



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

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No. 1304

DISTRICT COURT,  
CARVER COUNTY, MINN.

Peter Raeder  
Plaintiff

The Hastings & Dakota  
Railway Company  
Defendant

L. L. Baxter  
Plaintiff's Attorney

Defendant's Attorney.

Date of Entry June 24 1888  
Court Room  
Register of Actions A Page 255

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

Appeal

\$ 1369.<sup>00</sup>

Charla October  
Chickraff

Received of Graymunkle Clerk Rent Court  
the sum of Thirteen hundred and fifty nine dollars,  
being the amount in full of the towards of Commisary  
as per their report filed ~~May~~ 24<sup>th</sup> 1880. to  
William Hargard \$ 441.<sup>00</sup> and Peter Roeder Jr. \$ 528.<sup>00</sup>

L L Barton  
Atty for the Hastings and  
Dakota Railway Co

1880, No 145

J. T. Baxter  
attorney for the  
Hastings and Marlata  
Railway Company,

\$1369. - Receipt for amounts  
No 1. to Thompson & Co. and  
"5. Peter Rader Jr.

Filed, October 7<sup>th</sup> 1880  
Chas. W. Mitchell  
Clerk

TS



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

4 The Hastings and Dakota Railway  
5 Company - Appellants }  
6 against  
7 Peter Raess, Jr. - Respondents }

8  
9 It is hereby stipulated and agreed by and  
10 between the parties to the above entitled action  
11 that the above named appellant be and ~~be~~ it  
12 hereby is authorized to withdraw the amount  
13 deposited with the Clerk of the above named  
14 Court under the award made in favor of the above  
15 named Respondent which award was filed  
16 June 24<sup>th</sup> A.D. 1880 The above entitled matter  
17 having been settled and compromised and it is  
18 further stipulated that the appeal in the above  
19 entitled matter is hereby dismissed without  
20 costs to either party.

21 Signed Oct 20<sup>th</sup> 1880 Respondent

22 L L Boston  
23 Atty for Hastings  
24 and Dakota Railway  
25 Company Appellant  
26  
27  
28  
29  
30  
31  
32

State of Minnesota No 5.  
District Court  
County of Carver,

The Hastings and Wakarusa  
Railway Company vs  
Peter Becker Jr. Supt

Stipulation for Dismissal.

Filed, October 15, 1880.  
G. W. Langbehn  
Clerk

1880



State of Minnesota,  
COUNTY OF Carver

DISTRICT COURT.

Eighth Judicial District.

In the matter of the petition and application of the

Hastings and Dakota

Railway Company, to condemn certain

real property in the County of Carver

and State of Minnesota, filed in said court

on the 24<sup>th</sup>

day of May

A. D. 1880

Peter Roeser

Claimant and Respondent.

versus

The Hastings and Dakota  
Railway Company

Petitioner and Appellant.

STATE OF MINNESOTA,

County of Hennepin.

Frederick E. Du Toit

being duly sworn, says that at

Chaska

in the County of Carver

in the State of Minnesota, on the

24<sup>th</sup>

day of June

A. D. 1880,

he personally served a true copy of the notice of the appeal in the above entitled matter upon

Peter Roeser

the above named respondent, by then and there delivering in hand to and leaving with

said respondent such copy of the said notice of appeal, and that he then and there personally knew

the person so served to be the respondent

therein named.

Subscribed and sworn to before me, this

8<sup>th</sup> day of July

A. D. 1880.

Frederick E. Du Toit  
Notary Public

Hennepin County  
Minnesota

5

DISTRICT COURT.

Carver County

in the matter of the application of the

Hastings and  
Dakota

Railroad Company, filed May 27  
A. D. 1880.

Peter Roeser

versus.

Hastings and Dakota  
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10<sup>th</sup> 1880  
J. H. Weymouth  
Attorneys for Petitioners.

255



State of Minnesota, } ss.  
COUNTY OF Leaver

DISTRICT COURT,

8<sup>th</sup>

JUDICIAL DISTRICT.

In the matter of the petition and application of the

Hastings and Dakota  
Railway

Company to condemn certain real property in the County of

Leaver

and State of Minnesota, filed in the said court on the

24<sup>th</sup>

day of

May

A. D. 1880.

Peter Roeser

Claimant and

Respondent,

vs.

The Hastings and Dakota  
Railway Company

Petitioner and

Appellant.

To

Peter Roeser

You and each of you are hereby notified that the above named petitioner, the

Hastings and Dakota

Railway

Company appeals to the District Court in and for the County of

Leaver

8<sup>th</sup>

Judicial District, State of Minnesota, from that part or portion of the award of the

Commissioners, made and filed in the above entitled matter, on the

24<sup>th</sup>

day of

June

A. D. 1880, which awards to

Peter Roeser

as owner, subject

to the liens of

as incumbrancers, the sum of Five hundred and ninety eight Dollars, as

compensation for damages and injury to the

North west quarter of the North west  
quarter of section thirteen in Township one  
hundred and sixteen Range twenty four three

by reason of the taking of land necessary and required to be taken for the use and tracks of said Railway Company for the following reasons, and upon the following grounds, viz:

1st,

That the said company claim the said award and  
report unjust and excessive and the amount of  
compensation to be paid the above claimant  
more than the damage or injury to said  
property.

2nd,

That said commissioners did not allow  
in reduction of damages sustained by the  
above named claimant the benefit accruing  
to said claimant by the construction of  
said road.

Dated this

24

day of

June

A. D., 1880.

L L Bayten

Attorneys for Appellant.



Upon reading the award in the within entitled matter and the within notice of appeal and accompanying affidavit, ordered that the appellant deposit in this Court the sum of *Five hundred and ninety-eight* Dollars, the amount awarded to the within named respondent, to abide the result of the appeal and the further order of the Court thereon; also that appellant give bond on appeal, as provided by statute, the penalty of which is hereby fixed at *Six hundred* Dollars, and that upon such deposit and the giving of such bond, all proceedings by the respondent upon the award, except to appeal therefrom, be stayed for twenty days.

Dated June *24<sup>th</sup>* 1880.

*J. L. McDonald*  
Judge.

**DISTRICT COURT,**

*Leaver* County.

In the matter of the petition of the *Hastings*  
and *Dakota*

Railway Company, filed in said Court on the *24*  
day of *May* A. D., 1880.

*Peter Roesser*

VERSUS

*The Hastings and*  
*Dakota Railway*  
*Company*

**NOTICE OF APPEAL.**

*Filed, Term Sept 10 1880,*  
*Applicant* *Adm'd,*  
*24<sup>th</sup>*

State of Minnesota,  
COUNTY OF *Carver* }

DISTRICT COURT,  
*8<sup>th</sup>* Judicial District.

In the matter of the petition and application of the *Hastings and Dakota* Railway Company, to condemn certain real property in the County of *Carver* and State of Minnesota, filed in said court on the *24<sup>th</sup>* day of *May* A. D. 1880.

*Peter Roeser*  
Claimant ~~and~~ Respondent.  
VERSUS

*The Hastings and Dakota Railway Company*  
Petitioner and Appellant.

Know all Men by these Presents, That we *Shurburne S. Merrill*  
*in behalf of said Appellant*  
as principal and *Hugh G. Harrison and Charles H. Grover*

as sureties, are held and firmly bound unto *Peter Roeser*

above named in the sum of *Six hundred* Dollars,  
to be paid to the said *Peter Roeser*

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 *23<sup>d</sup>* day of *June* A. D. 1880.

The condition of this bond is such that whereas, the said *Hastings and Dakota Railway Company* appeals to the District Court of said County of *Carver* from that part or portion of the ~~award~~ *and report* of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on the *24* day of *June* A. D. 1880, awarding to said respondent the sum of *Five hundred and ninety eight* Dollars damages, as compensation for the taking or injuriously affecting the land of said Respondent by the said Appellant, for railroad purposes.



Now Therefore, if the said appellant *The Hastings & Dakota Railway Company* shall prosecute its said appeal without delay, and abide the order the said court may make on such appeal, and pay the costs of said appeal if it should fail therein, then this obligation to be null and void, otherwise of force and effect.

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

IN PRESENCE OF

*W B Gillman*  
*W B Bailey*

*W G Harrison*  
*Charles H. Prior*



STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

Be it known that on this *23<sup>rd</sup>* day of *June* A. D. 188*0*, personally appeared before me *Shurburn S. Merrill* *Hugh G. Harrison* and *Charles H. Prior* to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

*Francis B Bailey*  
Notary Public,  
Hennepin County, Minn.

STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

*Hugh G. Harrison* and *Charles H. Prior*  
being each duly sworn, doth each for himself depose and say:

That he is a freeholder and a resident of the State of Minnesota, and that he is worth the sum of *six hundred* Dollars, named in the foregoing bond, over and above his just debts and liabilities, and exclusive of property exempt from execution.

Subscribed and sworn to before me this *23<sup>rd</sup>* day of *June* A. D. 188*0*.  
*Francis B Bailey*  
Notary Public, Hennepin Co. Minn.

*Charles H. Prior*  
*H G Harrison*



DISTRICT COURT,

*Cass* County

In the matter of the application of the

*Hastings and Dakota*  
*Railroad Company*, filed *May 24*  
A. D. 1880.

*John Roeder*

*The Hastings & Dakota*  
*Railway Company*  
*vs*  
*Gold, June 24<sup>th</sup> 1880*  
*Chas. H. Prior & Co.*

BOND ON APPEAL.

*To receive above the*  
*within bond this 24<sup>th</sup>*  
*day of June A.D. 1880*  
*J. L. McDonald*  
*Judge*

Attorneys for Petitioners.

*W. H. F.*

No. 1305

DISTRICT COURT,  
CARVER COUNTY, MINN.

Frank Richardal  
Plaintiff  
Resp.

vs.  
The Hastings & Dakota  
Railway Company  
Defendant.  
app.

L. P. Baxter  
Plaintiff's Attorney,  
app.

Defendant's Attorney.

Date of Entry, June 24, 1880  
Court, A  
Register of Actions, Page 256

Term Tried.....1

Judgment for.....

Amount of Judgment \$.....

Date of Judgment.....1

Judgment Book.....Page.....

Default Judgment Book.....Page.....

Date of Docketing.....1

Appeal



\$ 800.00

Charla, October 25 1880

Received of G. Kreyenbuhl Clerk of  
District Court, the sum of eight hundred dollars  
for amounts paid John Greiser and Frank Piche  
and Frankville Piche an award made by testimony  
in your report filed June 24th A.D. 1880.

Piche \$13.00

Greiser 800.00

\$ 813.00

paid 800

\$ 13.00 Wm Bayler

L L Bayler  
Atty Hastings and  
Sakata Railway Company

1884

W. H. Baxter City  
Superintendent Hastings & Dakota  
Railway Company

---

\$800.00 paid to  
Quinn & Rich

Filed Oct 1st 1884  
Eschmeyer & Co.  
Clerk,

No. 14	John Quinn	400.00
" 6.	Frank Rich	400.00
		<hr/>
		800.00

State of Minnesota  
County of Barron.

District Court,  
Eighth Judicial District

The Hastings and Dakota Railway Company - Appellant  
against  
Frank Picha and Franziska Picha - Respondent

It is hereby stipulated by, and between, the parties to the above entitled action that the above named Appellant withdraws, from the Clerk of the above named Court, the sum awarded to above named Respondents, in the above entitled matter which award was filed with said Clerk in his Office on the 24<sup>th</sup> day of June A. D. 1880; said matter having been settled and compromised; and also that the Appeal herein be dismissed without costs to either party.

Dated Oct. 5<sup>th</sup> 1880.

L. L. Bayton  
Atty for the Hastings  
and Dakota Railway Company  
Appellant

Lucene Picha Franziska Picha  
Respondents



✓ District Court <sup>W 6.</sup>  
Cannon County.

The Hastings & Dakota Railway Company  
vs.  
Frank Picha & Franziska Picha.

Stipulation for Dismissal

Given & returned 1st Oct 1880  
G. H. H. H. H.  
Clerk

256



State of Minnesota, }  
COUNTY OF *Carr* } ss.

DISTRICT COURT,

*Eighth* Judicial District.

In the matter of the petition and application of the *Hastings and Dakota*

Railway Company, to condemn certain

real property in the County of *Carr* and State of Minnesota, filed in said court

on the *24th* day of *May* A. D. 1880

*Frank Picha. Franziska Picha. Linen-  
ser and Faber and Joseph Schindler*

*Claimant and Respondent.*

VERSUS

*The Hastings and Dakota  
Railway Company*

*Petitioner and Appellant.*

STATE OF MINNESOTA, }  
County of Hennepin. } ss.

*Fredrick E. DuToit*

being duly sworn, says that at *Chanhassen* in the County of *Carr*

in the State of Minnesota, on the *6th* day of *July* A. D. 1880,

he personally served a true copy of the notice of the appeal in the above entitled matter upon

*Frank Picha. Franziska Picha. and Joseph Schind-  
ler*

the above named respondents by then and there delivering in hand to and leaving with *each of the*

*respective* said respondents such copy of the said notice of appeal, and that he then and there personally knew

the person so served to be the respondent therein named.

*F. E. DuToit.*

Subscribed and sworn to before me, this *8th* day of *July*

A. D. 1880.

*Francis B. Bailey  
Notary Public  
Hennepin Co  
Minn*

6.  
DISTRICT COURT.

Carr County

in the matter of the application of the

Hastings and  
Dakota

Railroad Company, filed May 2<sup>nd</sup>  
A. D. 1880.

Frank Rich et al

versus.

The Hastings & Dakota  
Railway Company

Affidavit of Service of Notice of Appeal.

Filed, July 10<sup>th</sup> 1880  
Chas. H. H. H. H. H.  
Attorneys

Attorneys for Petitioners.

- 788 -



State of Minnesota, } DISTRICT COURT,  
COUNTY OF Carr } ss. Eighth Judicial District.

In the matter of the petition and application of the Hastings and Dakota  
Railway Company, to condemn certain  
real property in the County of Carr and State of Minnesota, filed in said court  
on the 24th day of May A. D. 1880

Frank Richa Franziska Richa  
Lorenziller & Faber and Joseph Thind  
vs  
Claimants and Respondent.

VERSUS

The Hastings and Dakota  
Railway Company  
Petitioner and Appellant.

STATE OF MINNESOTA, }  
County of Hennepin. } ss. Fredrick E. DuSart

being duly sworn, says that at Chanhassen in the County of Carr  
in the State of Minnesota, on the 20th day of June A. D. 1880,  
he personally served a true copy of the notice of the appeal in the above entitled matter upon  
Lorenziller and Faber

the above named respondents by then and there delivering in hand to and leaving with each of the  
respective  
said respondents such copy of the said notice of appeal, and that he then and there personally knew  
the person so served to be the respondent  
therein named.

Subscribed and sworn to before me, this 26th day of July  
A. D. 1880.  
Francis B. Bailey  
Notary Public  
Hennepin Co  
Minn

6.  
DISTRICT COURT.

Carver

County

in the matter of the application of the

Hastings and  
Dakota

Railroad Company, filed May 2nd  
A. D. 1880.

Frank Rich et al

VERSUS.

The Hastings and Dakota  
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10th A.D. 1880  
W. H. Trautman clerk

Attorneys for Petitioners



State of Minnesota, } ss.

DISTRICT COURT,

COUNTY OF *Carr*

JUDICIAL DISTRICT.

In the matter of the petition and application of the

*Hastings & Dakota*

Railway

Company to condemn certain real property in the County of *Carr*

and State of Minnesota, filed in the said court on the *24th* day of *May* A. D. 188*8*.

*Frank Picha, Francisca Picha,  
Lorenz Picha, Fabre and Joseph  
Schneider*  
Claimants and Respondents

vs.

*The Hastings & Dakota  
Railway Company  
Petitioners and Appellants*

To

*Frank Picha, Francisca Picha, Lorenz Picha,  
Fabre and Joseph Schneider*

You and each of you are hereby notified that the above named petitioner, the

*Hastings & Dakota*

Railway

Company appeals to the District Court in and for the County of *Carr*

*Eighth*

Judicial District, State of Minnesota, from that part or portion of the award of the

Commissioners, made and filed in the above entitled matter, on the *24* day of *June*

A. D. 188*8*, which awards to

*Frank Picha, Francisca Picha* as owner & subject  
to the liens of *Lorenz Picha, Fabre and Joseph Schneider*  
as incumbrancers, the sum of *Two hundred and fifteen* Dollars, as  
compensation for damages and injury to the *North East quarter of the North  
East quarter of Section Fifteen in Township  
One Hundred and Fifteen Range twenty three*

by reason of the taking of land necessary and required to be taken for the use and tracks of said Railway Company for the following reasons, and upon the following grounds, viz:

1st, *That said company claim the said award and report unjust and excessive, and the amount of compensation to be paid to the above named claimant more than the damage or injury to said property*

2nd, *That the said commissioners did not allow in reduction of the damage sustained by the above named claimant the benefit accruing to said claimant by the construction of said road*

Dated this *24* day of *June* A. D. 188*8*.

*L L Buxton*

Attorneys for Appellant.

Upon reading the award in the within entitled matter and the within notice of appeal and accompanying affidavit, ordered that the appellant deposit in this Court the sum of *Five Hundred & Thirteen* Dollars, the amount awarded to the within named respondent, to abide the result of the appeal and the further order of the Court thereon; also that appellant give bond on appeal, as provided by statute, the penalty of which is hereby fixed at *Five Hundred & fifty* Dollars, and that upon such deposit and the giving of such bond, all proceedings by the respondent upon the award, except to appeal therefrom, be stayed for twenty days.

Dated June *24* 1880.

*J. L. Macdonald*  
Judge.

**DISTRICT COURT,**

*Cover* County.

In the matter of the petition of the

*Hastings & Dakota*

Railway Company, filed in said Court on the *24*

day of *May* A. D., 188*0*

*Frank Richer et al*

VERSUS

*The Hastings & Dakota*

*Railway Company*

**NOTICE OF APPEAL.**

*Filed, June 24<sup>th</sup> 1880*

*J. L. Macdonald* *clerk*

*W. L. =*



State of Minnesota,  
COUNTY OF Carver

DISTRICT COURT,  
8th Judicial District.

In the matter of the petition and application of the *Hastings and Dakota*  
Railway Company, to condemn certain  
real property in the County of *Carver* and State of Minnesota, filed in said court  
on the *24* day of *May* A. D. 188*7*.

*Frank Picha, Franziska Picha*  
*Linnefelter and*  
*Fabe and Joseph Schneider*  
Claimants and Respondents

VERSUS

*The Hastings and Dakota Railway*  
*Company*

*Petitioner and Appellant.*

Know all Men by these Presents, That we *Shubane S. Merrill for and*  
*in behalf of the above named appellant*

as principal and *Hugh G. Harrison and Charles H.*  
*Prior*

as sureties, are held and firmly bound unto *Frank Picha Franziska Picha and*  
*Linnefelter, Fabe and Joseph*  
*Schneider*

above named in the sum of *Five hundred and Fifty* Dollars,  
to be paid to the said *Frank Picha, Franziska Picha, and*  
*Linnefelter, Fabe and Joseph Schneider*  
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.

Scaled with our seals, and dated this *22<sup>nd</sup>* day of *June* A. D. 188*7*.

The condition of this bond is such that whereas, the said *Hastings and Dakota*  
*Railway Company*  
appeals to the District Court of said County of *Carver* from that part or portion of the  
*and report*  
award of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on  
the *24* day of *June* A. D. 188*7*, awarding to said respondent the sum  
of *Five hundred and thirteen* Dollars damages, as compensation  
for the taking or injuriously affecting the land of said Respondent by the said Appellant. for railroad purposes.

Now Therefore, if the said appellant *The Hastings and Dakota Railroad Company* shall prosecute its said appeal without delay, and abide the order the said court may make on such appeal, and pay the costs of said appeal if it should fail therein, then this obligation to be null and void, otherwise of force and effect.

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

IN PRESENCE OF  
*J B Gillillan*  
*F B Bailey*  
*S D Merrill*  
*W G Harrison*  
*C H Prior*  
SEAL  
SEAL  
SEAL  
SEAL

STATE OF MINNESOTA,  
COUNTY OF HENNEPIN. } ss.

Be it known that on this *22<sup>d</sup>* day of *June* A. D. 188*0*, personally appeared before me *Shuburn S. Merrill* *Hugh G. Harrison* and *Charles H. Prior* to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

*Francis B Bailey*  
Notary Public,  
Hennepin County, Minn.

STATE OF MINNESOTA,  
COUNTY OF HENNEPIN. } ss.

*Hugh G. Harrison* and *Charles H. Prior*  
being each duly sworn, doth each for himself depose and say:  
That he is a freeholder and a resident of the State of Minnesota, and that he is worth the sum of *Five hundred and fifty* Dollars, named in the foregoing bond, over and above his just debts and liabilities, and exclusive of property exempt from execution.

Subscribed and sworn to before me this *23<sup>d</sup>* day of *June* A. D. 188*0*.  
*Francis B Bailey*  
Notary Public, Hennepin Co. Minn.  
*C H Prior*  
*W G Harrison*  
SEAL  
SEAL

DISTRICT COURT,

County

In the matter of the application of the

*Hastings & Dakota*  
Railroad Company, filed  
A. D. 1880.

*Frank Rochester*

versus  
*The Hastings & Dakota*  
Railway Company  
Filed June 24<sup>th</sup> and 25<sup>th</sup> 1880.  
*Unbray & Co. St. Paul.*

BOND ON APPEAL.

*I hereby approve the*  
*within bond, this 24*  
*day of June A. D. 1880*  
*J. L. MacDonnell*  
Judge

Attorneys for Petitioners.

*W. H.*



No. 1'306

DISTRICT COURT,  
CARVER COUNTY, MINN.

John Guise et al  
Plaintiff.

The Hastings & Dakota  
Railway Company  
Defendant.

L. L. Baxter  
Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry June 24, 1880  
Cause Ref A  
Register of Actions Page 256

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

Herald Pub. Co., Chaska, Minn.

Appeal

State of Minnesota  
County of Carver.

District Court,  
Eighth Judicial District

The Hastings and Dakota Railway Company - Appellant

against

John Geiser -

Respondent

It is hereby stipulated by and between  
the parties to the above entitled action that the above  
named Appellant withdraws from the Clerk of the  
above named Court the sum awarded to above named  
Respondent, in the above entitled matter, which  
award was filed with said Clerk in his Office on the  
24<sup>th</sup> day of June, A. D. 1880, said matter having  
been settled and compromised; and also that the  
appeal herein be dismissed without cost to either party  
Dated Oct. 8<sup>th</sup> 1880.

L L Dayton

Attorney for the Hastings  
and Dakota Railway  
Company Appellant

John Geiser

Respondent

I District Court <sup>No. 7.</sup>  
Carver County.

The Hastings and Dakota Railway Company

vs.

John Greiser.

Stipulation for Dismissal.

Filed, October 28<sup>th</sup> A.D. 1880  
G. W. H. H. H. H.  
Clerk

1880.



State of Minnesota, }  
COUNTY OF Carr } ss. Eighth Judicial District.  
In the matter of the petition and application of the Hastings and Dakota . . .  
Railway Company, to condemn certain  
real property in the County of Carr . . . and State of Minnesota, filed in said court  
on the 24th day of May . . . A. D. 1880

John Guiser and Horace W. Gilman  
Plaintiffs and Respondents  
versus

The Hastings and Dakota  
Railway Company  
Petitioner and Appellant.

STATE OF MINNESOTA, }  
County of Hennepin. } ss. Fredrick E. DuRoi  
being duly sworn, says that at Chaska . . . in the County of Carr . . .  
in the State of Minnesota, on the 29th day of June . . . A. D. 1880,  
he personally served a true copy of the notice of the appeal in the above entitled matter upon . . .  
John Guiser

the above named respondent, by then and there delivering in hand to and leaving with . . .  
said respondent such copy of the said notice of appeal, and that he then and there personally knew . . .  
the person so served to be the respondent  
therein named.

Subscribed and sworn to before me, this 30th day of July . . .  
A. D. 1880.

Francis B. Bailey  
Notary Public  
Hennepin Co  
Minn

M.

DISTRICT COURT.

Carver County

in the matter of the application of the

Hastings and  
Lakota

Railroad Company, filed

A. D. 1880.

John Guier et al

versus.

The Hastings and Lakota  
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10<sup>th</sup> A.D. 1880  
Wm. H. Hays Clerk

Attorneys for Petitioners.

1880



State of Minnesota, } ss.

COUNTY OF Carver

DISTRICT COURT,

Eighth JUDICIAL DISTRICT.

In the matter of the petition and application of the

Hastings and Dakota

Railway

Company to condemn certain real property in the County of

Carver

and State of Minnesota, filed in the said court on the

24<sup>th</sup>

day of

May

A. D. 188 0.

John Geiser and Horace W. Gilman

Claimants and

Respondents

The Hastings and Dakota  
Railway Company

Petitioner and

Appellant.

To John Geiser and Horace W. Gilman

You and each of you are hereby notified that the above named petitioner, the

Hastings  
and Dakota

Railway

Company appeals to the District Court in and for the County of

Carver

Eighth

Judicial District, State of Minnesota, from that part or portion of the award of the

Commissioners, made and filed in the above entitled matter, on the

24

day of

June

A. D. 188 0, which awards to

John Geiser

as owner, subject

to the liens of

Horace W. Gilman

as incumbrancers, the sum of

Five hundred

Dollars, as

compensation for damages and injury to the

North west-quarter of the  
North east quarter of section Fourteen in  
Township One hundred and Sixty Range  
Twenty three,

by reason of the taking of land necessary and required to be taken for the use and tracks of said Railway Company for the following reasons, and upon the following grounds, viz:

1st,

That the said company deem the paid award  
unjust and excessive and the amount of  
compensation to be paid the above claimants  
more than the damage or injury to said property

2nd,

That said Commissioners did not allow  
in reduction of the damages sustained by the  
above named claimants the benefit accruing  
to said claimants by the construction of  
said road

Dated this

24

day of

June

A. D. 188 0.

L. B. Basler

Attorneys for Appellant.

Upon reading the award in the within entitled matter and the within notice of appeal and accompanying affidavit, ordered that the appellant deposit in this Court the sum of Five hundred Dollars, the amount awarded to the within named respondent, to abide the result of the appeal and the further order of the Court thereon; also that appellant give bond on appeal, as provided by statute, the penalty of which is hereby fixed at Five hundred Dollars, and that upon such deposit and the giving of such bond, all proceedings by the respondent upon the award, except to appeal therefrom, be stayed for twenty days.

Dated June 24<sup>th</sup> 1880.

J. L. MacDonell  
Judge.

**DISTRICT COURT,**

Lawer County.

In the matter of the petition of the Hastings and Dakota

Railway Company, filed in said Court on the 24

day of May A. D., 188 0.

John Geiser and  
Grace W. Gilman

VERSUS

The Hastings and  
Dakota Railway  
Company

**NOTICE OF APPEAL.**

Filed, June 1st 1880.  
Sp. Crayenbuhl Att. Gen.

256



State of Minnesota,  
COUNTY OF Carver } ss.

DISTRICT COURT,  
8th Judicial District.

In the matter of the petition and application of the Hastings and Dakota  
Railway Company, to condemn certain  
real property in the County of Carver and State of Minnesota, filed in said court  
on the 24 day of May A. D. 1880.

John Geiser & Horace W. Gilman

Claimants and Respondents  
VERSUS

The Hastings and Dakota  
Railway Company

Petitioner and Appellant.

Know all Men by these Presents, That we Sherburne J. Merrill in  
behalf of the above named appellant

as principal and Charles H. Briton and Hugh  
G. Harrison

as sureties, are held and firmly bound unto John Geiser and Horace  
W. Gilman

above named in the sum of Five hundred Dollars,  
to be paid to the said John Geiser and Horace W. Gilman

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 22<sup>nd</sup> day of June A. D. 1880.

The condition of this bond is such that whereas, the said Hastings and  
Dakota Railway Company  
appeals to the District Court of said County of Carver from that part or portion of the  
and report  
award of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on  
the 24 day of June A. D. 1880, awarding to said respondent the sum  
of Five hundred Dollars damages, as compensation  
for the taking or injuriously affecting the land of said Respondent by the said Appellant, for railroad purposes.



Now Therefore, if the said appellant *The Hastings and Dakota Railway Company* shall prosecute its said appeal without delay, and abide the order the said court may make on such appeal, and pay the costs of said appeal if it should fail therein, then this obligation to be null and void, otherwise of force and effect.

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

IN PRESENCE OF  
*J. B. Gillman*  
*F. B. Bailey*

*S. S. Munn*  
*W. G. Harrison*  
*W. R. R. R.*



STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

Be it known that on this *20* day of *June* A. D. 188*7*, personally appeared before me *Shurbum J. Murrie* *Charles H. Pein* and *Hugh G. Harrison* to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

*Francis B. Bailey*

Notary Public,  
Hennepin County, Minn.

STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

*Charles H. Pein*

and

*Hugh G. Harrison*

being each duly sworn, doth each for himself depose and say:

That he is a freeholder and a resident of the State of Minnesota, and that he is worth the sum of *Five hundred* Dollars, named in the foregoing bond, over and above his just debts and liabilities, and exclusive of property exempt from execution.

Subscribed and sworn to before me this *20* day of *June* A. D. 188*7*.  
*Francis B. Bailey*  
Notary Public, Hennepin Co. Minn.

*C. H. Pein*  
*H. G. Harrison*



DISTRICT COURT,

County

*Carver*

In the matter of the application of the

*Hastings and*

*Dakota*

*Railroad Company, filed*

*May 24*

*A. D. 1886.*

*John L. Linn, and*

*Harold W. Lillman*

VERSUS

*The Hastings & Dakota*

*Railroad Company*

BOND ON APPEAL.

*I hereby approve the*  
*within bond this 24*  
*day of June A. D. 1887*  
*J. L. Magdonald*  
*Judge*

Attorneys for Petitioners.

*Upham, June 24th 1887*

*Wm. C. Campbell*

*256*

No. 1307

DISTRICT COURT,  
CARVER COUNTY, MINN.

Fredrick Kelme  
Plaintiff  
Resp.

The Hastings & Dakota  
Railway Company  
vs.  
Defendants  
app.

L. L. Burt  
Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry June 2<sup>nd</sup> 1886  
Court Rec. A  
Register of Actions Page 256

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

Appeal



State of Minnesota,  
County of Carver.

District Court.  
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant.

against

Fred Helm

- Respondent.

It is hereby stipulated by, and between, the parties to the above entitled action that the above named Appellant withdraws from the clerk of the above named Court, the sum awarded the above named Respondent in the above entitled matter, which award was filed with said clerk, in his office, on the 24<sup>th</sup> day of June A. D. 1881; said matter having been settled and compromised; and also that the appeal herein be dismissed without costs to either party.

Dated Oct. 9<sup>th</sup> 1880

L. L. Dwyer

Atty for the Hastings  
and Dakota Railway  
Company ~~Appellant~~

Respondent

Fred <sup>Helm</sup>  
must

of  
to mark  
to make

District Court. No 8.  
County of Larver.

The Hastings and Dakota Railway Company

vs.

Fred Helm.

Stipulation for Dismissal.

Order, October 9th 1888  
Expenditure  
Adm.

1888.



State of Minnesota,  
COUNTY OF Carr } ss.

DISTRICT COURT,

Eighth Judicial District.

In the matter of the petition and application of the Hastings and Dakota  
ta . . . . . Railway Company, to condemn certain  
real property in the County of Carr . . . and State of Minnesota, filed in said court  
on the 24th day of May . . . A. D. 1880

Fredrick Kelm

Defendant and Respondent.  
VERSUS

The Hastings and Dakota  
Railway Company  
Petitioner and Appellant.

STATE OF MINNESOTA, }  
County of Hennepin. } ss.

Fredrick E. Dwyer

being duly sworn, says that at . . . Charles . . . in the County of Carr . . .  
in the State of Minnesota, on the 25th day of June . . . A. D. 1880,  
he personally served a true copy of the notice of the appeal in the above entitled matter upon . . .

Fredrick Kelm

the above named respondent, by then and there delivering in hand to and leaving with . . .  
said respondent such copy of the said notice of appeal, and that he then and there personally knew . . .  
the person so served to be the respondent  
therein named.

Subscribed and sworn to before me, this 25th day of July . . .  
A. D. 1880.

F. E. Dwyer  
Francis B. Bailey  
Notary Public  
Hennepin Co  
Minne

18.  
DISTRICT COURT.

Crow County

in the matter of the application of the

Hastings and  
Dakota

Railroad Company, filed May 27<sup>th</sup>  
A. D. 1880.

Fredrick Kuhn

VERSUS.

The Hastings & Dakota  
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10<sup>th</sup> 1880  
W. H. Krayenbuhl Clerk.

Attorneys for Petitioners.

W. H.



State of Minnesota, }  
COUNTY OF *Carver*

DISTRICT COURT,  
*Eighth* JUDICIAL DISTRICT.

In the matter of the petition and application of the *Hastings and Dakota*  
Railway

Company to condemn certain real property in the County of *Carver*  
and State of Minnesota, filed in the said court on the *24* day of *May* A. D. 188*8*.

*Fredrick Kellum*

*Claimant and* Respondent,

vs.

*The Hastings and Dakota*  
*Railway Company*

*Petitioner and* Appellant.

To

*Fredrick Kellum*

You and each of you are hereby notified that the above named petitioner, the *Hastings*  
*and Dakota* Railway

Company appeals to the District Court in and for the County of *Carver*  
*Eighth* Judicial District, State of Minnesota, from that part or portion of the award of the  
Commissioners, made and filed in the above entitled matter, on the *24* day of *June*  
A. D. 188*8*, which awards to *Fredrick Kellum*

as owner, subject  
to the liens of

~~as incumbrances~~, the sum of *One thousand fifty seven* Dollars, as  
compensation for damages and injury to the *North west quarter, except the*  
*south half of the South west quarter of the North*  
*west quarter of Section fourteen in Township one*  
*hundred and sixteen Range Twenty three*  
by reason of the taking of land necessary and required to be taken for the use and tracks of said Railway  
Company for the following reasons, and upon the following grounds, viz:

- 1st, *That the said Company under the said*  
*award the just and excessive and the amount*  
*of Compensation to be paid the above*  
*claimant more than the damages or injury*  
*to said property*
- 2nd, *That the said Commissioners did not allow in*  
*reduction of the damages sustained by the above*  
*named claimant, the sum of money accruing to said*  
*claimant by the construction of said road.*

Dated this *24* day of *June* A. D. 188*8*.

*J. H. Bayler*  
Attorney for Appellant.

Upon reading the award in the within entitled matter and the within notice of appeal and accompanying affidavit, ordered that the appellant deposit in this Court the sum of *One thousand and fifty seven* Dollars, the amount awarded to the within named respondent, to abide the result of the appeal and the further order of the Court thereon; also that appellant give bond on appeal, as provided by statute, the penalty of which is hereby fixed at *One thousand and One hundred* — Dollars, and that upon such deposit and the giving of such bond, all proceedings by the respondent upon the award, except to appeal therefrom, be stayed for twenty days.

Dated June *24<sup>th</sup>* 1880.

*J. L. MacDonald*  
Judge.

**DISTRICT COURT,**

*Quinn* County.

In the matter of the petition of the *Hastings*  
and *Dakota*

Railway Company, filed in said Court on the *24*  
day of *May* A. D., 1880.

*Fredrick Nelson*

*The Hastings and  
Dakota Railway  
Company*

**NOTICE OF APPEAL.**

*Filed June 24<sup>th</sup> 1880,  
C. H. Koenigsholtz Clerk*



State of Minnesota,  
COUNTY OF *Carver*

DISTRICT COURT,

ss.

*8/12* Judicial District.

In the matter of the petition and application of the *Hastings and Dakota R*  
*ailway Company*, to condemn certain  
real property in the County of *Carver* and State of Minnesota, filed in said court  
on the *24* day of *May* A. D. 188*0*.

*Frederick Helm*  
*Respondent.*  
VERSUS

*The Hastings and Dakota Railway*  
*Company* — *Petitioner* — *Appellant.*

Know all Men by these Presents, That we *Sherburn S. Merrill* in  
*behalf of said appellant*  
as principal and *Charles H. Prior and Hugh J. Harris*

as sureties, are held and firmly bound unto *Frederick Helm*

above named in the sum of *One thousand one hundred* Dollars,  
to be paid to the said *Frederick Helm*

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 *22<sup>d</sup>* day of *June* A. D. 188*0*.

The condition of this bond is such that whereas, the said *Hastings and*  
*Dakota Railway Company*  
appeals to the District Court of said County of *Carver* — from that part or portion of the  
*award* of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on  
the *24* day of *June* A. D. 188*0*, awarding to said respondent the sum  
of *One thousand one fifty seven* Dollars damages, as compensation  
for the taking or injuriously affecting the land of said Respondent by the said Appellant, for railroad purposes.





No. 1308

DISTRICT COURT,  
CARVER COUNTY, MINN.

Louis Lunnell  
Plaintiff  
Resp.

The Hastings & Dakota  
Railway Company  
Defendant  
App.

L. P. Baxter  
Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry June 24 1886  
Court Reg.  
Register of Actions A Page 256

Term Tried.....1.....

Judgment for.....

Amount of Judgment \$.....

Date of Judgment.....1.....

Judgment Book.....Page.....

Default Judgment Book.....Page.....

Date of Docketing.....1.....

Herald Pub. Co., Chaska, Minn.

Appeal

State of Minnesota, }  
COUNTY OF Carr } ss. DISTRICT COURT,  
Eighth Judicial District.  
In the matter of the petition and application of the . . . Hastings and  
Dakota . . . Railway Company, to condemn certain  
real property in the County of . . . and State of Minnesota, filed in said court  
on the 24th day of May . . . A. D. 1880

Louis Summers

Claimant and Respondent.  
VERSUS

The Hastings and Dakota  
Railway Company  
Petitioner and Appellant.

STATE OF MINNESOTA, }  
County of Hennepin. } ss. Fredrick E. DuBois  
Chapman . . . in the County of Carr  
being duly sworn, says that at . . . in the State of Minnesota, on the 24th day of July . . . A. D. 1880,  
he personally served a true copy of the notice of the appeal in the above entitled matter upon . . .  
Louis Summers

the above named respondent, by then and there delivering in hand to and leaving with . . .  
said respondent such copy of the said notice of appeal, and that he then and there personally knew . . .  
the person so served to be the respondent  
therein named.

Subscribed and sworn to before me, this 24th day of July . . .  
A. D. 1880.

F. E. DuBois  
Francis B. Barber  
Notary Public  
Hennepin Co  
Minn



9.  
DISTRICT COURT.

*Carver*

County

in the matter of the application of the

*Hastings and  
Dakota*

Railroad Company, filed

A. D. 1880.

*Louis Tummus*

versus.

*The Hastings & Dakota  
Railway Company*

Affidavit of Service of Notice of Appeal.

*Filed July 10<sup>th</sup> A. D. 1880,  
W. K. Krayenbuhl  
Clerk,*

*Attorneys for Petitioners.*

256

State of Minnesota  
County of Carver.

District Court  
Eighth Judicial District

The Hastings and Dakota Railway Company - Appellant.

against

L. Timmers

- Respondent.

It is hereby stipulated by, and between, the parties to the above entitled action that the above named Appellant withdraws from the clerk of the above named Court the sum awarded to the above named Respondent in the above entitled matter which award was filed with said clerk in his office, on the 24<sup>th</sup> day of June, A. D. 1888, said matter having been settled and compromised; and also that the appeal herein be dismissed without costs to either party.

Dated Oct 9<sup>th</sup> 1888

L L Bayler

Atty for Hastings and  
Dakota Railway Company  
Appellant

Leas Timmers

Respondent



District-Court No 9.  
County of Barren.

The Hastings and Dakota Railway Company.

vs.

L. Tummers.

Stipulation for Dismissal.

Filed October 1st A.D. 1880,  
G. Krayenbuhl  
Clerk.

= 256. =

State of Minnesota, }  
COUNTY OF *Carr*

DISTRICT COURT,  
*8th* JUDICIAL DISTRICT.

In the matter of the petition and application of the  
*Hastings and Dakota* Railway  
Company to condemn certain real property in the County of  
and State of Minnesota, filed in the said court on the *24th* day of *May* A. D. 188*0*.

*Louis Timmers*  
Claimant and Respondent,  
vs.

*The Hastings & Dakota*  
*Railway Company*  
Petitioner and Appellant.

To  
*Louis Timmers*

You and each of you are hereby notified that the above named petitioner, the  
*Hastings & Dakota* Railway  
Company appeals to the District Court in and for the County of *Carr* and report  
*Eighth* Judicial District, State of Minnesota, from that part or portion of the award of the  
Commissioners, made and filed in the above entitled matter, on the *24* day of *June*  
A. D. 188*0*, which awards to  
*Louis Timmers* as owner, subject

to the liens of  
as incumbrancers, the sum of *Two hundred and eighty six* Dollars, as  
compensation for damages and injury to the *South east quarter of the North*  
*East quarter of Section fifteen in Township One*  
*hundred and Sixteen - Range twenty three*

by reason of the taking of land necessary and required to be taken for the use and tracks of said Railway  
Company for the following reasons, and upon the following grounds, viz:

- 1st, *That the said company deem the said award of report*  
*unjust and excessive and the amount of com-*  
*ensation to be paid to the above named claimant*  
*more than the damage or injury to said property*
- 2nd, *That said commissioners did not allow in*  
*reduction of the damages sustained by the above*  
*named claimant the benefit accruing to said*  
*claimant by the construction of said road*

Dated this *24* day of *June* A. D., 188*0*.

*L L Baxter*  
Attorney for Appellant.



Upon reading the award in the within entitled matter and the within notice of appeal and accompanying affidavit, ordered that the appellant deposit in this Court the sum of *Two hundred and eighty six* Dollars, the amount awarded to the within named respondent, to abide the result of the appeal and the further order of the Court thereon; also that appellant give bond on appeal, as provided by statute, the penalty of which is hereby fixed at *Three hundred* Dollars, and that upon such deposit and the giving of such bond, all proceedings by the respondent upon the award, except to appeal therefrom, be stayed for twenty days.

Dated June *24* 1880.

*J. L. MacDonnell*  
Judge.

*91*  
DISTRICT COURT,

County.

In the matter of the petition of the

*Hastings & Dakota*

Railway Company, filed in said Court on the *24*

day of *June* A. D., 188*0*

*Louis Zimmerman*

VERSUS

*The Hastings & Dakota  
Railway Company*

NOTICE OF APPEAL.

*Filed, June 24<sup>th</sup> 1880  
C. H. MacDonnell*

*W. H.*

State of Minnesota,  
COUNTY OF *Carver*

DISTRICT COURT,  
8<sup>th</sup> Judicial District.

In the matter of the petition and application of the *Hastings and Dakota* Railway Company, to condemn certain real property in the County of *Carver* and State of Minnesota, filed in said court on the *24<sup>th</sup>* day of *May* A. D. 188*2*.

*Louis Tummers*  
Claimant and Respondent.  
VERSUS

*The Hastings & Dakota*  
*Railway Company*  
Appellant.

Know all Men by these Presents, That we *Shirburne S. Merrill for*  
*in behalf of the above named appellant*

as principal and *Hugh G. Harrison and Charles H.*  
*Snor*

as sureties, are held and firmly bound unto *Louis Tummers*

above named in the sum of *Three hundred* Dollars,  
to be paid to the said *Louis Tummers*

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 *22<sup>d</sup>* day of *June* A. D. 188*2*.

The condition of this bond is such that whereas, the said *Hastings and Dakota Railway Company* appeals to the District Court of said County of *Carver* from that part or portion of the award of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on the *24* day of *June* A. D. 188*2*, awarding to said respondent the sum of *Two hundred and eighty six* Dollars damages, as compensation for the taking or injuriously affecting the land of said Respondent by the said Appellant, for railroad purposes.



Filed June 24<sup>th</sup> 1880  
Attorneys for Petitioners.  
Gibbs & Burdett

No. 1309

DISTRICT COURT,  
CARVER COUNTY, MINN.

Martin Roeser  
Plaintiff.

vs.  
The Hastings & Dakota  
Railway Company  
Defendant.

L. P. Baxter  
Plaintiff's Attorney,  
appellant.

Defendant's Attorney.

Date of Entry June 24 1880  
Court Ref. A  
Register of Actions Page 256

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1



\$1220<sup>00</sup>

Ukamba, October 9th 1880  
Chimraffu.

Received of Captain Wrayenbush Chief District  
the sum of Twelve hundred and twenty dollars, Amounts  
paid to Frederick Helm and Martin Roeder in settlement  
of the claims made by Commissioners by their report  
dated June 24<sup>th</sup> 1880.

10. Martin Roeder	444.00	1054.00
8. Frederick Helm	820.00	444.00
	<u>1220.00</u>	<u>1504.00</u>
Total \$	1220.00	1220.00
		<u>\$ 284.00</u>

J. E. Du Toit.  
Agent for C. M. &  
St Paul Railway.

1881

J. E. Russett  
Agent for the Plantings  
and Dakota Railway Co.

\$1224. no receipt

Mr. 10. \$ 400.00 Martin Rader  
" 8. " 820.00 Fred. Helm  
\$ 1220.00

J. H. Schuchman  
 G. H. Schuchman  
 (Schuchman)



State of Minnesota  
County of Carver.

District Court.  
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant.

against

Martin Racer - Respondent.

It is hereby stipulated by, and between,  
the parties to the above entitled action that the above  
named Appellant withdraws from the clerk of the  
above named court the sum awarded to the above  
named Respondent in the above entitled matter, which  
award was filed with said clerk in his office, on the  
24<sup>th</sup> day of June, A. D. 1887, said matter having been  
settled and compromised, and also that the appeal  
herein be dismissed without costs to either party.

Dated Oct. 9<sup>th</sup> 1887.

L L Payton

Attorney for Hastings and  
Dakota Railway Company  
Martin Racer Appellant

Respondent

District Court. No 10.  
County of Carver.

The Hastings and Dakota Railway Company.

vs.

Martin Raser

— — — — —  
Stipulation for dismissal.

Filed, October 9th 1880  
G. Drayton  
Clerk

= 256 =



State of Minnesota, }  
COUNTY OF *Carver* } ss.

DISTRICT COURT,

*Civil* Judicial District.

In the matter of the petition and application of the . . . . . *Northwestern and*  
*Dakota* . . . . . Railway Company, to condemn certain  
real property in the County of *Carter* . . . . . and State of Minnesota, filed in said court  
on the *21<sup>st</sup>* day of *May* . . . . . A. D. 188 *0*

Martin Roeser

Claimant and Respondent.

**TECHNICAL**

The Hastings and Dakota  
Railway Company  
Petitioner and A

*Pettin and Appellant.*

STATE OF MINNESOTA, }  
County of Hennepin. } ss.

88. Frederick E. Du Toit

being duly sworn, says that at . . . Shaska . . . in the County of . . . Carter . . .  
in the State of Minnesota, on the . . . 26<sup>th</sup> . . . day of . . . June . . . A. D. 1880,  
he personally served a true copy of the notice of the appeal in the above entitled matter upon . . .

Martin Rous

the above named respondent, by then and there delivering in hand to and leaving with . . . . .

said respondent such copy of the said notice of appeal, and that he then and there personally knew . . . .

therein named. *J. E. Dussait* the person so served to be the respondent

Subscribed and sworn to before me, this 22<sup>nd</sup> day of July

*A. D. 1880.*

Francis D Bailey

Notary Public

Hamper Co  
New

No. 1

DISTRICT COURT.

*Carr*

County

in the matter of the application of the

*Hastings and  
Dakota*

Railroad Company, filed *May 24<sup>th</sup>*  
A. D. 1880.

*Martin Riser*

versus.

*The Hastings and  
Dakota Railway Company*

Affidavit of Service of Notice of Appeal.

*Filed July 10<sup>th</sup> 1880,  
Wrayinbull Clerk,*

*Attorneys for Petitioners.*

*W.C.*



State of Minnesota, }  
COUNTY OF *Carr*

DISTRICT COURT,

*8th*

JUDICIAL DISTRICT.

In the matter of the petition and application of the

*Hastings & Dakota*

Railway

Company to condemn certain real property in the County of

*Carr*

and State of Minnesota, filed in the said court on the *24th* day of *May* A. D. 188*0*.

*Martin Rosser*

*Claimant and Respondent,*  
vs.

*Hastings and Dakota*  
*Railway Company*  
*Petitioner and Appellant.*

To

*Martin Rosser*

You and each of you are hereby notified that the above named petitioner, the

*Hastings & Dakota*

Railway

Company appeals to the District Court in and for the County of

*Carr*

*Eighth*

Judicial District, State of Minnesota, from that part or portion of the award of the

Commissioners, made and filed in the above entitled matter, on the *24* day of *June*

A. D. 188*0*, which awards to

*Martin Rosser*

as owner, subject

to the liens of

as incumbrancers, the sum of *Four hundred and forty seven* Dollars, as

compensation for damages and injury to the *North half of the South east*  
*Quarter of Section fifteen in Township One*  
*hundred and sixteen Range twenty three*

by reason of the taking of land necessary and required to be taken for the use and tracks of said Railway Company for the following reasons, and upon the following grounds, viz:

1st, *That the said company deem the said award* *and report*  
*unjust and excessive and the amount*  
*of compensation to be paid to the above named*  
*claimant more than the damage or injury to said*  
*property*

2nd, *That said commissioners did not allow*  
*in reduction of the damages sustained by*  
*the above named claimant the benefit accruing*  
*to said claimant by the construction of said road*

Dated this *24* day of *June* A. D. 188*0*.

*L L Bayler*

Attorney for Appellant.

Upon reading the award in the within entitled matter and the within notice of appeal and accompanying affidavit, ordered that the appellant deposit in this Court the sum of Four hundred & forty seven Dollars, the amount awarded to the within named respondent, to abide the result of the appeal and the further order of the Court thereon; also that appellant give bond on appeal, as provided by statute, the penalty of which is hereby fixed at Four hundred and fifty Dollars, and that upon such deposit and the giving of such bond, all proceedings by the respondent upon the award, except to appeal therefrom, be stayed for twenty days.

Dated June 24 1880.

J. L. McDonald  
Judge.

10. /  
**DISTRICT COURT,**

Carver County.

In the matter of the petition of the

Hastings & Dakota

Railway Company, filed in said Court on the 24

day of May A. D. 188 0

Martin Roser

VERSUS

The Hastings & Dakota  
Railway Company

**NOTICE OF APPEAL.**

Filed, June 24<sup>th</sup> 1880,

Appraiser's Office

- W. C. -



State of Minnesota, }  
COUNTY OF Carver } ss.

DISTRICT COURT,  
4th Judicial District.

In the matter of the petition and application of the

Hastings and Dakota

Railway Company, to condemn certain

real property in the County of Carver and State of Minnesota, filed in said court

on the 24th day of May A. D. 1880.

Martin Roeser

Claimant and Respondent.

VERSUS

The Hastings and Dakota  
Railway Company  
Petitioner and

Appellant.

Know all Men by these Presents, That we

Shurburn S. Merrill

for and in behalf of the above named appellant

as principal and

Hugh G. Harrison and Charles H.  
Prior

as sureties, are held and firmly bound unto

Martin Roeser

above named in the sum of

Four hundred and fifty

Dollars,

to be paid to the said

Martin Roeser

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

22d

day of

June

A. D. 1880.

The condition of this bond is such that whereas, the said

Hastings and Dakota

Railway Company

appeals to the District Court of said County of

Carver

from that part or portion of the

award of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on

the

24

day of

June

A. D. 1880,

awarding to said respondent the sum

of

Four hundred and forty seven

Dollars damages, as compensation

for the taking or injuriously affecting the land of said Respondent by the said Appellant, for railroad purposes.

Now Therefore, if the said appellant *The Hastings and Dakota Railway Company* shall prosecute its said appeal without delay, and abide the order the said court may make on such appeal, and pay the costs of said appeal if it should fail therein, then this obligation to be null and void, otherwise of force and effect.

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

IN PRESENCE OF  
*Wm B Bailey* } *S S Merrill*  
*H G Harrison*  
*C H Prior* }  
SEAL  
SEAL  
SEAL  
SEAL

STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

Be it known that on this *22<sup>nd</sup>* day of *June* A. D. 1880, personally appeared before me *Shubane S. Merrill* *Hugh G. Harrison* and *Charles H. Prior* to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

*Francis B Bailey*  
Notary Public,  
Hennepin County, Minn.

STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

*Hugh G. Harrison* and *Charles H. Prior*  
being each duly sworn, doth each for himself depose and say:  
That he is a freeholder and a resident of the State of Minnesota, and that he is worth the sum of *Four hundred and fifty* Dollars, named in the foregoing bond, over and above his just debts and liabilities, and exclusive of property exempt from execution.

Subscribed and sworn to before me this *23<sup>rd</sup>* day of *June* A. D. 1880.  
*Francis B Bailey* } *C H Prior*  
Notary Public, Hennepin Co. Minn. } *H G Harrison*  
SEAL  
SEAL

DISTRICT COURT,

County

In the matter of the application of the

*Hastings & Dakota*

*May 24*  
Railroad Company, filed  
A. D. 1880.

*Marlin Roese*

*versus*  
*The Hastings & Dakota*  
*Railway Company*

BOND ON APPEAL.

*I have by and before the*  
*within Bond filed this 28<sup>th</sup>*  
*day of June A.D. 1880*  
*J. L. Morehead*  
*Judge*

*Filed June 24<sup>th</sup> 1880*  
*Attorneys for Petitioners.*

*Wm B Bailey*



No. 1310

DISTRICT COURT,  
CARVER COUNTY, MINN.

Peter J. Raaser et al  
Plaintiff.  
vs.

The Hastings & Dakota  
Railway Company  
Defendant.  
app.

F. L. Baxter  
Plaintiff's Attorney,  
app.

Defendant's Attorney.

Date of Entry June 24 1880  
Court Reg. A Page 257  
Register of Actions

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

Herald Pub. Co., Chaska, Minn.

Appeal

Charlottesville, Oct 18th 1884  
Chas. Royster,

\$157.<sup>00</sup>

Received of G. H. Royster, Charlottesville  
the sum of one hundred and fifty  
dollars, on account of the award made by  
the Commissioners by their Report filed June  
24th 1884, to Peter Royster & Co.

L. L. Dwyer  
City Accounting  
& Delicate Railway  
Company



L. H. Baxter  
Attorney of the Hastings and  
Waukena Railway Company.

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\$150.<sup>00</sup> receipt

---

P. Rader Sr.

Filed October 18<sup>th</sup> a 1880,  
G. Wraymull  
Clerk.

= 257. =

State of Minnesota,

COUNTY OF

Carr

ss.

DISTRICT COURT,

Eighth

Judicial District.

In the matter of the petition and application of the

Hastings and

Dakota

Railway Company, to condemn certain

real property in the County of Carr

and State of Minnesota, filed in said court

on the 24th day of May A. D. 1880

Peter Rouer, Frederick Molnar  
and Gustave Molnar

Claimants and Respondents

VERSUS

The Hastings and Dakota  
Railway Company

Petitioner and Appellant.

STATE OF MINNESOTA,

County of Hennepin.

ss.

Frederick E. DuBois

being duly sworn, says that at Chanhassen in the County of Carr  
in the State of Minnesota, on the 5th day of July A. D. 1880

he personally served a true copy of the notice of the appeal in the above entitled matter upon  
Frederick Molnar and Gustave Molnar

the above named respondents by then and there delivering in hand to and leaving with each of the  
said respondents such copy of the said notice of appeal, and that he then and there personally knew

the person so served to be the respondent therein named.

Subscribed and sworn to before me, this 7th day of July

A. D. 1880.

Francis B. Bauler

Notary Public

Hennepin Co

Minn



11.  
DISTRICT COURT.

*Carr*

County

in the matter of the application of the

*Hastings and  
Dakota*

Railroad Company, filed *May 24th*  
A. D. 1880.

*Peter Ross et al*

versus.

*The Hastings & Dakota  
Railway Company*

Affidavit of Service of Notice of Appeal.

*Filed, July 10th A.D. 1880,  
Chas. Gayentruhl  
Clerk.*

~~Attorneys for Petitioners.~~

*254.*

1  
2 State of Minnesota District Court  
3 County of Cass English District  
4

5 The Hastings and  
6 Dakota Railway Company Appellant  
7 against  
8 Peter Roeser Respondent  
9

10 It is hereby stipulated by and between the above  
11 named parties that the above named appellant with-  
12 draw from the clerk of the above named court  
13 the amount deposited in said court under the award  
14 made in favor of the above named respondent filed,  
15 on the 24th day of June 1880. The above entitled  
16 matter having been settled and compromised, and  
17 also that the appeal in the above entitled action  
18 be dismissed without cost to either party  
19 Dated Oct. 7th 1881. L L Baxter.

20 Attorney for the  
21 Hastings and Dakota Railway Company  
22 Appellant  
23 Peter Roeser vs  
24

25 Respondent  
26  
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32



District Court  
Barrow County 11.

The Hastings and Dakota Railway Company

vs.

Peter Raiser Sr.

Stipulation.

Given October 1st A.D. 1880,  
J. Kreyenbuhl  
Clerk,

257.

State of Minnesota, }  
COUNTY OF Carver

DISTRICT COURT,

FD

JUDICIAL DISTRICT.

In the matter of the petition and application of the

Hastings & Dakota

Railway

Company to condemn certain real property in the County of

Carver

and State of Minnesota, filed in the said court on the

24th

day of

May

A. D. 1880.

Peter Rosser, Fred Molnar and  
Gustave Molnar  
Claimants and Respondents  
vs.

The Hastings & Dakota  
Railway Company  
Petitioner and Appellant.

To

Peter Rosser, Fred Molnar and Gustave  
Molnar

You and each of you are hereby notified that the above named petitioner, the

Hastings & Dakota

Railway

Company, appeals to the District Court in and for the County of

Carver

Eighth

Judicial District, State of Minnesota, from that part or portion of the award, of the

Commissioners, made and filed in the above entitled matter, on the

24

day of

June and report

A. D. 1880, which awards to

Peter Rosser as owner, subject  
to the liens of Fred Molnar and Gustave Molnar  
as incumbrancers, the sum of Fort Hundred and ~~one~~ eight Dollars, as  
compensation for damages and injury to the South west quarter of the South  
East quarter of Section fifteen in Township One  
hundred and Sixty Range twenty three

by reason of the taking of land necessary and required to be taken for the use and tracks of said Railway Company for the following reasons, and upon the following grounds, viz:

1st, That the said company deem the said award  
and report unjust and excessive and the amount of com-  
pensation to be paid to the above named claimant-  
more than the damage or injury to said property

2nd, That the said commissioners did not allow  
in reduction of the damage sustained by the  
above named ~~complainant~~ claimant the benefit  
accruing to said claimant by the construction  
of said road

Dated this

24

day of

June

A. D. 1880.

L L Baxter

Attorneys for Appellant.



Upon reading the award in the within entitled matter and the within notice of appeal and accompanying affidavit, ordered that the appellant deposit in this Court the sum of *Five hundred and no* Dollars, the amount awarded to the within named respondent, to abide the result of the appeal and the further order of the Court thereon; also that appellant give bond on appeal, as provided by statute, the penalty of which is hereby fixed at *Two hundred and fifty* Dollars, and that upon such deposit and the giving of such bond, all proceedings by the respondent upon the award, except to appeal therefrom, be stayed for twenty days.

Dated June *24* 1880.

*J. L. MacDonald*  
Judge.

**DISTRICT COURT,**

*Cass* County.

In the matter of the petition of the

*Hastings & Dakota*

Railway Company, filed in said Court on the

*24* day of *May* A. D. 1880

*Peter Rosenthal*

*versus*  
*The Hastings & Dakota*  
*Railway Company*

**NOTICE OF APPEAL.**

*Filed June 24th 1880,*  
*Eschwege* *Adm*

*-107-*

State of Minnesota, }  
COUNTY OF *Carver* } ss. *Eighth* Judicial District.  
In the matter of the petition and application of the *Hastings and*  
*Dakota* Railway Company, to condemn certain  
real property in the County of *Carver* and State of Minnesota, filed in said court  
on the *24th* day of *May* A. D. 188*0*

*Peter Roser, Frederick Mol-*  
*nan and Gustave Molman*  
*Claimants and Respondents*  
VERSUS

*The Hastings and Dakota*  
*Railway Company*  
*Petitioner and Appellant.*

STATE OF MINNESOTA, }  
County of Hennepin. } ss. *Frederick E. Dussit*  
being duly sworn, says that at *Chaska* in the County of *Carver*  
in the State of Minnesota, on the *26th* day of *June* A. D. 188*0*,  
he personally served a true copy of the notice of the appeal in the above entitled matter upon  
*Peter Roser*  
the above named respondent, by then and there delivering in hand to and leaving with  
said respondent such copy of the said notice of appeal, and that he then and there personally knew  
the person so served to be the respondent  
therein named.

Subscribed and sworn to before me, this *28th* day of *July*  
A. D. 188*0*.

*F. E. Dussit*  
*Francis B. Bailey*  
*Notary Public*  
*Hennepin Co*  
*Minn*



Carver County

Hastings and  
Nakota

Railroad Company, filed May 22<sup>d</sup>  
A. D. 1880.

Peter Roser

*versus.*

The Hastings and Dakota  
Railway Company

Affidavit of Service of Notice of Appeal.

Filed, July 10<sup>th</sup> A.D. 1880.  
G. Wray, Clerk.

~~Attorneys for Petitioners.~~

254.

State of Minnesota, }  
COUNTY OF Carr } ss.

DISTRICT COURT,  
8<sup>th</sup> Judicial District.

In the matter of the petition and application of the Hastings and Dakota  
Railway Company, to condemn certain  
real property in the County of Carr and State of Minnesota, filed in said court  
on the 24<sup>th</sup> day of May A. D. 1880

Peter Roeser, Fred Molman  
and Gustave Molman  
Plaintiffs } Respondent.  
VERSUS }

The Hastings and Dakota  
Railway Company  
Petitioner and Appellant.

Know all Men by these Presents, That we Shuburn Merrill in  
behalf of said appellant

as principal and Charles H. Prior and Hugh G.  
Harrison

as sureties, are held and firmly bound unto Peter Roeser, Fred Molman  
and Gustave Molman

above named in the sum of Two hundred and fifty Dollars,  
to be paid to the said Peter Roeser, Fred Molman and  
Gustave Molman  
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 22<sup>nd</sup> day of June A. D. 1880.

The condition of this bond is such that whereas, the said Hastings and Dakota  
Railway Company  
appeals to the District Court of said County of Carr from that part or portion of the  
and report  
award of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on  
the 24<sup>th</sup> day of June A. D. 1880, awarding to said respondent the sum  
of Two hundred and one Dollars damages, as compensation  
for the taking or injuriously affecting the land of said Respondent by the said Appellant, for railroad purposes.



Now Therefore, if the said appellant *The Hastings and Dakota Railroad Company* shall prosecute its said appeal without delay, and abide the order the said court may make on such appeal, and pay the costs of said appeal if it should fail therein, then this obligation to be null and void, otherwise of force and effect.

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

IN PRESENCE OF  
*B. Gilfillan*  
*F. B. Bailey*  
*B. Merrill*  
*W. B. Hanson*  
*C. H. Prior*  
SEAL  
SEAL  
SEAL  
SEAL

STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

Be it known that on this *22<sup>d</sup>* day of *June* A. D. 188*0*, personally appeared before me *Merburn J. Merrill* *Charles A. Prior* and *Hugh G. Harrison* to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

*Francis B. Bailey*  
Notary Public,  
Hennepin County, Minn.

STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

*Charles A. Prior* and *Hugh G. Harrison*  
being each duly sworn, doth each for himself depose and say:

That he is a freeholder and a resident of the State of Minnesota, and that he is worth the sum of *Two hundred and Fifty* Dollars, named in the foregoing bond, over and above his just debts and liabilities, and exclusive of property exempt from execution.

Subscribed and sworn to before me this *22* day of *June* A. D. 188*0*.  
*Francis B. Bailey*  
Notary Public, Hennepin Co. Minn.

*C. H. Prior*  
*W. B. Hanson*  
SEAL  
SEAL

DISTRICT COURT,

County

In the matter of the application of the

*Hastings & Dakota*

*May 24*  
Railroad Company, filed

A. D. 1880.

*Peter Rosner et al*

*The Hastings & Dakota*  
*Railroad Company*

BOND ON APPEAL.

*I hereby approve the*  
*returning Bond this 24*  
*day of June A. D. 1880*  
*J. L. Hagedorn*

Attorneys for Petitioners.

*Filed June 24<sup>th</sup> 1880*  
*Notary Public*  
*Wm. L. Hagedorn*  
*207*

No. 1311

DISTRICT COURT,  
CARVER COUNTY, MINN.

Henry A. Phelps et al  
Plaintiff  
vs.

The Hastings & Dakota  
Railway Company  
Defendant.

L. L. Baxter  
Plaintiff's Attorney,  
app.

Defendant's Attorney.

Date of Entry June 24 1880  
Circuit Book A Page 257  
Register of Actions

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

appeal



State of Minnesota, }  
COUNTY OF Carver } ss. DISTRICT COURT,  
In the matter of the petition and application of the Eighth Judicial District.  
Hastings and Dakota  
Railway Company, to condemn certain  
real property in the County of Carver and State of Minnesota, filed in said court  
on the 24<sup>th</sup> day of May A. D. 1880

Henry Apsden and  
Caroline Bangdon  
Claimants and Respondent.

VERSUS

The Hastings and Dakota Railway  
Company  
Petitioner and Appellant.

STATE OF MINNESOTA, }  
County of Hennepin. } ss. Frederick E. Du Toit  
being duly sworn, says that at Chanhassen in the County of Carver  
in the State of Minnesota, on the 6<sup>th</sup> day of July A. D. 1880,  
he personally served a true copy of the notice of the appeal in the above entitled matter upon  
Henry Apsden

the above named respondent, by then and there delivering in hand to and leaving with  
said respondent such copy of the said notice of appeal, and that he then and there personally knew  
the person so served to be the respondent  
therein named.

Subscribed and sworn to before me, this 8<sup>th</sup> day of July  
A. D. 1880.

Francis B. Bailey  
Notary Public  
Hennepin Co  
Main

112,  
DISTRICT COURT.

Carver County

in the matter of the application of the

Hastings and  
Dakota

Railroad Company, filed May 24  
A. D. 1880.

Henry Upden et al,

VERSUS.

Hastings and  
Dakota Railway  
Company

Affidavit of Service of Notice of Appeal.

Filed July 11<sup>th</sup> A.D. 1880,  
Kragentuhl et al,

Attorneys for Petitioners.

1884



State of Minnesota, }  
COUNTY OF Carver

DISTRICT COURT,

JUDICIAL DISTRICT.

In the matter of the petition and application of the

Hastings and Dakota

Railway

Company to condemn certain real property in the County of Carver  
and State of Minnesota, filed in the said court on the 24<sup>th</sup> day of May A. D. 1880.

Henry Asphen and Caroline  
Saugdon

Claimant and Respondent,  
vs.

The Hastings and Dakota  
Railway Company  
Petitioner and Appellant.

To Henry Asphen and Caroline Saugdon

You and each of you are hereby notified that the above named petitioner, the

Hastings and Dakota

Railway

Company appeals to the District Court in and for the County of

Carver

8<sup>th</sup> Judicial District, State of Minnesota, from that part or portion of the award of the

Commissioners, made and filed in the above entitled matter, on the 24 day of

and report  
June

A. D. 1880, which awards to

Henry Asphen

as owner, subject

to the liens of

Caroline Saugdon

as incumbrancers, the sum of Three hundred and thirty eight Dollars, as

compensation for damages and injury to the South east quarter of the south west  
quarter of section fifteen in township one hundred  
and sixteen Range twenty three.

by reason of the taking of land necessary and required to be taken for the use and tracks of said Railway Company for the following reasons, and upon the following grounds, viz:

1st,

That the said Company deem the said award  
unjust and excessive and the amount of  
compensation to be paid to the above claimant  
more than the damage or injury to said  
property.

2nd,

That the said Commissioners did not allow  
in reduction of the damages sustained by the  
above named claimant the benefit accruing  
to said claimant by the construction of said  
road -

Dated this

24

day of

June

A. D. 1880.

L L Baxter

Attorney for Appellant.

Dated June 24 1880.

J. L. MacDonald  
Judge.

**DISTRICT COURT,**

leaver County.

In the matter of the petition of the  
and Dakota Sashings

24  
Railway Company, filed in said Court on the  
day of May A. D., 1880

A. D., 1888 **D**

Henry C. Spence et al.,

*reversus*

The Hastings and  
Dakota Railway  
Company

NOTICE OF APPEAL.

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State of Minnesota,  
COUNTY OF *Carver* } ss.

DISTRICT COURT,  
*8<sup>th</sup>* Judicial District.

In the matter of the petition and application of the

*Hastings & Dakota*

Railway Company, to condemn certain

real property in the County of *Carver* and State of Minnesota, filed in said court

on the *24<sup>th</sup>* day of *May* A. D. 188*0*.

*Henry Aspden and Caroline*  
*Langdon* Claimant and Respondent.

VERSUS

*The Hastings & Dakota*  
*Railway Company*  
*Petitioner* and Appellant.

Know all Men by these Presents, That we

*Sheehy & Merrill* in  
behalf of said appellant

as principal and

*Charles H. Brown and Hugh G. Harrison*

as sureties, are held and firmly bound unto

*Henry Aspden and*  
*Caroline Langdon*

above named in the sum of *Three hundred and fifty* Dollars,

to be paid to the said *Henry Aspden and Caroline Langdon*

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 *22<sup>d</sup>* day of *June* A. D. 188*0*.

The condition of this bond is such that whereas, the said *Hastings and Dakota*

*Railway Company*

appeals to the District Court of said County of *Carver* from that part or portion of the

award of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on

the *24<sup>th</sup>* day of *June* A. D. 188*0*, awarding to said respondent the sum

of *Three hundred and Thirty eight* Dollars damages as compensation

for the taking or injuriously affecting the land of said Respondent by the said Appellant, for railroad purposes.

Now Therefore, if the said appellant *The Hastings and Dakota Railway Company* shall prosecute its said appeal without delay, and abide the order the said court may make on such appeal, and pay the costs of said appeal if it should fail therein, then this obligation to be null and void, otherwise of force and effect.

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

IN PRESENCE OF

*J B Gilfillan*  
*F B Bailey*

*S S Munt*  
*W G Harrison*  
*C H Prior*



STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

Be it known that on this *22<sup>d</sup>* day of *June* A. D. 1880, personally appeared before me *Shubert & Purcell* *Charles H. Prior and Hugh G. Harrison* to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

*Francis B. Bailey*  
Notary Public,  
Hennepin County, Minn.

STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

*Charles H. Prior* and *Hugh G. Harrison* being each duly sworn, doth each for himself depose and say: That he is a freeholder and a resident of the State of Minnesota, and that he is worth the sum of *Three hundred and fifty* Dollars, named in the foregoing bond, over and above his just debts and liabilities, and exclusive of property exempt from execution.

Subscribed and sworn to before me this *22* day of *June* A. D. 1880.  
*Francis B. Bailey*  
Notary Public, Hennepin Co. Minn.

*C H Prior*  
*W G Harrison*



DISTRICT COURT,

*Carver* County

In the matter of the application of the

*Hastings and Dakota*  
*Railroad Company*

*May 24*  
Railroad Company, filed  
A. D. 1880.

*Henry G. Peden et al*

*versus*  
*The Hastings and Dakota*  
*Railroad Company*

BOND ON APPEAL.

*I, Henry G. Peden, approve the*  
*within Bond of the 24<sup>th</sup>*  
*day of May, A. D. 1880.*

*W. M. Mac Donald*  
*Attorney for Petitioners.*

*John J. Tamm*  
*Attorneys for Petitioners.*  
*June 24<sup>th</sup> 1880*  
*Wm. Mac Donald*



Charaka, April 16<sup>th</sup> 1881.

\$ 353.00

Received of G. Krayerbuhl, Adm. Dist Court, the  
Sum of Three hundred fifty three dollars, being the  
Amount in full of the Awards of Commissioners, as per  
their reports of June 24<sup>th</sup> and August 8<sup>th</sup> ad. 1880 to  
Henry Aspiden and Thomas Ch. Grace.

Henry Aspiden \$338.00

Th. Ch. Grace " 15.00

Total \$ 353.00

L S Dapstra  
Atty. Hastings and  
Dakota Railway  
Company

1884,

Ch. H. Bonter, aus  
für H. H. R. R. C.

\$ 350.00.

Gelesen, April 16. 1881.  
Geffreyenbühl  
Adm.





In the Matter of the  
Hastings and Keokuk  
Railway Company,

Cases settled with  
Chas. H. Baxter  
29.



# Mastings and Harbata Reimbursement Company.

		Amount	Paid	Due
1				
2				
3	Henry Arpden	338. 00		paid April 16/84. to L. H. Master
4	J. H. Schuylmeister	324. 00	✓	paid
5	Jos. Wittmann	16. 00	✓	paid
6	Ernest Pappe	462. 00	✓	paid
7	Harold Eichmiller	400. 00	✓	paid
8	Wendrich Herten	120. 00	✓	paid to H. H. Master \$ 3484.50
9	John Grace	15. 00	✓	paid to L. H. Master 12134. 00
10	Ali Hone	161. 00	✓	paid to H. H. Master 1046. 00
11	Flora H. H. H.	230. 00	✓	paid to H. H. Master 440. 00
12	Gerhard Herten	114. 00	✓	paid to H. H. Master 400. 00
13	H. W. Giltman	50		paid to H. H. Master \$ 78334. 00
14	Caroline Langdon	50		paid to H. H. Master
15	Clara H. H. H.	50		paid to H. H. Master 1840. 00
16	Charles H. H. H.	50		paid to H. H. Master 217. 00
17	W. H. H. H.	10. 00	✓	paid
18	Wendrich Herten	50		paid to H. H. Master \$ 20394.50
19	John Pflieger	1263. 00	✓	
20		3458. 50		
21	John Abraham	26. 00	✓	paid
22		3484. 50		
23	John Pflieger			
24				
25				
26				
27	Wendrich Herten	120. 00	✓	paid May 3/88.
28	Flora H. H. H.	230. 00	✓	
29	Gerhard Herten	114. 00	✓	
30	John Pflieger	1263. 00	✓	
31		1930. 00	✓	
32				

In the Matter of the  
Hastings and Dakota  
Railway Company,

Cases untitled.



No. 1312

DISTRICT COURT,  
CARVER COUNTY, MINN.

John Simons  
Plaintiff.  
*Resp.*

*vs.*  
The Hastings & Dakota  
Railway Company  
Defendant.  
*app.*

L. L. Baxter  
Plaintiff's Attorney.  
*app.*

Defendant's Attorney.

Date of Entry January 24, 1880  
*Court Rec.*  
Register of Actions A Page 57

Term Tried.....1.....

Judgment for.....

Amount of Judgment \$.....

Date of Judgment.....1.....

Judgment Book.....Page.....

Default Judgment Book.....Page.....

Date of Docketing.....1.....

Herald Pub. Co., Chaska, Minn.

*Appeal*

*Hartington and Dakota  
Railway Company,  
A. B. Rogers,*

	<i>Amount</i>	<i>Paid</i>	
1 <i>W. H. Hane</i>	<i>263. 00</i>	<i>263. 00</i>	} <i>Receipts on file.</i>
2 <i>G. W. Pierce</i>	<i>21. 00</i>	<i>21. 00</i>	
3 <i>Wm. H. Puller</i>	<i>231. 00</i>	<i>231. 00</i>	
4 <i>Geo. W. Powers</i>	<i>90. 00</i>	<i>90. 00</i>	
5 <i>John Thomas</i>	<i>471. 00</i>	<i>471. 00</i>	
6			
7 <i>\$</i>	<i>1076. 00</i>	<i>1076. 00</i>	

*By J. C. Burdett.*

16			
17 <i>Fritz Frank</i>	<i>480. 00</i>	<i>480. 00</i>	} <i>Receipts on file</i>
18 <i>Susanna Zanger</i>	<i>260. 00</i>	<i>260. 00</i>	
19			
20 <i>\$</i>	<i>740. 00</i>	<i>740. 00</i>	

*Ch. Baxter*

24			
25 <i>Joseph Eps</i>	<i>1114. 00</i>	<i>900. 00</i>	<i>214. 00 Receipts on file.</i>

*1800  
254  
2054*



In the Matter of the  
Hastings and Marlboro  
Railway Company,

Cases settled with

A. B. Rogers 5.

J. C. Whit 2.

Chas. W. Baxter 1.

8 Cases

State of Minnesota,  
County of Carver.

District Court.  
Eighth Judicial District

The Hastings and Dakota Railway Company - Appellant

against

John Simon - Respondent.

It is hereby stipulated by and between the parties to the above entitled action that the above named Appellant withdraws from the Clerk of the above named Court the sum awarded to above named Respondent in the above entitled matter which award was filed with said Clerk in his Office, on the 24<sup>th</sup> day of June A.D. 1880; said matter having been settled and compromised; and also that the appeal herein be dismissed without costs to either party.

Dated Oct. 11<sup>th</sup> 1880.

Witness

John Simon  
Respondent in person

L. L. Baxter  
Atty for the Hastings  
and Dakota Railway Co.  
Appellant



District Court <sup>13,</sup>  
County of Law.

The Hastings and Dakota Railway Company.

vs.

John Simand  
—:—  
Attorney for Defendant.

Filed, October 11<sup>th</sup> 1880  
Clerk of Court  
John R.

—254.—

State of Minnesota,

COUNTY OF Carver

DISTRICT COURT,

Eighth Judicial District.

In the matter of the petition and application of the

Dakota

Hastings and

Railway Company, to condemn certain

real property in the County of Carver

and State of Minnesota, filed in said court

on the 24<sup>th</sup> day of May A. D. 1880

John Simons

Claimant and Respondent.

VERSUS

The Hastings and Dakota  
Railway Company

Appellant.

STATE OF MINNESOTA,

County of Hennepin.

ss.

Frederick E. Du Sait

Chaska

being duly sworn, says that at in the County of Carver

in the State of Minnesota, on the 25<sup>th</sup> day of June A. D. 1880,

he personally served a true copy of the notice of the appeal in the above entitled matter upon

John Simons

the above named respondent, by then and there delivering in hand to and leaving with

said respondent such copy of the said notice of appeal, and that he then and there personally knew

therein named.

Subscribed and sworn to before me, this

8<sup>th</sup>

day of

July

A. D. 1880.

Francis B. Bailey

Notary Public

Hennepin Co

Minn



13.  
DISTRICT COURT.

Carver County

in the matter of the application of the  
Hastings and  
Dakota

Railroad Company, filed May 24  
A. D. 1880.

John Simons

versus.

Hastings and  
Dakota Railway  
Company

Affidavit of Service of Notice of Appeal.

Filed July 10th 1880,  
Graymhall Clerk,

Attorneys for Petitioners.

757

State of Minnesota, } ss.

COUNTY OF

Carver

DISTRICT COURT,

Eighth

JUDICIAL DISTRICT.

In the matter of the petition and application of the

Dakota

Railway

Company to condemn certain real property in the County of

Carver

and State of Minnesota, filed in the said court on the 24 day of May A. D. 1880.

John Simons

Claimant and Respondent,

vs.

The Hastings and Dakota  
Railway Company

Petitioner and Appellant.

To

John Simons

You and each of you are hereby notified that the above named petitioner, the

Hastings  
and Dakota

Railway

Company appeals to the District Court in and for the County of

Carver

Eighth

Judicial District, State of Minnesota, from that part or portion of the award of the

Commissioners, made and filed in the above entitled matter, on the 24 day of June

A. D. 1880, which awards to

John Simons

as owner, subject

to the liens of

as incumbrancers, the sum of

Four hundred and Seventy-one Dollars, as

compensation for damages and injury to the

North East Quarter of the North  
West Quarter and the east half of the North West  
Quarter of the North West Quarter of Section Twenty-two  
in Township one hundred and Sixteen Range twenty-three

by reason of the taking of land necessary and required to be taken for the use and tracks of said Railway  
Company for the following reasons, and upon the following grounds, viz:

1st,

That the said Company claim the said  
award, unjust and excessive and the  
amount of compensation to be paid to  
The above named claimant, more than  
the damage or injury to said property

2nd,

That said Commissioners did not allow  
a reduction of the damages sustained by  
the above named claimant the amount according  
to said claimant by the construction of said road.

Dated this 24 day of

June

A. D. 1880.

L. L. Baxter

Attorneys for Appellant.



Upon reading the award in the within entitled matter and the within notice of appeal and accompanying affidavit, ordered that the appellant deposit in this Court the sum of *four hundred and seventy one* Dollars, the amount awarded to the within named respondent, to abide the result of the appeal and the further order of the Court thereon; also that appellant give bond on appeal, as provided by statute, the penalty of which is hereby fixed at *five hundred* Dollars, and that upon such deposit and the giving of such bond, all proceedings by the respondent upon the award, except to appeal therefrom, be stayed for twenty days.

Dated June *24* 1880.

*J. L. MacDonald*  
Judge.

**DISTRICT COURT,**

*Cardell* County.

In the matter of the petition of the

*Hastings & Dakota*  
Railway Company, filed in said Court on the *24<sup>th</sup>*

day of *July* A. D., 1880.

*John Simons*

VERSUS

*The Hastings and  
Dakota Railway  
Company -*

**NOTICE OF APPEAL.**

*Filed, June 24<sup>th</sup> 1880,  
C. W. Wagonmiller Clerk*

*257*

State of Minnesota, }  
COUNTY OF Carver }

DISTRICT COURT,  
8th Judicial District.

In the matter of the petition and application of the Hastings and Dakota  
Railway Company, to condemn certain  
real property in the County of Carver and State of Minnesota, filed in said court  
on the 24th day of May A. D. 1880.

John Simons Claimant and Respondent.

The Hastings and Dakota  
Railway Company Appellant.

Know all Men by these Presents, That we Sherton Menden in  
behalf of said appellant

as principal and Charles H. Rice and Hugh G.  
Harrison

as sureties, are held and firmly bound unto John Simons

above named in the sum of Five hundred Dollars,  
to be paid to the said John Simons

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 22d day of June A. D. 1880.

The condition of this bond is such that whereas, the said Hastings and  
Dakota Railway Company  
appeals to the District Court of said County of Carver from that part or portion of the  
award of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on  
the 24 day of June A. D. 1880, awarding to said respondent the sum  
of Four hundred and Seventy one Dollars damages, as compensation  
for the taking or injuriously affecting the land of said Respondent by the said Appellant, for railroad purposes.



Now Therefore, if the said appellant *the Hastings and Dakota Railway Company* shall prosecute its said appeal without delay, and abide the order the said court may make on such appeal, and pay the costs of said appeal if it should fail therein, then this obligation to be null and void, otherwise of force and effect.

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

IN PRESENCE OF

*B. B. Gillan*  
*F. B. Bailey* }  
*S. S. Munn*  
*H. J. Harrison*  
*C. H. Prior* }  
SEAL  
SEAL  
SEAL  
SEAL

STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

Be it known that on this *22<sup>d</sup>* day of *June* A. D. 188*0*, personally appeared before me *Charles H. Prior and Hugh G. Harrison* to me well known to be the same persons who executed the foregoing bond, and they severally acknowledged the same to be their free act and deed, and that they executed the same for the uses and purposes therein expressed.

*Francis B. Bailey*

Notary Public,  
Hennepin County, Minn.

STATE OF MINNESOTA, }  
COUNTY OF HENNEPIN. } ss.

*Charles H. Prior* and *Hugh G. Harrison*  
being each duly sworn, doth each for himself depose and say:  
That he is a freeholder and a resident of the State of Minnesota, and that he is worth the sum of *Five hundred* Dollars, named in the foregoing bond, over and above his just debts and liabilities, and exclusive of property exempt from execution.

Subscribed and sworn to before me this *22<sup>d</sup>* day of *June* A. D. 188*0*.  
*Francis B. Bailey* }  
Notary Public, Hennepin Co. Minn. }  
*C. H. Prior*  
*H. J. Harrison*  
SEAL  
SEAL

DISTRICT COURT,

County

In the matter of the application of the

*Hastings and Dakota*

Railroad Company, filed

A. D. 1880.

*May 24*

*John Simons*

versus

*The Hastings and Dakota Railway Company*

BOND ON APPEAL.

*I hereby approve the within bond this 24 day of June A.D. 1880*

Attorneys for Petitioners.

*John J. Jones*  
*Wm. H. Thompson*  
*Wm. H. Thompson*  
*Wm. H. Thompson*

X	1	Gen Brongard	✓	1441.00	X	J. Brandenburg	✓	484.00	32
X	2	J. Peter Rosbach	✓	328.00		Susanna Zenger	✓	260.00	33
X	3	Henry Pauly	✓	262.00		Mr. Runtz	✓	205.00	34
X	4	M. Rosbach	✓	318.00	X	Gimon Kaufmann	✓	131.00	35
X	5	Peter Roeser	✓	598.00		G. Pupperts	✓	462.00	36
X	6	Pecha	✓	513.00		H. Richermilliet	✓	400.00	37
X	7	John Reiter	✓	500.00	X	Julius H. Wolff	✓	1441.00	38
X	8	F. Helm	✓	1054.00	X	Carl Aue	✓	120.00	39
X	9	H. Timmer	✓	286.00		W. Lenten	✓	120.00	40
X	10	Mr. Roeser	✓	444.00		H. Lenten	✓	285.00	41
	11	P. Roeser	✓	201.00		Ernst Torand	✓	480.00	42
	12	H. Asplund	✓	338.00		John Pflieger	✓	1263.00	43
	13	J. Simons	✓	441.00		Johann C. Schumann	✓	261.00	44
X	14	Ali Stone	✓	263.00	Paid to G. H. Mayler Sept 6, 1880				
X	15	Mr. W. Fuller	✓	231.00				5110.00	
X	16	Geo. M. Powers	✓	90.00				14152	
X	17	H. Hochner	✓	600.00				\$ 19162.00	
X	18	G. Neuberg	✓	695.00					
	19	U. Pierce Schostma	✓	324.00					
+	20	G. M. Pierce	✓	21.00	Paid to G. H. Mayler Sept 6, 1880				
	21	Geo. F. Akert	✓	561.00				\$ 19162.00	
X	22	Mr. Adeler	✓	1231.00					
	23	Tom Millmann	✓	16.00					
	24	G. Hotel	✓	323.00					
	25	Geo. Hotel	✓	1046.00					
	26	W. Ermin	✓	146.00					
	27	Tom Sp.	✓	1104.00					
X	28	Th. Schindler	✓	81.00					
X	29	Th. Wolff	✓	1200.00					
X	30	Th. M. M.	✓	46.00					
X	31	Ann. Mannel	✓	111.00					
	32			14152.00					



	28	27	26	25	24	23	22	21	20	19
Thomas L. Grace —	\$15.00	✓	Paid April 16/84. to G. H. Baxter							
x Eli Howe ————	" 161.00	✓	paid							
Moses Woodl ————	" 230.00	v								
Eiden —————	" 697.00	✓	paid 7/25. 00							
x Spinks & Benten —	" 117.00	✓								
Horan Mr Lytman	" .50	✓	paid to K							
Groverline Changdon	" .50	✓	paid to K							
Clarissa S. Sykes	" .50	✓	paid to K							
Charles Pease	" .40	✓	paid to K							
L M Pierce	" 10.00	✓	paid							
Benson Chas W. Mansel	" .50	✓	paid to K							
	<u>\$ 1232.50</u>									

					19162
					1252.50
					<u>20394.50</u>
					13908.00
					<u>6486.50</u>
I	II	III	IV	V	
✓	284.00	✓	561.00		
"	321.00	✓	285.00		
"	600.00	✓	<u>846.00</u>		
"	111.00	✓	13062.00		
"	1369.00	✓	<u>13908.00</u>		
"	800.00	✓			
"	840.00	✓	175.00 }		
"	1920.00	✓	30.00 }		
"	75.00	✓	480.00		
"	471.00	✓	260.00		
"	110.00	✓	<u>945.00</u>		
"	255.00	✓			
"	225.00	✓			
"	975.00	✓			
"	900.00	✓			
"	115.00	✓			
"	565.00	✓			
"	645.00	✓			
"	1000.00	✓			
"	150.00	✓			
"	775.00	✓			
"	900.00	✓			
"	60.00	✓			
"	300.00	✓			
"	46.00	✓			
\$	13062.00				

Statement of the Awards  
Made by Commissioners in the  
Matter of the Hastings and  
Saskatchewan Railway Company.

\$19162.<sup>00</sup>

Filed, June 24<sup>th</sup> 1884  
J. H. Wenzelbach Clerk.