, 1879

Judg. Rec. A 298

\$ 1200 ⁶⁰/₁₀₀

Chester Min July 14th 1868

Three Years after date we promise to
Pay to the order of Philip Hent the sum of
Twelve hundred and Nine ⁶⁰/₁₀₀ \$ 1209 ⁶⁰/₁₀₀ Dollars

for Value received.

Due.

{ \$ 10 Value Rec'd Receipt and
Mortgage duly cancelled.



Obashe Concordia by this Office
Thomas W. H. President
Jacob Haring Secretary
J. H. Manning Treasurer

12

Filed Dec 18 1884
Ch. Krugentuhl
Utah

Feb 1

Vol 1 State of Minnesota
District Court Eighth Judicial District
County of Carver

Philip Henk

August

The Cheshire Concordia
Larning and Singing
Association

The plaintiff in the above entitled action for complaint against the defendant therein respectfully states and shows to the Court that the said defendant is a corporation duly organized created and existing under the laws of the State of Minnesota, that on the 14th day of July A.D. 1868 at Chaska in the County of Carver and State aforesaid the said defendant duly made and executed in writing and delivered to the above named plaintiff its certain promissory note, whereby for value received the said defendant promised to pay to the order of said plaintiff in three years after the date thereof the sum of twelve hundred and nine and ⁰⁰/₁₀₀ dollars with interest thereon at the rate of twelve per cent per annum, which sum promised to pay

District Court
Carm County

Philip H. Hark

vs

The Chas. H. Concorde
Turnery and Sengling
Association

Complaint

Filed August 15 1889
J. H. Hark

Wm. Hark

Wm. Hark

L. L. Bayle
Plaintiff's Attorney
Carm County

3
bears date the 14th day of July A.D. 1868. And
the plaintiff further says that he is now the
lawful owner and holder of said promissory
note and that the same has not been
paid nor any part thereof except the
sum of three hundred and thirty one
dollars, which sum the plaintiff admits
has been paid on the 19th day of July
A.D. 1879, and also all interest on said
promissory mentioned in said note except the
sum of three hundred and seventy nine
dollars which said last named sum is
still due and payable as interest aforesaid.
Wherefore the plaintiff demands judgment
against the said defendant for the sum
of three hundred and fifty seven and ⁶⁷/₁₀₀
dollars and the costs of this action. - L. L. Bayle
Plaintiff's Attorney

STATE OF MINNESOTA,

COUNTY OF CARVER.

District Court,

EIGHTH JUDICIAL DISTRICT.

Philip Henk

August

The Chaska Concordia Lumber & Lumbering Association

SUMMONS.

\$10.15

The State of Minnesota to the above named Defendant:

You are hereby summoned and required to answer the Complaint of the Plaintiff in the above entitled action, which has been filed with the Clerk of said Court, in his office, in the Village of Chaska, in the County of Carver, State of Minnesota, and to serve a copy of your answer to said Complaint on the subscriber, at his office in the Village of Chaska, in the County of Carver and State of Minnesota, within twenty days after the service of this Summons upon you, exclusive of the day of such service, and if you fail to answer the said Complaint within the time aforesaid, the Plaintiff in this action will take judgment

against you for the sum of three hundred and fifty seven and 00/100 dollars, with interest thereon

together with the costs and disbursements of this action.

Dated at Chaska,

May 6th

A. D. 1879.

L. L. Baugh

Plaintiff's Attorney.

State of Minnesota $\frac{3}{3}$ ss
 County of Carver $\frac{3}{3}$ I hereby Certify And Return
 That I did at Chaska in the said County of Carver
 And State of Minnesota on this 6th day of August
 A.D. 1899, serve the within Summons on the within
 named Chaska Concordia ^{Junior} and Singing Association, by hand-
 ding to and leaving with F. W. Hemming, the Secretary
 thereof, a true and correct copy of the within
 Summons.
 F. E. McFet, Sheriff
 Files, ^{Shirley's summons} 1.50
^{2 miles north} 2.50
 Total 4.00

DISTRICT COURT

COUNTY OF CARVER.

Chas. H. H. H.

vs.
 The Chaska Concordia
 Singing and Society
 Association

SUMMONS.

John A. A. A. A.
 Defendant

L. L. Bayle

Plaintiff's Attorneys.

Chaska, Minnesota.

Davison & Henderson, Print, Minneapolis.

J. H.

State of Minnesota
District Court Eighth Judicial District
County of Carver

Philip Henke
against
The Chaska Concorde
Turning and Singing
Association

State of Minnesota
County of Carver ss. L L Pastor being duly
sworn on oath says that he is Attorney
for the plaintiff in the above entitled action
That the summons was duly served on
the above named defendant on the 6th day
of August AD 1879. That more than twenty
days have elapsed since such service
and that no answer or demurrer to the
complaint in said action has been
served upon or received by said plaintiff
or his said attorney. And that the
said defendant has not in any man-
ner whatever appeared in said action
Subscribed and sworn
to before me this 18th day
of October AD 1879 } L L Pastor
J. W. Mayenbuhl
Clerk District Court
Carver Minn

State of Minnesota
 District Court Eighth Judicial District
 County of Carver.

Philip Hunk
 agent

The Chaska Concordia Lumber and Lumbering association
 Plaintiffs, vs. and Defendants

Statute Case
 Sheriff's fees
 Clerk's fees to be added

8.00
 1.25
 3.60

Total \$ 9.85

State of Minnesota

County of Carver ss: I, L. P. Bay to my knowledge, were on oath and depose that he is Attorney for the plaintiff in the above entitled action that the items of disbursements specified in the above bill of costs have been necessarily incurred and expended by the plaintiff in said action and are just and correct.

Subscribed and sworn to before me this 18th day of October 1899

(J. H. Wraymunk)

Notary Public

(Arrested)

9.80
 354.60
 10.15

077.55

District Court
 Carver County

Philip Hunk

The Chaska Concordia
 Lumbering & Lumbering association

Appellant vs. No Answer
 and State court of Carver

Filed, October 18, 1899,
 J. H. Wraymunk Clerk,

L. P. Bay

L. P. Bay to
 Plaintiff's Attorney

See Vol 3 - B 43

State of Minnesota
District Court
Eighth Judicial District
County of Carver.

Philip Henk
against
The Chaska Concordia
Singing and Singing Association.

The summons in the above
entitled action having been personally served upon
the Secretary of said Association on the Sixth day of
August A.D. 1879, and the complaint duly filed with
the clerk of said court and it appearing by the affidavit
of the Attorney for said Plaintiff, on file, that no answer
or demurrer or copy of either has been received by said
Plaintiff's Attorney in said action.

Now therefore, on motion of H. Baxter
Attorney for said Plaintiff, It is hereby adjudged
and determined that said Plaintiff recover of said
defendant the sum of Three hundred sixty seven
dollars and seventy five cents Principal & Interest as
claimed by said summons and complaint, together with
Nine dollars and eighty cents costs and disbursements
taxed in said action, the whole amounting to the
sum of Three hundred seventy seven dollars and

and fifty four cents, and what the said Plaintiff
thence his lawful principal wherefor.

Judgment	\$ 354.60
Interest from July 1st	41 11.15
	\$ 364.75

<u>Costs</u>	Attorney's Costs	\$ 5.00	
	Wherry fees	" 1.20	
	Deputy fees	" 3.60	
			4.80
	Total	\$ 374.55	

Dated December 15th A.D. 1879.

By the Court:

Geo. Krayenbuhl
Clerk

State of Minnesota
District Court
County of Carver,

Philip Hawk
vs

The Chaska Concordia
Running and Sinking Association.

Judgment Roll

Judgment \$ 369.45
Costs " 9.80

Total \$ 379.25

Filed Dec 15th 1899.
C. Krausmühl
Clerk

= 218. =

J. H. Baxter, City of St. Paul
Chaska, Minn.

No. 1229
Dismissed
Note

DISTRICT COURT,
CARVER COUNTY, MINN.

Linnefelter & Faber
Plaintiff &

vs.

Mathias Goetz
Defendant.

L. L. Baster
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry *Aug. 8th* 1879
Register of Actions *"A"* Page 235
Term Tried 19
Judgment for
Amount of Judgment \$
Date of Judgment 19
Judgment Book Page
Default Judgment Book Page
Date of Docketing 19

State of Minnesota District Court
County of Carver Eighth judicial district

Florian Linenfelsen and
Luge Faber Copartners as
Linenfelsen and Faber

against
Mathias Quatz

The plaintiffs in
the above entitled action for com-
plaint against the defendant therein
respectfully state and show to the court
that they said plaintiffs, are copartners
doing business at Chaska in the county
of Carver in the state of Minnesota as
Linenfelsen and Faber - That on the
10th day of May A.D. 1876 at Chaska
aforesaid the above named de-
fendant for value received, made
and executed in writing and delivered
to the above named plaintiffs his
certain promissory note in the words
and figures following to wit.

No. 340

Chaska Minn May 10-1876

Six months after date I promise to pay Messrs
Linenfelsen & Faber or Order at their Store one
hundred dollars for value received with
interest at 12 per cent per annum from
date until paid. In consideration of said

sum of money above mentioned thereby
agree with the payee that if judgment is
rendered hereon, that any and all per-
sonal property I may have when execution
is issued on such judgment may be
levied on and sold to satisfy such judg-
ment hereby expressly waiving all right to
such property under the exemption laws
of this state. (Signed) M. Gatz

The plaintiffs further say that they
are now the lawful owners and holders
of said promissory note and that the
same has not been paid nor any
part thereof except the sum of six dollars
which sum was paid on the 8th day of
December 1876 as and for interest on
said note up to November 10th 1876

Wherefore the plaintiffs demand judg-
ment against the defendant for
the sum of One hundred dollars with
interest thereon at the rate of twelve per
cent per annum from and since the
10th day of November 1876 besides
the costs of this action.

L. L. Baxton
Plaintiff's Attorney

State of Minnesota

County of Carver } ss.

Herman Linenfelder and George
Fabere being each duly and
separately sworn says each for himself

That he is one of the Plaintiffs in the foregoing
entitled action and that he has heard read the
foregoing Complaint and knows the same
to be true.

Subscribed and sworn to } Herman Linenfelder
before me this 7th day of } George Fabere
August A.D. 1879 }

J A Sargent

Judge of Probate Court &c

District Court
Carver County

Lincoln & Fahn
vs

Mathias Goetz

Complaint

Filed Aug 18th 1899,
Geo. Weyenbush
Clerk

235.

L. L. Benton
Plaintiff's Attorney

State of Minnesota,

District Court 8th District

County of Cass

Flora Simpfen and George
Faber Co partners as Simpfen & Faber
AGAINST

AFFIDAVIT FOR ATTACHMENT.

Mather Gots

State of Minnesota,

County of Cass

ss.

George Faber came

before me personally, and being first duly sworn, doth say, that he is one

of the said Plaintiff in the above entitled action, which is brought for the recovery of money, and a summons has been issued therein.

That a cause of action exists against the Defendant, and in favor of said Plaintiff therein, and the amount of said Plaintiff's claim therein is One hundred and thirty two

Dollars, and the ground thereof

is as follows, that is to say: A promissory note made and executed by the said Mather Gots to the said Simpfen & Faber for the sum of one hundred dollars payable in six months after date thereof with interest at the rate of 12 per cent per annum until paid and dated May 10th 1894 which note is now owned by said plaintiffs remains unpaid both principal and interest except the sum of six dollars which has been paid as interest.

And that this Affiant further says that the said defendant is about to assign, secret and dispose of his property with intent to delay and defraud his creditors, and particularly to defraud said plaintiffs out of their said claim.

And said Affiant doth depose and say, that said Plaintiff is in danger of losing his

said claim by reason of the facts aforesaid, unless a Writ of Attachment issue; and prays that such Writ of Attachment may be allowed and issued against the property of said Defendant therein, according to the Statute in such case provided; and said Affiant says that no previous application has been made therein for such order, and further saith not.

Subscribed and Sworn to before me,

On this 7th day of August A.D. 1879

Guery J. S. Lewis

J. W. Sanger

Judge of District
Court & Clerk

Debt Court

County of Carson

Sumner & Fisher
against

Mathew Goetz

AFFIDAVIT FOR ATTACHMENT.

To the Clerk of said Court:

On filing the within affidavit and a Bond approved by me in the within entitled cause, let a Writ of Attachment issue as within prayed.

Dated August 7th 1879

E. H. Lewis

Court Commissioner Carson County

Filed August 10th A. D. 1879

W. H. Sanger

Clerk of said Court.

L. C. Sanger

Plaintiff Attorney.

Pioneer Press Co., St. Paul.

205.

State of Minnesota,

DISTRICT COURT.

County of

Carr

ss.

Oyhet

Judicial District.

Florian Simpfelsen and
Garry Fahn Capartus as
Simpfelsen & Fahn
against
Matthias Goetz

Bond for Attachment.

KNOW ALL MEN BY THESE PRESENTS, That we Florian Simpfelsen
and Garry Fahn plaintiffs as principal and Ferdinand
Hammer and Michael Hammer of Carr County Minnesota
Sons are held and firmly bound unto Matthias Goetz

defendant
in the above entitled action, in the sum of two hundred and fifty Dollars,
lawful money of the United States, to be paid unto the said Matthias Goetz
his
heirs, executors, administrators or assigns, for which payment well and truly to be
made, we jointly and severally bind ourselves, our heirs, executors and adminis-
trators firmly by these presents.

Sealed with our seals and dated this 7th day of August
A. D. 1879

The condition of this obligation is such that WHEREAS, the above named
plaintiff has duly applied for a writ of attachment against the property of said de-
fendant in this action, according to statute in such case provided.

NOW THEREFORE, if the said defendant recovers judgment, if the plaintiff
shall pay all costs that may be awarded to the defendant, and all damages which
he may sustain by reason of the attachment, not exceeding the penalty of this bond,
then this obligation shall be void, otherwise of force.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals on this
7th day of August 1879

Signed, Sealed and Delivered in Presence of

L. L. Bayler
Notary

Florian Simpfelsen [SEAL.]
Garry Fahn [SEAL.]
Ferdinand Hammer [SEAL.]
Michael Hammer [SEAL.]

State of Minnesota,
County of *Cass* } ss.

BE IT KNOWN, That on this *17th* day of *August*
A. D. 187*9* came before me personally *Florian Linenfelder and George*
Faber and Ferdinand Hammer and Michael Hammer
to me well known to be the same persons who executed the foregoing bond, and each
severally acknowledged the same to be his own free act and deed.

Wm Sumner Judge Probate

State of Minnesota,
County of *Cass* } ss. *Michael Hammer*
and Ferdinand Hammer upon oath doth say, each for himself, that
he is one of the sureties above named; that he is a resident and freeholder of and in
the State of Minnesota, and worth the amount of *Two hundred and fifty*
Dollars, specified in the foregoing bond, above his debts and liabilities, and exclusive
of his property, which is exempt from execution.

Subscribed and Sworn to Before me

On this *17th* day of *August* } *Michael Hammer*
A. D. 187*9* } *Ferdinand Hammer*
Wm Sumner
Judge of Probate

DISTRICT COURT,

County of *Cass*

Linenfelder & Faber

Michael & Ferd Hammer

BOND OF ATTACHMENT.

I hereby approve the within bond and the
sureties thereon.

Dated *Aug 17th* A. D. 187*9*

E. W. Lewis

Court Commissioner
Cass County Minnesota

File Aug 17th 1879
Wm Sumner
Judge of Probate

L. J. Sawyer

Plaintiff's Attorney.

Printed and for Sale by the Tribune Printing Co., Minneapolis.

135

State of Minnesota,
County of Warner,

DISTRICT COURT,
Eighth Judicial District.

Norman Linenfelter and George Faber
Carpenters as
Linenfelter and Faber
against
Mathias Gueth.

Writ of Attachment.

STATE OF MINNESOTA,
County of Warner } ss.

The State of Minnesota,
To the Sheriff of the County of Murray, GREETING:

Whereas, in the above entitled action, which is for the recovery of money, an application has been made by Linenfelter and Faber the Plaintiffs for a Writ of Attachment against the property of Mathias Gueth

defendant therein, and to that end an affidavit has been made and filed, showing that a cause of action exists against such defendant, specifying the amount of the claim and the ground thereof; and that the defendant is about to assign, secrete, and dispose of his property with intent to delay and defraud his creditors, particularly to defraud said Plaintiffs, and the bond in such case required by law, has been duly filed, and such Writ has been duly allowed.

Therefore, You are hereby commanded and required to attach and safely keep all the property of said Mathias Gueth within your County, and not exempt from execution, or so much thereof as may be sufficient to satisfy the said plaintiff demand, (which amounts to the sum of One hundred dollars as appears by the Complaint in said action,) together with costs and expenses, and that you proceed hereon in the manner required of you by law.

Witness the Honorable John V. Macdonald Judge
of the District Court aforesaid, at Chaska
this Eighth day of August in the
year 1879

J. H. Gray Clerk.

District Court,

County of Carver, _____

Linenfelter & Faber
Against
Mathias Grotz

WRIT OF ATTACHMENT.

Issued August 8th 1879

G. Kraayenbuhl Clerk.

Returned August 12th 1879

G. Kraayenbuhl Clerk.

Action Settled by Parties

Plaintiff Attorney.

Printed and for sale at the office of the St. Paul Pioneer.

No. 1730

Money
owed

DISTRICT COURT,
CARVER COUNTY, MINN.

Peter Litis

Plaintiff.

vs.

Andrew Weist et al

Defendant.

S. S. Baxter

Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry August 9 1877

Register of Actions A Page 163

Term Tried 1

Judgment for _____

Amount of Judgment \$ _____

Date of Judgment 1

Judgment Book _____ Page _____

Default Judgment Book _____ Page _____

Date of Docketing 1

holder thereof - that said check was
 duly presented for payment to the
 said German American Bank and
 payment thereof refused - that the
 sum was duly protested for non
 acceptance - and that the cost of said
 protest was the sum of \$2.12, that
 the said check is still due and unpaid
 wherefore the plaintiff demands judg-
 ment against the said defendants
 for the sum of one hundred and
 two & 12/100 dollars with interest
 thereon at the rate of 7 percent per ann
 and the costs of this action

L. H. Bayton
 Plaintiff's Attorney

R

District Court
 Carroll County

Peter Alt
 vs
 Charles W. Wise
 Plaintiff

J. W. Vincent of St. Louis,
 Esq.
 Defendant

163

L. H. Bayton
 Plaintiff's Attorney