



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

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3871

Peter Weinzierl, Walter Krussem  
Frank Harvey, Edwards Rodde  
& Henry Brown



No. 2718

State of Minnesota, } ss  
County of Carver

DISTRICT COURT  
Eighth Judicial District

THE STATE OF MINNESOTA

TO

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 20<sup>th</sup> day of October 1904, at 10 o'clock

in the fore noon, then and there to give evidence in the cause to be tried between

Plaintiff, and

Defendant s on the part of the

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this 19<sup>th</sup> day of October A. D. 1904

O. L. Lindstrom  
Clerk of District Court.

ORIGINAL

**State of Minnesota,**  
**COUNTY OF CARVER**

ss.

**DISTRICT COURT**  
**Eighth Judicial District.**

I hereby certify and return that I served the within Subpoena on the within named presence, and by delivering to him a true copy thereof, in County and State aforesaid, on this 19th day of October 1904

Service,  
Fees, Mileage,

Total,

By

Sheriff of Carver County.

Deputy Sheriff.

**STATE OF MINNESOTA,**  
**COUNTY OF CARVER**

**DISTRICT COURT,**  
**Eighth Judicial District.**

*State of Minnesota*

**AGAINST**

*Peter Heinze et al*

**SUBPOENA**

Issued

*Oct 19th* 1904

*O. L. Lundstrom*

Clerk District Court.

Returned and Filed

*Oct. 19th* 1904

*O. L. Lundstrom*

Clerk.

On part of

*State,*  
156-157

No. 2708

State of Minnesota, } ss  
County of Carver

DISTRICT COURT  
Eighth Judicial District

THE STATE OF MINNESOTA

TO George Johnson GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19th day of October 1904, at 9 o'clock in the forenoon, then and there to give evidence in the cause to be tried between

the State of Minnesota  
Plaintiff, and Peter Kinnier et al

Defendant on the part of the State

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

Witness the HON. P. W. MORRISON, Judge of the  
District Court aforesaid at Chaska this 16th  
day of October A. D. 1904

O. Sundstrom  
Clerk of District Court.

DUPLICATE

(Seal)  
50 M. 4 days

Pay to Francis Mucket.

Geo. H<sup>o</sup>  
+ Johnson  
Mortf.



State of Minnesota, } ss.  
County of Carver

DISTRICT COURT

Eighth Judicial District

## THE STATE OF MINNESOTA

TO

*Albert Johnson*

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *19th* day of *October* 190*4*, at *9* o'clock in the *fore* noon, then and there to give evidence in the cause to be tried between

*The State of Minnesota*  
Plaintiff, and *Peter Huppert et al*

Defendant on the part of the *State*

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

Witness the HON. P. W. MORRISON, Judge of the  
District Court aforesaid at Chaska this *16th*  
day of *October* A. D. 190*4*

*O. S. Lundstram*

Clerk of District Court.

DUPLICATE

*(Seal)*

*50 m. 4 days*

Pay to Frances Muehl

Elbert Johnson

No. 2708

State of Minnesota, ss  
County of Carver

DISTRICT COURT  
Eighth Judicial District

THE STATE OF MINNESOTA

TO *George Johnson* GREETING:

You are Thereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *19th* day of *October* 190*4*, at *9* o'clock

in the *fore* noon, then and there to give evidence in the cause to be tried between

*The State of Minnesota*  
Plaintiff, and *Peter Weingart et al*

Defendant on the part of the *State*

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this *16th* day of *October* A. D. 190*4*

*O. Sundstrom*  
Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT

Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*J. H. Johnson* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *16th* day of *Oct* 190*4*

Service, .....  
Fees, { Mileage, .....  
Total, .....

*G. B. Galt*  
Sheriff of Carver County.

By *W. F. Garfield* Deputy Sheriff.

No. 2708

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

*The State of Minnesota*

AGAINST

*Peter Hingjial chal*

SUBPOENA

Issued

*Oct 16th* 190*4*

*W. F. Garfield*  
Clerk District Court.

Returned and Filed

*Oct 19th* 190*4*

*W. F. Garfield*  
Clerk.

On part of

*State*

152-157



State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

## THE STATE OF MINNESOTA

TO

*Kenny Kreher*

GREETING:

You are hereby Comanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *19<sup>th</sup>* day of *October* 190*4*, at *9* o'clock in the *fore* noon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

*State of Minnesota*  
*Peter Wainwright, Walter Kussrow, Frank*  
*Harvey, Edward Ruddle, and Kenny Braun*  
 Defendants on the part of the *State*

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

Witness the HON. P. W. MORRISON, Judge of the  
 District Court aforesaid at Chaska this *15<sup>th</sup>*  
 day of *October* A. D. 190*4*

*O. L. Lundstrom*

Clerk of District Court.

ORIGINAL

*West - Market -  
East Side*

State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*Arvey Peterson*  
by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this 16th day of Oct 1904

Service, \_\_\_\_\_  
Fees, Mileage, \_\_\_\_\_  
Total, \_\_\_\_\_

By Wm. J. Gundstrom Sheriff of Carver County.  
Deputy Sheriff.

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

*The State of Minnesota*

AGAINST

*Peter Meinzer et al.*

SUBPOENA

Issued

Oct 15th 1904

*W. J. Gundstrom*  
Clerk District Court.

Returned and Filed

Oct. 19th 1904

*W. J. Gundstrom*  
Clerk.

On part of

*State*

*106-157*

No. 2709

State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

THE STATE OF MINNESOTA

TO

GREETING:

You are Thereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 17th day of October 1904, at 9 o'clock

in the fore noon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

Defendant on the part of the

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this 16th day of October A. D. 1904

O. Lundström  
Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*Anthony Brown* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *16th* day of *Oct* 19*04*

Fees, { Service,  
Mileage, }  
Total, }

By

*W. J. Johnson*  
Sheriff of Carver County.

Deputy Sheriff.

No. 2709  
STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

*The State of Minnesota*

AGAINST

*Peter Kingiel et*  
SUBPOENA

Issued *Oct. 16th* 19*04*  
*O. Sundstrom*  
Clerk District Court.

Returned and Filed

*Oct. 19th* 19*04*  
*O. Sundstrom*  
Clerk.

On part of

*State*

156-157



No. 2700

State of Minnesota, ss

County of Carver

DISTRICT COURT

Eighth Judicial District

THE STATE OF MINNESOTA

TO

Thos. Purfield

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19th day of October 1904, at 9 o'clock

in the fore noon, then and there to give evidence in the cause to be tried between

Plaintiff, and Defendant on the part of the State

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this 15th day of October A. D. 1904

Clerk of District Court.

ORIGINAL

State of Minnesota, } ss.  
COUNTY OF CARVER

DISTRICT COURT

Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*Oliver Burfield* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *16* day of *Oct* 19*14*

{ Service, .....  
Fees, { Mileage, .....  
Total, .....

*W. G. Gatz*  
Sheriff of Carver County.

By ..... Deputy Sheriff.

No. *2700*

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

AGAINST

SUBPOENA

Issued *190*

Clerk District Court.  
Returned and Filed

*190*

Clerk.

On part of

No. 2706

State of Minnesota, } ss  
County of Carver

DISTRICT COURT

Eighth Judicial District

THE STATE OF MINNESOTA

TO *Clarence Graber* GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *19<sup>th</sup>* day of *Dec* 190*4*, at *9* o'clock

in the *fore* noon, then and there to give evidence in the cause to be tried between

*State of Minnesota*  
Plaintiff, and *Peter Kingdahl, Walter Kussnow, Frank*  
*Harvey, Edward Rulden, and Henry Brauer*  
Defendants on the part of the *State*

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

Witness the HON. P. W. MORRISON, Judge of the  
District Court aforesaid at Chaska this *15<sup>th</sup>*  
day of *October* A. D. 190*4*

*O. L. Lundstrom*  
Clerk of District Court.

ORIGINAL

COPIA OF

State of Minnesota,  
COUNTY OF CARVER

88.

DISTRICT COURT  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*Charles Gustafson* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *16th* day of *Oct* 19*14*

Service,  
Fees, Mileage,  
Total,

By

Deputy Sheriff.

*90.905*  
Sheriff of Carver County.

No. 2706

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

AGAINST

SUBPOENA

Issued 190

Clerk District Court.  
Returned and Filed

190

Clerk.

On part of



State of Minnesota, } ss.  
County of Carver

DISTRICT COURT  
Eighth Judicial District

## THE STATE OF MINNESOTA

TO *Dr H K Dieroner* GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *19th* day of *October* 190*4*, at *9* o'clock in the *fore* noon, then and there to give evidence in the cause to be tried between

*The State of Minnesota*  
Plaintiff and *Peter Weinschel, Walter Kuehnau,*  
*Frank Harvey, Edvard Radde & Harry Brown*  
Defendant on the part of the *State*

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

Witness the HON. P. W. MORRISON, Judge of the  
District Court aforesaid at Chaska this *15th*  
day of *October* A. D. 190*4*

*D. Sundstrom*  
Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*J. H. Haver* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *16* day of *Oct* 19*04*

Service,  
Fees, Attorneys,  
Total,

By

Deputy Sheriff,

Sheriff of Carver County.

No. *2699*  
STATE OF MINNESOTA,  
COUNTY OF CARVER  
DISTRICT COURT,  
Eighth Judicial District.

AGAINST

SUBPOENA

Issued *190*

Clerk District Court.  
Returned and Filed

*190*

Clerk.

On part of

State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

## THE STATE OF MINNESOTA

TO

Carl Lobitz

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19<sup>th</sup> day of October 1904, at 9 o'clock in the fore noon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

Defendant

State of Minnesota

Peter Heinrich Walter Messner Frank  
Harvey, Edward Radde and Henry Braun

State

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

Witness the HON. P. W. MORRISON, Judge of the

District Court aforesaid at Chaska this

day of

October

A. D. 1904

O. L. Lundstrom

Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

} ss.

DISTRICT COURT  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within-named  
*Carl Schick*  
by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *16* day of *Dec* 19*14*

Service, .....  
Fees, Mileage, .....  
Total, .....

By *E. H. Galt*  
Sheriff of Carver County,  
Deputy Sheriff.

No. 2707  
STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

AGAINST

SUBPOENA

Issued 190

Clerk District Court,  
Returned and Filed

190

Clerk.

On part of

State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

## THE STATE OF MINNESOTA

TO

*Frank Dietrich*

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *19<sup>th</sup>* day of *October* 190*4*, at *9* o'clock in the *fore* noon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

*State of Minnesota*  
*Peter Hennrich, Walter Kussner, Frank*  
*Harvey, Edward Ruldsle and Henry Brown*  
 Defendant *vs* on the part of the *State*

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

Witness the HON. P. W. MORRISON, Judge of the  
 District Court aforesaid at Chaska this *15<sup>th</sup>*  
 day of *October* A. D. 190*4*

*O L Lundstrom*  
 Clerk of District Court.

ORIGINAL



State of Minnesota,  
COUNTY OF CARVER

88.

DISTRICT COURT

Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*Frank Wetherell* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *16th* day of *Oct* 190*4*

{ Service, .....  
Fees, { Mileage, .....  
Total, .....

*G. A. Gato*  
Sheriff of Carver County.

By ..... Deputy Sheriff.

No. 2705

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

AGAINST

SUBPOENA

Issued 190

Clerk District Court,  
Returned and Filed

190

Clerk.

On part of

No. 2704

State of Minnesota, ss  
County of Carver

DISTRICT COURT  
Eighth Judicial District

THE STATE OF MINNESOTA

TO

J. J. Braumwirth

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19<sup>th</sup> day of October 1904, at 9 o'clock

in the fore noon, then and there to give evidence in the cause to be tried between

Plaintiff, and

State of Minnesota  
Peter Hennrich, Walter Kussner, Frank  
Harvey, Edward Roldge, and Harry Braun  
State

Defendant on the part of the

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

Witness the HON. P. W. MORRISON, Judge of the  
District Court aforesaid at Chaska this 15<sup>th</sup>  
day of October A. D. 1904

O. L. Lundstrom

Clerk of District Court.

ORIGINAL

RECORDED

**State of Minnesota,  
COUNTY OF CARVER**

85

**DISTRICT COURT**  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
 J. J. Brown by reading said Subpoena to him in his  
 presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
 on this 16 day of Oct 1904

<i>Service,</i>	
<i>Fees, Mileage,</i>	
<i>Total,</i>	

Sheriff of Carter County.

Deputy Sheriff.

By .....

No. 2704

**STATE OF MINNESOTA,  
COUNTY OF GARVER**

**DISTRICT COURT,**  
Eighth Judicial District.

## AGAINST

# SUBPOENA

*Issued* ..... 190

*Clerk District Court.*  
*Returned and Filed*

190

*Clerk.*

*On part of*

No. 2720

State of Minnesota, ss  
County of Carver

DISTRICT COURT  
Eighth Judicial District

THE STATE OF MINNESOTA

TO

*H. S. Liscner*

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *fourth* day of *October* 190*0*, at *10* o'clock

in the *noon*, then and there to give evidence in the cause to be tried between

*State of Minnesota*

Plaintiff

, and

*Peter Heinzel et al*

Defendant & on the part of the

*State*

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this *21<sup>st</sup>* day of *October* A. D. 190*0*

*O. L. Lundstrom*

Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*A. H. Hesterman* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *21* day of *Oct* 19*14*

Service,  
Fees, Mileage,  
Total,

By *James B. Bickel* Sheriff of Carver County.  
*G. A. Galt* Deputy Sheriff.

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

*State*

AGAINST

*Hammer et al*

SUBPOENA

Issued

*Oct 21<sup>st</sup> 1914*

*O. L. Lundstrom*  
Clerk District Court.

Returned and Filed

*Oct. 21<sup>st</sup> 1914*

*O. L. Lundstrom*  
Clerk.

On part of

*State*

*156-157*



No. 2702

State of Minnesota, } ss  
County of Carver

DISTRICT COURT  
Eighth Judicial District

THE STATE OF MINNESOTA

TO

Otto Lentz

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19<sup>th</sup> day of October 1904, at 9 o'clock in the fore noon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

State of Minnesota  
Peter Kinnear, Matty Kinnear, Frank  
Harvey, Edward Kinnear vs. Harry Braun  
Defendant on the part of the State

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

Witness the HON. P. W. MORRISON, Judge of the  
District Court aforesaid at Chaska this 13<sup>th</sup>  
day of October A. D. 1904

Clerk of District Court.

ORIGINAL

**State of Minnesota,**  
**COUNTY OF CARVER**

} ss.

**DISTRICT COURT**  
**Eighth Judicial District.**

I hereby certify and return that I served the within Subpoena on the within named  
*Attorney* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *16* day of *Dec* 190*4*

Service,  
Fees, Allegance,  
Total,

By

*GA 402*  
Sheriff of Carver County.

Deputy Sheriff.

No. *2702*  
**STATE OF MINNESOTA,**  
**COUNTY OF CARVER**

**DISTRICT COURT,**  
Eighth Judicial District.

AGAINST

**SUBPOENA**

Issued *190*

Clerk District Court.  
Returned and Filed

*190*

Clerk.

On part of

No. 2714

State of Minnesota, ss

County of Carver

DISTRICT COURT

Eighth Judicial District

## THE STATE OF MINNESOTA

TO

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19th day of Oct. 1904, at 3 o'clock

in the afternoon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

Defendant

on the part of the

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this 17th day of Oct. A. D. 1904

Clerk of District Court.

ORIGINAL

# State of Minnesota, COUNTY OF CARVER

## DISTRICT COURT Eighth Judicial District.

ss.

I hereby certify and return that I served the within Subpoena on the within named presence, and by delivering to him a true copy thereof, in County and State aforesaid, on this 17th day of Oct 1904

Service, 50  
Fees, Mileage, 50  
Total, 50

By

Sheriff of Carver County.

Deputy Sheriff.

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

AGAINST

The State of Minnesota  
Peter Thompson et al  
SUBPOENA

Issued

Oct 17th 1904

O. L. Lundström  
Clerk District Court.

Returned and Filed

Oct 19

1904

O. L. Lundström  
Clerk.

On part of

Defts

No. 2713

State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

## THE STATE OF MINNESOTA

TO

GREETING:

You are thereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19 day of Oct 1904, at 3 o'clock

in the afternoon, then and there to give evidence in the cause to be tried between

Plaintiff, and

Defendant on the part of the

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this 19th day of October A. D. 1904

Clerk of District Court.

ORIGINAL



State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT

Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*Mrs John Kadde* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *17<sup>th</sup>* day of *Oct* 190*4*

Fees, { Service, *50*  
Mileage,   
Total,   
By *G.A. Gatz*  
Deputy Sheriff.

Sheriff of Carver County.

Deputy Sheriff.

No. 2713

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

AGAINST

SUBPOENA

Issued *Oct 17<sup>th</sup>* 190*4*  
*W. L. Lundquist*  
Clerk District Court.

Returned and Filed

*Oct 19* 190*4*  
*O. L. Lundquist*  
Clerk.

On part of *Sept*

No. 2710

State of Minnesota, ss  
County of Carver

DISTRICT COURT  
Eighth Judicial District

THE STATE OF MINNESOTA

TO *for Miller*

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *10th* day of *October* 190*4*, at *3* o'clock

in the *after* noon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

Defendant

on the part of the

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this *10th* day of *October* A. D. 190*4*

*O. Sundstrom*  
Clerk of District Court.

ORIGINAL

**State of Minnesota,**  
**COUNTY OF CARVER**

88.

**DISTRICT COURT**  
**Eighth Judicial District.**

I hereby certify and return that I served the within Subpoena on the within named  
*Joe Miller*  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *17th* day of *Oct* 190*4*

Fees, {  
Service, ..... *50*  
Mileage, .....  
Total, .....

Sheriff of Carver County.

By

Deputy Sheriff.

No. *2710*  
**STATE OF MINNESOTA,**  
**COUNTY OF CARVER**

**DISTRICT COURT,**  
Eighth Judicial District.

*The State of Minnesota*

AGAINST

*Peter Henningsen*

**SUBPOENA**

Issued

*Oct 14th* 190*4*

*O. L. Lundström*  
Clerk District Court.

Returned and Filed

*Oct 19* 190*4*  
*O. L. Lundström*  
Clerk.

On part of

*Depts*

No. 2712

State of Minnesota, ss  
County of Carver

DISTRICT COURT  
Eighth Judicial District

THE STATE OF MINNESOTA

TO *Mrs. Hunter Baucher* GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *19th* day of *October* 190*4*, at *3* o'clock

in the *After* noon, then and there to give evidence in the cause to be tried between

Plaintiff, and

Defendant on the part of the

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this *17th* day of *October* A. D. 190*4*

*A. Sandstrom*  
Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT

Eighth Judicial District.

I hereby certify and return that I served the within Subpœna on the within named  
*Mrs Gust Bortcher* by reading said Subpœna to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *17<sup>th</sup>* day of *Oct* 190*4*

Fees, { Service, *50*  
Mileage, \_\_\_\_\_  
Total, \_\_\_\_\_

*G. A. Gatz*  
Sheriff of Carver County.

By \_\_\_\_\_ Deputy Sheriff.

No. *2712*

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

AGAINST

SUBPOENA

Issued

*1904*

Clerk District Court.

Returned and Filed

*1904*

Clerk.

On part of *Sept*



No. 2716

State of Minnesota, } ss  
County of Carver

DISTRICT COURT  
Eighth Judicial District

THE STATE OF MINNESOTA

TO *Rev. Schneider* GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *19th* day of *October* 190*4*, at *3* o'clock

in the *after* noon, then and there to give evidence in the cause to be tried between

Plaintiff *The State of Minnesota*, and *Peter W. Schneider*

Defendant on the part of the *Defendant*

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

Witness the HON. P. W. MORRISON, Judge of the District Court aforesaid at Chaska this *19th* day of *Oct* A. D. 190*4*

*R. C. Sundstrom*  
Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

DISTRICT COURT  
Eighth Judicial District.

ss.

I hereby certify and return that I served the within Subpoena on the within named presence, and by delivering to him a true copy thereof, in County and State aforesaid, on this 17th day of Oct 1904

*Geo. Schreiber*

by reading said Subpoena to him in his

Fees, { Service, 50  
Mileage, 50  
Total, 100

By

Deputy Sheriff.

*G.A. Galt*  
Sheriff of Carver County.

No. 2716

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

*The State of Minnesota*

AGAINST

*Peter Hingorichal*

SUBPOENA

Issued

*Oct 17th 1904*

*J. Schreiber*

Clerk District Court.

Returned and Filed

*Oct. 19*

1904

*C. L. Lundstrom*

Clerk.

On part of

*Dyke*

State of Minnesota, } ss.  
County of Carver

DISTRICT COURT  
Eighth Judicial District

## THE STATE OF MINNESOTA

TO

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19 day of Oct 1904, at 3 o'clock in the afternoon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

Defendant

on the part of the

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

Witness the HON. P. W. MORRISON, Judge of the  
District Court aforesaid at Chaska this 19th  
day of Oct A. D. 1904

Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*Geo. Wunderhoff* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *17<sup>th</sup>* day of *Oct* 190*4*

Fees, { Service, *50*  
Mileage, \_\_\_\_\_  
Total, \_\_\_\_\_

*G. D. Gatz*  
Sheriff of Carver County.

By \_\_\_\_\_ Deputy Sheriff.

No. 2715

STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

AGAINST

SUBPOENA

Issued

190*4*

*Geo. Wunderhoff*  
Clerk District Court.

Returned and Filed

190*4*

*O. L. Lundström*  
Clerk.

On part of *Geo*

No. 2717

State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

## THE STATE OF MINNESOTA

TO

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19th day of Oct 1904, at 3 o'clock

in the afternoon, then and there to give evidence in the cause to be tried between

Plaintiff, and

Defendant on the part of the

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

Witness the HON. P. W. MORRISON, Judge of the

District Court aforesaid at Chaska this 19th

day of October A. D. 1904

Clerk of District Court.

ORIGINAL



**State of Minnesota,**  
COUNTY OF CARVER

ss.

**DISTRICT COURT**  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*John Doe*  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *19th* day of *Oct* 190*4*

Fees, { Service, .....  
Mileage, .....  
Total, .....

By *90968-6720*  
Sheriff of Carver County.  
Deputy Sheriff.

No. *2717*  
**STATE OF MINNESOTA,**  
COUNTY OF CARVER  
**DISTRICT COURT,**  
Eighth Judicial District.

*The State of Minnesota*

AGAINST

*Peter Hingirl et al*

**SUBPOENA**

Issued

*Oct 17th* 190*4*

*O. L. Lundström*  
Clerk District Court.

Returned and Filed

*Oct. 19th* 190*4*  
*O. L. Lundström*  
Clerk.

On part of

*By*

State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

## THE STATE OF MINNESOTA

TO

Mrs. Dainuch Wagner

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 19th day of October 1904, at 3 o'clock

in the Afternoon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

The State of Minnesota  
Peter Wenzel et al

Defendant

on the part of the

Defendant

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

Witness the HON. P. W. MORRISON, Judge of the

District Court aforesaid at Chaska this 19th

day of

October

A. D. 1904

O. Sundstrom

Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*Alvin H. Waggoner* by reading said Subpoena to him in his  
presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this 17<sup>th</sup> day of Oct 1914

Fees, { Service, ..... 50  
Mileage, ..... 2.00  
Total, ..... 2.50

By

*90.905*  
Sheriff of Carver County.

Deputy Sheriff.

No. 2711  
STATE OF MINNESOTA,  
COUNTY OF CARVER

DISTRICT COURT,  
Eighth Judicial District.

*The State of Minnesota*

AGAINST

*Peter Mungier et al*

SUBPOENA

Issued

*Oct. 17<sup>th</sup> 1914*

*W. S. Lundström*  
Clerk District Court.

Returned and Filed

*Oct. 19<sup>th</sup> 1914*  
*W. S. Lundström*  
Clerk.

On part of

*Def't*

State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

## THE STATE OF MINNESOTA

TO

*Dr. H. H. Marshall*

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *20<sup>th</sup>* day of *October* 190*4*, at *10* o'clock in the *fore* noon, then and there to give evidence in the cause to be tried between

*State of Minnesota*

Plaintiff, and

*Peter Hennig, et al*

Defendant on the part of the

*State*

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

Witness the HON. P. W. MORRISON, Judge of the

District Court aforesaid at Chaska this

day of

*October*A. D. 190*4**O. L. Lundstrom*

Clerk of District Court.

ORIGINAL

State of Minnesota,  
COUNTY OF CARVER

ss.

DISTRICT COURT  
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named  
*W. A. Mervin* by reading said Subpoena to him in his

presence, and by delivering to him a true copy thereof, in County and State aforesaid,  
on this *19th* day of *Oct* 190*4*

Fees, { Service,  
Mileage,  
Total, .....

By *G. O. Galt* Deputy Sheriff.

Sheriff of Carver County.

No. 2719  
STATE OF MINNESOTA,  
COUNTY OF CARVER  
DISTRICT COURT,  
Eighth Judicial District.

*State*

AGAINST

*Wenzel et al*

SUBPOENA

Issued

*Oct 19 1904*

*O. L. Lundstrom*  
Clerk District Court.

Returned and Filed

*Oct. 19th 1904*

*O. L. Lundstrom*  
Clerk.

On part of

*State*



State of Minnesota, }  
COUNTY OF CARVER, }

District Court,  
Eighth Judicial District.

The STATE OF MINNESOTA, To

*F. S. Bissel*

You are Hereby Commanded, To be and appear before the Judge of said Court, at the Court House in the City of Chaska in said County, all excuses and business being laid aside, on the 20th day of October A. D. 1914, at 10th o'clock M., to testify and give evidence in a certain action in said Court pending, and then and there to be determined between State of Minnesota,

Plaintiff, and

Peter Weinzierl, et. al.

Defendants, on

the part of the State; And, also, that you bring with you and produce in evidence X-Ray pictures taken of Elbert Johnson's forearm.

and all other documents which you have under your control, concerning the premises; and for a failure thereof you will be deemed guilty of contempt of Court, and you will be liable to the aggrieved party for all damages occasioned by such failure.

Witness, The Honorable P. W. Morrison, Judge  
of said Court, and the seal thereof, at Chaska, Minn.  
this 10th day of October A. D. 1914.

*O. L. Lundstrom*

Clerk.

By

*H. O. Muehlberg*

Deputy.

State of Minnesota,

COUNTY OF CARVER

I hereby certify and return that I served the within Subpoena on the within named  
Mr. H. J. Bevil

by reading the same to him and delivering to him

a true copy thereof, at University of Minnesota  
in said County and State, on this 19th day of October 1914

SHERIFF'S FEES:

Expense of Service \$ 6.00  
Mileage - \$  
Total - \$

W. A. Galt  
Sheriff of said County.  
By W. F. Gangadhar  
Deputy.

# District Court

Eighth Judicial District,  
County of Carver.

The State of Minnesota  
vs

Peter Heinzel et al  
Defts.

## SUBPOENA

DUCES TECUM

Witness.

Filed this 23rd day of  
October A. D. 1914  
O. J. Sundstrom  
Clerk.

By Deputy.



Illegible  
(Light Ink)

State of Minnesota,

DISTRICT COURT

County of Carver

Eighth

Judicial District,

The State of Minnesota,  
vs.Peter Weinzierl, Walter Kusserow,  
Frank Harvey, Edward Radde and  
Henry Braun.

Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry  
Braun, ~~of the~~ Grand Jury of the County of Carver, in the State of Minnesota,  
by this indictment, of the crime of assault in the second degree

committed as follows:

The said Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde  
and Henry Braun, day of August 1913, at the  
24th August 13  
Town of Laketown, of Carver County, Minnesota in this County  
did  
xxxx being then and there armed with weapons likely to produce grievous  
bodily harm, to-wit, shot guns loaded with gun powder and leaden bullets,  
a rifle loaded with gunpowder and leaden bullets and revolvers loaded  
gun powder and leaden bullets, a more particular discription of said  
weapon for any or either of them being to this Grand Jury unknown, did,  
under circumstances not amounting to assault in the first degree, wil-  
fully, wrongfully, unlawfully and feloniously with said weapons, to-wit,  
said shot guns, said rifle and said revolvers as aforesaid, in and upon  
one George Johnson make an assault, and did then and there with said  
weapons shoot and wound him, the said George Johnson with intent then  
and there had and entertained by them, the said Peter Weinzierl, Walter  
Kusserow, Frank Harvey, Edward Radde and Henry Braun, to wound and inflict  
grievous bodily harm upon him, the said George Johnson,

contrary to the form of the Statute  
and against the peace and dignity of the State of Minnesota.

in such case made and provided

Dated at Chaska, in the County of Carver, State of Minnesota, the  
day of October 1913

fifteenth

Richard Kelly  
Foreman of the Grand Jury.



The following are the names of the witnesses duly sworn and examined before the Grand Jury upon the findings of the above indictment: *J. J. Braumwath, Frank Dietelm, Elmer Sabu, Carl Doty, George Johnson, Albert Johnson, and H. B. Nielsen,*

State of Minnesota,

County of Carver

IN DISTRICT COURT

Judicial District.

3

Clerk of the District Court, in and for said County, State of Minnesota, do hereby certify that I have carefully compared the foregoing with the original indictment presented by the Grand Jury of said County against

and find that the same is a true and correct copy of said original and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said District Court at

this

J. D. 191

Clerk of the District Court, Carver County, Minnesota.

135-156  
Copy  
DISTRICT COURT

*Eighth*

Judicial District.

County of Carver.

THE STATE OF MINNESOTA

AGAINST

*Peter Heinziere, Walter Lusserow, Frank Harvey, Edward Radde and Henry Braun.*

INDICTMENT FOR

*Assault in the second degree.*

A TRUE BILL

*Richard Kelly*

Foreman of the Grand Jury.

Presented to the Court, in open Court, by the Foreman of the Grand Jury, in the presence of the Grand Jury, and filed with the Clerk of Court this

*Fifteenth*

day of

*October*

A. D. 1913

*O. L. Lundstrom*

Clerk.

*John J. Fahey*

County Attorney.

Carver County, State of Minnesota.

136-157



State of Minnesota, } ss.  
COUNTY OF CARVER,

District Court,  
Eighth Judicial District.

The STATE OF MINNESOTA, To

*Charles A. Reil*

You are ~~Hereby~~ Commanded, To be and appear before the Judge of said Court, at the Court House in the City of Chaska in said County, all excuses and business being laid aside, on the *19<sup>th</sup>* day of *October* A. D. 191*4*, at *9* o'clock *A.*M., to testify and give evidence in a certain action in said Court pending, and then and there to be determined between

*State of Minnesota* Plaintiff, and  
*Peter Weingierl, Walter Kussow, Frank Harvey, Edward Radde,*  
*and Henry Braun* Defendant *S.*, on

the part of the *State*; And, also, that you bring with you and produce in evidence  
*a copy of the issue of the Waconia Patriot for*  
*Friday, August 29<sup>th</sup> - 1913,*

~~and all other documents which you have under your control, concerning the premises;~~ and for a failure thereof you will be deemed guilty of contempt of Court, and you will be liable to the aggrieved party for all damages occasioned by such failure.

Witness, The Honorable *P. H. Morrison* Judge

of said Court, and the seal thereof, at *Chaska*  
this *15<sup>th</sup>* day of *October* A. D. 191*4*

*O. L. Lundstrom*  
Clerk.

By *N. O. Muehlberg* Deputy.

State of Minnesota,

COUNTY OF CARVER

I hereby certify and return that I served the within Subpoena on the within named

*Chas A Reil*

by reading the same to him and delivering to him

a true copy thereof, at

*Waconia*

in said County and State, on this

*17<sup>th</sup>*

day of

*October* 191*4*

SHERIFF'S FEES:

Service, - \$

Mileage, - \$

Total, - \$

*G. A. Gatz*  
Sheriff of said County.

By

Deputy.

District Court

Eighth Judicial District,

County of Carver.

*State of Minnesota*

*-vs-*

*Peter Weingard et al.*  
*Defts.*

SUBPOENA

DUCES TECUM.

*Chas. A. Reil*

Witness.

Filed this

*19<sup>th</sup>*

day of

*October*

A. D. 191*4*

*O. L. Lundstrom*

Clerk.

By *W. M. Muelhberg*

Deputy.



State of Minnesota, } ss.  
COUNTY OF CARVER,

District Court,  
Eighth Judicial District.

The STATE OF MINNESOTA, To Professor Bissel,

You are Hereby Commauded, To be and appear before the Judge of said Court, at the Court House in the City of Chaska in said County, all excuses and business being laid aside, on the 20th.

day of October A. D. 1914, at 10 o'clock A. M., to testify and give evidence in a certain action in said Court pending, and then and there to be determined between

The State of Minnesota

Plaintiff, and

Peter Weinzierl, et al

Defendants, on

the part of the The State; And, also, that you bring with you and produce in evidence

X-Ray pictures <sup>as stated</sup> taken of Elbert Johnson's forearm

and all other documents which you have under your control, concerning the premises; and for a failure thereof you will be deemed guilty of contempt of Court, and you will be liable to the aggrieved party for all damages occasioned by such failure.

Witness, The Honorable P.W. Morrison Judge

of said Court, and the seal thereof, at Chaska, Minn.,

this 19th. day of October A. D. 1914

(Seal)

*A. C. Sundstrom*  
Clerk.

By

Deputy.

# District Court

Eighth Judicial District,

County of Carver.

State of Minnesota

- vs -

Peter Weinzirl, et al

## SUBPOENA

DUCES TECUM

Prof. Bissel

Witness.

Filed this 20<sup>th</sup> day of

October

A. D. 191

O. L. Lundstrom

Clerk.

By

H. O. Muehlberg

Deputy.

State of Minnesota,  
COUNTY OF CARVER

J. ss. v.

I hereby certify and return that I served the within Subpoena on the within named

by reading the same to him and delivering to him

a true copy thereof, at

in said County and State, on this

19<sup>th</sup>

day of

Oct.

191

### SHERIFF'S FEES:

Service,

\$

Mileage,

\$

Carriage Total,

\$

6.00

By

J. O. Bissel

Sheriff of said County.

Deputy.

J. Henry

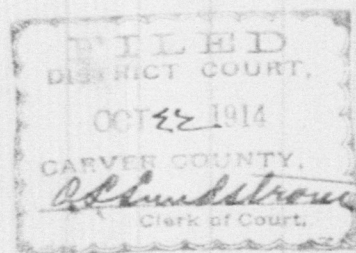
156-157



Isire

5 If you find from the Evidence in this case that Edward Rasde, the Marshall of said Village of Wagonia, unjustifiably and unprovocably assaulted and ill-treated Albert Johnson in said village that will not justify the jury in finding these defendants, or either of them, guilty of the charge made by the indictment in this case.





156-157..

State of Minnesota,

County of *Carver*

IN DISTRICT COURT OF SAID COUNTY,

ss.

*8th*

Judicial District

*October*Term, 191*4*

IN THE MATTER OF

*The State of Minnesota*

vs.

Plaintiff

*Peter Weingierl Walter  
Kusserow Frank Harvey  
Edward Radde & Henry Brand*

Defendants

We, The Jury impaneled and sworn in the above entitled action, find ~~for~~ the defendant <sup>s</sup>*Peter Weingierl Walter Kusserow Frank Harvey  
Edward Radde & Henry Brand guilty of  
an assault in the third degree.**Walter C. Smith.*

Foreman.

Dated at *Asaska* this *22nd* day of *October* A. D. 191*4*



# DISTRICT COURT,

*8th*

Judicial District

*Oct.*

Term, 19*14*

State of Minnesota,

County of

*Carew*

} ss.

VERDICT

*of guilty*  
~~FOR~~ DEFENDANT

IN THE MATTER OF

*The State of Minnesota*

vs.

Plaintiff

*Peter Skirpner et al.*

Defendant

Filed in open Court the

*22nd*

day of

*October*

19*14*

*A. J. Sandstrom*

Clerk.

No. 304

*156-157.*

The defendants Request the Court  
to instruct the jury as follows:

*Sire* 1 - Under the evidence in this case, and  
from the testimony of Elbert Johnson himself,  
Said Elbert Johnson, in the Village of Wausau  
in this County, on the 24th Day of August 1913,  
and in the afternoon of said Day, committed an  
Assault in the ~~Second~~ <sup>First</sup> Degree upon Edward Radde,  
the Marshall of said Village,

*Sire*

2 - Under the law of this State any private  
person may arrest another when such person  
has committed a felony -

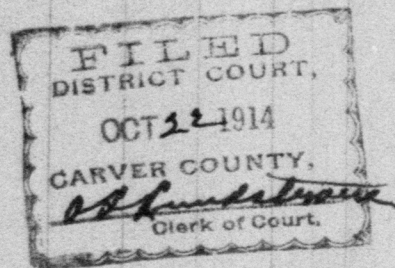
*Sire*

3 - The offense committed by Said Elbert  
Johnson in said Village on said Day was  
such an offense as warranted his arrest  
by the defendants in this action.

*Sire*

4 - And in making such arrest of Said  
Elbert Johnson for the offense mentioned  
the use of such force or violence as was nec-  
essary to enable the accomplishment of such  
arrest was not unlawful, but was legal  
and justifiable under the law of this State.





156-157



B. RETURN OF SUMMONS (PERSONAL SERVICE)—Or Complaint to Attachment.

THE PRESS PRINTING CO., MARSHFIELD, ILL.

State of Minnesota,

County of

Carr

ss.

day of

Feb.

1914,

at the

I hereby certify and return, that on the

Village of

Waconia

County and

State aforesaid, I served the

Summons and Complaint

hereto attached upon

Waterhouse, Peter, Henry & Harry Braun  
Them and each of them

the Defendant named therein,

by handing to and leaving with

him personally a true and correct copy thereof.

Dated this

7th

day of

February

1914

Sheriff's Fees: Service, \$

4.00

Travel

\$ 2.40

\$ 6.40

Sheriff of

G. A. Gatz

County, Minn.

By

W. B. Garyshu

Deputy.

State of Minnesota,

} ss.

County of CarrI hereby certify and return that at the Town of Waconia in said County, on the 6<sup>th</sup> day of February A. D. 1904I served the annexed Summons and Complaintupon the within named defendant Edouard Radde  
by leaving a true and correct copy thereof at his last usual place of abode  
with one Mrs. J. Radde "Mother of Left" a person of suitable age and discretion, then  
resident therein, in said County, Defendant not being found.Dated this 7<sup>th</sup>day of February 1904Sheriff Fees, Service, \$ 1.00Mileage, - - \$ 1.00

Sheriff

By

G. A. Gatz County Minn.  
W. F. Ganss Deputy.

State of Minnesota, } DISTRICT COURT,  
 County of Carver } Eighth Judicial District.

Elbert Johnson, Plaintiff,

versus.

Edward Radde, Walter Kusserow, Peter

Wienzierl, Frank Harvey & Henry Braun,  
 Defendants.

SUMMONS.

THE STATE OF MINNESOTA, to the above named Defendant:

You and each of you are hereby summoned and required to answer the  
 Complaint in the above entitled action, a copy of which is herewith served upon you, and to serve a  
 copy of your answer to the said Complaint on the subscriber, at his office in  
 Chaska in the County of Carver and State aforesaid,  
 within twenty days after the service of this Summons on you, exclusive of the day of such service;  
 and if you fail to answer the said Complaint within the time aforesaid, the Plaintiff in this action  
 will take Judgment against you and each of in the sum of  
 Ten Thousand Dollars.

Dated February 6th, 1914 A.D. 1914

Plaintiff's Attorney

Minn.

Chaska

State of Minnesota,

ss.

County of .....

being

first duly sworn, says that

that at

in the County of .....

State of Minnesota, on the

day of

A. D. 190

he served the within summons upon

with said defendant, at the house of the defendant therein named, personally, by handing to and leaving usual abode, by handing to and leaving with a person of suitable age and discretion then resident therein, to-wit: true and correct cop thereof.

Subscribed and sworn to before me this

day of

190

Notary Public, Minn.

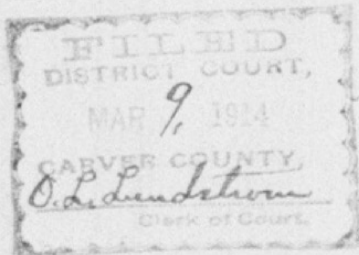
No. ....

DISTRICT COURT,

Judicial District,

County of .....

SUMMONS FOR RELIEF



Plaintiff's Attorney.



State of Minnesota, )  
County of Carver, )

In the District Court,  
Eighth Judicial District.

Elbert Johnson, Plaintiff, )

versus. )

COMPLAINT.

Edward Radde, Walter Kusserow, )  
Peter Wienzierl, Frank Harvey )  
& Henry Braun, Defendants. )

The plaintiff, states that he is a resident of the County of Ramsey, State of Minn~~nes~~, and that all of the defendants are residents of the County of Carver and State of Minn'. and for cause of action against the defendants, the plaintiff alleges that the defendants jointly and severally, wrongfully and unlawfully assaulted and beat, wounded and injured this plaintiff, by force of arms, to-wit; the said defendants did so assault this plaintiff on August 24th, 1913, at a point near Waconia, Carver Co. Minn, armed with firearms and weapons, a better description of which plaintiff is at this time unable to furnish, discharging their said firearms and weapons at and against the body of this plaintiff inflicting forty-two Gunshot wounds on plaintiff as follows: Eleven Gunshot wounds on plaintiff's right arm, Twenty-seven Gunshot wounds on plaintiff's left arm, Two gunshot wounds on plaintiff's throat immediately beneath his chin and one gunshot wound on the forehead over and just above the right eye, also, one gunshot wound in plaintiff's right side in the immediate region of the kidney on the right side. All of which gunshot wounds were of such character that the leaden bullets or pellets could not be extracted except the one in plaintiff's right side and all of which gunshot wounds were inflicted by the defendants, wrongfully and unlawfully and to this plaintiff's permanent injury, damage and loss in the sum of Ten Thousand Dollars, all of which is due this plaintiff from defendants and wholly unpaid. WHEREFORE, plaintiff demands judgment against ~~the~~ defendants jointly and severally in the sum of Ten Thousand Dollars and cost of this action.

*Francis Muekel*  
Attorney for Plaintiff.



State of Minnesota,     )  
County of Carver.     y     ss.

I, Elbert Johnson, on oath, depose and say that I am the plaintiff in the above entitled action, that I have read the foregoing Complaint and that the statements and allegations therein contained are true except as to matters stated on information and belief and as to those matters I believe them to be true.

Elbert Johnson  
AK

Sworn to before me this 2nd. day of February 1914.

O. L. Lundstram  
Clerk of District Court,  
Carver Co., Minn.,

# 182

State of Minnesota,

County of Carver,

In the District Court,

Eighth Judicial District.

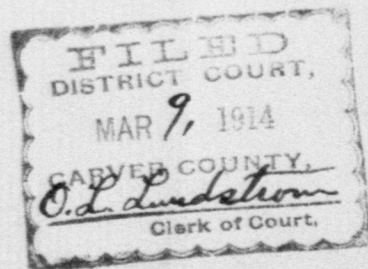
Elbert Johnson, Plaintiff,

versus.

Edward Radde, Walter Kusserow,  
Peter Wienzierl, Frank Harvey &  
Henry Braun, Defendants.

*Def B*  
*40x*

COMPLAINT.



Francis Muekel, Atty for  
Plaintiff.

(183) *27 E.*  
*156-157*







State of Minnesota,

Geo Hartmann (Def)

County of

Carr

ss.

On this 20th day of

October

A. D. 1913, before me personally came Peter Wingard, Walter Hermanns and George Hartmann, persons who executed the foregoing Recognizance, and each acknowledged the same to be his own free act and deed, for the uses and purposes therein expressed.

to me known to be the same

State of Minnesota,

County of

Carr

ss.

Frank Rade and

came personally before me, and

being first duly sworn, doth say, each for himself, that he is the same person as the surety above named, and is a resident and freeholder of and in this State of Minnesota, and worth the sum of

above his debts and liabilities, and exclusive of his property exempt from execution.

Frank Rade  
Geo Hartmann

Subscribed and sworn to before me, this

20th day of

October

A. D. 1913

W M Mullberg  
Deputy Clerk of Court

STATE OF MINNESOTA,

County of

Carr

DISTRICT COURT.

THE STATE OF MINNESOTA,

vs.

Peter Wingard et al

RECOGNIZANCE,

—(DEFENDANT.)—

I hereby approve the within Recognizance and the sureties therein, this

20th day of October

A. D. 1913

Prothonotary  
Judge of said Court

Filed

October 20th

A. D. 1913

W M Mullberg

Clerk of District Court,

Carr County, Minn.

By

Deputy.



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(Light Ink)

STATE OF MINNESOTA

DISTRICT COURT

County of Carver

Eighth Judicial District

-----:-----

The State of Minnesota

Plaintiff

vs

Peter Weinzierl, Walter Kusserow,  
Frank Harvey, Edward Radde, and  
Henry Braun

Defendants

-----:-----

Come now said defendants, and upon the affidavit hereto  
attached and the complaint and answer therein referred to,  
move the Court that the trial of said action be continued un-  
til the next General Term of this Court.

*W. C. Ball*

\_\_\_\_\_  
Attorney for Defendants,  
Chaska, Minn.



State of Minnesota  
ss  
County of Carver

W. C. Odell, being first duly sworn, says that he is the attorney for the defendants in the above entitled action; that each of said defendants has fully and fairly stated the case and the facts in the case to affiant, and affiant has personally interviewed each of the witnesses who will testify for the defense upon the trial of said action and is familiar with the testimony which each of said witnesses will give upon said trial, and from the statements so made by said defendants, and each of them, and information so obtained from said persons who will so testify on behalf of said defendants on said trial affiant believes that said defendants have, and each of said defendants has a good and substantial defense to the indictment in said action, on the merits, and that neither of said defendants is guilty of the offense charged against him by said indictment.

That immediately following the occurrences out of which grew the charge against said defendants contained in said indictment divers false and misleading reports and statements as to said occurrences and as to the connection of said defendants therewith gained currency throughout said County and the charge now made by said indictment against said defendants and the facts and occurrences out of which said charge grew were widely and extensively discussed by the inhabitants of said County and in the public journals of said County, and opinions as to the guilt or innocence of said defendants upon said charge were formed by a large number of said inhabitants and almost universally, and owing to the nature of the false and misleading reports and statements so made and so circulated throughout said County a large number of the inhabitants of said County formed a prejudice and bias against said defendants and formed a belief or expressed themselves as believing that said defendants were guilty of the offense charged against them by said indictment

and ought to be convicted thereof. That so widespread throughout said County was said prejudice and bias and so universal was said feeling that said defendants were so guilty as so charged that a fair and impartial trial of said defendants upon said charge could not have been had in said County had said trial proceeded at the term of court at which said indictment was returned, which fact was well known to and recognized by the County Attorney of said County and the trial of said defendants upon said charge was continued because of the inflamed condition of public sentiment respecting said charge at the time of the finding of said indictment, and the improbability of a fair and impartial trial being had at said time.

That affiant believes that with the lapse of time and the dissemination of fuller and more truthful and accurate reports concerning the facts and occurrences out of which said charge grew, a change, to some extent at least, took place in public sentiment respecting said charge, and so much so as to create in the mind of affiant a belief that it would be possible for said defendants to have a fair and impartial trial upon said charge at the present term of this Court, and affiant so advised his said clients and instructed them to prepare for such trial.

That at the last term of this Court one Francis Muekel, an attorney from the State of Iowa, appeared for and defended Elbert Johnson, the person upon whom said defendants are charged with having made an assault, upon the trial of an indictment then had; that since said trial was so had said Francis Muekel has located in the City of Chaska in said County for the practice of law; that in the month of February last, and on, to-wit, the 6th day of said month, said Francis Muekel, as attorney for said Elbert Johnson, commenced in this Court a civil action against said defendants in which said action damages in the sum of ten thousand dollars are claimed and demanded for the assault constituting the charge against said defendants made by the indictment herein; that said defendants answered in said action interposing a defense to the complaint therein, and said action



is now pending and undetermined; that a copy of the complaint in said action, and the answer therein, are herewith presented and filed in connection with this affidavit and in support thereof.

That shortly after the commencement of said civil action for damages, and in the issue of said newspaper under date of February 12th, the following article was published in the Carver Journal - Review, a newspaper printed and published in the village of Carver in said County and circulated extensively throughout said County, viz:

"Big Damages Asked.

Attorney Muekel of Chaska has brought suit against Peter Wienzierl, Frank Harvey, Ed Radde, Henry Braun and Walter Kusserow on behalf of Elbert Johnson in the sum of \$10,000.00 damages for injuries received in the shooting affray which took place last August. The case will come up for trial at the spring term of court which will be held in Chaska next month.

These same gentlemen will also have to stand trial in the Federal Court in a damage action which will be brought by the same attorney on behalf of George Johnson in the amount of \$25,000.00. We understand the plaintiff is in a serious condition and not expected to live".

The said item was so published in said newspaper on the front page thereof and conspicuously and in such a manner as to attract the attention of every reader of said newspaper; that affiant has seen re-prints of said article in other local newspapers published in said County and in the immediate vicinity of said County and circulating therein, and affiant believes and charges the fact to be that said article has been extensively published and widely circulated and read throughout said County and by the inhabitants thereof.

That said article is calculated, and affiant believes was written and published, to re-kindle the feeling of prejudice and bias against said defendants which at one time existed throughout said County, as hereinbefore stated, and which affiant believes had to some extent, at least, subsided, and to again inflame public sentiment and render it difficult, if not impossible, for said defendants to secure a fair and impartial trial

upon the charge made against them by said indictment.

That affiant believes and charges the fact to be that the publication of said article in said Carver Journal-Review was instigated and procured by said attorney for said plaintiff in said civil action for damages and to influence the result in said civil action and the action of the jury in this action.

That that portion of said article which purports to give the condition of said plaintiff in said civil action, and states that "the plaintiff is in a serious condition and not expected to live" is false and misleading, and is calculated, and affiant believes, was published, to create a false and magnified impression as to the extent and nature of the injuries received by said plaintiff and to create an unjust sympathy for said plaintiff and an unwarranted and unfair prejudice against said defendants, and the same was so published to prevent a fair and impartial trial of said defendants upon the charge made by the indictment herein and ultimately to unjustly and unfairly influence the verdict in said civil action for damages.

Further affiant says that he believes that the publication of said article in said newspaper, and its wide circulation throughout said County, and the extensive reading thereof by the inhabitants of said County has rendered a fair and impartial trial of said defendants upon the charge made by the indictment herein at the present term of this Court impossible, and the ends of justice will be promoted by a continuance of such trial.

Further affiant saith not except that this application for a continuance is not made for delay, but that justice may be done.

W. C. Bull

Subscribed and sworn to before me this 3rd day of March, 1914.

O. L. Lundstrom  
Clerk of said District Court



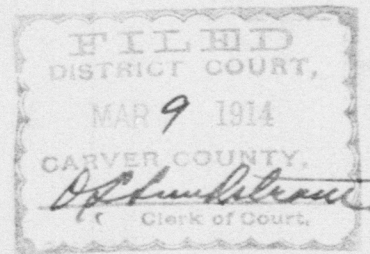
155-156

District Court  
County of Carver,

The State of Minnesota

-VS-

Peter Weingard et al,  
Motion and Affidavit



E 1560157

W. C. Odell  
Attorney for Defendants



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(Light Ink)

State of Minnesota,

DISTRICT COURT

County of Carver

Eighth

Judicial District.

The State of Minnesota,

vs.

Peter Weinzierl, Walter Kusserow,  
Frank Harvey, Edward Radde and  
Henry Braun.

Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry Braun are accused by the Grand Jury of the County of Carver, in the state of Minnesota, by this indictment, of the crime of assault in the second degree

committed as follows:

The said Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry Braun on the 24th day of August 1913, at the Town of Laketown, Carver County, Minnesota

being then and there armed with weapons likely to produce grievous bodily harm, to-wit, shot guns loaded with gun powder and leaden bullets, a rifle loaded with gunpowder and leaden bullets and revolvers loaded with gun powder and leaden bullets, a more particular description of said weapons or any or either of them being to this Grand Jury unknown, did, under circumstances not amounting to assault in the first degree, wilfully, wrongfully, unlawfully and feloniously with said weapons, to-wit, said shot guns, said rifle and said revolvers as aforesaid, in and upon one Elbert Johnson make an assault, and did then and there with said weapons shoot and wound him, the said Elbert Johnson with intent then and there had and entertained by them, the said Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry Braun to wound and inflict grievous bodily harm upon him, the said Elbert Johnson

contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Minnesota.

Dated at Chaska, in the County of Carver, State of Minnesota, the fifteenth day of October, 1913.

Richard Kelly  
Foreman of the Grand Jury.



The following are the names of the witnesses duly sworn and examined before the Grand Jury upon the findings of the above indictment: J. J. BRAUNWARTH, FRANK DIEBOLD, CLARENCE GRABEN, CARL LOBLITZ, GEORGE JOHNSON, ELBERT JOHNSON and DR. H.R. DIESSNER

State of Minnesota,  
County of Carver

IN DISTRICT COURT  
Judicial District.

I, Clerk of the District Court, in and for said County, State of Minnesota, do hereby certify that I have carefully compared the foregoing with the original indictment presented by the Grand Jury of said County against

and find that the same is a true and correct copy of said original and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said District Court at

this

A. D. 191

Clerk of the District Court, Carver County, Minnesota.

Upon application of the County Attorney  
of said County, it is ordered  
that all bench

warrants issued out of and under the  
seal of said Court for the arrest and apprehen-  
sion of the within named defendants.  
Dated at Carver this 18th day of Oct. 1913.  
Approved  
Judge of said Court

DISTRICT COURT

Eighth Judicial District.

County of Carver.

THE STATE OF MINNESOTA

AGAINST  
Peter Weingarth, Walter  
Kussnerow, Frank Harweg,  
Edward Raddo and Henry  
Braun

INDICTMENT FOR

Assault in the second  
degree

A TRUE BILL

Richard Kelly  
Foreman of the Grand Jury.

Presented to the Court, in open Court,  
by the Foreman of the Grand Jury, in  
the presence of the Grand Jury, and  
filed with the Clerk of Court this

Fifteenth day of  
October A. D. 1913  
J. J. Braunwarth  
Clerk.

John J. Fahey  
County Attorney.

Carver County, State of Minnesota.

Indictment Record B. - page 19.

E156-153



State of Minnesota,

DISTRICT COURT

County of Carver

Eighth

Judicial District.

The State of Minnesota,  
vs.Peter Weinzierl, Walter Kusserow,  
Frank Harvey, Edward Radde and  
Henry Braun.

Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry Braun are  
accused by the Grand Jury of the County of Carver, in the state of Minnesota,  
by this indictment, of the crime of assault in the second degree

committed as follows:

The said Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde  
and Henry Braun  
on the 24th day of August 1913, at the  
Town of Laketown, Carver County, Minnesota

being then and there armed with weapons likely to produce grievous  
bodily harm, to-wit, shot guns loaded with gun powder and leaden bul-  
lets, a rifle loaded with gunpowder and leaden bullets and revolvers  
loaded with gun powder and leaden bullets, a more particular de-  
scription of said weapons or any or either of them being to this Grand  
Jury unknown, did, under circumstances not amounting to assault in the  
first degree, wilfully, wrongfully, unlawfully and feloniously with  
said weapons, to-wit, said shot guns, said rifle and said revolvers as  
aforesaid, in and upon one George Johnson make an  
assault, and did then and there with said weapons shoot and wound him,  
the said George Johnson with intent then and there had  
and entertained by them, the said Peter Weinzierl, Walter Kusserow,  
Frank Harvey, Edward Radde and Henry Braun to wound and inflict  
grievous bodily harm upon him, the said George Johnson

contrary to the form of the statute

in such case made and provided

and against the peace and dignity of the State of Minnesota.

Dated at Chaska, in the County of Carver, State of Minnesota, the fifteenth  
day of October, 1913.

Richard Kelly  
Foreman of the Grand Jury.



The following are the names of the witnesses duly sworn and examined before the Grand Jury upon the findings of the above indictment: J. J. Braumwalth, Frank Diethelm, Clarence Graben, Carl Lobltz, George Johnson, Elbert Johnson and Dr. H.R. Dlesner

State of Minnesota,

County of Carver

IN DISTRICT COURT

Judicial District.

3

ss. Clerk of the District Court, in and for said County, State of Minnesota, do hereby certify that I have carefully compared the foregoing with the original indictment presented by the Grand Jury of said County against

and find that the same is a true and correct copy of said original and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said District Court at

this

A. D. 191

Clerk of the District Court, Carver County, Minnesota.

Upon application of the County Attorney of said County, it is ordered:

That a bench warrant issue out of and under the seal of this Court for the arrest and apprehension of the within named defendants and that a writ of Habeas Corpus be granted to the County Attorney of said County.

DISTRICT COURT

Eighth Judicial District.

County of Carver.

THE STATE OF MINNESOTA

AGAINST Walter  
Peter Weinzierl, Frank Harvey  
Kusserow, Frank  
Edward Gaddie  
and Henry Braun

INDICTMENT FOR

Assault in the second degree

A TRUE BILL

Richard Kelly,  
Foreman of the Grand Jury.

Presented to the Court, in open Court, by the Foreman of the Grand Jury, in the presence of the Grand Jury, and filed with the Clerk of Court this

Fifteenth day of  
October A. D. 1913  
D. L. Lundstrum  
Clerk.

John J. Fahey,  
County Attorney.

Carver County, State of Minnesota.

Indictment Record B, page 20

E156-457



State of Minnesota,

County of Carver

DISTRICT COURT

Eighth

Judicial District.

The State of Minnesota,  
vs.Peter Weinzierl, Walter Kusserow,  
Frank Harvey, Edward Radde and  
Henry Braun.

Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry Braun, are

accused by the Grand Jury of the County of Carver, in the State of Minnesota,

by this indictment, of the crime of assault in the second degree

committed as follows:

The said Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry Braun,

on the 24th day of August 1913, at the

Town of Laketown, Carver County, Minnesota

~~XXXXXXXXXXXX~~

being then and there armed with weapons likely to produce grievous bodily harm, to-wit, shot guns loaded with gun powder and leaden bullets, a rifle loaded with gunpowder and leaden bullets and revolvers loaded gun powder and leaden bullets, a more particular discription of said weapons or any or either of them being to this Grand Jury unknown, did, under circumstances not amounting to assault in the first degree, wilfully, wrongfully, unlawfully and feloniously with said weapons, to-wit, said shot guns, said rifle and said revolvers as aforesaid, in and upon one George Johnson make an assault, and did then and there with said weapons shoot and wound him, the said George Johnson with intent then and there had and entertained by them, the said Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry Braun, to wound and inflict grievous bodily harm upon him, the said George Johnson,

contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Minnesota.

Dated at Chaska, in the County of Carver, State of Minnesota, the fifteenth day of October 1913

Richard Kelly  
Foreman of the Grand Jury.



The following are the names of the witnesses duly sworn and examined before the Grand Jury upon the findings of the above indictment: *J. J. Brammworth, Frank Buchman, Clarence Gruber, Carl Sobety, George Johnson, Albert Johnson, and H. R. Bievers*

State of Minnesota,  
County of Carver

IN DISTRICT COURT

County of Carver

Judicial District.

*3* ss. Clerk of the District Court, in and for said County, State of Minnesota, do hereby certify that I have carefully compared the foregoing with the original indictment presented by the Grand Jury of said County against

and find that the same is a true and correct copy of said original and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said District Court at

this

J. D. 191

Clerk of the District Court, Carver County, Minnesota.

155 + 156  
Copy  
DISTRICT COURT

*Eighth*

Judicial District.

County of Carver.

THE STATE OF MINNESOTA

AGAINST

*Peter Meinzerl, Walter Kussaron, Frank Halvry, Edward Radde and Henry Braun*

INDICTMENT FOR

*Assault in the second degree.*

A TRUE BILL

*Richard Kelly*

Foreman of the Grand Jury.

Presented to the Court, in open Court, by the Foreman of the Grand Jury, in the presence of the Grand Jury, and filed with the Clerk of Court this

*Fifteenth*

day of

*October*

A. D. 191

*O. L. Lundstrom*

Clerk.

*John J. Fahy*

County Attorney,

Carver County, State of Minnesota.

E 156 - 157



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State of Minnesota,

County of Carver

DISTRICT COURT

Eighth

Judicial District.

The State of Minnesota,  
vs.Peter Weinzlerl, Walter Kussorow,  
Frank Harvey, Edward Radde and  
Henry Braun.Peter Weinzlerl, Walter Kussorow, Frank Harvey, Edward Radde and Henry  
Braun, are

accused by the Grand Jury of the County of Carver, in the State of Minnesota,

by this indictment, of the crime of assault in the second degree

committed as follows:

The said Peter Weinzlerl, Walter Kussorow, Frank Harvey, Edward Radde  
and Henry Braun,

on the 28th day of August 1913, at the

Town of Laketown, Carver County, Minnesota

~~in this County~~

~~xxx~~ being then and there armed with weapons likely to produce grievous  
bodily harm, to-wit, shot guns loaded with gun powder and leaden bullets,  
a rifle loaded with gunpowder and leaden bullets and revolvers loaded  
gun powder and leaden bullets, a more particular description of said  
weapons or any of either of them being to this Grand Jury unknown, did,  
under circumstances not amounting to assault in the first degree, wil-  
fully, wrongfully, unlawfully and feloniously with said weapons, to-wit,  
said shot guns, said rifle and said revolvers as aforesaid, in and upon  
one George Johnson make an assault, and did then and there with said  
weapons shoot and wound him, the said George Johnson with intent then  
and there had and entertained by them, the said Peter Weinzlerl, Walter  
Kussorow, Frank Harvey, Edward Radde and Henry Braun, to wound and inflict  
grievous bodily harm upon him, the said George Johnson,

contrary to the form of the Statute

in such case made and provided

and against the peace and dignity of the State of Minnesota.

Dated at Chaska, in the County of Carver, State of Minnesota, the Fifteenth

day of October 1913

Richard Kelly  
Foreman of the Grand Jury.



The following are the names of the witnesses duly sworn and examined before the Grand Jury upon the findings of the above indictment: *J. J. Braunnack, Faust Dietrichsen, Charles Graben, Carl Sabitz, George Johnson, Eliot Johnson, and H. R. Nicolson*

State of Minnesota.

County of Carver

IN DISTRICT COURT

Judicial District.

3

Clerk of the District Court, in and for said County, State of Minnesota, do hereby certify that I have carefully compared the foregoing with the original indictment presented by the Grand Jury of said County against

and find that the same is a true and correct copy of said original and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said District Court at

this

A. D. 191

Clerk of the District Court, Carver County, Minnesota.

DISTRICT COURT

*Eighth*

Judicial District.

County of Carver.

THE STATE OF MINNESOTA

AGAINST  
*Peter Heiniguel, Walter Kussarow,  
Frank Harvey, Edward Riddle  
and Henry Braun,*

INDICTMENT FOR

*Assault in the second  
degree*

A TRUE BILL

*Richard Kelly*

Foreman of the Grand Jury.

Presented to the Court, in open Court,  
by the Foreman of the Grand Jury, in  
the presence of the Grand Jury, and  
filed with the Clerk of Court this

*Fifteenth*

day of

*October*

A. D. 1913.

*O. L. Lundstrom*

Clerk.

*John J. Fahey*

Counsel Attorney.

Carver County, State of Minnesota.

E156-157

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State of Minnesota,

County of Carver

DISTRICT COURT

Eighth

Judicial District.

The State of Minnesota,  
vs.Peter Weinzierl, Walter Kussorow,  
Frank Harvey, Edward Radde and  
Henry Braun.Peter Weinzierl, Walter Kussorow, Frank Harvey, Edward Radde and Henry  
Braun, are

accused by the Grand Jury of the County of Carver, in the State of Minnesota,

by this indictment, of the crime of assault in the second degree

committed as follows:

The said Peter Weinzierl, Walter Kussorow, Frank Harvey, Edward Radde  
and Henry Braun,  
on the 24th day of August 1913, at the

Town of Laketown, Carver County, Minnesota

~~xxx this xxxxxxx~~

~~xxx~~ being then and there armed with weapons likely to produce grievous  
bodily harm, to-wit, shot guns loaded with gun powder and leaden bullets,  
a rifle loaded with gunpowder and leaden bullets and revolvers loaded  
gun powder and leaden bullets, a more particular description of said  
weapons or any or either of them being to this Grand Jury unknown, did,  
under circumstances not amounting to assault in the first degree, wil-  
fully, wrongfully, unlawfully and feloniously with said weapons, to-wit,  
said shot guns, said rifle and said revolvers as aforesaid, in and upon  
one George Johnson make an assault, and did then and there with said  
weapons shoot and wound him, the said George Johnson with intent then  
and there had and entertained by them, the said Peter Weinzierl, Walter  
Kussorow, Frank Harvey, Edward Radde and Henry Braun, to wound and inflict  
grievous bodily harm upon him, the said George Johnson,

contrary to the form of the Statute in such case made and provided  
and against the peace and dignity of the State of Minnesota.

Dated at Chaska, in the County of Carver, State of Minnesota, the fifteenth  
day of October 1913

Richard Kelly  
Foreman of the Grand Jury.



Copy 155+156

DISTRICT COURT

*Eighth* Judicial District.

County of Carver.

THE STATE OF MINNESOTA

AGAINST  
*Peter Keimperl, Walter Kusecrow,  
Frank Harry, Edward Radele  
and Henry Braun*

INDICTMENT FOR  
*Assault in the second  
degree*

A TRUE BILL

*Richard Kelly*  
Foreman of the Grand Jury.

Presented to the Court, in open Court,  
by the Foreman of the Grand Jury, in  
the presence of the Grand Jury, and  
filed with the Clerk of Court this

*Fifteenth* day of  
*October* A. D. 191*3*  
*O. L. Lundstrom*  
Clerk.

*John J. Fahey*  
County Attorney,  
Carver County, State of Minnesota.

E156-157

The following are the names of the witnesses duly sworn and examined before the Grand Jury upon the findings of the above indictment:  
*Clarence Sykes, J. J. Braunworth, Gust Schutte, Johnson, and H. R. Nielsen*

State of Minnesota,

County of Carver

IN DISTRICT COURT

Judicial District.

3

Clerk of the District Court, in and for  
said County, State of Minnesota, do hereby certify that I have carefully compared the foregoing with the  
original indictment presented by the Grand Jury of said County against

and find that the same is a true and correct copy of said original and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said District Court at

this

A. D. 191

Clerk of the District Court, Carver County, Minnesota.

Illegible  
(Light Ink)



State of Minnesota,

DISTRICT COURT

County of Carver

Judicial District,

The State of Minnesota,  
vs.Peter Weinslerl, Walter Kussorow,  
Frank Harvey, Edward Radde and  
Henry Braun.Peter Weinslerl, Walter Kussorow, Frank Harvey, Edward Radde and Henry  
Braun, by the Grand Jury of the County of Carver, in the State of Minnesota,by this indictment, of the crime of  
assault in the second degree

committed as follows:

The said Peter Weinslerl, Walter Kussorow, Frank Harvey, Edward Radde  
and Henry Braun, 24th day of August 1913, at the  
Town of Lakelawn, of Carver County, Minnesota, in this County  
did being then and there armed with weapons likely to produce grievous  
bodily harm, to-wit, shot guns loaded with gun powder and leaden bullets,  
a rifle loaded with gunpowder and leaden bullets and revolvers loaded  
gun powder and leaden bullets, a more particular description of said  
weapons of any of either of these being to this Grand Jury unknown, did,  
under circumstances not amounting to assault in the first degree, wil-  
fully, wrongfully, unlawfully and feloniously with said weapons, to-wit,  
said shot guns, said rifle and said revolvers as aforesaid, in and upon  
one George Johnson make an assault, and did then and there with said  
weapons shoot and wound him, the said George Johnson with intent then  
and there and entertained by them, the said Peter Weinslerl, Walter  
Kussorow, Frank Harvey, Edward Radde and Henry Braun, to wound and inflict  
grievous bodily harm upon him, the said George Johnson,

contrary to the form of the Statute in such case made and provided  
and against the peace and dignity of the State of Minnesota.

Dated at Chaska, in the County of Carver, State of Minnesota, the  
fifteenth day of October 1913

Richard Kelly  
Foreman of the Grand Jury.



Copy 55-4157

DISTRICT COURT

*Eighth*

Judicial District.

County of Carver.

THE STATE OF MINNESOTA

AGAINST  
*Peter Meinziel, Walter Kussarow,  
Franz Harvey, Edward Rodde  
and Harry Braun.*

INDICTMENT FOR

*Assault in the second  
degree*

A TRUE BILL

*Richard Kelly*

Foreman of the Grand Jury.

Presented to the Court, in open Court,  
by the Foreman of the Grand Jury, in  
the presence of the Grand Jury, and  
filed with the Clerk of Court this

*Fifteenth*

day of

*October*

A. D. 1913

*O. L. Lundstrom*

Clerk.

*John J. Fahey*

County Attorney.

Carver County, State of Minnesota.

The following are the names of the witnesses duly sworn and examined before the Grand Jury upon  
the findings of the above indictment: *J. J. Braunmuth, Frank Butchkin,  
Clarence Gralen, Carl Sabitz, George Johnson, Edward  
Johnson, and H. R. Duane.*

State of Minnesota,

County of Carver

IN DISTRICT COURT

Judicial District.

3

Clerk of the District Court, in and for

said County, State of Minnesota, do hereby certify that I have carefully compared the foregoing with the  
original indictment presented by the Grand Jury of said County against

and find that the same is a true and correct copy of said original and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said District Court at

this

A. D. 191

Clerk of the District Court, Carver County, Minnesota.

5156-157

113.23

Dr. Saper	25.00
" H R Dummer	35.00
St Barnabas Hosp.	23.93
A. E. Benjamin	25.00
Dr H H Marshall	79.60
	<u>188.53</u>
Burial Homes	15.00
	<u>203.53</u>
Dr E Lund	15.00
	<u>218.53</u>

Oct Term 1913

H R Dummer	21.44
" " "	10.00
" N Marshall	20.00
R P M Hamann	10.00
Sheriffs fees	44.35
	<u>105.79</u>
Witness fees	95.23
Justice fees	201.02
Witness H. J. J.	36.08

46  
6  
3.76

Dr. N H Marshall	<del>20.12</del> <sup>21.12</sup>
Elbert & Geo. Johnson	14.00
Chas Reil	4.44
Otto Reutz	4.44
Dr. H D Dillmer	1.12
Frank B Diethelm	2.72
Carl Labitz	3.32
Henry Kicher	7.52
Clarence Knicker	4.40
J. J. Brannan	4.40
Thos. Purfield	<del>2.44</del>
Rev. Schneider	<del>2.00</del>
Dr. Briel	<u>3.76</u>
	<u>100.00</u>

2.12  
14.00  
4.44  
~~4.44~~

Oct Term 1914

Sheriffs fees	20.25
Witness H. J.	36.08
Sheriff	19.50
Justice fees	201.02
H R Dummer	21.22

3  
3.32  
7.52  
4.40  
4.40

2.12

20.25

total \$ 310.40  
21.44  
331.84



Dr. N.H. Marshall	20.12	✓
Elbert Johnson & Geo.	14.00	✓
Chas. Reil	4.44	✓
Otto Kuntz	4.44	✓
Dr. H.D. Dummer	1.12	✓
Frank Diethelm	2.72	✓
Carl Labitz	3.32	✓
Henry Kicher	7.52	✓
Clarence Graeber	4.40	✓
J.J. Brammworth	4.40	✓
Phos. Burfield	2.44	✓
Rev. Schneider	68.92	✓
	<u>2.00</u>	

Dr. Bissel	70.92	
Special papers	12.76	
For Kather	83.68	
C.H. Helstrom	20.25	Sherriff's
Scally	104.03	
A.R. Johnson	5.40	
Alison Pratt	5.40	

38.80

70.92

109.92

331.72

440.44

20.25

69

H. Diethelm 2.72

460.00  
2.72

68.92  
22.00  
70.92  
72.00  
72.00

1.77  
1.77  
1.77  
1.77  
1.77

9.20  
9.20  
9.20  
9.20  
9.20

103.93  
103.93  
103.93  
103.93  
103.93



MINNEAPOLIS Oct. 20 191

County of Carver

Minnesota

TO DR. F. S. BISSELL, DR.  
THE DONALDSON BUILDING

Professional Services to date			
X-Ray Examination	Expert Witness Fees in E. Johnson Case. One Day Balance as per previous statement	100	00
Credits			
Amount Due		100	00

Received Payment

Illegible  
(Light Ink)



The District Court for the County of

**Carver.**

and State of Minnesota.

ss.

The STATE OF MINNESOTA, To any Sheriff or other Proper Officer in this State,  
Greeting:

An Indictment having been found on the 15th day of October  
A. D. 1913, in the District Court for the County of Carver charging  
Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and  
Henry Braun are accused by the Grand Jury of the County of Carver,  
in the State of Minnesota, by this indictment

with the crime of assault in the second degree committed as follows:

The said Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry Braun on the 24th day of August 1913, at the Town of Laketown, Carver County, Minnesota, being then and there armed with weapons likely to produce grievous bodily harm, to-wit, shot guns loaded with gun powder and leaden bullets, a rifle loaded with gunpowder and leaden bullets and revolvers loaded with gun powder and leaden bullets, a more particular description of said weapons or any or either of them being to this Grand Jury unknown, did, under circumstances not amounting to assault in the first degree, wilfully, wrongfully, unlawfully and feloniously with said weapons, to-wit, said shot guns, said rifle and said revolvers as aforesaid, in and upon one George Johnson make an assault, and did then and there with said weapons shoot and wound him, the said George Johnson with intent then and there had and entertained by them, the said Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and Henry Braun to wound and inflict grievous bodily harm upon him, the said George Johnson contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Minnesota.

Dated at Chaska, in the County of Carver, State of Minnesota, the Fifteenth day of October, 1913.

You are Therefore Commanded, Forthwith, to Arrest the above named

Peter Weinzierl, Walter Kusserow, Frank Harvey, Edward Radde and  
Henry Braun,

and bring them before this Court

to answer the Indictment,  
or if this Court has adjourned for the Term, that you deliver them into the custody of the Sheriff of the County of Carver County, Minnesota.

WITNESS the Honorable P. W. Morrison, Judge  
of the District Court aforesaid, at Chaska, Minn.,  
this 15th day of October  
in the year 1913.

By order of the Court,

O. L. Lundström

Clerk.



155-156

# DISTRICT COURT

*Eighth* Judicial District,  
County of *Carver*

The State of Minnesota,

AGAINST  
*Peter Weingierl, Walter Kuecrow,*  
*Franz Harvey, Edward Radele*  
*and Henry Braun.* *vs*

## BENCH WARRANT

GENERAL FORM

Issued *Oct. 15<sup>th</sup>* 19*13*,

*O. L. Lundstrom* Clerk.

By *H. Muehlberg* Deputy.

Returned *October 16<sup>th</sup>* 19*13*

*O. Lundstrom* Clerk.

By \_\_\_\_\_ Deputy.

*John J. Fahy*  
County Attorney,  
*Carver County,* Minnesota.

*E156-157*

State of Minnesota, }  
COUNTY OF CARVER, } ss.

District Court,  
Eighth Judicial District.

The STATE OF MINNESOTA, To

You are Hereby Commanded, To be and appear before the Judge of said Court, at the Court House in the City of Chaska in said County, all excuses and business being laid aside, on the 20th day of October A. D. 1914, at 10th o'clock M., to testify and give evidence in a certain action in said Court pending, and then and there to be determined between State of Minnesota,

Plaintiff, and

Peter Weinzierl, et. al.

Defendant S. on

the part of the State; And, also, that you bring with you and produce in evidence

X-Ray pictures taken of Elbert Johnson's forearm.

and all other documents which you have under your control, concerning the premises; and for a failure thereof you will be deemed guilty of contempt of Court, and you will be liable to the aggrieved party for all damages occasioned by such failure.

Witness, The Honorable P. W. Morrison, Judge

of said Court, and the seal thereof, at Chaska, Minn.

this 19th day of October A. D. 1914

(Seal)

O. L. Lundstrom Clerk.

By W. O. Muehlberg Deputy.



State of Minnesota,  
COUNTY OF CARVER

} ss.

I hereby certify and return that I served the within Subpoena on the within named \_\_\_\_\_  
\_\_\_\_\_ by reading the same to him and delivering to him  
a true copy thereof, at \_\_\_\_\_  
in said County and State, on this \_\_\_\_\_ day of \_\_\_\_\_ 191 \_\_\_\_\_

SHERIFF'S FEES:

Service, - \$ \_\_\_\_\_  
Mileage, - \$ \_\_\_\_\_  
Total, - \$ \_\_\_\_\_

Sheriff of said County.  
By \_\_\_\_\_ Deputy.

District Court  
Eighth Judicial District,  
County of Carver.

SUBPOENA  
DUCES TECUM

Witness,  
\_\_\_\_\_  
Filed this \_\_\_\_\_ day of \_\_\_\_\_  
A. D. 191 \_\_\_\_\_  
Clerk.  
By \_\_\_\_\_ Deputy.