



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

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No. 1329

DISTRICT COURT,
CARVER COUNTY, MINN.

George Ulmer
Plaintiff
Resp.

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

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

Defendant's Attorney

Date of Entry June 24 1918
Court A Page 260
Register of Actions

Term Tried 19

Judgement for

Amount of Judgement \$

Date of Judgement 19

Judgement Book Page

Default Judgement Book Page

Date of Docketing 19

Herald Publishing Co., Chaska, Minn.

Appeal

\$46.⁰⁰

Chaska, October 18th 1884,
Chas. Ratten,

Received of Wm. Ratten, Chas. Ratten's account
the sum of forty six dollars, being the
amount paid to George Ulmer, for the
award made by the Commissioners, as per
their report filed June 24th 1884.

L L Ratten
Atty. Hastings and
Dakota Railway Company

3a

G. H. Benton
Attorney of the Hastings
and Wabato Railway Company

\$46.⁰⁰ receipt,
George Ulmer,

Filed, October 18th 1880,
E. H. Gray, Clerk

260

State of Minnesota
County of Carver.

District Court
Eighth Judicial District

The Hastings & Dakota Railway Company - Appellant,

against

George Ulmer

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 award was filed with said clerk
in his Office on the 24th day of June A. D.
1880; said matter having been settled and com-
promised, and also that the appeal herein be
dismissed without cost to either party.

Dated Oct. 8th / 1880.

L & Dexter Atty
Hastings & Dakota
Railway Company
Appellant
George Ulmer,
Respondent

District Court. 30
County of Leaver.

The Hastings and Dakota Railway Company.

vs.

George Ulmer.

Appetition for Dismissal.

Filed by order 18th Nov 1886,
G. Graymhall
Clerk,

76a

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

George Ulmer
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 *Chaska* in the County of *Carver*
in the State of Minnesota, on the *16th* day of *July* A. D. 1880,
he personally served a true copy of the notice of the appeal in the above entitled matter upon
George Ulmer

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 *July*
A. D. 1880.

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

30
DISTRICT COURT.

Carver County

in the matter of the application of the

Hastings and
Dakota

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

George Ulmer

versus.

Hastings & Dakota
Railroad Company

Affidavit of Service of Notice of Appeal.

Filed July 10th A. D. 1880
Wm. H. Krueger
Att. R.

Attorneys for Petitioners.

Wm

State of Minnesota, }
COUNTY OF Carr

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

George Ulmer
Claimant and Respondent,

vs.

The Hastings & Dakota
Railroad Company
Petitioner and Appellant.

To

George Ulmer

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. 1880, which awards to

George Ulmer as owner, subject
to the liens of

as incumbrancers, the sum of Two-hundred Dollars, as
compensation for damages and injury to the East-half of the South East
quarter of the North East-quarter of Section
thirty 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 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. Boyer
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 Forty 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 & 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 24th 1880.

J. L. MacDonald
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., 1880

George Warner

VERSUS

The Hastings & Dakota
Railway Company

NOTICE OF APPEAL.

Filed, June 24th 1880
Appraiser's Certificate
Wm. M. C.
= Geo. =

State of Minnesota,
COUNTY OF *Carver*

DISTRICT COURT,
3rd Judicial District.

In the matter of the petition and application of the *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*.

George Wolmer
Claimant and Respondent.

versus

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

Know all Men by these Presents, That we *Sherburne S. Morris* in
behalf of said appellant

as principal and *Charles H. Eaton and Hugh G.*
Harrison -

as sureties, are held and firmly bound unto *George Wolmer*

above named in the sum of *Two hundred and fifty* Dollars,
to be paid to the said *George Wolmer*

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
award of the Commissioners appointed in the above entitled matter; made therein, and filed in said court on
the *14* day of *June* A. D. 188*0*, awarding to said respondent the sum
of *Forty 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 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

Wm. J. Gillis
Wm. J. Gillis

Wm. J. Gillis
Wm. J. Gillis
Wm. J. Gillis



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 *Sherrburn A. Merrill* *Charles H. Dean* and *Hugh E. 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. Dean and *Hugh E. 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.

Wm. J. Gillis

Hugh E. Harrison



DISTRICT COURT,

Carm County

In the matter of the application of the

Hastings and Dakota

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

George W. Moore

VERSUS

The Hastings & Dakota
Railway Company

BOND ON APPEAL.

To the Hon. Judges of the
District Court of the
County of Carm, State of
Minnesota, I, J. L. Donald
do hereby certify that
the within bond is
correctly filed.

Attorneys for Petitioners.

Y. J. T. Moore, not ad. 1880
Y. J. T. Moore, not ad. 1880
Y. J. T. Moore, not ad. 1880

No. 1330

DISTRICT COURT,
CARVER COUNTY, MINN.

Andrew Mannes et al
app. Plaintiff.

vs.

Hastings + Dakota Ry Co.
Defendant.

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

Defendant's Attorney

Date of Entry June 24 1888
Court A Page 241
Register of Actions

Term Tried 19

Judgement for

Amount of Judgement \$

Date of Judgement 19

Judgement Book Page

Default Judgement Book Page

Date of Docketing 19

Herald Publishing Co., Chaska, Minn.

Condemnation

State of Minnesota District Court
County of Carver Eighth Judicial District

The Hastings and Dakota
Railway Company ^{resp} }
vs }
Anders ~~Manuel~~ ^{resp} }

It is hereby stipulated
by and between the above named
parties that the money deposited
under the award made in the above
mentioned matter in favor of the
above named ~~appellant~~ ^{respondent} which
award was filed in the Office of
the Clerk of said Court June 24th
1880 be withdrawn by the above
named Appellant, said matter
having been compromised and
settled, and that the appeal taken
by said Appellant be dismissed
Dated Oct 6th 1880

L L Dexter
Attorney for Appellant
The Hastings & Dakota Railway
Company

Anders Manuel
Respondent

4
State of Minnesota
District Court
County of Clearwater,
No 34.

The Hastings and Dakota
Railway Company

vs
Andrew Manuel,

Stipulation for Dismissal

Given October 15th 1880
G. Krausmühl
Clerk

261

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

Andrew Manuel & Suzanna Zanger
Claimants and Respondent,

vs.

The Hastings & Dakota
Railway Company
Petitioner and Appellant.

To

Andrew Manuel and Suzanna Zanger

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

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. 1880, which awards to

Andrew Manuel

as owner, subject

to the liens of

Suzanna Zanger

as incumbrancers, the sum of

One hundred and eleven

Dollars, as

compensation for damages and injury to the

North East Quarter of the South East
Quarter of Section thirty 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 deem the said award ~~of report~~
unjust and excessive and the amount of ~~compen-~~
sation to be paid to the above named claimant
more than the damage or injury to the 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

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 hundred & eleven* 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,

County.

In the matter of the petition of the

County of Dakota

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

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

Andrew Manuel & al

VERSUS

*The Hastings & Dakota
Railway Company*

NOTICE OF APPEAL.

*Filed, June 24th 1880,
Applicant's Clerk
J. L. McDonald*

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. 1880

Andrew Mammel and
Sophanna Zanger
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 *Chaska* 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
Andrew Mammel
.....
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 P. Badley
Notary Public,
Hennepin County
Minn.

31.

DISTRICT COURT.

Carver County

in the matter of the application of the
Hastings and
Dakota

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

Andrew Manuel et al.

versus.

Hastings and Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10th A. D. 1880.
Wm. H. Campbell
Attorney

Attorneys for Petitioners.

261

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

Andrew Mammel and
Suzanna Zanger
Leimants and Respondent.
VERSUS

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

STATE OF MINNESOTA,
County of Hennepin. } ss.

Frederick E. Du Loit
being duly sworn, says that at Carver 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
Suzanna Zanger

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 Loit
Francis B. Bagley
Notary Public
Hennepin Co.
Minn.

31.

DISTRICT COURT.

Carver

County

in the matter of the application of the

Hastings and
Dakota

Railroad Company, filed

A. D. 1880.

May 24

Andrew Mammel et al.

versus.

Hastings & Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10th 1880,
Kreupenholtz

Attorneys for Petitioners.

261.

State of Minnesota,
COUNTY OF Carver } ss.

DISTRICT COURT,
5th Judicial District.

In the matter of the petition and application of the The Hastings and Dakota Railway 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.

Andrew Manuel and
Suzanna Ganger
Respondent
versus

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

Know all Men by these Presents, That we Shurburn & Murrie in
behalf of the above named appellant
as principal and Hugh & Garrison and Charles of Prior

as sureties, are held and firmly bound unto Andrew Manuel and
Suzanna Ganger

above named in the sum of Two hundred and fifty Dollars,
to be paid to the said Andrew Manuel and Suzanna
Ganger
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
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 One hundred and eleven 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
D. S. Munn
H. G. Harrison
C. H. Prior
SEAL
SEAL
SEAL
SEAL

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

Be it known that on this *22nd* day of *June* A. D. 188*0*, personally appeared before me *Shelburne & Maurice 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.

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*
day of *June* A. D. 188*0*.
Francis B. Bailey
Notary Public, Hennepin Co. Minn.

C. H. Prior
H. G. Harrison
SEAL
SEAL

DISTRICT COURT,

Carm County

In the matter of the application of the

Hastings and Dakota

Railway

Railroad Company, filed

A. D. 1880.

Andrew Munnick et al

VERSUS

The Hastings & Dakota
Railway Company

BOND ON APPEAL.

I hereby affirm, the
within bond this 24
day of June A.D. 1880
J. L. Maydonald
= 101 = Judge

Attorney for Petitioners.

Filed June 24th 1880.
Chas. Raymond Clerk

\$111.⁰⁰

Charlottesville, Va. 1880.

Received of G. Krayenbuhl Clerk District
Court, the sum of One hundred and eleven dollars
being in full for the Award to Andrew Mammel
by the Commissioners by their report filed May
June 24th A.D. 1880.

F. E. Du Pont.

Agent for Right of way
for C. M. & S. P. Railway.

1880.

No 31.

J. E. Quist
Agent for the
Hartings and Wallata
Railway Company.

\$111.00 Receipt for amount to
Andrew Manuel,

Yield, October 1st 1880
G. Krugenthal
Agent

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No. 1331

DISTRICT COURT,
CARVER COUNTY, MINN.

Gerdman and Brandenburg
Plaintiff.

vs.

Hastings & Dakota Ry Co
Defendant.

L L Baxter
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry *June 24* 18*88*
County *A* Page *241*
Register of Actions

Term Tried 19

Judgement for

Amount of Judgement \$

Date of Judgement 19

Judgement Book Page

Default Judgement Book Page

Date of Docketing 19

Herald Publishing Co., Chaska, Minn.

Appeal

State of Minnesota,
County of Sawyer.

District Court
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant

against

Ferdinand Brandenburg

- 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 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. 9th 1880

L L Bayler

Attorney for the Hastings
and Dakota Railway
Company Appellant
Ferdinand Brandenburg
Respondent

I District Court, No 32,
County of Larver.

The Hastings and Dakota Railway Company

vs.

Ferdinand Brandenburg.
_____;

Filed October 15th 1880,
G. W. Wenzel Clerk.

Filed

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

Ferdinand Brondenburg
Claimant and Respondent.
versus

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

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

Frederick E. Du Sait
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. 1880,

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

Ferdinand Brondenburg

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 1st day of July A. D. 1880.

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

32

DISTRICT COURT.

Carver County

in the matter of the application of the

Hastings and
Dakota

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

Ferdinand Brounburg

versus.

Hastings and
Dakota Railway
Company

Affidavit of Service of Notice of Appeal.

Filed July 10th ad 1880
W. H. Hagenbuhl Clerk

Attorneys for Petitioners.

266

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. 1880.

Ferdinand Brandenburg

Plaintiff Respondent,

vs.

The Hastings and Dakota
Railway Company

Petitioner and Appellant.

To

Ferdinand Brandenburg

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

Ferdinand Brandenburg

as owner, subject

to the liens of

as incumbrances, the sum of

Four hundred and eighty seven

Dollars, as

compensation for damages and injury to the

north west quarter of the south
east quarter of Section thirty 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 said Company drew 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

2d,

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. 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 and eighty 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 *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. McDonald
Judge.

DISTRICT COURT,

Carroll County.

In the matter of the petition of the

Hastings and Dakota

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

day of *May* A. D., 1880

Ferdinand Brandenburg

VERSUS

The Hastings and Dakota Railway Company

NOTICE OF APPEAL.

Filed June 24th 1880

Appointed Clerk

Not.

State of Minnesota, }
COUNTY OF Carver } ss. DISTRICT COURT,
6th 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

27th

day of

May

A. D. 1880.

Ferdinand Brandenburg

Claimant Respondent.
VERSUS

The Hastings and Dakota Rail
way Company

Petitioner and Appellant.

Know all Men by these Presents, That we

Sherburne Maurice

behalf of said appellant

as principal and

Charles H. Burr and Hugh S.
Harmon

as sureties, are held and firmly bound unto

Ferdinand Brandenburg

above named in the sum of

Five Hundred

Dollars,

to be paid to the said

Ferdinand Brandenburg

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

22nd

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 eighty 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 *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
D 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 *22nd* day of *June* A. D. 188*0*, personally appeared before me *Sherburn M. Merrie* *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 *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 *22nd* day of *June* A. D. 188*0*.
Francis B Bailey
Notary Public, Hennepin Co. Minn.

C H Prior
H G Harrison
SEAL
SEAL

DISTRICT COURT,

County

In the matter of the application of the

Hastings and Dakota

Company, filed May 24

A. D. 1880.

Ferdinand Brandenburg

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.

John T. Macdonald
Attorneys for Respondent

No. 1332

DISTRICT COURT,
CARVER COUNTY, MINN.

Susanna Janger
Plaintiff.

vs.

Hastings & Dakota Lumber
Defendant.

L. P. Baxter

Plaintiff's Attorney.

Defendant's Attorney

Date of Entry *June 24* 19*10*
Count *a* Register of Actions Page *241*

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.

District Court
Eighth Judicial District

The Hastings & Dakota Railway Company - Appellant.

against

Susana Zanger

- 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 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 ~~Nov 1st~~ 1880.

L L Baxter

Atty. for Appellant -

The Hastings & Dakota Railway Company

Susana Zanger

Respondent.

33

District Court,
County of Lawrence.

The Hastings and Dakota Railway Company
vs.

Suzanne Zanger

Stipulation for Verdict

Filed, November 1st 1880.
G. H. Grayson
Clerk,

Des.

State of Minnesota, }
COUNTY OF *Leaver* } ss. DISTRICT COURT,
Eightth 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 said court
on the *24th* day of *May* A. D. 188*0*

Suparna Zanger
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 *Leaver* in the County of *Leaver*
in the State of Minnesota, on the *6th* day of *July* A. D. 188*0*,
he personally served a true copy of the notice of the appeal in the above entitled matter upon
Suparna Zanger.

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. 188*0*.

Francis B. Bailey
Notary Public
Hennepin County
Minnesota

33

DISTRICT COURT.

Carver

County

in the matter of the application of the

Hastings and
Dakota

Railroad Company, filed
A. D. 1880.

May 24

Susanna Finger

versus.

Hastings and
Dakota Railway
Company

Affidavit of Service of Notice of Appeal.

Filed July 11th 1880
G. Krausmiller
Clerk

Attorneys for Petitioners.

161

State of Minnesota, }

COUNTY OF

lower

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. 1880.

Susanna Zanger

Claimant and

Respondent,

vs.

The Hastings and Dakota
Railway Company
Petitioner and

Appellant.

To

Susanna Zanger

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

8th

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

and report

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

24

day of

June

A. D. 1880, which awards to

Susanna Zanger

as owner, subject

to the liens of

as incumbrances, the sum of

Two hundred and sixty

Dollars, as

compensation for damages and injury to the

North East-quarter of the South

West-quarter of Section Thirty five and Town-

ship one hundred and sixteenth Range being 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 the said road.

Dated this

24

day of

June

A. D., 1880.

L R Burton

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 sixty* 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 *24th* 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., 188*0*.

Susanna Zanger

VERSUS

*The Hastings and
Dakota Railway
Company*

NOTICE OF APPEAL.

*Filed, June 24th 1880.
Subscribed and
Vet.*

State of Minnesota, }
COUNTY OF Carver } ss.

DISTRICT COURT,
8th Judicial District.

In the matter of the petition and application of the Hartung 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.

Susanna Ganger
Respondent.
VERSUS

Hartung and Dakota
Railway Company
Petitioner and Appellant.

Know all Men by these Presents, That we Herburne S. Merrill
in behalf of said appellant.

as principal and Charles E. Brown and Hugh E. Harrison

as sureties, are held and firmly bound unto Susanna Ganger

above named in the sum of Three hundred Dollars,
to be paid to the said Susanna Ganger

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 Hartung 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 Two hundred and sixty 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
William B. Bailey
Samuel
H. Harrison
W. R. R.
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*0*, personally appeared before me *Herburne J. 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* 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. W. R.
H. G. Harrison
SEAL
SEAL

33.
DISTRICT COURT,
Cauls County
In the matter of the application of the
Hastings and Dakota
Railroad Company, filed *May 24,*
A. D. 1880.

Susana Gauque
VERSUS
The Hastings & Dakota
Railway Company

BOND ON APPEAL.
I hereby approve the
within bond this 24
day of June A.D. 1880
W. H. Donald
Att. Judge
Attorneys for Petitioners.
Yates, Tule 24th 1880
Appraiser and Clerk

\$260⁰⁰

Chaska, November 1st 1884

Received of G. Krausentuck, Clerk Dist Court, the
sum of Two hundred and fifty dollars, being the
Amount in full of the Award Susanna Zanger
by the Commissioners, by their report filed June
24th 1884.

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

32

J. E. Burdett
 Agent for the Hastings
 and Bathurst Railway Co.

\$100.⁰⁰ Receipt

in full Sub. for

Filed November 11th 1880
 G. Wraymbschl
 Clerk,

No. 1.

No. 1333

DISTRICT COURT,
CARVER COUNTY, MINN.

Matthias Kuntz et al
Plaintiff.

vs.

Hastings & Dakota Ry Co
Defendant.

L. H. Baxter
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry June 24 1880
Court A
Register of Actions Page 261

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

~~\$205.⁰⁰~~
~~\$145.⁰⁰~~

Charlottesville, October 25th 1884.

Received of G. W. Hagenbuhl Clerk Dist Court,
the sum of ^{two} hundred and ~~four~~ ^{five} dollars,
being the amount paid Mathias Wuntz
on the award made by the Commissioners, by their
report filed June 24th 1884.

L L Bayler
Atty Hastings and
Sackett Railroad
Company

W. H. Baxter, Atty
for the Hartings and Beakley
Railway Company,

\$2500. receipt
in full for m.
Hunt's award

Filed, October 25 1880,
G. H. Grayenbuhl
clerk,

Net,

State of Minnesota,
County of Carver.

District Court
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant

against

Matthias Krenz

- 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 Dec. 10th 1880.

L. S. Baxter
Atty. Hastings and
Dakota Railway
Company Appellant

John Brown
Matthias Krenz
Respondent

District Court. 34.
County of Lawer.

The Hastings & Dakota Railway Company

vs.

Mathias Kung.

Petitioner for Writ of Habeas Corpus.

Filed October 25th A.D. 1886.
G. H. Gray, Clerk.

261.

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

Matthew Kuntz and
Peter Braun Claimant and Respondent.
versus

The Hastings and Dakota
Railway Company Petitioner and Appellant.

STATE OF MINNESOTA, }
County of Hennepin. } ss. Frederick E. Du Loit
being duly sworn, says that at Seakitown . . . 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 . . .
Matthew Kuntz and Peter Braun

the above named respondent by then and there delivering in hand to and leaving with them and
each of
said respondent respectively 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 Loit
Francis B. Bailey
Notary Public
Hennepin County
Minn

34

DISTRICT COURT.

Carver

County

in the matter of the application of the

Hastings and
Dakota

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

Matthew Kuntz et al.

VERSUS.

Hastings and Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10th 1880
G. Krumboltz
Clerk

Attorneys for Petitioners.

9611

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.

Mathias Kuntz and Peter
Braun

Claimants and Respondent,

vs.

The Hastings & Dakota
Railway Company

Defendant and Appellant.

To

Mathias Kuntz and Peter Braun

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

5th

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 24th day of

June

A. D. 1880, which awards to

Mathias Kuntz

as owner, subject

to the liens of

Peter Braun

as incumbrancers, the sum of

Two hundred and five

Dollars, as

compensation for damages and injury to the

North west quarter of the South
west quarter of section thirty 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 to the above named
claimant. ~~the~~ 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 Bayles

Attorneys for Appellant.

cost 1/2
13.

~~copy~~
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. 1880

Mathias Kuntz et al
VERSUS
The Hastings & Dakota
Railway Company

NOTICE OF APPEAL.

Filed June 14th 1880
C. H. Wray
Notary Public

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 & five* 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.

State of Minnesota,
COUNTY OF Carnes

DISTRICT COURT,
8th Judicial District.

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

Mathias Huntz and Peter
Braun

Claimant and Respondent.
VERSUS

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 Charles H. Prior and Hugh G. Har-
rison

as sureties, are held and firmly bound unto Mathias Huntz and Peter
Braun

above named in the sum of Two hundred and fifty Dollars,
to be paid to the said Mathias Huntz and Peter
Braun

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 22nd 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 Carnes 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 Two hundred and five 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
E. J. Bailey
D. B. Merrill
W. G. Harrison
C. H. Prior
SEAL
SEAL
SEAL
SEAL

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

Be it known that on this *22nd* day of *June* A. D. 188*8*, personally appeared before me *Sherburne S. Merrill*
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 *22nd* day of *June* A. D. 188*8*.
Francis B. Bailey Notary Public, Hennepin Co. Minn.
C. H. Prior
H. G. Harrison
SEAL
SEAL

DISTRICT COURT,

County

In the matter of the application of the

Hastings and Dakota

Ra

May 24

Railroad Company, filed

A. D. 188*8*.

Mathias Kuntz

OPPOS

The Hastings and Dakota
Railway Company

BOND ON APPEAL.

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

Attorneys for Petitioners.

John T. ...
...

No. 1334

DISTRICT COURT,
CARVER COUNTY, MINN.

Simon Kaufmann
Plaintiff.

vs.

Hastings & Dakota Ry. Co.
Defendant.

L. L. Boyter
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry *June 24 1888*
Count *a*
Register of Actions Page *241*

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

\$ 115⁰⁰

Chaska, October 13th 1884.
Clark Ruffin.

Received of Customs Krugensbuhl Clerk Dist
Court, the sum of One hundred and fifteen
dollars, being the amount paid Simon Kaufmann
in satisfaction of the bond made to him by
the commissioners by their report filed June 24th
1884

L L Dwyer
Atty Auctions and
DuKata Railway Co

Chas. H. Bartles
Attorney for the Hastings
Associated Reclamation Company

\$115.00 Receipt

Yours, Belated & Grateful
Extravagantly
Belated

State of Minnesota
County of Carver.

District Court
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant.

against

Simon Kaufmann - 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 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. 13th, 1880.

L. L. Bayler
Atty Hastings and
Dakota Railway
Company Appellants

Simon Kaufmann
Respondent,

District Court. ³⁵
County of Carver.

The Hastings and Dakota Railway Company

vs.

Simon Kaufmann

Stipulation for Dismissal,

Filed, October 13th 1880,
G. H. Hagenbush
Clerk.

261.

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

Simon Kaufman
Claimant and Respondent.
versus
The Hastings and Dakota
Railway Company
Petitioner and Appellant.

STATE OF MINNESOTA, }
County of Hennepin. } ss. Frederick E. Du Saut
being duly sworn, says that at Seabrook . . . 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 . . .
Simon Kaufman
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 . . .
A. D. 1880.

8th F. E. Du Saut,
day of July.
Francis B. Bailey
Notary Public
Hennepin County
Minn.

351

DISTRICT COURT.

Barber County

in the matter of the application of the

Hastings and
Dakota

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

Simon Kaufman

versus.

Hastings & Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10th A. D. 1880,
Chas. V. Venable Clerk

Attorneys for Petitioners.

260

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. 1888.

Simon

Kaufman

Claimant and Respondent,

vs.

The Hastings & Dakota
Railway Company

Petitioner and Appellant.

To

Simon Kaufman

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

and report-

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

24

day of

June

A. D. 1888, which awards to

Simon Kaufman

as owner, subject

to the liens of

as incumbrances, the sum of

One hundred and thirty one

Dollars, as

compensation for damages and injury to the west half of the south west quarter of the south west quarter of section thirty 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 demand 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,

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., 1888.

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 *One hundred and thirty 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. MacDonald
Judge.

DISTRICT COURT,

Carver County.

In the matter of the petition of the

Hastings & Dakota

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

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

Simon Kaufman

*The Hastings & Dakota
Railway Company*

NOTICE OF APPEAL.

*Filed June 24th 1880,
Circuit Court*

W. H. L.

State of Minnesota,
COUNTY OF *Carnes* }

DISTRICT COURT,
8 1/2 Judicial District.

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

Simon Kaufman

Claimant and Respondent.
versus

The Hastings and Dakota
Railway Company

Petitioner and Appellant.

Know all Men by these Presents, That we *Sheldon S. Murice in*
and for said Appellant

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

as sureties, are held and firmly bound unto *Simon Kaufman*

above named in the sum of *Two hundred and fifty* Dollars,
to be paid to the said *Simon Kaufman*

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 *22nd* day of *June* A. D. 188 *2*.

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

appeals to the District Court of said County of *Carnes* 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 *2*, awarding to said respondent the sum
of *One 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
Wm. J. Gillman
F. B. Bailey
W. G. Munn
W. G. Munn
C. H. Prior
SEAL
SEAL
SEAL
SEAL

STATE OF MINNESOTA,
COUNTY OF HENNEPIN. } ss.

Be it known that on this *22nd* day of *June* A. D. 188*0*, personally appeared before me *William J. Gillman* *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 *22nd* day of *June* A. D. 188*0*.
Francis B. Bailey
Notary Public, Hennepin Co. Minn.

C. H. Prior
H. G. Harrison
SEAL
SEAL

DISTRICT COURT,

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

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

Simon Kaufman

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.
Upham, Stone & Co. 1880.
Updengen & Co.

No. 1335

DISTRICT COURT,
CARVER COUNTY, MINN.

Ernest Poppitz
Plaintiff.

vs.

Hastings & Dapsta
Defendant.

L. L. Beatty
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry June 24 1880
Count 2
Register of Actions Page 242

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 Missouri
County of Car

The Hastings and St. Louis
Railroad Company Applicant

Ernest Puffer, Shs he not
It is hereby stipulated that
the above Exhibit shall
be dismissed without cost
to either party

L L Bayler
Attorney General
Ernest Puffer
Respondent

58 of 26 1/2
19

\$462.⁰⁰

Chaska, December 22nd A.D. 1880,

Received of G. H. Brandenburg, Clerk of District Court, the sum
of Four hundred and sixty two dollars, being the amount
of Award in full for right of way across the South East quarter
of the South East quarter Section Thirty four, Township 116, Range
Twenty four, taken by the Hastings and Watluta Railway Company
for its road, and in consideration of said sum, I hereby grant
and convey to said Railway Company the Strip of land
thereinbefore described, and all my right, title and interest
in and to the same.

Dated Chaska, December 2nd A.D. 1880.

Ernst Poppeitz

Ernst Pappitz

36

Recd \$ 462.⁰⁰

In the Matter of the Hastings
and Dakota Railway Company
Appointed by Commission

John Alexander Davis
C. Kraenzle
Clerk,

462.

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

Ernst Poffitz
Claimant and Respondent.
VERSUS

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

STATE OF MINNESOTA, }
County of Hennepin. } ss. Frederick E. Du Sait
being duly sworn, says that at Seabrook in the County of leaver
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
Ernst Poffitz

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 1st day of July
A. D. 1880.

Francis B. Bailey
Notary Public
Hennepin County,
Minnesota

36.

DISTRICT COURT.

Carver

County

in the matter of the application of the

Hastings and
Dakota

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

Ernst Roffitz

versus.

Hastings and Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 11th A. D. 1880
Chas. W. Johnson
Clerk

~~Attorneys for Petitioners.~~

9/22

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.

Ernst Poppitz

Claimant and Respondent,

vs.

The Hastings & Dakota
Railway Company

Petitioner and Appellant.

To

Ernst Poppitz

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

and report-

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

24

day of

June

A. D. 1880, which awards to

Ernst Poppitz

as owner, subject

to the liens of

as incumbrancers the sum of

Four hundred and sixty two

Dollars, as

compensation for damages and injury to the

South East quarter of the South
East quarter of Section thirty four in Township
one hundred and sixteenth 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:

and report-

1st,

That the said Company deem the said award
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 said the damages sustained
by the above named claimant, the benefit
accruing to said claimant by the construc-
tion of said road.

Dated this

24

day of

June

A. D. 1880.

L. L. Baylis

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 and sixty two* 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 *14* 188*o*.

J. L. Macdonald
Judge.

DISTRICT COURT,

Carver 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*8*.

Ernest Coppitz

*The Hastings and
Dakota Railway
Company*

NOTICE OF APPEAL.

*Filed, June 24th a. d. 188*o*,
C. J. Arguebaugh
Clerk*

State of Minnesota,
COUNTY OF Carver } ss.

DISTRICT COURT,
5th Judicial District.

In the matter of the petition and application of the

Hartings 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.

Ernest Poppitz
Respondent.

VERSUS

The Hartings and Dakota Railway Company

Petitioner and Appellant.

Know all Men by these Presents, That we Therburne J. Merrill

in behalf of said appellant

as principal and

Charles H. Prior and Hugh G. Harrison

as sureties, are held and firmly bound unto

Ernest Poppitz

above named in the sum of Five hundred Dollars,

to be paid to the said Ernest Poppitz

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

Hartings 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 Five hundred and sixty two 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. Gilfillan
F. B. Bailey
W. S. Merrill
W. G. Harrison
C. W. 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 *Thurburn S. Merrill*
Charles H. Prior and *Hugh S. 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 S. 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* day of *June* A. D. 188*0*.
Francis B. Bailey
Notary Public, Hennepin Co. Minn.
C. W. Prior
W. G. Harrison
SEAL
SEAL

367
DISTRICT COURT,

County

In the matter of the application of the

Hastings and Dakota

Railroad Company, filed

A. D. 1880.

Ernest Oppig

OPPOS

The Hastings & Dakota
Railway Company

BOND ON APPEAL.

I hereby affirm the
within bond this 4
day of June A. D. 1880
J. L. Macdonald
Judge

Attorneys for Petitioners.

Filed June 14th 1880
Chas. W. Merrill Clerk.

No. 1336

DISTRICT COURT,
CARVER COUNTY, MINN.

Lorenz Eichmiller

Plaintiff.

vs.

Hastings & Dakota Ry. Co.

Defendant.

L. P. Baxter

Plaintiff's Attorney.

Defendant's Attorney

Date of Entry June 24 1880
Court A
Register of Actions Page 262

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.

\$400.⁰⁰

Chicago, November 18th AD 1880.

Received of G. Wrayenbuhl Clerk Dist Court
The sum of Four hundred dollars, being in
full for the amount made by the Commissionery by
their report filed June 24th AD 1880 in the matter
of the Hastings and Dakota Railway Company
(Lawrence Erickson)

Lorenz Eichenmiller
Receipt for \$400⁰⁰

Awarded in full by Commissions
in the matter of the Hastings
and Washata Railway Company,

Filed, November 18th 1880
G. H. Eichenmiller
Clerk,

2621

State of Minnesota District Court
County of Carver Eighth District.

The Hastings and Dakota
Railway Company, Appellant,
against
Lawrence Eichmiller.

It is hereby stipulated
by and between the parties to the
above entitled action that the
appeal in the above entitled action
is dismissed without cost to
either party.

Dated, Nov. 18th 1880.

L. L. Baughman Attorney
for Hastings & Dakota
Railway Company,
Appellant,

Lawrence Eichmiller
Respondent.

State of Minnesota
District Court
County of Carver

The Hastings and Wall Lake
Railway Company, Appellants
vs
Grenz & Schenckmiller
Respondents

Stipulation for Dismissal

Filed, November 18th A.D. 1880
G. Mayenbuhl
Clerk,

762

State of Minnesota,

DISTRICT COURT,

COUNTY OF Leaver

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

Lorenz Eichmiller

Claimant 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 Chaska in the County of Leaver 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

Lorenz Eichmiller

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 F. E. Du Toit, day of July

A. D. 1880.

Francis B. Bailey

Notary Public

Hennepin County
Minn.

34.
DISTRICT COURT.

Carver

County

in the matter of the application of the

Hastings and
Dakota

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

George Eichmiller

versus.

Hastings and Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 11 5 A M 1880,
J. W. Craycomb Clerk

Attorneys for Petitioners.

For.

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. 1887.

Lung Eichmiller

Claimant and Respondent,

vs.

The Hastings & Dakota

Railway Company

Attorney and Appellant.

To

Lung Eichmiller

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

English

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 24th day of

June

A. D. 1887, which awards to

Lung Eichmiller

as owner, subject

to the liens of

as incumbrancers, the sum of

Four hundred

Dollars, as

compensation for damages and injury to the

North east-quarter of section
Three in Township one hundred and fifteen 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 deduction 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., 1887

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 Four 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 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.

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., 1880.

Leung Eickmiller

VERSUS

The Hastings & Dakota
Railway Company

NOTICE OF APPEAL.

Filed, June 24th 1880,

Applicant

Leung

262

State of Minnesota, }
COUNTY OF Carnes } ss.

DISTRICT COURT,
8th Judicial District.

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

Lorenz Eichmiller

Claimant and Respondent.
versus

The Hastings and Dakota Railway
Company

Relator and Appellant.

Know all Men by these Presents, That we Shuburne S. Merrill
in behalf of said appellant

as principal and Charles H. Rior and Hugh L. Harrison

as sureties, are held and firmly bound unto Lorenz Eichmiller

above named in the sum of Four hundred and fifty Dollars,
to be paid to the said Lorenz Eichmiller

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 22nd 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 Carnes 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 Four 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*
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. *Railway Company*

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
W Munnell
H G Harmon
C H Prior
SEAL
SEAL
SEAL
SEAL

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

Be it known that on this *22nd* day of *June*
A. D. 188*0*, personally appeared before me *Sherburne S. Merrill*
Charles H. Prior and *Hugh C. 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 C. 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
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 *22nd*
day of *June* A. D. 188*0*.
Francis B Bailey *C H Prior*
Notary Public, Hennepin Co. Minn. *H G Harmon*

34.
DISTRICT COURT,
Carver County

In the matter of the application of the
Hastings and
Dakota

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

Loring Eichmiller

The Hastings & Dakota
Railway Company

BOND ON APPEAL.

I hereby approve the
within Bond this 14
day of June, A.D. 1880
J. L. Woodruff
Judge

Wor
Attorneys for Petitioners.
Spicer, Tynes, and
Wheeler

No. 1337

DISTRICT COURT,
CARVER COUNTY, MINN.

Julius W. Wolff.
Plaintiff.

vs.

Hastings & Dakota Ry. Co.
Defendant.

L. L. Banister
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry June 24 1880
Court Cent
Register of Actions a Page 242

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

38.

District Court.
County of Barrow.

The Hastings & Dakota Railway Company.

vs.

Julius R. Wolff.

— : —
Stipulation for Dismissal

Filed October 15th A.D. 1880,
G. H. Graymhall
Clerk.

162

State of Minnesota
County of Carver

District Court
Eighth Judicial District

The Hastings & Dakota Railway Company - Appellant

against

Julius W. Wolff

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 a-
warded to the above named Respondent, in the a-
bove 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 L Bayler
Attorney for Hastings and
Dakota Railway Company
Julius W. Wolff
Respondent,

\$645.⁰⁰

Charlottesville, October 15th 1880
Chancellor.

Received of George W. Bush, Clerk of the Court, the
sum of Six Hundred and ^{and} forty five dollars, being
the amount paid to Julius, W. Walff in
satisfaction of the bond made by the Comptroller
by their report filed June 27th 1880.

L L Payton
Atty Hastings and
Sutton Railway Company

Ch. H. Webster
 Attorney for the Hastings
 and Washburn Reformatory Camp

\$645.00. Receipt

Filed, October 15, 1880,
 Gethsemane
 Clerk,

Nov.

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

Julius W. Wolff
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 *Dakota town* in the County of *Carver* 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 . . .

Julius W. 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. Badley
Notary Public
Hennepin County,
Minn.

36.

DISTRICT COURT.

Carver

County

in the matter of the application of the

Hastings and
Dakota

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

Julius W. Wolff

VERSUS.

Hastings and
Dakota Railway
Company

Affidavit of Service of Notice of Appeal.

Filed, July 10th A. D. 1880
J. Krayenbush
Clerk

Attorneys for Petitioners.

36.

State of Minnesota, } ss.

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.

Julius W. Wolff

Claimant and Respondent,

vs.

The Hastings & Dakota
Railway Company

Petitioner and Appellant.

To

Julius W. Wolff

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

Julius W. Wolff

as owner, subject

to the liens of

as incumbrancers, the sum of

Seven hundred and seventy one

Dollars, as

compensation for damages and injury to the

East-half of the North West quarter

of section three in Township one hundred and

fifteen 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 ^{and} unjust, 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. 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 *Seven Hundred 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 *Eight 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* 188*0*.

J. L. Macdonald
Judge.

DISTRICT COURT.

Carver County.

In the matter of the petition of the

Hastings & Dakota

Railway Company, filed in said Court on the

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

Julius W. Wolff

VERSUS

*The Hastings & Dakota
Railway Company*

NOTICE OF APPEAL.

*(Filed) Term. 4th & 20th 1880,
Eschwege & Co.,
Attorneys,
St. Paul.*

State of Minnesota,
COUNTY OF *Carnes* }

DISTRICT COURT,
8th Judicial District.

In the matter of the petition and application of the

Hastings and Dakota -
Railway Company Railway Company, to condemn certain

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

on the *24th* day of *May* A. D. 188 *2*

Julius W. Wolff

Claimant and Respondent.
VERSUS

The Hastings and Dakota -
Railway Company

Petitioner and Appellant.

Know all Men by these Presents, That we

Sherburne S. Merrill,
~~*Charles H. Prior*~~ and ~~*Hugh S. Harrison*~~
in behalf of said appellant -
as principal and *Charles H. Prior and Hugh S. Har-*
rison

as sureties, are held and firmly bound unto

Julius W. Wolff

above named in the sum of

Eight hundred Dollars,
to be paid to the said *Julius W. Wolff*

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 *22nd* 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 *Carnes* 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 *2*, awarding to said respondent the sum

of *Seven hundred 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
J. B. Gillan
J. B. Bailey
W. B. Merrill
H. G. Harrison
C. H. Prior
SEAL
SEAL
SEAL
SEAL

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

Be it known that on this *22nd* day of *June* A. D. 188*0*, personally appeared before me *Therburne S. Merrill*
Charles H. Prior and *Hugh E. 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.

Frank B. Bailey
Notary Public,
Hennepin County, Minn.

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

Charles H. Prior and *Hugh E. 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
Eight 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 *22nd* day of *June* A. D. 188*0*.
Therburne S. Merrill
Frank B. Bailey
Notary Public, Hennepin Co. Minn.
C. H. Prior
H. G. Harrison
SEAL
SEAL

48.
DISTRICT COURT,
Carver County

In the matter of the application of the
Hastings and Dakota
Railway Company
Railroad Company, filed *May 24*
A. D. 188*0*.

Julius W. Wolff
The Hastings and 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 24th 1880
Appraiser and Clerk

No. 1338

DISTRICT COURT,
CARVER COUNTY, MINN.

Carl Aue et al

Plaintiff.

vs.

Hastings & Dakota Ry Co

Defendant.

L. L. Boyer

Plaintiff's Attorney.

Defendant's Attorney

Date of Entry

June 24 1880

Register of Actions

A

Page

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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

\$110⁰⁰

Lebanon, October 17th 1880
Clerk's Office,

Received of Gustave Weyenbuhl Clerk District
Court the sum of one hundred and two dollars
being the amount paid to Chas. Lane Jr and
Chas. Lane Sr. in satisfaction of the amount made
them by Commissioners upon their report filed
June 24th 1880.

L. L. Bengtson
City Attorney and
Dakota Railway
Company

1880

39

Chas. W. Baxter
Atty for the Hastings &
Marlboro Railway Company

\$110.⁰⁰ receipt

Filed, October 17th 1880
Chas. W. Baxter
Clerk

-162-

State of Minnesota.
County of Carver

District Court.
Eighth Judicial District.

The Hastings and Dakota Railway Company - Appellant.

against

Chas. Aug. & Chas. Aug. Jr. - 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 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 12th 1880.

L. C. Dwyer

Attorney for Hastings and
Dakota Railway Company
Appellant

Charles Aug. Jr.

Carl Aug

Respondent

89.
District Court.
County of Larver.

The Hastings & Dakota Railway Company.

vs.

Carl Am. P. & Carl Am. Jr.

Plaintiff vs. Defendant.

Filed, October 1888
G. F. Kreyenbuhl
Clerk

162

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 *21st* day of *May* . . . A. D. 1880

Carl Aue Sr and
Carl Aue Jr
Claimants and Respondent.
VERSUS

The Hastings and Dakota
Railway Company
Petitioner and Appellant.

STATE OF MINNESOTA, }
County of *Hennepin*. } ss.
being duly sworn, says that at *Dahlgren* . . . 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 . . .
Carl Aue Sr and Carl Aue Jr

the above named respondent, by then and there delivering in hand to and leaving with *each of them*
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 *8th* day of *July* . . .
A. D. 1880.

F. B. Du Sait
Francis B. Bailey
Notary Public
Hennepin County
Minn.

39.

DISTRICT COURT.

Carver County

in the matter of the application of the
Hastings and
Dakota

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

Carl Ine Sr et al

versus.

Hastings & Dakota
Railway Company

Affidavit of Service of Notice of Appeal.

Filed July 10th A. D. 1880,
Wm. Krueger
Attorneys for Petitioners.

162

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 the said court on the

24

day of

May

A. D. 1880.

Carl Aue Sr. and

Carl Aue Jr

Claimant and

Respondent,

vs.

The Hastings and Dakota
Railway Company

Petitioner and

Appellant.

To

Carl Aue Sr. and

Carl Aue Jr

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

8th

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

and report

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

24

day of

June

A. D. 1880, which awards to

Carl Aue Sr

as owner, subject

to the liens of

Carl Aue Jr

as incumbrancers, the sum of

one hundred and twenty

Dollars, as

compensation for damages and injury to the

South east quarter of the south
east quarter of section four township one
hundred and fifteen 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
the 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 *one 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 *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,

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.

Earl Ave S. et al

versus

The Hastings and Dakota Railway Company

NOTICE OF APPEAL.

*Filed, June 24th 1880,
Eschmeyer & Co. Clerk
1880*

State of Minnesota,
COUNTY OF *Carver*

DISTRICT COURT,
8th Judicial District.

In the matter of the petition and application of the *Martins 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*

Carl Aue Sr and
Carl Aue Jr.
Claimant and Respondent.
versus

The Martins and Dakota
Railway Company
Petitioner and Appellant.

Know all Men by these Presents, That we *Sherburne S Merrill* on
behalf of said appellant

as principal and *Charles H Prim and Hugh L Harrison*

as sureties, are held and firmly bound unto *Carl Aue Sr and*
Carl Aue Jr respondents

above named in the sum of *One Hundred and Fifty* Dollars,
to be paid to the said *Carl Aue Sr and Carl Aue Jr.*

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 *22nd* day of *June* A. D. 188*0*.

The condition of this bond is such that whereas, the said *Martins 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 *One hundred and twenty* 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 Co.* 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. Gillan
F. B. Bailey

W. J. Hamman
Ch. Prior



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

A. D. 1880, personally appeared before me *22d* day of *June* *Ch. Prior and Hugh B. 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.

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

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

Charles A. Prior and *Hugh B. 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 *22d* day of *June* A. D. 1880.
Francis B. Bailey
Notary Public, Hennepin Co. Minn.

Ch. Prior
H. B. Hamman



391
DISTRICT COURT,

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

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

Carl A. Auer

versus
The Hastings & Dakota
Railroad Company

BOND ON APPEAL.

I hereby acknowledge the
within bond this 24
day of June A. D. 1880
Francis B. Bailey
Judge

Attorneys for Petitioners.
John J. Tamm
John J. Tamm
John J. Tamm
John J. Tamm
John J. Tamm