



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

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No.

1270

labor
performed

DISTRICT COURT,
CARVER COUNTY, MINN.

Fredrick Dittbach

Plaintiff.

Philip Henk and George Bielein
Co-partners under the firm name of
Philip Henk & Company

Defendant.

W. C. Pull

Plaintiff's Attorney.

Frank Warner

Defendant's Attorney.

Date of Entry

February 12th 1880

Register of Actions

"A"

Page *96*

Term Tried

1

Judgment for

Plaintiff

Amount of Judgment \$

99.81

Date of Judgment

May 27th

1880

Minute Record
Judgment Book

A

Page *606*

Default Judgment Book

Page

Date of Docketing

Mar 27th

1880

Judgment Record
Judgment Book

"A" page

308-

State of Minnesota }
County of Larver. }

In Justice Court
Before James F. Dilley.

Justice of the Peace.
Frederick Dillback.

Plaintiff.

^{vs}
Philip Heus^{and} George Bierline.
Copartners as "Philip Heus Company."
Defendants.

The above named Plaintiff complains
alleges and avers.

That heretofore to wit. On the 26th day
of November AD 1879. the above named
Defendants were, ever since have been,
and now are copartners, doing business
at Chaska in said County and State.
under and by the firm name and
style of "Philip Heus and Company."

That heretofore to wit. on said 26th day
of November AD 1879. said Defendants as
Copartners as aforesaid were indebted
to said Plaintiff for work labor and
services. done and performed by said
Plaintiff. for said Defendants as such
copartners in a large sum of money.
that being so indebted to this Plaintiff.
they said Defendants as Copartners as

aforesaid. on the day and year aforesaid to wit on the 26th day of November AD 1879. accounted and settled with this Plaintiff concerning their said indebtedness to him: that on such accounting and settlement there was found to be due to this Plaintiff from said Defendants as such copartners the sum of One Hundred and Sixty dollars. which said sum they the said Defendants as copartners as aforesaid. in consideration of the premises then and there promised and agreed to pay to said Plaintiff whenever thereunto afterwards requested: that afterwards said Defendants as such copartners paid to this Plaintiff on account of the money found due to this Plaintiff on such accounting and settlement the sum of One hundred and five dollars. and there is now due and owing from said Defendants as copartners as aforesaid. on account of the money so found to be due to this Plaintiff on the aforesaid settlement. the sum of fifty five dollars: that prior to the commencement of this suit this Plaintiff duly requested payment of said sum of fifty five dollars. and payment thereof was refused.

Therefore this Plaintiff demands judgment
against said Defendants as copartners.
for the sum of fifty five dollars. and
costs of suit.

Dated Chaska Jan'y 12th 1880

W. B. Odell.

Atty for Plff.

State of Minnesota. } ss.
County of Carver. }

W. B. Odell being first duly
sworn says that he is Attorney for
the Plaintiff in the action in the
foregoing complaint entitled: that the
~~Said Complaint~~ ^{Said Complaint} is true to the best of this affiant's
knowledge and belief. that this verification
is made by this affiant. and not by
said Plaintiff for the reason that said
Plaintiff is absent from said County
of Carver.

Subscribed and sworn to }
Before me this 12 day of }
January A.D. 1880. }

W. B. Odell.

J. A. Dilley
Justice of the Peace

Justice Court
Before

James F. Dilley.
Justice of the Peace

Frederick Diefach.
Plaintiff.

vs.

Philip Huck et al.
Defendants.

Receipt.

Filed Jan'y 12th 1880
J. F. Dilley

Justice of the Peace
for February 1st & 2nd 1880
Wm. H. H. H. H. H.

W. C. Odell
att'y for Def.

State of Minnesota
County of Le Sueur

In Justice Court before
James F. Dilley Justice

Frederick DeHofack
agent - Plaintiff
Phillip Henk and
George Bierlein, Copartners
as Phillip Henk & Company
Defendants

The above named defendants for Answer to the Complaint of the Plaintiff denies each and every allegation in said Complaint not hereinafter admitted stated or qualified

And the answer of the defendants further states and shows, that in the month of August A.D. 1879 the said Plaintiff came to the said defendants and represented and stated to them defendants that he was in all respects a first class Miller and could do

and perform all the work
which was necessary and
proper to be done in and
about a flouring Mill
and that if he could not
do all such work as
should be required of a
first-class Miller and all
that was necessary to be
done in a first-Mill
he would not ask any-
thing for his services. That
in pursuance of such rep-
resentation and not other-
wise these defendants hired
and employed said Plaintiff
as Chief and Head Miller
at their Mill at Chaska
in Rice County at and
for the agreed price of
seventy five dollars per
month. That in pursuance
of said Employment said
Plaintiff attempted to perform
his business as Chief and
head Miller in said
defendants Mill as stated
aforesaid. And the answer

of the defendants & with on
that same shows, that
false representation so made
by said Plaintiff as aforesaid
were false and fraudulent
that said Plaintiff ^{never} ~~little~~
or nothing of his business
as Miller and could not
drop or balance the stones
of said Miller or in any
respect discharge his duty
as Chief ~~with~~ ^{by}
reason of which these
defendants suffered great
loss and damage in all
to the amount of one
hundred dollars and
that said claim so
mentioned in said Complaint
is based upon services
so rendered by said contract
and not otherwise

Wherefore these defendants
demand judgment against
said Plaintiff for the sum
of one hundred dollars as
his damages besides the costs
of this action

Frank Warren

Dated at Chicago Jan'y 19th 1880

att'y for defts

State of Minnesota
County of Carver

Phillip Hank

Being first duly sworn
deposes and says, that
he is one of the defendants
in the foregoing entitled
action that the facts set
forth in the foregoing answer
are true of his own per-
sonal knowledge

Sworn to and
Subscribed before P. Henk
me this 19th day of
January A.D. 1880
J. F. Delley
Justice of the peace

In Justice Court

Ernst Dittfurth

vs

Frank Aug Bierlein

Answer

Filed January 19th 1880

J. F. Dillay

Justice of the Peace

Filed Feb 19th 1880

Ernst Dittfurth
atty for Def

Frank W. Worn
atty for Def
Cur

State of Minnesota }
County of Carver. }

In Justice Court
Before James F. Dille.
Justice of the Peace
Frederick Dittach
Plaintiff.

vs
Philip Hunt & George Beerline
Co-partners as Philip Hunt & Co.
Defendants.

The above named Plaintiff for
reply to the Defendants answer in
the above entitled action denies each
and every allegation thereof.

Dated Chaska Jan'y 19th 1880.

W. C. Odell

atty for Plff.

State of Minnesota } ss.
County of Carver. }

W. C. Odell being first duly
sworn says that he is attorney for
the Plaintiff in the above entitled
action. that the foregoing reply is
true to the best of this affiant's
knowledge information and belief
and that this verification is made
by this affiant and not by any

Plaintiff for the reason that said
Plaintiff is absent from the County
of Carver where resides the affiant.

Subscribed & sworn to } W. C. Odell,
Before me this 19th day
of January A.D. 1880.

J. F. Dilleny
Justice of the peace

Justice Court
before

James F. Dilleny

Gradenick Dilleny

v.

Philip Hunt et al.

Reply.

Filed Jan. 19th 1880

J. F. Dilleny

Justice of the peace

Filed July 19th 1880

W. C. Odell

W. C. Odell

Atty for def.

1 State of Minnesota
2 Dist. Court 8th Dist.
3 County of Carver
4 Frederick Dittbach
5 vs.
6 Phillip Henk
7 George Pierline ~~parties~~ &
8

9 We the jury in the
10 above entitled action
11 find for the plaintiff
12 and assess his damages
13 at \$96.41 dollars.

14 P. W. Errey
15 Foreman
16

State of Minnesota
District Court
County of Carver,

Friedrich Dittfach
vs
Phillip Wendt and Company,
verdict,

Filed, April 9th A.D. 1880,
Ch. Krueger
Clerk.

196

State of Minnesota
District Court
Eighth Judicial District
County of Carver
Frederick Dettlach.
Plaintiff

^{7/3}
Phillip Hunt & George Perkins
Copartners as Philip Hunt & Co.
Defendants

It is hereby stipulated by and between
the parties to the above entitled action
by their respective attorneys. that the
Plaintiffs costs and disbursements
therein. may be taxed and entered in
the judgment herein. as per the annexed
Bill. amounting in the aggregate to
Thirty two and 92/100 Dollars exclusion
of Clerks fees which are to be added to
said amount. without notice

Dated May 26 1885

W. C. Odell

Atty for Plff.

Frank Warner

Atty for Dfts

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Stipulation for
Reduction of Costs.

Filed May 27th 1880.
Geo. W. W. W. W.
Clerk.

State of Minnesota,
County of Carver

Dist. Court 8th Dist.

Fredrick Dittach
Plaintiff.

against
Philip Hest & George Breilun
Operates as Philip Hest & George Breilun
Defendants

Affidavit of Disbursements.

Plaintiff's Costs and Disbursements.

Statute Costs, - - - - - \$ 10.00

Disbursements.

3 Affidavits, - - - - -
Sheriff's Fees, Justice Court, 5.55 }
District Court, 3.00 } 8.55
Clerk's Fees to be added
Justice Dilley 5.90
Return to appeal 2.00
Jury Dist Court. 3.00
Witnesses.
Ralph Watters 10 m. 1.60
Jas. T. Dilley 2 m. 1.12
Clerk's Fees to be added. 4.85

Total \$ 42.77

Amount Claimed in Summons.

Principal, - - - - - \$ 56.41
Interest, from April 9th 1880 - - - - - 63
\$ 57.04

STATE OF MINNESOTA,
County of } ss.

came personally before me, and having
been first duly sworn, he doth depose and say that he is the Attorney of
said Plaintiff in the above entitled cause; that the above bill and items of Costs and
Disbursements therein are just and correct, and have been necessarily incurred therein.

Subscribed and Sworn to before me,
On this day of 187 }

State of Minnesota,
County of _____

Court _____

against _____

Affidavit of No Answer.

STATE OF MINNESOTA,
County of _____ ss.

_____ came personally before me, and having
been first duly sworn, he doth depose and say that he is _____ the Attorney for
the Plaintiff in the above entitled action:

_____ and that no answer or demurrer, or
copy of either, has been received by the Plaintiff's Attorney in this cause, and prays
judgment according to law.

Subscribed and Sworn to before me,
On this _____ day of _____ 187 _____

Dist. Court St. Paul
Hennepin County.

Andreas Dreifach
Plaintiff.

against
Kellys Handcar
Defendants.

Affidavit of No Answer, &c.

Filed the May 2nd day of _____

A. D. 1879
J. W. Mayenbury Clerk.

W. C. Odell.
Attorney for Plff.

State of Minnesota
County of Carver, District Court
1st Judicial District

Frederick Dittfach, Plaintiff
against
Philip Hark and George Bierlein
Co-partners as
Philip Hark and Company, Depts.

The above entitled action having been brought on for trial at the General Term of said Court on the 4th day of April A.D. 1880, before a jury duly impaneled and sworn, and the said jury having returned a verdict in favor of plaintiff and against the defendants for the Sum of Fifty six dollars and forty one cents,

Now therefore, on motion of Mr. C. Adell Attorney for the plaintiff, It is hereby adjudged and determined and the judgment of this Court is that said Plaintiff recover of said defendants the Sum of Fifty six dollars and forty one cents, as per verdict, with sixty three cents interest together with the Sum of Forty two dollars and seventy seven cents, costs and disbursements in said action, taxed this day as per stipulation, the whole amounting to the Sum

of Ninety nine dollars and Eighty one Cents, and
that said Plaintiff have this lawful process therefor.

Judgment, Verdict \$56.41

Int since April 9th " " 63

\$ 54.04

Costs and disbursements " 42.77

Total \$ 99.81

Dated May 27th A.D. 1880.

By the Court:

J. Krayenbuhl

clerk.

page 96 Reg. A.
State of Minnesota
District Court
County of Levee.

Frederick Dittfach
vs
Philip Henk ^{and}
George Bieblin,
Debitors as
Philip Henk ^{and} Company,

Judgment Roll.

Judgment	\$ 54.04
costs	" 42.77
Total	\$ 96.81

Filed, May 2nd A.D. 1889.
J. Krayenbuhl Clerk.
96.

Mr. C. H. Hall Atty for Plaintiff

STATE OF MINNESOTA,
County of *Carver*

} ss.

THE STATE OF MINNESOTA,

To the Sheriff or any Constable of said County:

Philip Hank, and George Beerline, Copartners Long business,
by firm name of *Hank & Beerline*, if he shall be found in your County, to be and

appear before the undersigned, one of the Justices of the Peace in and for said County,

on the *12th* day of *January*, 1880, at *10 o'clock* in the*fore* noon, at *my office in Chaska Valley* in said County, to answer to*Britz Diefel*

in a civil action; and have you then and

there this writ.

Given under my hand this

31st

day of

*December*A. D. 18 *79**J. F. Diefel*

Justice of the Peace,

State of Minnesota 4 22
 County of Carver 4 22 I Herby Certify, that
 that I did at Chaska in said County of Carver, and
 State of Minnesota, on the 2nd day of January
 A.D. 1880, ~~at the~~ serve the within summons on
 Phillip Hunk, a member of the firm of Hunk
 & Pierline by handing to & leaving him a true
 and correct copy hereof.

Fees, *legimus* 23-
per 20-
copy 35-
 60.

J. E. Du Toit
 Sheriff Carver Co. Minn.

Returna *officiarius*. 22 25
 1880 J. T. Dickey
 Quaker 25

Summons
 Filed Feb 1st 1880
 Upthorp v. Hunk
 Clerk

State of Minnesota,
County of Carver } ss.

THE STATE OF MINNESOTA,

To Michael Beerline

You are hereby required to appear before the undersigned, one of the Justices of the Peace in and for said County, at Chaska in said County, on the 22nd day of January at 10 o'clock in the fore noon of said day, to give evidence in a certain case then and there to be tried between Fritz Dittbach plaintiff, and Husk & Beerline defendant

on the part of the defendants

Given under my hand, this

19th

day of January A. D. 18 80

J. F. Silley
Justice of the Peace.

STATE OF MINNESOTA,

County of Lane,

I certify that I served the within Subpoena
on the within named Nichol
Prelice
at the town of Charika in said County
on the 19 day of January 1880,

Service, \$.15.

Mileage, 20

Fees, 35

F. E. DuToit

Dated

Jan. 19 1880, Shenck ^{Com. d. t. e.}

6-26-79. Ramsey & Cunningham, Printers, St. Paul.

us.

On the part of

SUBPOENA

State of Minnesota, }
County of Carr } ss.

THE STATE OF MINNESOTA,

To J. D. Edge

You are hereby required to appear before the undersigned, one of the Justices of the Peace in and for said County, at Chaska in said County, on the 22nd day of January at 10 o'clock in the fore noon of said day, to give evidence in a certain case then and there to be tried between

Fritz Dittfoch

plaintiff, and

Henk H. Burling

defendant.

on the part of the defendants

Given under my hand, this

19th

day of January A. D. 1880

J. F. Diller
Justice of the Peace.

STATE OF MINNESOTA,

County of

Carver

I certify that I served the within Subpoena
on the within named J. D. Edge

at the town of Chaska in said County

on the 19th day of January 1880.

Service, \$.15.

Mileage, 20

~~Copy~~ 15

Fees, 50

J. E. McTear

Dated

Jan. 19th 1880 ^{Constable} Sheriff

6-26-79. Ramsey & Cunningham, Printers, St. Paul. 500

18.

SUBPOENA

On the part of

State of Minnesota,
County of Cass } 88.

THE STATE OF MINNESOTA,

To John Herker

You are hereby required to appear before the undersigned, one of the Justices of the Peace in and for said County, at Chaska in said County, on the

22nd day of January at 10 o'clock in the fore noon of said day, to give evidence in a certain case then and there to be tried between

Fritz Dittfisch plaintiff, and
Henk and Burling defendant

on the part of the defendant

Given under my hand, this

19th

day of January A. D. 18 80

J. L. Diller
Justice of the Peace.

SUBPENA

On the part of

The Plaintiff
The Defendant
Tracy Dillbach

vs.

Stark & Bierline

6-26-79.

Ramaley & Cunningham, Printers, St. Paul.

500.

Dated

Jan. 19th 1880
St. Paul, Minn.

Fees,

35

Mileage, *20*

Service, \$.15.

on the *19* day of *Jan.* 1880,

at the town of *Chaska* in said County

on the within named *Stark*

I certify that I served the within Subpoena

County of *Carver*

STATE OF MINNESOTA,

Filed for file 1880
Wm. H. Hagenbuhl Clerk

State of Minnesota, }
County of Cotter } ss.

THE STATE OF MINNESOTA,

To Mr. Masterman

You are hereby required to appear before the undersigned, one of the Justices of the Peace in and for said County, at Chaska in said County, on the 22nd day of January at one o'clock in the forenoon of said day, to give evidence in a certain case then and there to be tried between Fritz - Dittfisch plaintiff, and Henry & Bierline defendant on the part of the Defendant

Given under my hand, this

19th

day of

Jan

A. D. 1880

J. F. Dill
Justice of the Peace.

STATE OF MINNESOTA,
County of Cum }

I certify that I served the within Subpcena
on the within named Mrs. Klostman

at the town of Chaska in said County
on the 22nd day of Jan. 18 88

Service, \$.15.

Mileage, 20

Fees, 35

J. E. McIntosh
Dated Jan 22nd 18 88 Handy

6-36-79 Ramsey & Cunningham, Printers, St. Paul.

SUBPCENA

On the part of

U.S.

State of Minnesota,
County of Cook } 88.

THE STATE OF MINNESOTA,

To

Chas. Rudolph

You are hereby required to appear before the undersigned, one of the Justices of the Peace in and for said County, at Chaska in said County, on the 22^d day of January at 10 o'clock in the fore noon of said day, to give evidence in a certain case then and there to be tried between Fritz Dittfach plaintiff, and Hark & Bierline defendant

on the part of the Defendant

Given under my hand, this

19th

day of January A. D. 18 80

J. F. Diller
Justice of the Peace.

STATE OF MINNESOTA.

County of Crow

I certify that I served the within Subpoena
on the within named Chas. Rudolph

at the town of Charles in said County

on the 27th day of Jan. 18 80

Service, \$.15.

Mileage,

Fees, 15

J. E. McToil

Dated Jan 27 18 80

Constable

Shiriff

6-36-79. Baunley & Cunningham, Printers, St. Paul.

as.

On the part of

SUBPOENA

State of Minnesota,
County of Carter } ss.

THE STATE OF MINNESOTA,

To Theodor Kunning

You are hereby required to appear before the undersigned, one of the Justices of the Peace in and for said County, at Chas. du in said County, on the 22nd day of January at 10 o'clock in the fore noon of said day, to give evidence in a certain case then and there to be tried between Fritz Dittbach plaintiff, and P. Heusk & Co defendant

on the part of the Defense

Given under my hand, this 21st day of January A. D. 18 80

J. F. Diller
Justice of the Peace.

John J. McLaughlin
Jan 15 1880

STATE OF MINNESOTA,

County of *Leander* }

I certify that I served the within Subpoena
on the within named *Theo. Kanning*

at the town of *Leaska* in said County
on the *22nd* day of *Jan.* 18*80*

Service, \$.15.

Mileage, *20*

Fees, *35*

H. E. DuToit

Dated *Jan 27* 18*80* *Shiff*
Shiff

6-26-79. Ramsey & Cunningham, Printers, St. Paul. 501

us.

On the part of

SUBPOENA

State of Minnesota, } ss.
County of Carver

The State of Minnesota, to the Sheriff or any Constable of said County:

You are hereby commanded to summon
~~Josephas. Jrs. Burkhardt, Fritz Dittsch, F. W. Steining~~
~~John Smith Henry Strobert~~
~~G. Schuers Chas. Heining Christ Peters~~

to be and appear before the undersigned, one of the Justices of the Peace in and for said County, on the
22nd day of January at One o'clock in the after noon
of said day, in the Village of Charles to make a jury for the
trial of a civil action between Fritz Dittsch

plaintiff and P. Heisk & Co.

defendant S:

and have you then and there this writ.

Given under my hand, this 22nd day of January A. D., 1880
J. F. Dilley
Justice of the Peace.

State of Minnesota
County of Carver

I hereby certify that I

summoned the following named persons
their duty. ~~And~~ the following named persons
to make a jury in the within entitled action and
notified them to appear forthwith, for Burkhardt
John Snatt, Henry Stroback, G. Schmers, Chas.
Freuning & Chris Peters. F. E. DeWitt Sheriff
Fees, 1.00
Summons, 1.00
1.00

By M. Fogelin, Deputy

John Peters 1882
William Burkhardt
Mark,

State of Minnesota. }
County of Carver. }

In Justice Court
Before James G. Dillay.

Justice of the Peace.
Frederick Dittsch
Plaintiff.

vs
Philip Funk and George Birken.
Copartners as Philip Funk & Co.
Defendants.

I hereby agree to pay all
costs which may be adjudged
against the Plaintiff in the above
entitled action.

Dated Chaska Jan'y 19th 1880.
Ch. Brumfield

Justice Court
before

James F. Dillay.

Fredrick Dillpack

v.

Philip. Hans Leo.

Money for costs.

Allegan, 19th 1880

J. F. Dillay

Justice of the peace

W. C. Odell

att'y for def.

County of Cernu

Justice Court
Before H. D. Kelly
Judge

And Sheriff }
against }
Philip Hunk }
}

It is hereby stipulated that the above en-
titled action be adjourned to January 19th 1880 at
^{one} o'clock A M. That the defendant have
until that time to file his answer,
and that ~~plaintiff~~ before trial file security
for cost.

Dated Jan'y 12th 1880

L L Bayton
Depts. Acty

N. C. Odell

Atty for Def.

Stipulation

Filed Jan. 12th
1880

J. F. Riley
Justice of the Peace

Filed July 12th 1880
Wm. C. Cuykendall
Clerk

State of Minnesota }
County of Carver. }

In Justice Court
Before James F. Dilley.

Justice of the Peace
Frederick Dittfach
Plaintiff.

vs

Philip Funk & George Bierlied
Co-partners as Philip Funk & Company
Defendants.

State of Minnesota } ss.
County of Carver. }

Frederick Dittfach being first
duly sworn say, that he is the Plaintiff
in the above entitled action, that he
appeals from the judgment rendered
by James F. Dilley Esq, the above named
Justice of the Peace on the 22nd day
of January 1880. for the sum of
Twenty one and 45/100. Dollars.
in favor of the Defendants in the
above entitled action, and that
his said appeal is made in good
faith and not for the purpose of
delay.

Subscribed and sworn to Frederick Dittfach
Before me the 23rd day
of January 1880. J. F. Dilley
Justice of the Peace

State of Minnesota,
County of Carver.

IN JUSTICE COURT,

ss.

Before James V. Dilley,

Justice of the Peace.

Frederick Dittbach.
Plaintiff.

Philip Hank and George Beerline
Copartners as Philip Hank Company.
Defendants.

BOND ON APPEAL.

Know all Men by these Presents, That we

as principal, and

as sureties, are held and firmly bound unto

Frederick Dittbach
John Simon and No. Brinkhaus
Philip Hank & George Beerline as
Copartners Defendants above named, in the sum of Fifty
Dollars, to be paid to the said Defendants

for the payment whereof, well and truly to be
made, we jointly and severally bind ourselves, our heirs, executors and administrators, firmly by these
presents.

Sealed with our seals and dated this
A. D. 1880

23rd

day of

January

The condition of this obligation is such, that whereas the said Frederick Dittbach
appeals to the District Court for said county from that certain judgment rendered by said Justice of
the Peace, in the above entitled action, in favor of said Defendants
and against said Plaintiff on the 22nd day of
January A. D. 1870

Now Therefore, if the said appellant Frederick Dittbach
shall prosecute his appeal with effect, and abide the order of the Court therein, then this obligation
shall be null and void, otherwise of force and effect.

In Testimony Whereof, we have hereunto set our hands and seals the day and year
aforesaid.

Signed, Sealed and Delivered in Presence of

A. L. Dupont

J. F. Dilley

Frederick Dittbach

L.S.

John Simon

L.S.

No. Brinkhaus

L.S.

STATE OF MINNESOTA,

County of Carver.

ss.

Be it Known, That on this

day of

January D. A. 1880, came before me personally Frederick Dittbach

John Simon and No. Brinkhaus

to me well known to be the same persons who executed the foregoing Bond, and they severally acknowl-
edged the same to be their own free act and deed.

State of Minnesota,
County of *Carver* }

John Simon and
H. Brinkhaus came before me personally, and being by
me first duly sworn, doth say, each for himself, that he is the surety above named; that he
is a resident and freeholder of and in this State of Minnesota, and worth the amount of
Fifty dollars,
specified in the foregoing Bond, above his debts and liabilities, and exclusive of his property which is
exempt from execution.

John Simon
H. Brinkhaus

Subscribed and sworn to before me, on this *23rd* day of

January A. D. 18*80*

J. F. Dillay
Justice of the Peace

IN JUSTICE COURT,

Carver County.

Before *J. F. Dillay* Justice.

Fritz Dillay

against

P. Hens & Co.

BOND ON APPEAL.

I hereby approve the within Bond and
the sureties thereon.

Dated and filed *January 23rd*
A. D. 18*80*

J. F. Dillay
Justice of the Peace.

John Dillay 1st of 1880,
W. H. Hens

Attorney for

Printed and for sale at the St. Paul Pioneer Office.

State of Minnesota. }
County of Carver. }

In Justice Court
Before James T. Dilley.

Justice of the Peace.
Frederick Dittbach.
Plaintiff.

vs
Philip Funk & George Bierline
Co-partners as Philip Funk & Co.
Defendants.
Sirs.

You will please take notice
that the above named Plaintiff appeals
to the District Court, Eighth Judicial
District, County and State aforesaid,
from the judgment rendered against
him on the 22nd day of January 1880
by said James T. Dilley, Justice of the
Peace, in the above entitled action, and
that said appeal is taken upon questions
of both law and fact.

Dated Chaska Jan'y 29th 1880.

Yours &c

W. C. Odell

Atty for Plff.

To the above named Defs. &c

Frank Warner Esq.

Atty for Defs.

Justice Court
Before
James F. Dillig

Frederick Dittack.

vs

Philip Hunt et al.

Notice of appeal

Due service of the
within notice of appeal
is hereby admitted.
this ~~22~~²³ day of Jan'y 1880.

Frank Warner

att'y for D^f

filed July 20 1880
J. H. Warner, Clerk,

W. C. Odell
att'y for Plff.

State of Minnesota } S.S. In Justice Court
County of Cass } Before J. F. Dilley
Justice

Fredrick Dittbach

vs.

Plff.

P. Hunt & Co. depts.

depts.

Transcript.

December 31st - 1879. Summons issued returnable at my office on the 12th day of January 1880 at Ten O'clock A.M. delivered to F.E. DuBois Sheriff. January 12th 1880. Summons returned personally served by F.E. DuBois on the 2nd day of January 1880 as appears by his return & enclose thereon. Fees for service 60. January 12th. Ten O'clock A.M. case called and forthis answered to their names by their attorney's W. C. Odell for plaintiff and L. L. Baxter for defendants. Attorney's file a written stipulation adjourning the case until the 14th of January 1880 at One O'clock P.M., and their defendants have until that time to file their answer and plaintiff to file security for costs by the adjourned day. Plaintiff filed a written complaint duly verified. Case continued until the 14th of January 1880. at Ten O'clock A.M. January 14th. Ten O'clock A.M. case called and forthis answered to their names. Plaintiff by his

Attorney, W.C. Olcott and defendants by their
Attorney, Frank Warner. Defendant filed
a written answer duly verified. Plaintiff filed
a written reply duly verified. Plaintiff filed a
memorandum for security - for costs signed by
H. Brinkhaus. By consent of both parties
case adjourned until the 22nd day of January
1880 at Ten O'clock Am.

January 22nd 1880. Ten O'clock Am. case
called and parties answer to their names.
Defendants demand a jury trial and both parties
agree to trial by a jury of Six. Whereupon
I directed J.E. Dabbitt Sheriff to make a list
of names of eighteen inhabitants qualified
to serve as Jurors. The list having been made
and each party having struck out six names
therefrom I issued a venire for the following
qualified to serve as Jurors. To wit:
Joseph Bartholomew, John Arnold, H. Strobel
G. Schroors, Chas. Hemming, and Christ.
Peters. The jury all appeared and were
sworn without objection.

First: ditto each plaintiff Sworn.

The plaintiff then rested his case.

Ph. Heust defendant Sworn.

Nicholas Bierline " for defense
defendant called as a witness Michael

Briefing Question by defendant. State
proposition plaintiff made to you at the time
plaintiff came to be hired by you as head miller.
Plaintiff's atty. objects to the above question
as immaterial and irrelevant and makes
a general objection to the introduction of
any testimony in support of the defendant's
special defense. Objection overruled and
exceptions taken.

Chas. Rudolph Sworn for defense.

John Korker Sworn " "

George Heuck " " "

J. D. Edge " " "

Theodor Humming Sworn for defense

Joseph Melford " " "

The evidence being all in the jury re-
turned to their room in charge of Matthias
Soyelin constable Sworn for that purpose
and returned into court with a verdict
for defendant for One cent damages -

Whereupon I render judgment in favor
of defendants P. Heuck & Co. and against
the plaintiff Fritz. Dillfuch for the Sum of
One cent damages and costs of this action
Taxed at \$21.⁴⁵/₁₀₀.

January 23^d 1880. Plaintiff made and filed an
affidavit for appeal and bond in the penal sum
of \$50.⁰⁰ approved by me together with a notice

of appeal with proof of due service thereupon
 the defendants and paid me my fee 2.00 for this
 return. Appeal thereupon allowed Jan. 30th 1880.
 Return forwarded to Clerk of Dist. Court.

J. F. Dilley Justice of the Peace
 State of Minnesota } ss. In Justice Court
 County of Carver } J. F. Dilley Justice
 Fred. Dittfuch plff. }
 vs. } Return to Appeal.
 P. Hunt & Co. Defendants.

In pursuance of the notice of appeal by the plaintiff in
 the above entitled action and of the Statute in such case
 made and provided I do hereby certify and return that
 the annexed is a true transcript of all the entries
 made in my docket in said action and that the papers
 hereto attached are all the process and other papers
 relating to said action filed with me. And I do
 further certify and return that my fees for this
 return were duly paid by the said Fred. Dittfuch at
 the time of taking said appeal. J. F. Dilley
 Dated Carver Feb. 5th 1880. } Justice of the Peace

Fees. Justice fees	\$5.90
Sheriff DuBois "	\$5.55
Witnesses M. Bierline	1.00
C. Rudolph	1.00
J. Kerker	1.00
G. Hunt	1.00
J. D. Edge	1.00
H. Humming	1.00
J. Milford	1.00
Jury. paid by defendant	3.00
Total	\$21.45

Frederick Dittfuch
 Philip Hunt and Company

Filed, February 10th 1880
 C. H. Graymuhl
 Clerk

SUBPOENA.

STATE OF MINNESOTA, }
DISTRICT COURT. } ss.

FOR THE EIGHTH DISTRICT, CARVER COUNTY.

To
Ralph, ~~Frank~~ Walters.

GREETING:

IN THE NAME OF THE STATE OF MINNESOTA, you are hereby commanded, that laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court, for the Eighth Judicial District, and County of Carver, at the Court House in said County, on the 9th day of April at 9 o'clock, in the fore noon, then and there to give evidence in a cause to be tried between

Frederick Dittbach

Plaintiff

and

Philip Hawk and Company

Defendant on the part of the Plaintiff

Hereof fail not, on pain of the penalty that will fall thereon.

WITNESS, The Honorable JOHN L. McDONALD, Judge of the District Court
aforesaid, at Chaska, in said County, this 9th
day of April of the year 1880.

Chas. W. Wrayenbush

Clerk.

SUBPOENA.

DISTRICT COURT,
CARVER COUNTY.

IN THE MATTER OF

Fredrick Dierbach
Philip Mendel & Company

Subpoena on the part of

Plaintiff

STATE OF MINNESOTA,
CARVER COUNTY

April 9th 1880.

I have duly served the within by reading
the same to the within named *Ralph*
Walter and also by serving
Copy, and also by paying
him *\$100.* on part
Plaintiff

as I am therein commanded.

J. E. DuTait Sheriff

FEES—Service Subpoena \$ 50
Mileage 12 miles \$1.20
Return & Copy \$ 30
2.00

Filed in said Court, this *Ninth*
day of *April* A. D. 1880

W. J. Wrayenbush Clerk.
J. Attorney.

SUBPENA.

STATE OF MINNESOTA, }
DISTRICT COURT. } ss.

FOR THE EIGHTH DISTRICT, CARVER COUNTY.

To

J. F. Riley

GREETING:

IN THE NAME OF THE STATE OF MINNESOTA, you are hereby commanded, that laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court, for the Eighth Judicial District, and County of Carver, at the Court House in said County, ~~on the~~ fourth day of March at 11 o'clock, in the noon, then and there to give evidence in a cause to be tried between

and Philip Mente and Company

Frederick Wittfack

Plaintiff

Defendant on the part of the

Maintiff

Hereof fail not, on pain of the penalty that will fall thereon.

WITNESS, The Honorable JOHN L. McDONALD, Judge of the District Court
aforesaid, at Chaska, in said County, this ninth

day of

April

in the year 1886

Wm. H. H. H. H.

Clerk.

Original

SUBPOENA.

DISTRICT COURT,
CARVER COUNTY.

IN THE MATTER OF

Frederick Diefbach
Philip Blunk & Company

Subpoena on the part of

Plaintiff

STATE OF MINNESOTA,
CARVER COUNTY

April 9th 1880

I have duly served the within by reading
the same to the within named *James*
F. Dille, & by serving
copy. And also handing
him \$1.15 on part
of Plaintiff.

as I am therein commanded.

F. E. DeToit

Sheriff

FEES—Service Subpoena	\$ 50
Mileage 2 miles	\$ 20
Return & Copy.	\$ 30
	<u>1.00</u>

Filed in said Court, this *ninth*
day of *April*, A. D. 1880

Ed. Davison Clerk.
James F. Dille Attorney.

L. ED. DAVISON Print, Minneapolis.

James F. Dille

1 Frederick Dittfach }
2 As } April 8th 1880.
3 P. Hensel & Company. }

4
5
6 ~~Arnold Alton~~ 2. D.

7 Joseph Vogel

8 Geo. Bleichner Sons

9 ~~Almon W. Winters~~ 1. D.

10 ~~Andrew W. W. W.~~ P. J.

11 A. J. Tarnier

12 John Kerwin

13 August Klammner

14 Peter Ennen

15 Merritt Melvin

16 Julius Krall

17 Martin Kohnmann

18 ~~G. W. W. W.~~

19 Warren Melvin

20 ~~Israel Whitland~~ P. 2

21 Jacob Walter P. 3

22 Michael Popplard S

23 Michael Hott S

24

25

26

27

28

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30

31

32

11 Special Jurors Called by Sheriff.

State of Minnesota
District Court
County of Cass

Frederick Bretschach
vs
Philip Wentz & Company

Jury List

Filed April 1st A.D. 1880
G. Schreyer
clerk

E. G. H.

Assignment

No. 1271

DISTRICT COURT,
CARVER COUNTY, MINN.

Frederick Selter
Plaintiff.

vs.

Frederick & DuToit
Defendant.

Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry Feb 14 1882

Count a Page 84

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

1
2 State of Minnesota District Court
3 County of Carver Eighth District

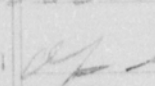
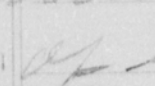
4 In the matter of the assignment
5 of Frederick Satter to Frederick E. DeTrit
6 for the benefit of the creditors of the said
7 Frederick Satter.

8 I know all men by their pres-
9 ents that we Frederick E. DeTrit of Carver
10 in the County of Carver and State of
11 Minnesota as principal and Philip H. H. K.
12 and Geo. A. DeTrit of Carver
13 as sureties are held and firmly
14 bound unto the State of Minnesota in
15 the sum of Four hundred dollars United
16 money of the United States to be paid
17 unto the said State of Minnesota for
18 the payment of which well and
19 truly to be made we jointly and
20 severally bind ourselves, our heirs,
21 executors and administrators giving
22 by these presents.

23 Sealed with our seals and dated
24 this 14th day of February A.D. 1880.

25 Whereas the above bounden Frederick
26 E. DeTrit has accepted the bond and
27 surety in him by and under the
28 deed of assignment for the benefit
29 of the creditors of the above named
30 Frederick Satter, duly executed and
31 acknowledged and returned by the
32 said Satter to him said assign-

1 On the 14th day of February A.D. 1880
2 And whereas the said Du Toit assigns
3 aforesaid is about to count to the
4 purpose of the trust aforesaid the
5 property conveyed to him by said
6 deed of assignment. Now therefore
7 the condition of the above obligation
8 is such that if the said Frederick
9 E. Du Toit shall and does faithfully
10 fully and justly perform all of
11 the duties imposed on him as assign-
12 ee under and by said deed of
13 assignment as aforesaid then this
14 obligation to be void otherwise of force
15 In testimony whereof we have hereunto
16 set our hands and seals this 14th day
17 of February A.D. 1880

18
19 Signed sealed and Delivered in presence of
20  Philip Hunt and
21  Geo. A. Du Toit
22 Geo. A. Houghton }
23 Geo Hunt }

24 State of Minnesota
25 County of Carver ss. Be it known that on
26 the 14th day of February A.D. 1880 came
27 before me personally Frederick E. Du Toit
28 Philip Hunt and Geo. A. Du Toit
29 and well known to be the persons who
30 executed the foregoing bond and each
31 severally acknowledged the same to be
32 their own free act and deed

J. F. Dilley
Justice of the peace

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State of Minnesota
County of Carver

being duly sworn upon oath doeth
say each for himself that he is one
of the sureties above named, that he
is a resident and freeholder of land
in the State of Minnesota and worth
the sum of **Four** hundred dollars
specifying in the foregoing bond
above his debt and liabilities
and exclusions of his property, which
is exempt from execution.

Subscribed and sworn to
before me this 1st day of July
1880
J. F. Dilly
Justice of the Peace

Philipa Tenk
Geo. A. DuBois

State of Minnesota
County of Curran

In the matter of the
assignment of bond
for the benefit
of Creditors

Bond

I hereby approve of
the within bond and
the sureties thereon
Dated Feb'y 17th 1888

J. L. Macdonald
Judge 8th Dist.

Filed Feb'y 18th 1888,
G. W. Raynolds
Clerk.

-84-

1
2 Know all men by these presents, that this
3 Assignment made on the fourteenth day
4 of February A.D. 1880 by Frederick East
5 of Chaska in the County of Carver in
6 the State of Minnesota party of the
7 first part to Frederick E. Beebe
8 of Chaska aforesaid party of the second
9 part witnesseth:

10 That whereas the said Frederick
11 East party of the first part is justly
12 indebted in some valuable sum of
13 money and has become unable to
14 pay and discharge the same with per-
15 tunity, or in full, and the said party
16 of the first part is now desirous of
17 making a fair and equitable dis-
18 tribution of his property and effects
19 among his creditors. Now therefore
20 the said party of the first part in con-
21 sideration of the premises and the
22 sum of one dollar to him in hand
23 paid by the said party of the second part
24 the receipt whereof is hereby acknowledged
25 have granted bargain sold, re-
26 leased released assigned and set
27 over and by these presents do sell
28 grant, bargain assign, release transfer
29 and set over unto the said party
30 of the second part, and to his heirs
31 and assigns forever all and singular
32 the lands tenements and hereditaments

1
2 lying and being in the state of Minnesota
3 and all the goods, chattels, Merchandise
4 bills bonds, notes, book account, claims,
5 demands, choses in action, book of ac-
6 count, judgments, evidence of debt and
7 property of every name and nature
8 subject and of the said party of the first
9 part, more particularly enumerated
10 and described in Schedule A to be
11 filed with this deed of assignment
12 Excepting and reserving from the operation
13 of this deed all of my property which is
14 by law exempt from execution -

15 To have and to hold the same and every
16 part and parcel thereof, with the appur-
17 tenances to the said party of the second
18 part his heirs, executors, administrators,
19 and assigns; In trust, nevertheless
20 and to and for the following purposes
21 was and intended, that is to say, that the said
22 party of the second part shall take
23 possession of all and singular of
24 the lands and tenements and her
25 appurtenances, property and effects hereby
26 assigned, and sell and dispose of
27 the same upon such terms and con-
28 ditions as in his judgment ~~or~~ may
29 appear best and most for the interest
30 of the creditors of the said party of
31 the first part, and also to collect
32 all and singular the said debts due,

1 bonds will not, account claims
2 demand and chase in action, or so
3 much thereof as may prove collectible
4 and turn over to agents, acknowledge
5 and deliver all necessary conveyances
6 and instruments for the purposes aforesaid
7 and by and with the proceeds of such
8 sales and collections the said party
9 of the second part shall first pay and dis-
10 burse all the just and reasonable expenses
11 costs, charges and commissions of ex-
12 ecuting and carrying into effect this
13 assignment and all other taxes and as-
14 sessments due or to become due on the
15 lands tenements and hereditaments of the
16 said until the same shall be sold and
17 disposed of, and by and with the
18 residue or net proceeds and proceeds
19 of such sales and collections, the
20 said party of the second part shall
21 first pay all debts owing to the United
22 States, and all debts owing to the
23 state of Minnesota, and all
24 taxes and assessments levied and
25 unpaid in full, and if said net pro-
26 ceeds shall not be sufficient to pay
27 such claims in full, then such net
28 proceeds shall be distributed equally
29 between the said United States and the state
30 of Minnesota share and share alike
31 according to the amount of their respec-

1
2 Claim and

3 Second. By and with the residue
4 and remainder of said net proceeds
5 and avails, if any there shall be the said
6 party of the second part shall pay
7 and discharge all debts owing for
8 wages of servants, labour, mechanics
9 and clerks, for labor and services
10 performed within three months next
11 preceeding the date of this assignment
12 for the said party of the first part in
13 full if there shall be sufficient money
14 in the hands of said party of the second
15 part to so pay the same, if not they shall
16 be paid pro rata so far as they can
17 be paid share and share alike, ac-
18 cording to the amount of the respective
19 claims.

20 Third. By and with the residue and
21 remainder of said net proceeds, the said
22 party of the second part shall pay
23 and discharge in full all other debts
24 and claims against the said party
25 of the first part which are properly
26 claimed and verified as required
27 by law if there shall be sufficient money
28 left in his hands for that purpose
29 if not, the moneys in the hands
30 of said party of the second part
31 applicable thereto shall be paid upon
32 said debts and claims pro rata share

1
2 should be according to the respective
3 amounts.
4 And the said party of the second part
5 shall return the surplus of the said net
6 proceeds and avails if any there shall
7 be to the said party of the first part
8 his executors, administrators and assigns.
9

10 And the said party of the first part hereby
11 constitutes and appoints the party of the
12 second part his Attorney, irrevocably
13 with power of substitution, authorizing
14 him in the name of the party of the
15 party of the first part, or otherwise
16 as the case may require, to do any and
17 all acts, matters and things, to carry into
18 effect the true intent and meaning
19 of these presents which the party of the
20 first part might do if personally
21 present.

22 In the schedule herewith filed and
23 hereinbefore referred to appear a full
24 and true account of all of the credits
25 of the said party of the first part as
26 required by law.

27 In testimony whereof the said party of
28 the first part has hereunto set his hand
29 and seal the day and year first above
30 written.

31 Signed, sealed and delivered
32 in presence of
L. L. Carter

Frederick S. Allen

Lucius Dixon

State of Minnesota

County of Carver ss - Be it known that on
the 16th day of February A.D. 1880 before me
the undersigned a justice of the peace
in and for said Carver County, per-
sonally appeared Frederick Fick and
known to be the sayor and decolon
of the foregoing deed of assignment
and he in due form of law acknowledged
that he executed the same freely and
voluntarily for the uses and purposes
therein stated

J. F. Dilling
Justice of the Peace

I Frederick E. Du Toit the assignee named
in the within deed of assignment do
hereby accept the trust imposed upon me
in and by said deed of assignment
and covenant to execute the same
faithfully

Dated Onuska Feb'y 14th 1880

Frederick E. Du Toit,

Friedrich Valtin

To

Friedrich E. Du Tour

Recd of Assignment
for the benefit of Creditors

Filed, February 14th AD 1880.
By Krayenbuhl
Clerk.

84

State of Minnesota,
County of Carver }

District Court
9th District

In the matter of the assignment of
Frederick Salter to Frederick L. DuBois }
for the benefit of the creditors of the }
said Salter -

Inventory

Being Schedule "A" referred to in the Deed
of assignment made in the above entitled matter,
and filed with the Clerk of the above named
Court on the 14th day of February A.D. 1880
which contains a full and true account
of all of the creditors of said Salter, the
place of residence of each, the sum owing
to each creditor, the nature of such debt,
whether arising upon written security account
or otherwise:

The true cause ^{and consideration} of such indebtedness in each
case, and the place where such indebtedness
arose.

A Statement of any existing judgment, mortgage,
collateral or other security for the payment
of any such debt.

A full true and complete inventory of such
debtor's estate both real and personal in
law or in equity and the incumbrances
existing thereon, and of all vouchers and

securities relating thereto, and the value of such estate and each item thereof, to the best knowledge, information and belief of such debtor -

Debtor
Holl & Gaar

Residence
St Paul Minn.

Sum owing
\$178.36

Cause of
Indebtedness

<u>Name of creditor</u>	<u>Residence</u>	<u>Sum owing</u>	<u>Cause of indebtedness and place where indebtedness arose</u>
Holl & Gaar	St Paul Minn	\$178.36	Account - St Paul Minn
Broder Smith paper Co.	Minneapolis Minn	8.52	Account - Minneapolis "
Lillibridge & Co	Minneapolis Minn	32.00	Account Minneapolis "
Hart Monroe & Thomas	Minneapolis "	141.60	Account Minneapolis "
Minnesota Soap Co.	Minneapolis "	6.00	Account Minneapolis "
Bradbury & Co	Milwaukee Wis.	6.00	Account Milwaukee Wis
A Kelly	Minneapolis Minn	32.00	Account Minneapolis Minn
S.W. Lusk	Chaska Minn	3.80	Account Chaska Minn
H Brinkhaus	Chaska Minn	14.00	Account Chaska Minn
Lucien Warner	St Paul Minn	17.50	Promissory note, Chaska Minn
H.C. Breidenhagen	Carver Minn	22.50	Account Chaska Minn
P. Hank	Chaska, Minn	37.00	Promissory note, Chaska Minn
Total		\$389.28	

State of Minnesota

County of Carver } S. Frederick Salter

being first duly sworn says that he is the debtor in the foregoing statement and inventory named that the foregoing statement and inventory is a just and true statement containing first - a full and true account of all the creditors of said debtor.

Second - The place of residence of each creditor -

Third - The sum owing to each creditor and the nature of such debt

Fourth - The true cause of such indebtedness and the place where such indebtedness arose.

That the annexed statement contains a statement of all existing judgments mortgages collateral and other securities for the payment of any such debts, also a full true and complete inventory of said debtor's estate both real and personal in law or in equity and the incumbrances existing thereon and of all vouchers and securities relating thereto and the value of such estate and each item thereof to the best knowledge information and belief of said debtor.

Subscribed and sworn to
before me this 16th day of
February A.D. 1880

Frederick Satter

M. H. Mayres

Notary Public.

Carver Co. Minn.

Inventory of Stock of Frederick
Satter, in matter of assignment of
of Stock to F. E. DuToit, for the
Benefit of Creditors.

1/2 Bob sack salt	..	@ 500	..	2.50
1 case core oysters	..	@ 350	..	3.50
9 cans tomatoes	..	@ 7		.63
1 doz cans corn	..	@ 16		1.92
20 cans grease	..	@ 16		3.20
50 boxes collars & cuffs	..	@ 5		2.50
11 Bottles of Lemon	..	@ 8		.88
6 Box cinnamon	..	@ 5		.30
9 lbs S. G. starch	..	@ 8		.72
37 " Salicatus	..	@ 5		1.85
17 can peaches	..	@ 15		2.55
10 th corn starch	..	@ 10		1.00
20 Lamp chimneys	..	@ 4		.80
26 Boxes Lye	..	@ 10		2.60
23 Boxes green	..	@ 9		2.07
24 th Soap	..	@ 5		1.20
13 Shells	..	@ 8		1.04
7 1/2 th Cocoa	..	@ 50		3.50
72 Boxes matches	..	@ 10		7.20
16 Boxes Blacking	..	@ 5		.80
18 " Coffee essence	..	@ 2		.36
36 " Sardines	..	@ 15		3.40
3 rd maiden S. Tobacco	..	@ 40		3.00
				41.64

2 1/4 th Durham & Tobacco	@ 30 [¢]	1.25
2 th Kentucky D. Tob	@ 20 [¢]	.40
6 bottles Pepper sauce	@ 5 [¢]	.30
16 th sticks Amoy	@ 13 [¢]	2.08
4 th mixed candy	@ 14 [¢]	.56
16 th glass jars	@ 20 [¢]	3.20
3 th cloves	@ 40 [¢]	.80
7 th pepper	@ 15 [¢]	.95
4 th allspice	@ 15 [¢]	.60
20 Cocoa shells	@ 5 [¢]	1.00
17 1/2 th Nutmegs	@ 9 [¢]	1.00
32 th peanuts	@ 9 [¢]	1.98
12 th Hazel nuts	@ 12 [¢]	1.44
10 th English walnuts	@ 13 [¢]	1.30
16 th Brazil nuts	@ 9 [¢]	1.35
14 th Almonds	@ 20 [¢]	2.80
5 wash tubs	@ 65 [¢]	3.25
17 1/2 doz brooms	@ 180 [¢]	3.15
20 bottles ink	@ 5 [¢]	1.00
9 steer wash Boards	@ 15 [¢]	1.35
4 sweep/stake w Boards	@ 20 [¢]	.80
1 Bbls Vinegar	@ 80 [¢]	8.00
3 bbls empty	@ 50 [¢]	1.50
1 meloness Funct	@ 300 [¢]	2.00
4 wash Lines	@ 12 1/2 [¢]	.50
7 1/2 Brushes	@ 10 [¢]	.70
60 Pack wash crystal	@ 2 [¢]	1.20
		44.36

3 rd Coconut	@ 40 [¢]	1.20
3 $\frac{1}{2}$ bu measures	@ 25 [¢]	.50
2 shipping bowls	@ 20 [¢]	.40
40 th Rope	@ 8 [¢]	3.20
30 th Basted coffee	@ 16 [¢]	4.80
lamp wicks	" "	.25
4 doz wash blue	@ 20 [¢]	.80
5 th ground pepper	@ 20 [¢]	1.00
1 $\frac{1}{2}$ th Ginger	@ 28 [¢]	.40
2 $\frac{1}{2}$ th cream tartar	@ 20 [¢]	.50
1 $\frac{1}{2}$ mustard	@ 20 [¢]	.30
1 st Baking Powder	@ 20 [¢]	.20
9 th fine cut Tobacs	@ 60 [¢]	5.40
19 th plug Tobacs	@ 50 [¢]	9.50
10 th green tea Joppum	@ 30	3.00
18 th " " Joppum	@ 30	3.40
$\frac{1}{2}$ Bbl Dried apples	@ 3	2.15
18 Balls Terine	@ 4	.72
1 doz small pipes (small)	@ 5 [¢]	.60
9 pipes	@ 25	2.25
3 pipes	@ 30	.60
2 doz stems	@ 60 [¢]	1.20
3 doz fish lines	@ 48	1.44
1 set fish hooks	@ "	.25
1 packays Legal cap paper	@ "	1.00
4 pack Commercial paper	@ 30 [¢]	1.20
3 boxes candy apples	@ 50 [¢]	1.00

 47.31

1 set of thimbles	"	.15
1 set of jewelry	"	1.00
9 cents	@7	.63
3 pocket books	@10	.30
1 set knitting needles	"	.20
1 .. led pencils	"	.20
1 .. slate pencils	"	.50
1 .. penholder	"	.10
2 cakes soap	@5.4	.40
2 Balls Soap	@20	.40
1 set of Leather Balls	"	.60
5 Bottles oil	@5.4	.28
2 Box Jersey paper	@20	.40
1 Shaver Case	"	1.50
1 counter	"	4.00
7 th starch	@4	.28
35 th wrapping paper	@2	.70
1 doz wooden spoils	@15	1.80
1 platform counter scale	"	5.00
1 set cloth pins	"	.35

page 4.

\$ 21.25

page 1

41.64

page 2

44.36

page 3

47.31

\$ 154.67

State of Minnesota
District Court
Carver County,

For the Master of the Aft. of
Frederick S. Alter

Pres. Co. ^{to} District,

App. ~~for~~ ^{of} Carver County.

Filed, July 18th 1880,
Carver County
Clerk.

84.

Assignment

No. 1272

DISTRICT COURT,
CARVER COUNTY, MINN.

*In the Matter of the Assignment
of Frederick A. Salter*
Plaintiff.

*To
Frederick E. Du Lac*
Defendant.

Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry

Feb 14

1880

Court
Register of Actions

A

Page

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Term Tried

1

Judgment for

Amount of Judgment \$

Date of Judgment

1

Judgment Book

Page

Default Judgment Book

Page

Date of Docketing

1

1
2 Know all men by these presents, that this Agree-
3 ment made on the fourteenth day of Feb-
4 ruary A.D. 1880 by Frederick A. Schuler of
5 this town in the County of Carver and State
6 of Minnesota party of the first part to
7 Frederick E. DuRoi of Chicago aforesaid
8 party of the second part Witnesseth -
9 That whereas the said Frederick A. Schuler
10 party of the first part is justly in-
11 debted in considerable sums of money and
12 has become unable to pay and discharge
13 the same with punctuality or in full and
14 the said party of the second part of William
15 a fair and equitable distribution of
16 her property and effect among her
17 creditors, Now therefore the said party of
18 the first part in consideration of the
19 promise and of the sum of one
20 dollar & two in hand paid by the
21 said party of the second part to receipt
22 whereof it hereby acknowledges and
23 have given but have received said release
24 assigned transferred and set over
25 and by these presents do grant bargain
26 sell assign transfer and set over unto
27 the said party of the second part and
28 to his heirs and assigns forever
29 all and singular the lands tenements and
30 hereditaments to lying and being in the
31 State of Minnesota, and all the goods
32 chattels, merchandise, bills bonds notes

1
2 books accounts, claims, demands, Chases
3 in action, books of accounts of Allegments
4 evidence of debt and property of every
5 kind and nature whatever of the said
6 party of the first part, more particularly
7 enumerated and described in Schedule
8 A to the said Deed of Assignment
9 made, accepting and receiving from
10 this deed all of my property, which
11 is by deed exempt from execution
12 To have and to hold the same and
13 every part and parcel thereof with all
14 appurtenances to the said party of the
15 second part his heirs, executors,
16 administrators and assigns, he and
17 nevertheless and to and with the following
18 purpose uses and intents - That he
19 the said party of the second part should
20 take possession of all and singular
21 of the lands and tenements and her-
22 editaments property and effects here
23 assigned and sell and dispose of the
24 same upon such terms and conditions
25 as in his judgment may appear best
26 and most for the interest of the creditors
27 of the said party of the first part, And
28 also to collect all and singular the
29 said debts, dues, bonds, bills, notes, ac-
30 counts, claims, demands and Chases in action
31 or so much thereof as may prove collectible
32 And therefore to execute Acknowledge

1
2 And deliver all necessary conveyances
3 and instruments for the purpose aforesaid
4 And by and with the proceeds of such
5 sales and collections the said party
6 of the second part shall first pay
7 and discharge all the just and reasonable
8 expenses, costs, charges and commissions
9 of executing and carrying into effect
10 this assignment, and all rents, taxes
11 and assessments due or to become due
12 on the land tenements and hereditaments
13 aforesaid until the same shall be paid and
14 disposed of, and by and with the residue
15 or net proceeds and avails of such
16 sales and collections the said party
17 of the second part shall
18 First pay all debts owing to the United
19 States and all debts owing to the
20 State of Minnesota, and all taxes
21 and assessments levied and unpaid
22 in full, and if such net proceeds shall
23 not be sufficient to pay such claims in
24 full, then such net proceeds shall
25 be distributed equally between the
26 United States and the State of Minnesota
27 share and share alike according to the
28 amount of their respective claims, and
29 Second - By and with the residue
30 and remainder of said net proceeds
31 and avails, if any, there shall be the
32 said party of the second part shall pay

1
2 And discharge all debts owing for wages
3 of servants, laborers, mechanics and others
4 for labor and services performed within three
5 months next preceding the date of this
6 assignment for the said part of the first part
7 in full, if there shall be sufficient money
8 in the hands of said party of the second part
9 to so pay them, if not they shall be paid pro
10 rata so far as they can be paid, I have
11 and I have a like according to the amount
12 of their respective claims.

13 Third- By and with the residue and
14 remainder of said net proceeds the said
15 party of the second part shall pay
16 and discharge in full all other debts
17 and claims against the said part
18 of the first part, which are properly
19 claimed and verified as aforesaid by
20 law, if there shall be sufficient money
21 in his hands for that purpose, if
22 not the money in the hands of the said
23 party of the second part I declare that
24 shall be paid upon said debts and
25 claims pro rata share and share alike
26 according to the respective amounts
27 lastly, the said party of the second
28 part shall return the surplus of the
29 said net proceeds and avails if any
30 there shall be to the said party of the
31 first part his executors, administrators
32 and assigns.

1
2 And the said party of the first part hereby
3 constitutes and appoints the party of the
4 second part his attorney, irrevocably with
5 power of substitution, authorizing him
6 in the name of the party of the first part or
7 otherwise, as the case may require to do
8 any and all acts, matters and things
9 to carry into effect the true intent and
10 meaning of these presents, which the
11 party of the first part might do if per-
12 sonally present.

13 In the schedule herewith filed and
14 hereinbefore referred to appears a full and
15 true account of all of the conditions of the
16 said party of the first part as required
17 by law.

18 In testimony whereof the said party of
19 the first part has hereunto set his hand
20 and seal the day and of us first above
21 written.

22 Signed, sealed and delivered }
23 in presence of } Frederick A. Saltzman
24 L. L. Benton }
25 Lucien Dixon }

26 State of Massachusetts
27 County of Barnstable }
28 I, J. F. Dilley, Clerk of the Court, do hereby certify that the foregoing deed of assignment and sale in and
29 for the County of Barnstable, as above described, is a true and correct copy of the original as the same appears from the records of the County of Barnstable, and that the same is a true and correct copy of the original as the same appears from the records of the County of Barnstable, and that the same is a true and correct copy of the original as the same appears from the records of the County of Barnstable.

32 J. F. Dilley
Clerk of the Court

1 I Frederick E Du Toit the assignee
2 named in the within deed of assignment
3 do hereby accept the trust imposed
4 upon me in and by said deed of
5 assignment and covenant to execute
6 the same faithfully.

7 Dated Alaska, Feb. 11th / 1880.

8 Frederick E. Du Toit

11
12

17
18 Frederick E Du Toit
19
20
21
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23
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25
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29
30
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32

Filed February 14th 1880,
Notary Public
(Alaska)

1880

State of Minnesota District Court
County of Carver Eighth District

In the matter of the assignment
of Frederick A Selter to Frederick
E Du Toit for the benefit of the creditors
of the said Frederick A Selter,

Know all men by these presents
that we Frederick E Du Toit of Chaska
in the County of Carver and State of
Minnesota as principal and Philip
Husk and Geo A. Du Toit of Chaska
appeared as sureties are held and
firmly bound unto the State of Min-
nesota in the sum of Five hundred
dollars lawful money of the United
States to be paid unto the said State
of Minnesota for the payment of
which well and truly to be made
we jointly and severally bind our-
selves our heirs executors and ad-
ministrators firmly by these presents
sealed with our seals and dated
this 14th day of February A.D. 1880

Whereas the above bounden Frederick
E Du Toit has accepted the trust im-
posed in him by and under the
act of assignment for the benefit
of the creditors of the above named
Frederick A Selter duly executed

acknowledged and delivered by the
said Frederick & DuRoi to him said
Assignee on the 14th day of February
AD 1880, And whereas the said DuRoi
assignee aforesaid is about to
commence to the purpose of the trust
aforesaid the property conveyed
to him by said deed of Assignment

Now therefore the condition of the
above obligation is such that
if the said Frederick & DuRoi
shall and do faithfully and
justly perform all of the duties
imposed upon him as Assignee
under said deed of Assignment
as aforesaid, then this obligation to be
void otherwise of force.

In testimony whereof we have here-
unto set our hands and seals
the 14th day of February AD 1880

Signed sealed and

delivered in presence of

Geo. H. Smith

Geo. A. Houghton

Frederick E. DuRoi Seal

Philip Henk Seal

Geo. A. DuRoi Seal

State of Minnesota

County of Carver ss Be it known

that on this 14th day of February

AD 1880 came before me personally

Frederick E. DuRoi, and Philip Henk
and George A. DuRoi to me well known

1
2 to be the persons who executed the fore-
3 going bond and each severally
4 acknowledged the same to be his
5 own free act and deed

6 J. F. Dilly

7 justice of the peace

8
9
10
11 State of Minnesota
12 County of Carver ss

George A. DeToit Esq

13 Philip Hunt being duly sworn
14 before said Just. sayeth that he is one of the sureties
15 above named; that he is a resident
16 and freeholder of land in the State
17 of Minnesota and worth the sum
18 of Five hundred

19 dollars specified in the foregoing
20 bond above his debts and liabilities
21 and exclusive of his property
22 which is exempt from execution
23 Subscribed and

24 Sworn to before me this

25 14th day of February A.D. 1880

26 J. F. Dilly

27 justice of the peace

Philip Hunt
Geo. A. DeToit

State of Minnesota
County of Carver

In the matter of the
Assignment of
Furniture & Goods
for the benefit of
Creditors &c
Bond

I hereby approve
of the within bond
and the securities
therein named
Dated Feb'y 17th 1884

J. L. McDonald
Judge 8th Dist

Filed Feb'y 18th 1884
J. W. Vandenbush
Clerk

84-

State of Minnesota
County of Carver

3⁰⁰
7⁰⁰

District Court
8th District.

In the matter of the assignment of Frederick A. Satter, to Frederick E. Du Toit, for the benefit of the Creditors of the said Satter,

Inventory, Being Schedule "A" referred to in the deed of assignment made in the above entitled matter and filed with the Clerk of the above named Court on the 14th day of February AD 1880, which contains a full and true account of all of the Creditors of said Satter, the place of residence of each; The sums owing to each creditor; The nature of such debt whether arising upon Written Security account or otherwise; The true cause and Consideration of such indebtedness in each case and the place where such indebtedness arose; A Statement of any existing judgment mortgage collateral or other security for the payment of any such debt.

A full true and complete inventory of such debtor's Estate both real and personal in law or in law or in equity and the incumbrances existing thereon, and of all vouchers and securities relating thereto, and the value of such Estate and each item thereof, to the best knowledge information

and belief of such debtor.

<u>Name of Creditor</u>	<u>Residence</u>	<u>Sum owing</u>	<u>Cause of indebtedness and place where indebtedness arose</u>
M. Heinman & Co	Milwaukee Wis.	\$434.47	Account Milwaukee Wis.
Mills & Dunham	Minneapolis Minn.	146.27	Account Minneapolis Minn.
Dutch & Abbot	St. Paul Minn.	28.52	Account St. Paul Minn.
Coykendall & Co.	Minneapolis Minn.	130.30	Account Minneapolis "
Thompson's Bazar		6.50	Account
		<u>\$646.06</u>	

State of Minnesota }
County of Lawer } ss. Frederick A.
Salter being

first duly sworn says that she is the debtor in the foregoing statement and inventory named. That the foregoing statement and inventory is a just and true statement containing

First. A full and true account of all account of all the creditors of said debtor.

Second. The place of residence of each creditor.

Third. The sum owing to each creditor and the nature of such debt.

Fourth. The true cause of such indebtedness and the place where such indebtedness arose.

That the annexed statement contains a statement of all existing judgments mortgages collateral and other securities for the payment of any such debts,

also a full true and complete inventory of
said debtors estate both real and personal in law
or in equity and the incumbrances existing thereon
and of all vouchers and securities relating
thereto, and the value of such estate and each
item thereof to the best knowledge information
and belief of said debtor.

Subscribed and sworn to
before me this 16th day of
February A.D. 1880

M. H. Muyres

Notary Public

Carver Co. Minn.

Friedricha A. Salter

InVENTORY of Millinery Goods and Mer-
 chandise of Fredericka A Satter,
 in matter of assignment in favor of
 Creditors to F. E. Mc Part.

3 hats	@ 50 [¢]	1.50
10 Fells	@ 1.00	10.00
1 pattern Bonnet	"	1.00
1 camel hair hat	"	1.25
4 hats	@ 75 [¢]	1.00
3 small Bonnets	@ 50	1.50
1 straw hat	"	1.00
2 straw hats	"	1.00
2 straw hats	"	1.50
3 felt hats	"	1.50
3 felt	@ 50	1.00
3 hats	@ 15 [¢]	30
1 felt	@ 1.00	1.00
3 hats	@ 25 [¢]	75
1 Bonnet	@ "	1.00
3	@ "	1.00
3 hats	@ "	60
1 hat	@ 75 [¢]	75
1 hat	@	2.50
2 hats	@	20
4 hoods	@	2.00
1 hat	@	1.00
		31.00

^{Doz.} 1/2 Cheap felt hats.	@ 10	1.75-
4 " " "	@ 10	40.
6 Black velvet "	@ 25	1.50
1 Bonnet		.80
4 hats	@ 20	.80
7 hats	@ 25	1.75-
7 hat	@ 10	.70
7 hats	@ 10	.70
6 hats	@ 10	.60
8 hats	@ 10	.80
6 hats	@ 20	1.80
13 Straw hats	@ 15	1.95-
13 " do "	@ 10	1.30
12 " do "	@ 20	2.40
3 " do "	@ 20	.60
4 " do "	@ 25	1.00
4 " do "	@ 10	.40
5 " ^{simulans} do "	@ 5	.25
1 " hat straw "	@ 25	.25
1 set hat frames & hats	@	1.00
1 " Bonnet frames	@	.80
2 1/2 # zepher	@ 150	3.00
5 Skeins yarn	@ 10	1.50
1 set stocking yarn		.50
21 pair white stocking	@ 10	2.10
5 for colored	@ 10	.50
17 for children colored	@ 10	1.70
		<u>\$46.25</u>

		3.25
		1.50
3 yds silk plush	@ 75	2.25
3 " silk	@ 75	.75
5 1/2 yds velvet	@ 50	2.75
4 1/2 silk	@ 20	.70
10 yds thin silk	@ 20	2.00
5 1/2 " do	@ 20	1.10
2 yds trimming	@ 20	.40
2 1/4 silk	@ 25	.60
5 yds silk lining	@ 25	1.25
2 1/4 " "	@ 30	.75
3 3/4 trimming silk	@ 30	1.10
1 yds silk	@ 40	.35
1 1/2 yds lining silk	"	.60
1 yds plush	@ 40	.50
1/4 set	"	.50
3 3/4 yds silk	"	.75
6 yds lining silk	@ 20	1.20
2 " silk faded	@ 25	.50
1 trimming	"	.50
10 pair assets steel	@ 25	2.50
10 1/2 spools thread rose	@ 40	.50
10 shank pins	@ 5	1.00
1 set needles	"	2.00
velvet Buttons	"	.60
4 Pencils	@ 15	.85
17 sticks Board	@ 5	.45
3 sets ambo	@ 15	
		\$ 29.15

1 Lot Ladies Back combs	..	1.50
2 doz Cotton Pins	@35	.60
" fine combs	@15	.55
1 lot trimming	..	.50
1 " Embroider linen	..	.35
2 " Cotton	..	.30
1 lot hair pins	..	.25
3 Jars	@10	.30
1 lot needles	..	.40
8 pair Gloves	@10	.80
2 " Gloves	@25	.50
3 " kid gloves	@35	1.05
13 " Cotton gloves	@10	1.30
1 piece Rubber	@20	.20
1/4 tinsel trimming	@15	.15
1 lot hat ornaments	@50	.50
1 lot sundries	@10	.10
4 Balls yarn	@10	.40
6 dolls	@5	.30
4 " Bodies	@4	.16
5 pair collars & cuffs	@10	.50
6 yds Roucho	@10	.60
6 " Lace	@10	.60
3 " do	@5	.15
14 " do	@5	.70
9 " "	2	.18
2 pieces lace	30	.60

12.19

(5)

6 yds lace	@ 4	25-
4 collars	@ 5	20
10 yds edging	@	30
2 pieces lace	@ 20	40
1 corset	"	15-
1 set trimming	"	35-
4 Marks		10
4 3/4 Bugle trimming	@ 6	30
6 yds silk do	@ 30	180
15 dress trimming	@ 30	450
3 yds lace	@ 10	30
4 3/4 Ball fringe		80
3 1/2 R R Canvas	@ 10	25-
3/4 canvas		15-
7 3/4 crown lining	@ 10	75-
1 set corset strings		25-
10 Pair suspenders boy	@ 5	50
13 yds tortoise	@ 15	195-
3 3/4 musk blind	@ 20	70
8 yds rilling	@ 25	200
4 " Brage	@ 30	60
3 " buds	@ 20	60
2 " caps	@ 25	50
3 " silk lace	@ 10	30
6 neck ties	@ 15	90
3 Baby Bonnets	@ 15	45-
1 doz clank fasteners	@ 25	25-

19.40

(6)

3 yds man down	@ 15	30 [¢]
52 " yards Ribbon	@ 15 [¢]	7.80
30 " " "	@ 20	4.00
28 " " "	@ 20	5.60
17 " " "	@ 20	3.40
26 " " "	@ 15	2.60
42 " " "	@ 15 [¢]	6.30
7 " " "	@ 20 [¢]	1.40
10 " " "	@ 10 [¢]	1.00
20 " " "	@ 10 [¢]	2.00
1 piece " "		.75
8 yds " "	@ 10 [¢]	.80
7 " " "	@ 5 [¢]	.35
28 " " "	@ 7 [¢]	1.96
37 " " "	@ 6 [¢]	2.22
18 " " "	@ 8 [¢]	1.44
68 " " "	@ 2 [¢]	1.36
4 " " "	@ 4	.40
15 " " "	@ 15 [¢]	2.25
7 " " "	@ 25	1.75
13 " " "	@ 25	1.00
4 " " "	@ 20	.80
18 " " "	@ 15 [¢]	2.70
4 " " "	@ 15	.60
13 " " "	@ 20	2.60
16 " " "	@ 10 [¢]	1.60
2 3/4 " " "	@ 30	.80

56.48

(7)

8 yds Ribbon	@ 20	1.60
4	@ 40	1.60
8 hats trim	@ 25	2.00
16	@ 10	1.60
8	@ 10	.80
25 sofa cushions	@ 50	1.25
2 hair switches	@ 200	4.00
6 common switches	@ 5 ^d	.30
6 Braids	@ 5 ^d	.30
7 waist Belts	@ 4 ^d	.28
13 Band Boxes	@ 5 ^d	.60
12 skeletons	@ 5 ^d	.60
1 ring & pin birds	..	1.00
2 strings of beads	@ 5 ^d	1.00
2 yds. rope	@ 40	.80
2	@ 75	1.50
4 yds Elusium	@ 15	.60
4	@ 15	.60
2 1/2 doz net	@ 50	1.25
2 veils	@ 20	.40
5 yds silk Braid	@ 20	1.00
11 Pair childrens stockings	@ 10	.40
4 yds crown lining	@ 10	.40
16 Pair stocking	@ 5 ^d	.80
7	@ 8	.56
2 veils ..	@ 25	.50
2 1/2 doz muskies	@ 50	1.50

25.69

3 Myrtle Wreaths,	30	1.50
3 " "	40	1.20
1 " "	20	.20
1 box of Flowers,	"	1.25
1 " wings & feathers	"	1.25
1 " " "	"	2.00
1 " " "	"	5.00
1 " " "	"	2.00
1 ...wedding wreath	"	.50
1 " Box Flowers	"	.40
1 " " Hat trimmings	"	.25
1 " " Trimmings	"	.40
1 Muff + Boa	"	1.00
2 long & one upright cases.	"	3.20
two tables for counters		2.00
13 hat stands		50

page.	8	\$ 24.25
"	7	25.69
"	6	56.48
"	5	19.40
"	4	12.19.
"	3	29.15.
"	2	46.25.
"	1	31.10
		<u>244.51</u>

State of Minnesota
District Court
County of Carver,

In the Matter of the Affs of
Frederick A. Salter

vs
Frederick C. DuRoi,

Affidavit and Inventory.

Filed Feb'y 18th AD 1880.

G. Wray embuhl
Clerk,

88

slander.

No. 1273

DISTRICT COURT,
CARVER COUNTY, MINN.

William Lutz
Plaintiff.

vs.

Ferdinand Lutz
Defendant.

Frank Warner
Plaintiff's Attorney.

W. C. Bell
Defendant's Attorney.

Date of Entry *February 14th, 1880*

Register of Actions *"A"* Page *82*

Term Tried *Genl. Term* 1880

Judgment for *Defendant*

Amount of Judgment \$ *27.02*

Date of Judgment *June 23rd, 1880*

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Default Judgment Book Page

Date of Docketing *June 23rd, 1880*

Judgment Book *"A"* page *312*

Vol. 1 State of Minnesota
County of Clearwater
District Court
8th Judicial District

Gottlieb Gatz — Plaintiff
vs
Ludwig Gatz — Defendant

The Complaint of
the Plaintiff respectfully states
and shows to this Court, that
on the 22nd day of March A.D.
1868 he entered into a contract
in writing with one Gottlieb
Gatz and Florentine Gatz his
wife by the terms of which this
Plaintiff ^{agrees} to support and maintain
them the said Gottlieb Gatz
and Florentine Gatz during
their natural life time which
said agreement reads in
the words and figures following
to wit:

2. "I bind all men by these
Presents. That the Gottlieb
Gatz and Florentine his wife
& the Son of Wacoma and the

County of Carson and State
of Minnesota parties of the first
part and Gottlieb Gatz of
the same place County and
State aforesaid have this day
made the following agreement

- First: The Gottfried Gatz
and Florentine Gatz do
hereby acknowledge that the
sum of One hundred and fifty
dollars due us by Gottlieb
Gatz, shall remain in the hands
of Gottlieb Gatz as part payment
for subsistence board and rent
already due to said Gottlieb
Gatz also all the money and other
3. Effects which may legally come
into our hands shall be and
remain forever the property
of said Gottlieb Gatz his heirs
and assigns forever, and we
the said Gottfried Gatz and
Florentine his wife forever give
up our right title and interest
in said money property or
any other article for ourselves
our heirs and assigns forever
upon this express condition, that

4.

Lotties Lutz has and shall
furnish a suitable room
provide the fuel, give board
close and nurse and if necessary
to provide for medical attendance
on either Lotties or Florentine
Lutz if needed also shall be
compelled to provide for the
distant burial and pay the
same out of his own money
and on his own expense and
both parties agree that without
just complaint for mal-treatment
or other cruel treatment
of either party this agreement
shall remain in full force
otherwise otherwise to be null
and void

In witness whereof the have
set their hands and seals
this 21st day of March 1868

Signed sealed Lotties Lutz [seal]
and delivered in Florentine Lutz [seal]
presence of Lotties Lutz [seal]
John Smith
Christian Schilling

John & Minnie
County of Carson 30th J. Louis Lutz

5. One of the Justice of the Peace
in and for Meigs County
do hereby Certify, that on this
21st day of March 1868 personally
appeared before me Gottfried
Gatz and all and each well
-known that they executed
the foregoing Agreement as
their free act and deed
for the uses and purposes
therein set forth.

" [Stamp: Seal
500] [Stamp: Seal
500]

Louis Gatzhey"
J. P.

which said Agreement was
duly recorded in the Office
of the Register & Deeds of said County
in Book "B" of "Miscellaneous
Cases" pages 414, 415 on the 3^d
6. day of April A.D. 1868 at 10.0
Clock A.M.

And the Complaint of
the Plaintiff further states and
shows that all the time during
the time of the existence of said
Agreement the said Defendant
Edw. H. H. has been aware
of and read all the contents
of said Agreement. That-

Said Agreement has ever
since the making thereof
remained unchanged and
now remains in full force
and effect

And the Complaint of
the plaintiff further states and
shows that since the 12th
day of ^{Dec.} A.D. 1872 and up to
the 1st day of January A.D. 1879
there came into the possession
of Florentino Gatz one of
the parties mentioned in
the foregoing agreement the
sum of six hundred and twenty
two dollars as the property of
Florentino Gatz and
that during the year A.D.
1879 the further sum of five
hundred and fifty seven dollars
and thirty cents as the property
of Florentino Gatz and
all of said sums of money
aforesaid being current
money of the United States

And the Complaint
of the plaintiff further states
and shows, that said

plaintiff has at all times ~~been~~
been ready and willing
to comply with the terms
of said Contract and has
in all respects discharged
his agreements therein mentioned
but that said defendant
contriving to cheat and
defraud this Plaintiff and
prevent him, said Plaintiff,
from receiving the money
so coming into the
hands of the said Florentine
Gatz has falsely and
fraudulently represented to
said Florentine that she
should pay the said sums
of money so received from
said defendant and he
~~could~~ ^{could} receive and receive
~~for the~~ ^{for the} that the same was as much dependent money as
to same, and that by means
of said false representations,
known only so made, the
said Florentine Gatz has
of the several sums of money
stated as aforesaid to said
defendant, ^{who appropriated the same to his own use} the said
Florentine, being of great

age, infirm and childish,
and not fully understanding
the consequences of his own
acts to the damage of the
plaintiff in the sum of
thirteen hundred dollars
wherefore this plaintiff
demands judgment against
said defendant in the
sum of thirteen hundred dollars
as his damages beside the
costs of this action.

Wm. Carver

Feb 3rd 1880

Frank Warren
attly for Plaintiff
Carver

State of Minnesota
County of Carver

Gottlieb Latz

10. being first duly sworn deposes
and says that he is the
plaintiff in the foregoing entitled
action that the facts set
forth in the foregoing Complaint
are true to his own knowledge
except as to those matters therein
contained upon information
or belief and as to those

Matter in relation to the
Gottlieb Gatz

sworn to and
subscribed before
me this 7 day of
February A.D. 1880

Peter Michels Justice
of the peace.

62 words

Witness, Court
Lee Gottlieb
Gatz

Gottlieb Gatz

pro

March Gatz

Compliment

Original

Filed February 14th 1880,
Gottlieb Gatz

For

Frank Warner
attys for Def

1 State of Minnesota
2 District Court
3 Eight Judicial District
4 Gottlieb Gatz
5 Plaintiff
6 v.s.
7 Ferdinand Gatz
8 Defendant
9

10 The above named
11 Defendant. For answer to the Plaintiffs
12 Complaint in the above entitled action.
13 First Denies each and every allegation
14 statement matter and thing in said
15 Complaint contained except ^{such} as
16 are hereafter admitted or qualified.
17 Second said defendant alleges and
18 avers. that said plaintiff during
19 the time the Gottfried Gatz and
20 Florentine Gatz mentioned in said
21 Complaint. resided with him said
22 plaintiff. and after the date of the
23 agreement mentioned and set forth
24 in said Complaint and therein alleged
25 to have been entered into between said
26 plaintiff and said Gottfried Gatz and
27 said Florentine Gatz. neglected and
28 refused to furnish and provide proper
29 and suitable food ^{and} clothing for said
30 Gottfried ^{and} Florentine Gatz. and
31 neglected and refused to furnish necessary
32 medicines, medical attendance and nursing.

1 during the sickness of the said
2 Gottfried ^{and} Florentine Gatz.
3 and that in consequence thereof
4 said Gottfried ^{and} Florentine Gatz. were
5 obliged to and did, in the early part of
6 of the year 1872 abandon the house
7 of said Plaintiff, and seek a home
8 elsewhere, and have not resided
9 with said Plaintiff since said time.
10 Third said Defendant alleges ^{and avers}
11 that in the year 1872. The
12 Florentine Gatz. ^{and} Gottfried Gatz, mentioned
13 and referred to in said Plaintiff's
14 complaint herein, came to live with this
15 Defendant. That said Gottfried Gatz
16 continued to live with this Defendant
17 until his death, which occurred in the
18 month of August 1874. That said
19 Florentine Gatz - ever ^{the early part of the} since the year
20 1872. has resided and now does reside
21 with this Defendant. That the only
22 money received by said Florentine Gatz
23 during her said residence with
24 this Defendant, has been received by her
25 from the United States Government
26 as and for a pension granted
27 her by said government, on the 14th
28 day of June 1869:

29 Fourth That between the year 1872
30 and the time of the commencement
31 of this action Florentine Gatz became
32 indebted to this Defendant in @

1 large sum of money. for board,
2 lodging, washing and medicine.
3 furnished by this Defendant, To said
4 Florentine Gatz. and her husband
5 said Gottfried Gatz. and for money
6 paid and expended. by this Defendant
7 in defraying the expenses of the last
8 illness and the funeral expenses of
9 said Gottfried Gatz. and in the
10 purchase of a monument erected to
11 the memory of said Gottfried Gatz.
12 by said Florentine Gatz. That said
13 board washing and lodging & medicine
14 were so furnished. and said money
15 & expended by this Defendant
16 at the special instance of and request
17 of the said Florentine Gatz in
18 consideration thereof promised and
19 agreed to pay this Defendant therefore;
20 That the only money ever paid to
21 or received by this Defendant. from
22 said Florentine Gatz. ~~voluntarily~~
23 was paid to this Defendant by said Florentine
24 voluntarily, and was by her intended for
25 and applied as payment upon her
26 aforesaid indebtedness to this Defendant
27 and not otherwise.

28 Wherefore this Defendant
29 asks that this action be dismissed with
30 costs

31 W. C. Odell

32 atty for Defs

Charles J. Winters

1 State of Minnesota }
2 County of Carver. } ss.

3 Ferdinand Gatz being
4 first duly sworn says that he is the
5 Defendant named in the foregoing
6 answer. that he has heard the same
7 read and knows the contents thereof.
8 and that said answer is true. of his own
9 knowledge. except as to those matters
10 therein stated upon information and
11 belief. and as to those matters he believes
12 it to be true.

Subscribed and Sworn to } Ferdinand Gatz
Before me this 6th day of }
March A.D. 1880 }

16 J. F. Dilly
17 Justice of the Peace
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State of Minnesota
County of Carver
District Court
Superior Judicial District

Lottlieb Lutz Plaintiff
as
Ferdinand Lutz Defendant

The Plaintiff for Reply
to the Answer of the Defendant
denies each and every allegation
stated and set forth in the
Answer of said defendant
wherefore the Plaintiff
asks judgment against said
defendant as in his Complaint
stated

Dated Carver
March 19th 1888 } Frank Warner
att'y for Lutz
Carver
Min

State of Minnesota
County of Carver } ss.

Lottlieb Lutz
being first duly sworn deposes
and says that he is the Plaintiff
in the foregoing entitled action
that the facts set forth in

the foregoing reply are
true of his word & knowledge
except as to those matters
therein stated upon information
and belief and as to those
matters he believes it to be
true

Not to and } Gotthel Gatz
Subscribed before }
On this 19th day }
of March A.D. 1888 }

Frank Warner
Justice of the Peace

District Court
1st District

Gottlieb Lutz
vs Plaintiff

Ferdinand Lutz
Defendant

Reply

Due service of
the within Reply
by copy admitted
this 2nd day of
March 1880

W. C. Odell
Deputy Clerk

Frank Warner
atty for Plaintiff
-vs- Carson
min

Filed, March 26th 1880
J. H. Cunningham
Clerk

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

Gottlieb Gatz }
agent }
Ferdinand Gatz } Plaintiff
vs }
 } Defendant

Spur joined in the above
Action - Complaint -
Answer

Reply

Last pleading served
20th day of March 1880

Clerk will please
enter same on the Calendar

Dated March }
24th 1880 }

Frank Warner
att^y for Pl^t

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

Guthrie Gatz } Plaintiff
vs
Ferdinand Gatz } Defendant

You are notified that
the issue of fact in the above
entitled action will come
on for trial at the next
Regular Term of the District
Court to be held at Chaska
in the County of Carver and
State aforesaid on the 5th day
of April A.D. 1880 at the opening
of the Court on that day or
as soon thereafter as counsel
can be heard.

J. H. C. Odell }
att'y for def } Frank Warner
att'y for Plff }
Carver
Min

Dist. Court
8th Dist.

Louis Gatz
vs

Ferdinand Gatz

Notice of Trial

Due notice
of the within
notice of trial
is hereby admitted
this 26th 1880

W. B. Ouel
- 82 -
atty for def.

Filed, March 26th 1880
Straubenholz, Clerk,

State of Minnesota,
County of Carver

District Court of the First Judicial District

Gottlieb Gatz
Plaintiff.
against
Ferdinand Gatz,
Defendant.

Affidavit of Disbursements.

Plaintiff's Costs and Disbursements.

Statute Costs, - *W. B. Odell* - - - \$10.00.

Disbursements.

3 Affidavits, *W. B. Odell* - - - " 75
Sheriff's Fees, - *paid Matthias Hegelin* - - - " 5.50
Clerk's Fees to be added, - - - - - " 5.65

Witness Fees.

W. B. Odell - A. C. Lassen 1 to 22 miles " 2.32
W. B. Odell - David Beck 1 " 30 miles " 2.80
Total Costs, \$ 29.02

Amount Claimed in Summons.

Principal, - - - - - \$

Interest, - - - - - \$

STATE OF MINNESOTA,
County of Carver } ss.

W. B. Odell came personally before me, and having been first duly sworn, he doth depose and say that he is the Attorney of said Plaintiff in the above entitled cause; that the above bill and items of Costs and Disbursements therein are just and correct, and have been necessarily incurred therein.

Subscribed and Sworn to before me,

On this 2nd day of June 1878

W. B. Odell

W. B. Odell
Clerk of Court,
Carver County

State of Minnesota,
County of

Court

against

Affidavit of No Answer.

STATE OF MINNESOTA,
County of

ss.

been first duly sworn, he doth depose and say that he is
the Plaintiff in the above entitled action: came personally before me, and having
the Attorney for

copy of either, has been received by the Plaintiff's Attorney in this cause, and prays
judgment according to law. and that no answer or demurrer, or

Subscribed and Sworn to before me,

On this day of 187

State of Minnesota } District Court
County of Carver. } 1st Judicial District

Gallus Gatz

Ferdinand Gatz

It is hereby stipulated that Defts. Gatz and Ferdinand
in the above entitled action may be heard as per the return filed and
entered in judgment without notice. Frank H. Brown

Dist. Court of Carver County.

Gallus Gatz
Ferdinand Gatz
against
Defendants.

Affidavit of No Answer, &c.

Filed the Twenty-third day of

June

A. D. 1880

Clerk.

Attorney for Plaintiff

Pioneer-Press Co., St. Paul, Minn.

State of Minnesota
County of Carver
District Court
1st Judicial District.

Orville Gatz
against
Ferdinand Gatz
Judgment.

The above entitled action having been brought on for trial at the General Term of said Court on the 5th day of April A.D. 1880, and the Court after due consideration Ordered Judgment on the pleadings dismissing said action with Costs for the Defendant.

Now therefore, on motion of W. C. Odell Attorney for Defendant, It is hereby Adjudged and determined And the judgment of this Court is that said Defendant recover of said Plaintiff the sum of Twenty seven dollars and seven cents, - Costs and disbursements taxed this day in said action, as per stipulation on file, and that said Defendant have his lawful process therefor.
Dated June 23rd A.D. 1880.

By the Court.

Wm. Krayenbuhl
Clerk.

State of Minnesota
District Court
County of Carver,

Gottlieb Gutz
^{vs}
Ferdinand Gutz,

Judgment Roll.

Judgment for Costs
for Defendant \$ 24.02,

Filed June 13th A.D. 1889,
C. Kraegenbuhl Clerk,

82

W. C. Odell Attorney for Deft
Leona, Minn.