



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

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No. 1321

DISTRICT COURT,
CARVER COUNTY, MINN.

Michael Kessler
Plaintiff,
Resp.

vs.
The Hastings & Dakota
Railway Company
Defendant
App.

L. L. Baxter
Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry June 24 1888
Court Rec. A Page 259
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

\$995.⁰⁰

Albion, October 15 1880
Edw Krappin,

Received of Gustave Krayenbuhl, Clerk District
Court, the Sum of Nine hundred and seventy
five dollars, being the Amount paid to
Michael Ketter in satisfaction of the Amount
made by Commissioner by their report filed
June 24th 1880,

L L Baxter
Atty of Hecsting and
Belknap Building Company

Ch. W. Waxter
Atty of the Hattings and Larkins
Railway Company

\$995.00 receipt

Filed, October 1950
Krayenbuhl
Adm.

State of Minnesota
County of Carver

District Court
Eighth Judicial District

The Hastings and Dakota Railway Company - Appellant

against

Michael Nesler - Respondent

It is hereby stipulated by and between the parties to the above entitled action that the above named Appellant withdraw from the clerk of the above named Court the sum awarded to the above named Respondent in the above entitled matter, which was filed with said clerk in his Office on the 24th 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. 11th 1880.

L L Dayton
Atty for the Hastings
and Dakota Railway
Company Appellants
Michael Nesler
Respondent

District Court = 12.-
County of Carver.

The Hastings and Dakota Railway Company
vs.

Michael K. K. K.
—:—
Petition for Dismissal

Filed, October 17th A.D. 1888.
G. K. K. K.
Clerk.

= 209.

State of Minnesota, }
COUNTY OF Carr } ss.
DISTRICT COURT,
Eight 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

Michael Kessler
Plaintiff and Respondent.
versus
Hastings and Dakota
Railway Company
Petitioner and Appellant.

STATE OF MINNESOTA, }
County of Hennepin. } ss.
being duly sworn, says that at Chanhassen in the County of Carr
in the State of Minnesota, on the 26th day of June A. D. 1880,
he personally served a true copy of the notice of the appeal in the above entitled matter upon
Michael Kessler
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 5th day of July
A. D. 1880.

F. E. DuBois
Charles B. Bailey
Notary Public
Hennepin Co
Minn

Mr.
DISTRICT COURT.

Cass County

in the matter of the application of the

*Hastings and
Dakota*

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

Michael Kessler

versus.

*The Hastings & Dakota
Railway Company*

Affidavit of Service of Notice of Appeal.

*Filed July 10th 1880
H. K. Kessler
del.*

Attorneys for Petitioners.

258.

State of Minnesota, }

DISTRICT COURT,

COUNTY OF

Carver

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

24th day of

May

A. D. 1888.

Michael Kessler

Claimant and Respondent,

vs.

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

To

Michael Kessler

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

Eight

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. 1888, which awards to

Michael Kessler

as owner, subject

to the liens of

as incumbrancers, the sum of

Twelve hundred and thirty one

Dollars, as

compensation for damages and injury to the

South west quarter of the North west

quarter of Section Twenty nine and the North east

quarter of the South East Quarter of Section thirty 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 said company deem 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. 1888.

L. A. 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 *Twelve hundred and fifty* 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 *Twelve 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,

Carson County.

In the matter of the petition of the

J. D. Adams

Railway Company, filed in said Court on the

24

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

Michael Kessler

VERSUS

*The Hastings & Dakota
Railway Company*

NOTICE OF APPEAL.

Filed June 24th 1880

Applicant's Counsel

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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. 188*0*.

Michael Kessler

Claimant and Respondent.

VERSUS

The Hastings and Dakota
Railway Company

Petitioner and Appellant.

Know all Men by these Presents, That we *Shurbum 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

Michael Kessler

above named in the sum of

Twelve hundred and fifty

Dollars,

to be paid to the said

Michael Kessler

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. 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

Twelve hundred and thirty 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. J. Gillman
F. B. Bailey
E. E. Merrill
H. G. Hammon
C. H. Prior
SEAL
SEAL
SEAL
SEAL

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

Be it known that on this *22* day of *June* A. D. 188*0*, personally appeared before me *Shuburn S. Merrill, Hugh G. Hammon 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. Hammon 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 *Twelve 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 *22d* day of *June* A. D. 188*0*.
Francis B. Bailey
Notary Public, Hennepin Co. Minn.

C. H. Prior
H. G. Hammon
SEAL
SEAL

DISTRICT COURT,

County

In the matter of the application of the

Hastings & Dakota

Railroad Company, filed

A. D. 1880.

Michael Kelly

The Hastings & Dakota
Railway Company

BOND ON APPEAL.

I hereby approve the
within bond this 24
day of June, 1880
J. L. Macdonald
Judge

Attorneys for Petitioners.

Filed, June 24th 1880.
Shuburn S. Merrill, Clerk

No. 1322

DISTRICT COURT,
CARVER COUNTY, MINN.

Joseph Hellmance
Plaintiff.
Resp

vs.

The Hastings & Dakota
R.R. Co
Defendant.
app

L. L. Busher
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry June 24 1980
Court
Register of Actions A Page 257

Term Tried 19

Judgement for

Amount of Judgement \$

Date of Judgement 19

Judgement Book Page

Default Judgement Book Page

Date of Docketing 19

Herald Publishing Co., Chaska, Minn.

Appeal

Nebraska, March 2, 1884.

\$16.00

Received of Wrayendahl Clerk District Court, the sum of sixteen dollars being the amount of bond in full for right of way across the South East Quarter of North East Quarter of Section Thirty Township One hundred and Thirteen Range Twenty three, situate by the Hastings and Nebraska Railway Company for its road, and in consideration of said sum I hereby grant and convey to said Railway Company the strip of land hereinbefore described and all my right title and interest in and to the same.

Joseph Williamson
Margaretta Williamson

23
Joseph Wittmann
and wife
Rec'd for \$16.00

John, March 30, 1881.
G. Wraymuth
Edw.

State of Minnesota, }
COUNTY OF Carr } ss. DISTRICT COURT,
In the matter of the petition and application of the Eight Judicial District.
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

Lienefeldt and Faber
and Vincenz Gies

Claimant and Respondent.

versus

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

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

Frederick E. DuRoi
Chaska being duly sworn, says that at Chaska in the County of Carr

in the State of Minnesota, on the 26th day of June A. D. 1880,

he personally served a true copy of the notice of the appeal in the above entitled matter upon Lien
feldt and Faber and Vincenz Gies

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 persons so served to be the respondent therein named.

Subscribed and sworn to before me, this 27th day of July

A. D. 1880.

F. E. DuRoi
Francis P. Bailey
Notary Public

Hennepin Co
Minn

75.
DISTRICT COURT.

Carr

County

in the matter of the application of the

*Hastings and
Dakota*

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

Lincoln & Faber Ad

versus.

*The Hastings & Dakota
Railway Company*

Affidavit of Service of Notice of Appeal.

*Filed July 11th 1880
G. W. Krausmuhl
Adm.*

Attorneys for Petitioners.

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 *20th* day of *May* A. D. 188*0*

*Joseph Willman and
Kienpeler and Faber and
Vincent Eis*
Claimant and Respondent.
versus

*Hastings and Dakota
Railway Company
Petitioner and* Appellant.

STATE OF MINNESOTA,
County of Hennepin. }

ss.

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. 188*0*,

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

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 *20th* day of *July*

A. D. 188*0*.

F. C. DuBois
Francis B. Bailey
Notary Public
Hennepin Co
Minn

93.
DISTRICT COURT.

Carroll County

in the matter of the application of the

Hastings and
Dakota

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

Joseph Wallman et al

VERSUS.

The Hastings & Dakota
Railroad Company

Affidavit of Service of Notice of Appeal.

Filed July 10th 1880,
Geo. Krenzenbach
et al

Attorneys for Petitioners.

259.

State of Minnesota, }
COUNTY OF Carr

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 the said court on the 24 day of May A. D. 1880.

Joseph William and Linnepeisen
and Faber and Vincenz Gies

Claimants and Respondents

vs.

The Hastings and Dakota
Railway Company

Petitioner and Appellant.

To

Joseph William and Linnepeisen
and Faber and Vincenz Gies

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

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 Joseph William

as owner, subject

to the liens of Linnepeisen and Faber and Vincenz Gies as incumbrancers, the sum of Sixteen Dollars, as

compensation for damages and injury to the The South East quarter of the
North East quarter of Section Thirty-four Township
One Tenth 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,

The said Company deem the said
award unjust and excessive and
the amount of compensation to be paid
the above named 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., 1880.

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 Sixteen 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,

Carroll 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.

Joseph William
et al.

VERSUS

The Hastings and
Dakota Railway
Company

NOTICE OF APPEAL.

Filed June 1st 1880,
Extrajudicial
Record,
= 24 =

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.

*Joseph Millman and Linen
felter and Fals and Vincenz
Gies*

Claimants and Respondent.

VERSUS

*The Hastings and Dakota
Railway Company*

Petitioner and Appellant.

Know all Men by these Presents, That we

Sherburn S Merrill

on behalf of said appellant

as principal and

Charles H Brin and Hugh G

Garrison -

as sureties, are held and firmly bound unto

*Joseph Millman and
Linenfelter and Fals and Vincenz Gies*

above named in the sum of

Two hundred and Fifty

Dollars,

to be paid to the said

*Joseph Millman and Linenfelter and
Fals and Vincenz Gies*

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 day of

June

A. D. 1880.

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

Hastings and Dakota

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

Sixteen

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. Gillfillan
F. B. Bailey

B. B. Merrill
W. G. Hannon
C. H. Prior



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

Be it known that on this *22* day of *June* A. D. 188*0*, personally appeared before me *Sheldon S. Merrill and 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 *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^d* day of *June* A. D. 188*0*.
Francis B. Bailey
Notary Public, Hennepin Co. Minn.

C. H. Prior
H. G. Harrison



DISTRICT COURT,

Carver County
In the matter of the application of the
Hastings & Dakota

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

Joseph Wellman et al
versus
The Hastings & Dakota
Railway Company

BOND ON APPEAL.

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

Attorneys for Petitioners.
Wm. T. Jones
Chas. W. Jones
John M. Jones

No. 1323

DISTRICT COURT,
CARVER COUNTY, MINN.

Albert Eitel

Plaintiff.
Resp.

vs.
The Hastings & Dakota
R.R. Co

Defendant.
app.

L. F. Bayler

Plaintiff's Attorney.

Defendant's Attorney

Date of Entry

June 24, 1880

Court

Register of Actions

A

Page 259

Term Tried

19

Judgement for

Amount of Judgement \$

Date of Judgement

19

Judgement Book

Page

Default Judgement Book

Page

Date of Docketing

19

Herald Publishing Co., Chaska, Minn.

Appeal

\$ 300.⁰⁰

Chaska, October 18th 1880.

Received of G. H. Ayenbush, Clerk Rent Court
the sum of Three hundred dollars, being
the amount paid Albert Edt. on the
Award made by Commissioners by their report
filed June 24th 1880. - L. L. Baxter

Attorney for Hastings
& Dakota Railway
Company

Y. H. Baxter ^{att.}
Attorney for the Hastings and
Wakarusa Railway Company

\$311.⁰⁰ receipt,

Albert Estet,

Filed, October 18th 1880,
G. H. Gray, Clerk
Bellevue,

59

State of Minnesota
County of Carver.

District Court
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant

against

Albert Estel

- Respondent

It is hereby stipulated by and between
the parties to the above entitled action that the above named
Appellant withdraw from the clerk of the above named
court the sum awarded to the above named Respon-
dent in the above entitled matter which award was
filed with said clerk in his office on the 24th
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. 18th 1880.

L L Dwyer
Attorney Hastings & Dakota
Railway Company
Appellant
A Estel

Respondent

District Court. ⁴⁴
County of Larver.

The Hastings & Dakota Railway Company.

vs.

Albert Eitel

Plaintiff for Dismissal,

Filed, October 18th A.D. 1880,
St. Mary's Court,
Larver.

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State of Minnesota, }
COUNTY OF *Carr* } ss. DISTRICT COURT,
Eight Judicial District.
In the matter of the petition and application of the *Hastings and*
Sakota 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. 188*0*

Albert Eitel
Claimant and Respondent.
VERSUS
Hastings and Sakota
Railway Company
Petitioner and Appellant.

STATE OF MINNESOTA, }
County of Hennepin. } ss. *Fredrick E. DuBoit*
being duly sworn, says that at *Chapman* . . . in the County of *Carr* . . .
in the State of Minnesota, on the *24th* . . . 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 . . .
Albert Eitel
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. 188*0*,
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 May 2nd
A. D. 1880.

Chas. A. C. C. C.

versus.

The Hastings and Lakota
Railroad Company

Affidavit of Service of Notice of Appeal.

Filed July 19th 1880,
Wm. C. C. C.
Chas.

Attorneys for Petitioners.

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State of Minnesota, } ss.

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 the said court on the *24th* day of *May* A. D. 188*0*.

Albert Eitel

Claimant and
vs.

Respondent,

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

To

Albert Eitel

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 *and report* of the Commissioners, made and filed in the above entitled matter, on the *24* day of *June* A. D. 188*0*, which awards to

Albert Eitel

as owner, subject

to the liens of

as incumbrancers, the sum of *Three hundred and twenty three* dollars, as compensation for damages and injury to the *North west Quarter of the South East Quarter of Section thirty one 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* *Report* *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 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*0*

L. L. Baylen

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 *Three hundred & twenty three* 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 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,

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

Albert Eitel

VERSUS

*The Hastings & Dakota
Railway Company*

NOTICE OF APPEAL.

Given, Term 1st 2nd 1880.
Edw. T. Thompson

Adm'd

= 259.

State of Minnesota,

DISTRICT COURT,

COUNTY OF *Carver*

ss.

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*0*.

Albert Eitet

Chairman and Respondent.

VERSUS

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

Know all Men by these Presents, That we *Shuburn S. Minill* 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

Albert Eitet

above named in the sum of *Three Hundred and fifty* Dollars,
to be paid to the said *Albert Eitet*

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* 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
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*0*, awarding to said respondent the sum
of *Three Hundred and twenty three* 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. Merrill
H. G. Harrison
C. H. Prior



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

Be it known that on this *22^d* 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 *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^d* day of *June* A. D. 188*0*.
Francis B. Bailey
Notary Public, Hennepin Co. Minn.

C. H. Prior
H. G. Harrison



DISTRICT COURT,

County

In the matter of the application of the

Hastings & Dakota

vs
Railroad Company, filed *May 24*

A. D. 1880.

Alfred E. Bates

vs
The Hastings & Dakota
Railway Company

BOND ON APPEAL.

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

Attorneys for Petitioners.

Filed June 24th 1880
C. H. Harrison & Charles

No. 1324

DISTRICT COURT,
CARVER COUNTY, MINN.

F. Lineweiser Schol
Plaintiff.

vs.
The Hastings & Dakota
R.R. Co. Defendant.

L. L. Baxter
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry *June 24 1880*
Courts Register of Actions *A* Page *259*

Term Tried.....19

Judgement for.....

Amount of Judgement \$.....

Date of Judgement.....19

Judgement Book.....Page

Default Judgement Book.....Page

Date of Docketing.....19

Herald Publishing Co., Chaska, Minn.

Appeal

25,

L. L. Bartter
Attny Hunting & Dakota
Railway Company,

\$900.⁰⁰ rec'd

Hunting & Dakota

John, belated 1842 to 1880,
G. H. Hagenbuhl
Lund.

-759.

\$1000⁰⁰

Charle, October 18th 1880
Bellevue, N.Y.

Received of Georgetown Belknap Trust Co.
the sum of Nine hundred dollars, being
the amount paid to Lincoln & Fisher,
in settlement of the award made by the
Commissioners by their report filed June
24th 1880, (George Little Landy)

L L Baxter
Atty for Washburn
and De Water Rudewy
Cremery

State of Minnesota
County of Lawer.

District Court
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant.

against
Geo. F. L. Leforge & Sons
and John F. Eitel - 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 24th 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. 18th 1880.

L. L. Baxter
Attorney for the Hastings
and Dakota Railway
Company Appellants
Florian Linschler
Guery Fairbank

Respondents

District Court. 1880
County of Cass.

The Hastings and Dakota Railway Company

vs.

Linnafelter and Fisher
and John George Eitel

Plaintiff against Defendant.

Filed October 18th A.D. 1880
G. H. Brown, Clerk.

1880.

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

*F. Lungenfuser, George Faber
and John George Eitel*

Claimants and Respondents

VERSUS

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

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

Frederick E. DuToit
being duly sworn, says that at *Chaska* 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
F. Lungenfuser and George Faber

the above named respondent by then and there delivering in hand to and leaving with *each of the*
respectively
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. DuToit,
Francis B. Bailey
Notary Public
Hennepin Co
Minn

151

DISTRICT COURT.

Carver County

in the matter of the application of the

Hastings and
Dakota

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

F. Lenzel et al
versus.

The Hastings & Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 14th 1880
W. H. Graymiller
Adm
Attorneys for Petitioners.

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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

*F. Linenfelser, George Faber
and John George Etel*

Claimants and Respondents
versus

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

STATE OF MINNESOTA,
County of Hennepin. } ss.

Fredrick C. DuSait

being duly sworn, says that at *Blaska* in the County of *Carr*
in the State of Minnesota, on the *8th* day of *July* A. D. 1880,
he personally served a true copy of the notice of the appeal in the above entitled matter upon *John*
George Etel

..... 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. *F. C. DuSait.*

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

Francis B. Bailey
Notary Public
Hennepin Co
Minn

75.
DISTRICT COURT.

Carver County

in the matter of the application of the

Hastings and
Dakota

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

F. Luenfeller et al

versus.

The Hastings and Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10th A. D. 1880,
Wrayenbuhl Clerk,

Attorneys for Petitioners.

759

State of Minnesota, } ss.

DISTRICT COURT,

COUNTY OF

Carver

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 the said court on the

24th

day of

May

A. D. 1880.

F. Linenfelser, and George Faber
and John George Eitel

Claimant and Respondent,

vs.

The Hastings and Dakota
Railway Company
Petitioner, and

Appellant.

To

F. Linenfelser, and George Faber

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

F. Linenfelser and

George Faber

as owner, subject

to the liens of

John George Eitel

as incumbrancers, the sum of

Ten Hundred and seventy six

Dollars, as

compensation for damages and injury to the

North east quarter of the South west
Quarter and the south half of the South west quarter
of Section Thirty 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 com-
pensation to be paid the above claimant more than
the damage or injury to said property

2nd. That said commissioners did not allow in re-
duction of the damages sustained by the above
named claimant by the construction of said road

Dated this

24

day of

June

A. D. 1880.

L. L. Bayler,

Attorney for Appellant.

15.
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 *Ten hundred and seventy 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 *One thousand 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* 1880.

J. L. McDonald
Judge.

DISTRICT COURT,

Cum 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*

F. L. Linsguler et al

VERSUS

*The Hastings and Dakota
Railway Company*

NOTICE OF APPEAL.

Filed, June 24th 1880,

J. L. McDonald Clerk

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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*0*.

F. L. Lumanfeller and George Faber and
John George Eitel
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 same appellants
as principal and *Hugh G. Harrison and Charles H.*
Prior

as sureties, are held and firmly bound unto *F. Lumanfeller George Faber*
and John George Eitel

above named in the sum of *One thousand one hundred* Dollars,

to be paid to the said *F. Lumanfeller and George Faber and John*
George Eitel.

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 *25th* 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
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*0* awarding to said respondent the sum
of *ten hundred and seventy six* 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 Bailing

S S Munn
H G Harrison
C H Prior



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

Be it known that on this *23rd* day of *June* A. D. 188*0*, 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 Bailing

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 *One thousand one 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 *23rd* day of *June* A. D. 188*0*.
Francis B Bailing
Notary Public, Hennepin Co. Minn.

C H Prior
H G Harrison



751
DISTRICT COURT,

County

In the matter of the application of the

Hastings & Dakota

Railroad Company, filed

May 24

Lincoln

vs
Hastings & Dakota
Railway Company

BOND ON APPEAL.

I hereby approve the
the within bond this 28
day of June A.D. 1888
W L Wood
Judge

Attorneys for Petitioners.

W L Wood
W L Wood
W L Wood

No. 1325

DISTRICT COURT,
CARVER COUNTY, MINN.

Wendell Grimm
Plaintiff.
Resp.

vs.
The Hastings and Dakota
Railway Co.
app. ant.

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

Defendant's Attorney

Date of Entry

June 24 1988
Courts
Register of Actions

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Term Tried.....19

Judgement for.....

Amount of Judgement \$.....

Date of Judgement.....19

Judgement Book.....Page

Default Judgement Book.....Page

Date of Docketing.....19

Herald Publishing Co., Chaska, Minn.

Appeal

State of Minnesota, }
COUNTY OF Carver } ss. DISTRICT COURT,
In the matter of the petition and application of the Eight 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 24th day of May A. D. 1880

Wendelin Grimm
Claimant and Respondent.
VERSUS
The Hastings and Dakota
Railway Company
Petitioner and Appellant.

STATE OF MINNESOTA, }
County of Hennepin. } ss. Friedrich E. Du Toit
being duly sworn, says that at Dakelown . . . in the County of Carver
in the State of Minnesota, on the 26th day of June . . . A. D. 1880,
he personally served a true copy of the notice of the appeal in the above entitled matter upon . . .
Wendelin Grimm
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 8th day of July . . .
A. D. 1880.

F. E. Du Toit,
Francis B. Bailey
Notary Public
Hennepin County
Minn.

Carver

in the matter of the application of the

Hastings and
Dakota

Railroad Company, filed May 22
A. D. 1880.

Wendelin Grimm

versus.

Hastings and Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10th or 11th 1880
Wm. H. H. H. H.

~~Attorneys for Petitioners.~~

No.

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 day of May A. D. 1880.

Wendelin Grimm

Claimant and

Respondent,

vs.

The Hastings and Dakota
Railway Company

Petitioner and

Appellant.

To

Wendelin Grimm

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

Wendelin Grimm

as owner, subject

to the liens of

as incumbrancers, the sum of

Seventy Six

Dollars, as

compensation for damages and injury to the

South East quarter of the South
East quarter of Section Twenty five in Township
One hundred and sixteen Range Twenty four

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 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 ~~claimant~~ claimant the benefit accruing to said claimant by the construction of said road.

Dated this

24

day of

June

A. D. 1880.

L L Barter

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 Twenty 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 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. McDonald
Judge.

DISTRICT COURT,

Cherokee 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.

Mendelie Green

versus

The Hastings and
Dakota Railway
Company

NOTICE OF APPEAL.

Filed June 14 1880.
Gayman & Co. Attorneys,
St. Louis, Mo.

State of Minnesota,

DISTRICT COURT,

COUNTY OF

Carver

ss.

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.

Wendelin Grimm

Claimant and Respondent.

VERSUS

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

Know all Men by these Presents, That we

Sherburne Merrill

in behalf of said appellant

as principal and

Charles H. Prior and Hugh F. Harris

as sureties, are held and firmly bound unto

Wendelin Grimm

above named in the sum of

Two hundred and Fifty

Dollars,

to be paid to the said

Wendelin Grimm

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 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

Seventy six

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. Gillman
F. B. Bailey

S. S. Munn

W. G. Harrison

C. R. Rier



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

Be it known that on this *22* day of *June* A. D. 188*0*, personally appeared before me *Sherburne J. Merrill* *Charles H. Rier* 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. Rier

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. R. Rier

W. G. Harrison



DISTRICT COURT,

County

Carm

In the matter of the application of the

Hastings and

Dakota

Railroad Company, filed

A. D. 1880.

Mendelme Grimm

versus
The Hastings & Dakota
Railway Company

BOND ON APPEAL.

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

J. L. MacDonald

Attorneys for Petitioners.

Filed June 24 1880

Appraiser

\$ 60⁰⁰

Chaska, October 18th 1880.
Chaska, Minn.

Received of Graymuhl, Chaska Minn
the sum of Sixty dollars, being the amount
paid Wendell's Grains for the amount of
Commission by their report dated
June 24 1880,

L L Baxter
Atty. Hastings
& Dakota Railway
Company

G. L. Bayler 26
Attorney of the Hastings ^{and Dakota}
Rockaway Company.

\$100.00 receipt,
Wendelin Grimm.

Filed, October 18th A.D. 1880
G. Krayenbuhl
clerk

File

State of Minnesota
County of Cass:

Sister Court
Eighth Sister Court

The Hastings and Dakota
Railway Company Appellant
against
Maudslow 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 24th 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. 1880

L. J. Bacon
Atty for Appellant etc
Hastings and Dakota
Railway Co
Maudslow
Respondent

District Court 26
County of Cass.
v. v. v. v. v.

The Hastings & Dakota Railway Company

vs.

Wendelin Grimm

Application for Dismissal,

Filed October 18th 1888,
G. H. Graymiller
Clerk

2611.

No. 1324

DISTRICT COURT,
CARVER COUNTY, MINN.

Joseph Ess
Plaintiff.

The Hastings & Dakota
R.R. Co.

L. L. Baxter
Defendant.
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry June 24 1886
Min. Register of Actions A Page 260

Term Tried 19

Judgement for

Amount of Judgement \$

Date of Judgement 19

Judgement Book Page

Default Judgement Book Page

Date of Docketing 19

Herald Publishing Co., Chaska, Minn.

Appeal

Christopher Marcus Lamm
Chaska, November 8th 1889.

~~\$ 217.⁰⁰~~

Received of Grayenbuhl, Clerk
District Court The Sum of Two hundred
and Seventeen dollars, being the balance in
full of the amount by Commissionary by that
report dated June 2nd 1889, to Joseph E. P.
L. L. Rafter

Atty. for Hactop
and Oskato Building
Co

1st part \$ 944.⁰⁰
bal " 217.⁰⁰

~~\$ 1161.⁰⁰~~

W. H. Porter
Attorney for the Hattings
and Washita Railway Co.

\$214⁰⁰ Receipt
Balance Award to
Joseph E. P.

Filed November 24th 1886
G. Braugent
Clerk,

W. H. P.

State of Minnesota,
County of Carver.

District Court
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant
against
Joseph Ess - 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 24th 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. 11th 1880.

L. L. Dwyer

Attorney for the Hastings
and Dakota Railway
Company Appellant

Joseph Ess

Respondent

District Court. 24,
County of Carver.

The Hastings and Dakota Railway Company

vs.

Joseph E. Co

Stipulation for Dismissal

Filed October 17th 1880,
G. Krausenhut
Clerk,

Dec.

\$900.⁰⁰

Chaska, October 13th 1880,
Chaska, Minn.

Received of Gustave Wenzel, Chaska, Minn.
Agent, the sum of Nine ~~Hundred~~ dollars
(\$900.⁰⁰) being the amount paid to Joseph
E. in satisfaction of the Arrangements made by
the Commissioners by their report July 24th
1880.

L L Bae
Attorney for Hustings
and Dakota Land
Company

24
H. Ch. Webster
Attorney of the Hastings
and Dakota Railway Company.

\$944.⁰⁰ - Receipt.

Filed, October 4th 1888
Estrayenbuhl
Clerk.

260

State of Minnesota, }

DISTRICT COURT,

COUNTY OF

Carver

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.

Joseph Ess

Claimant and Respondent,

vs.

The Hastings & Dakota

Railway Company

Petitioner and Appellant.

To

Joseph Ess

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

and report
June

A. D. 1880, which awards to

Joseph Ess

as owner, subject

to the liens of

as incumbrancers, the sum of

Eleven hundred and seventeen

Dollars, as

compensation for damages and injury to the

North East quarter of the North East

quarter and the North West quarter of the North East

quarter of section thirty six in Township one hundred

and sixteen Range twenty four

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. 1880.

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 *Eleven hundred and twenty* 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 *Eleven 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,

Barner County.

In the matter of the petition of the

Fitchburg & Dakota

Railway Company, filed in said Court on the

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

Joseph E. Co

OFFSHS

*The Fitchburg & Dakota
Railway Company*

NOTICE OF APPEAL.

Filed June 24th 1880.

Appellant's bond
2000

State of Minnesota, }
COUNTY OF *Carver* } 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 *Carver* and State of Minnesota, filed in said court

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

Joseph Ess

Claimant and Respondent.

VERSUS

*The Hastings and Dakota
Railway Company*

Petitioner and Appellant.

STATE OF MINNESOTA,

County of *Hennepin.*

} ss.

Fredrich E. Du Toit

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

in the State of Minnesota, on the *23rd* day of *June* A. D. 1880,

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

Joseph Ess

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

8th day of *July*

A. D. 1880.

Francis B. Bailey
Notary Public

*Hennepin County
Minnesota*

24.

DISTRICT COURT.

leaver

County

in the matter of the application of the
Hastings and
Dakota

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

Joseph Ess

versus.

Hasting and
Dakota Railway
Company

Affidavit of Service of Notice of Appeal.

Filed July 11th A.D. 1880.
G. H. Ziegenhuth Clerk

~~Attorneys for Petitioners.~~

264

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. 188*0*.

Joseph Ess

Claimant and Respondent.
VERSUS

The Hastings and Dakota Railway
Company Petitioner and Appellant.

Know all Men by these Presents, That we

Sherburne J. Merrill

in behalf of said appellant-

as principal and

Charles H. Peim and Hugh E. Harrison

as sureties, are held and firmly bound unto

Joseph Ess

above named in the sum of

Eleven hundred and fifty

Dollars,

to be paid to the said

Joseph Ess

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^d

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

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

, awarding to said respondent the sum

of *Eleven hundred and seventy*

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. Giffillan
F. B. Bailey
B. S. Merrill
W. G. Harrison
C. H. Reier
SEAL
SEAL
SEAL
SEAL

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

Be it known that on this *22* day of *June* A. D. 188*8*, personally appeared before me *Shubert Merrill*, *Charles H. Reier* 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. Reier 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 *Eleven hundred and seventeen* 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*8*.
Francis B. Bailey
Notary Public, Hennepin Co. Minn.
C. H. Reier
W. G. Harrison
SEAL
SEAL

DISTRICT COURT,
Carr County
In the matter of the application of the
Hastings and Dakota
Railroad Company, filed *May 14*
A. D. 1880.

Joseph Eas
versus
The Hastings and Dakota
Railway Company

BOND ON APPEAL.

I hereby approve the
writing and this 28
day of June A.D. 1888
J. L. Macdonald
Geo. J.

Attorneys for Petitioners.
Geo. J. Macdonald
Geo. J. Macdonald

No. 1327

DISTRICT COURT,
CARVER COUNTY, MINN.

Joseph Schindler et al

Plaintiff
Resp

The Hastings & Dakota R.R Co

Defendant

L. P. Bayler
Plaintiff's Attorney

Defendant's Attorney

Date of Entry June 24 1880
Register of Actions A Page 266

Term Tried 19

Judgement for

Amount of Judgement \$

Date of Judgement 19

Judgement Book Page

Default Judgement Book Page

Date of Docketing 19

Appeal

\$75⁰⁰²

Lehanna, October 11 1888
Lehanna Office.

Received of Gustave Wrayenbuhl, the sum
of seventy five dollars, being the amount paid
to Joseph Schindler Jr, on the account made by
the Commissioners, as per report filed June 24th
A.D. 1888.

L L Bayler
Atty for Huctings
and Dakota Railway
Company

1880.

28

Ch. & Bay to Wm.
Geo. the Hastings & West
Railway Company

\$ 75.00 receipt.

Filed, October 11th 1880,
C. H. H. H. H. H.
H. H. H.

260-

State of Minnesota,
County of Carver.

District Court,
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant.

against

Joseph Schindler

- 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 24th day of June A. D. 1880; said
matter having been settled and compromised; and
also that the appeal herein be dismissed with-
out costs to either party.

Dated Oct. 11th 1880.

L. L. Bayne
Atty for Hastings
and Dakota Railway
Company, Appellant
Joseph Schindler Jr.
Respondent



Witness to Signature
of Joe Schindler Jr.

District Court. ¹⁸
County of Carver.

The Hastings & Dakota Railway Company
vs.

Joseph Schindler.

Stipulation for Dismissal

Filed, October 11th A.D. 1880
Attest
J. H. [illegible]

Nov

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

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

*Joseph Schindler Jr
Jason Downer and
Lucien Warner*

Claimants and Respondent.

versus

*The Hastings and Dakota
Railway Company*

Petitioner and Appellant.

STATE OF MINNESOTA, }

County of *Hennepin.* } ss.

Fredrick E. Du Toit

being duly sworn, says that at *St. Paul* in the County of *Ramsey*

in the State of Minnesota, on the *7th* day of *July* A. D. 1880,

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

Lucien Warner

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 *8th* day of *July*

A. D. 1880.

Francis B. Bailey

Notary Public

*Hennepin County
Minn.*

State of Minnesota,
COUNTY OF *Carver* } 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 *Carver* and State of Minnesota, filed in said court
on the *24th* day of *May* A. D. 1880

Joseph Schindler Jr.
Jason Downer and
Lucien Warner Claimants and Respondent.

VERSUS

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

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

Frederick E. Du Loit
being duly sworn, says that at *Chanhassen* in the County of *Carver*
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

Joseph Schindler Jr.

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 day of
A. D. 1880.

J. E. Du Loit,
Notary Public
Hennepin County
Minn.

h8.

DISTRICT COURT.

carver

County

in the matter of the application of the

Dastings and
Dakota

Railroad Company, filed May 24
A D 1880,

Joseph Schindler
Et al.

versus,

Hastings and
Dakota Railway
Company

Affidavit of Service of Notice of Appeal.

John July 10th and 18th 1850
Hendersonville Calcutt

Attorneys for Petitioners.

The

State of Minnesota, }
COUNTY OF *Carver*

DISTRICT COURT,

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 *2nd* day of *May* A. D. 188 *8*.

Joseph Schindler, Jason Downer
and Lucien Warner
Claimants and Respondents

The Hastings & Dakota
Railway Company
Petitioner and Appellant.

To

Joseph Schindler, Jason Downer and
Lucien Warner

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

Joseph Schindler as owner, subject
to the liens of *Jason Downer & Lucien Warner*
as incumbrancers, the sum of *Eighty one* Dollars, as
compensation for damages and injury to the *South west quarter of the*
North east quarter of Section thirty six in
Township One hundred and sixteenth and
Range twenty four

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 deem the said award and
compensation to be paid the above named claim-
ant more than the damage or injury to
said property.
- 2nd, That 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 *29* day of *June* A. D. 188 *0*.

L L Bayton

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 *Eighty 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 *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. McDonald
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.

Joseph Schneider

VERSUS

*The Hastings & Dakota
Railway Company*

NOTICE OF APPEAL.

*Filed June 1st 1880
Cass County Clerk*

W. H. H.

State of Minnesota,
COUNTY OF Carver } ss.

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

Carver

and State of Minnesota, filed in said court

on the 24th day of

May

A. D. 1888.

Joseph Schindler

Jason Warner and Lucien Warner.

Claimant and Respondent.

VERSUS

The Hastings & Dakota Rail
way Company

Petitioner and Appellant.

Know all Men by these Presents, That we

Shelburne Merrill

behalf of said Appellant

as principal and

Charles H. Peter and Hugh G. Harrison

as sureties, are held and firmly bound unto

Joseph Schindler Jason Warner
Warner and Lucien Warner

above named in the sum of

Two hundred and fifty Dollars,

to be paid to the said

Joseph Schindler Jason Warner
and Lucien Warner

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^d

day of

June

A. D. 1888.

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. 1888,

awarding to said respondent the sum

of

Eighty 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 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
J. B. Bailey
E. B. Munn
W. G. Hanson
C. H. Reiss



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

A. D. 1888, personally appeared before me *Charles D. Reiss* and *Hugh G. Harrison* being each duly sworn, doth each for himself depose and say 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.

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

Notary Public,
Hennepin County, Minn.

Charles D. Reiss

and *Hugh G. Harrison*

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 *22nd* day of *June* A. D. 1888
Francis B. Bailey
Notary Public, Hennepin Co. Minn.

C. H. Reiss
W. G. Hanson



DISTRICT COURT,

County

In the matter of the application of the

Hastings and Dakota

Railroad Company, filed
A. D. 1880.

May 22

Joseph Schenck

The Hastings and Dakota Railway Company

BOND ON APPEAL.

I hereby agree to pay the within bond on the 24 day of June A. D. 1888
W. G. Hanson

Attorneys for Petitioners.

John J. May
W. G. Hanson

No. 1328

DISTRICT COURT,
CARVER COUNTY, MINN.

James Walcott et al.
Plaintiff
Resp.

vs.
The Hastings & Dakota
R.R. Co.
Defendant
app.

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

Defendant's Attorney

Date of Entry *June 24 1880*
Court Register of Actions *A* Page *267*

Term Tried.....19.....

Judgement for.....

Amount of Judgement \$.....

Date of Judgement.....19.....

Judgement Book.....Page.....

Default Judgement Book.....Page.....

Date of Docketing.....19.....

Herald Publishing Co., Chaska, Minn.

Appeal

\$1000.⁰⁰

Chester, October 15th A.M. 1880.
Chas. M. Moffat,

Received of Lewis's Moffat, Esq. by order of the
Chester District Court, the sum of One Thousand
dollars, being the amount paid to Lewis's
Moffat in satisfaction of the amount made
by the Commissioners by their report filed
June 24th 1880.

L. L. Baxter

Atty. Hastings and
DuKuta Railway Company

J. C. Baxter
Attorney for the Hastings and
Malheur Railway Company

\$1440.⁰⁰ - receipt

Filed, October 15th and 18th 1900
Gibson & Co
U.S. R.

-160-

State of Minnesota
County of Saran.

District Court
Eighth Judicial District

The Hastings and Dakota Railway Company - Appellant

against

Louis Hoff

Respondent.

It is hereby stipulated by, and between, the parties to the above entitled action that the above named Appellant withdraw 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 24th day of June, A. D. 1880; said matter having been settled and compromised; and also that the action herein be dismissed without cost to either party.

Dated Oct. 15th 1880.

L. I. Baxter
Atty for Hastings and
Dakota Railway Company
Appellant
Louis Hoff
Respondent.

89.
District Court.
County of Carver.

The Hastings & Dakota Railway Company

vs.

Louis Wolff.

Stipulation for Dismissal.

Filed, October 15th A.D. 1886
G. H. Langenhuttl
Clerk.

L. W.

State of Minnesota, }
COUNTY OF *Carver* } 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 *Carver* and State of Minnesota, filed in said court on the *24th* day of *May* A. D. 1880

Louis Wolff and Peter Winter
Claimants and Respondent.
versus

The Hastings and Dakota Railway Company
Petitioner and Appellant.

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

Frederick E. Du Loit
St. Paul in the County of *Ramsey*
being duly sworn, says that at *1st* day of *July* A. D. 1880,
in the State of Minnesota, on the *1st* day of *July* A. D. 1880,
he personally served a true copy of the notice of the appeal in the above entitled matter upon

Peter Winter

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 *5th* day of *July* A. D. 1880.

F. E. Du Loit
Francis B. Bailey
Notary Public
Hennepin County,
Minn.

DISTRICT COURT.

Carver

County

in the matter of the application of the

Hastings and
Dakota

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

A. D. 1880.

Louis Wolff et al.

versus

Hastings & Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10th a. d. 1880,
R. B. Burdett

W. H. W. W.

~~Attorneys for Petitioners.~~

2 Her

State of Minnesota, }
COUNTY OF *Carver* } ss. DISTRICT COURT,
In the matter of the petition and application of the *Hastings and* Eighth Judicial District.
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

Louis Wolff and
Peter Winkler
Claimant 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 *Dakota* in the County of *Carver*
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
Louis Wolff

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 *8th* day of *July*
A. D. 1880.

F. E. Du Toit,
Francis B. Bading
Notary Public
Hennepin County
Minn

ny.
DISTRICT COURT.

Carver County

in the matter of the application of the

Hastings and
Dakota

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

Joseph
Louis Wolff et al

versus.

Hastings & Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 14th 1880,
Chas. W. Ayer, Clerk
Attorneys for Petitioners.

W. W.

State of Minnesota, }

DISTRICT COURT,

COUNTY OF

Carver

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.

Louis Wolff & Peter Hunter

Claimants and Respondents

vs.

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

To

Louis Wolff and Peter Hunter

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

A. D. 1880, which awards to

Louis Wolff

as owner, subject

to the liens of

Peter Hunter

as incumbrancers, the sum of

Twelve hundred

Dollars, as

compensation for damages and injury to the

South half of the north west

quarter of section thirty six in Township one
Hundred and sixteen Range twenty four

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 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., 1880.

L. L. Bayler

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 *Twelve 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 *Twelve 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. McDonald
Judge.

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

Louis Wolff

VERSUS

The Hastings & Dakota
Railway Company

NOTICE OF APPEAL.

Given Time 1st of July,
Extrajudicial *Wm*
2462

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

DISTRICT COURT,
5th 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*.

Louis Wolff and Peter Winter

Claimants and Respondent.

VERSUS

The Hastings and Dakota
Railway Company

Petitioner and Appellant.

Know all Men by these Presents, That we *Arthur M. Mearns*

in behalf of said petitioner

as principal and

Charles H. Prior and Hugh G.
Harrison

as sureties, are held and firmly bound unto

Louis Wolff and Peter
Winter

above named in the sum of *Twelve hundred* Dollars,

to be paid to the said *Louis Wolff and Peter Winter*

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^d* day of *June* A. D. 188*1*.

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*1*, awarding to said respondent the sum

of *Twelve 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 Gillilan
F B Bailey

SS Munn
LB Hannen
CH Prior
SEAL
SEAL
SEAL
SEAL

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

Be it known that on this *22^d* day of *June* A. D. 188*8*, personally appeared before me *Shelburn & Munn* *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 *Twelve 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^d* day of *June* A. D. 188*8*.
Francis B Bailey
Notary Public, Hennepin Co. Minn.

CH Prior
LB Hannen
SEAL
SEAL

DISTRICT COURT,

County

Carm
In the matter of the application of the
Francis B Bailey & Dakota

Law
Railroad Company, filed
A. D. 1880.

Louis Wolff et al

VERSUS

The Hastings & Dakota
Railway Company

BOND ON APPEAL.

I hereby affirm the
within bond this 24
day of June A. D. 1888
Charles H. Prior
Hugh G. Harrison
Francis B Bailey

Attorneys for Petitioners.

John T. Jones et al
John T. Jones et al