



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

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3294-179

No.

DISTRICT COURT,

Carver County, Minnesota

Frances Schuy by her
Guardian M. J. C. Nyberg
Plaintiff

William Kramer
Defendant

M. J. C. Nyberg
Plaintiff's Attorney

John J. Foley
Defendant's Attorney

Date of Entry

March end 1914

Register of Actions

E

Page 188

Term Tried

191

Judgment for

Amount of Judgment, \$

Date of Judgment

191

Judgment Book

Page

Default Judgment Book

Page

Date of Docketing

191

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Note of Issue

State of Minnesota,
County of Carver,

In District Court,
Eighth Judicial District

Frances Schug, by her guardian
M. J. C. Nyborg,

Plaintiff.

-vs-

William Kramer,

Defendant.

Issue of Fact for trial by jury
Last pleading served February 20, 1914.

The Clerk will please place the above entitled cause of
action on the Calender for the next ^{general} term of said
court to be held in and for said County commencing March 9,
1914.

John J. Fahey,
Attorney for Defendant

M. J. C. Nyborg,
Attorney for Plaintiff

Attorney for Plaintiff
W. L. C. Hyatt

Attorney for Defendant
John T. Huxey

1914.

Settled on the 21st day of March 1914 and for said sum of money and costs of suit.

Part of money received by said sum of money and costs of suit.

William H. Hyatt

Defendant

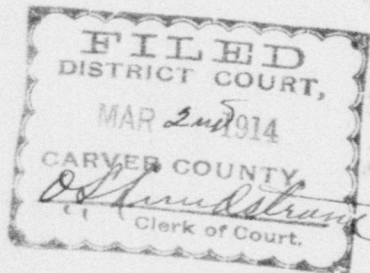
W. L. C. Hyatt

Plaintiff

Court of Carver County

in District Court

Date of issue



State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

THE STATE OF MINNESOTA

TO

Mrs. Anne H. Heimken

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 forthwith day of — 1904, at — o'clock in the — noon, then and there to give evidence in the cause to be tried between

Francen Schug, by her guardian M. J. C. Nyborg
Plaintiff, and

Wm. Kramer
Defendant on the part of the Plaintiff

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 18th
day of March A. D. 1904

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
Mr. J. H. Peterson
 presence, and by delivering to him a true copy thereof, in County and State aforesaid,
 on this *18th* day of *March* 190*4*

Fees, { Service, *\$2.00*
 { Mileage, *400*
 Total, *400*

By

Deputy Sheriff.

Sheriff of Carver County.

STATE OF MINNESOTA,
 COUNTY OF CARVER

DISTRICT COURT,
 Eighth Judicial District.

Francis Schug by his
guardian M. J. C. Nyberg
 AGAINST
William Kramer

SUBPOENA

Issued *March 18* 190*4*

O. L. Lundstrom
 Clerk District Court.

Returned and Filed

March 18th 190*4*

O. L. Lundstrom
 Clerk.

On part of

Plff.

STATE OF MINNESOTA, }
COUNTY OF CARVER, } SS.

DISTRICT COURT,
EIGHTH JUDICIAL DISTRICT.

Frances Schug, by her guardian,
M. J. C. Nyborg,
Plaintiff,
vs.
William Kramer,
Defendant. *

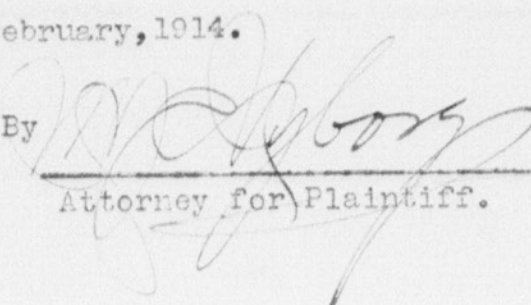
S U M M O N S.

THE STATE OF MINNESOTA TO THE ABOVE NAMED DEFENDANT:

You are hereby
summoned and required to answer the complaint of the Plaintiff in
the above entitled action, a copy of which complaint is hereto
attached and hereby served upon you, and to serve a copy of your
answer to the said complaint upon the subscriber thereof at his
office in the Dean Building, 316 Third Ave. So., (Room N) Second
Floor, Minneapolis, Minnesota, within twenty days after service of
this summons upon you, exclusive of the day of such service; and
if you fail to do so, the Plaintiff will apply to the court for
the relief demanded in the said complaint.

Dated this 14th day of February, 1914.

By


Attorney for Plaintiff.

Guardian

STATE OF MINNESOTA,)
COUNTY OF CARVER,) SS.

DISTRICT COURT,
EIGHTH JUDICIAL DISTRICT.

Frances Schug, by her guardian,
M. J. C. Nyborg,

Plaintiff,

vs.

William Kramer,

Defendant.

C O M P L A I N T.

Now comes the plaintiff and for a cause of action against the defendant, the plaintiff alleges:

That the plaintiff, Frances Schug, is a minor, under eighteen years of age.

That M. J. C. Nyborg was on the 26th day of September, 1913, duly appointed the guardian of the said Frances Schug, by the Hon. John A. Dahl, Judge of the Probate Court of the County of Hennepin, State of Minnesota. That the said M. J. C. Nyborg has filed a written consent to act as such guardian and given a bond duly approved by the said Judge of the Probate Court for the faithful performance of his duties and that he now is and since the said 26th day of September, 1913, has been the duly qualified and acting guardian of said minor.

That the said Frances Schug, the plaintiff herein, was born of August 31st, 1896, and lived with her parents until the death of her mother and the remarriage of her father; that thereafter, on or about the first of January, 1905, she was sent to live with the defendant herein on a farm in Carver County, Minnesota.

That the defendant then agreed to take the said plaintiff

into his family, to treat her kindly and in return for such work as she might be able to do, taking into consideration her strength and tender years, to clothe her properly, care for her and give her a good common school education.

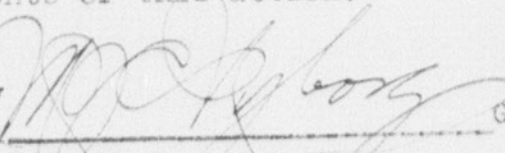
That when the plaintiff went to live with the defendant she was between eight and nine years of age, healthy, sound of body, and in good physical condition.

That heretofore, on or about the year 1908 and in the Spring of said year, while the said Frances Schug was living with and under the care of the defendant, the defendant entered the bed-room of the said Frances Schug, and then and there assaulted the said Frances Schug and attempted by force and against her will to have carnal knowledge of the said Frances Schug. That the said defendant then took hold of the said Frances Schug and handled her roughly and violently, and it was only by using her entire strength that she was able to prevent the defendant from accomplishing his purpose.

That by said assault the said Frances Schug was bruised and injured physically and also suffered great humiliation and mental and bodily pain.

That by reason of the aforesaid acts of the defendant the plaintiff suffered injuries and damages to the amount of Five Thousand Dollars (\$5,000.00).

WHEREFORE, the Plaintiff demands judgment against the defendant for the sum of Five Thousand Dollars, (\$5,000.00), together with costs and disbursements of this action.

By 

Guardian

Attorney for Plaintiff,
Dean Building, 316 Third Ave. So.,
Minneapolis, Minnesota.

STATE OF MINNESOTA, {
COUNTY OF HENNEPIN, { SS. Frances

Frances Schug, being first duly sworn, upon oath says that she is the plaintiff, in the foregoing within entitled action; that she has heard read the foregoing complaint; that the same is true of her own knowledge, except as to those matters therein stated on information and belief, and as to such matters she believes it to be true.

Frances Schug.

Subscribed and sworn to before me this 13th day of February, 1914.

Green
Notary Public, Hennepin County,
Minnesota.

My commission expires

Jan 5/1921

(Original)
1914

STATE OF MINNESOTA
COUNTY OF CARVER
DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

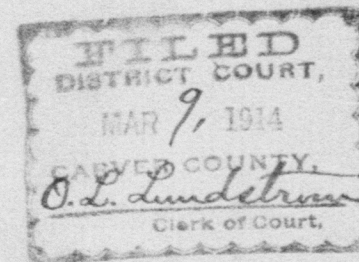
Frances Schug, by her guardian
M.J.C. Nyborg,

Plaintiff,

-vs-

William Kramer,

Defendant.



(180)

M. J. C. NYBORG
Plaintiff's Attorney
Dean Building,
316 - 3rd Ave. So.,
Minneapolis, Minn.

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STATE OF MINNESOTA, }
County of Carver }

ss.

DISTRICT COURT,

Eighth

Judicial District

Frances Schug, by her Guardian M. J. C.

Nyborg

Plaintiff

vs

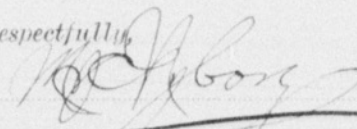
William Kramer

Defendant

Sir: You will Please to Take Notice, That the issue of Fact
in the above entitled action will be brought on for Trial at the next
General Term of the District Court to be held in and for the County of Carver
at the Court House in the City of Chaska in said County on the Ninth
day of March A. D. 1914, at the opening of said Court on that day, or as soon there-
after as counsel can be heard.

Dated 19

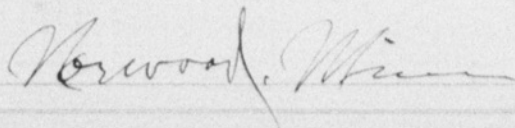
Yours respectfully,



Attorney for Plaintiff

To John J. Fahey

Attorney for Defendant



District Court,

Judicial District

County of

Carver

Frances Behr, by
her guardian M. J. O'Leary
Plaintiff vs.

William Krueger
Defendant

Notice of Trial.

Due service of the within Notice is

hereby admitted this

9th

day of March 1914

at City of Chaska, Minn.

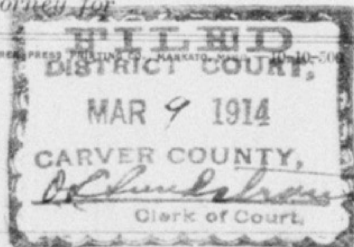
John J. Fahney,

Attorney for

Def.

Attorney for

200—FREE PRESS PRINTING CO. —MANKATO, MINN. 10-10-14



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STATE OF MINNESOTA,
COUNTY OF CARVER,

IN DISTRICT COURT,
EIGHTH JUDICIAL DISTRICT.

Frances Schug, by her guardian,
M. J. C. Nyborg,

Plaintiff.

-vs-

William Kramer,

Defendant.

}
A N S W E R.
}

Comes now said defendant and for his Answer to the Complaint of the Plaintiff herein he denies said Complaint and each and every part and portion thereof and the whole thereof.

WHEREFORE defendant demands judgment:

- (1) That said action be hence dismissed.
- (2) That he have his costs and disbursements herein.

John J. Fahey
Attorney for Defendant,

Norwood, Minnesota.

State of Minnesota,

County of Carver.

William Kramer

being first duly sworn upon oath says
that he is the Defendant in the foregoing
and within entitled action; that he has heard read the foregoing Answer
that the same is true of his own knowledge, except as to
matters therein stated on information and belief, and as to such matters he believes it to be true.

Wm Kramer

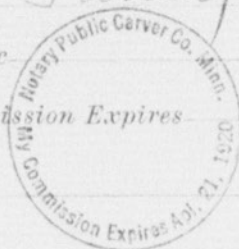
Subscribed and sworn to before me this 13th day of
February 1914.



John J. Fahy

Notary Public

My Commission Expires



Minnesota.

State of Minnesota,

COURT.

County.

JUDICIAL DISTRICT.

Plaintiff.

AGAINST

SUMMONS

Defendant.

The State of Minnesota to Above Named Defendant:

You are hereby summoned and required to answer the complaint of the Plaintiff
in the above entitled action, which complaint is hereto annexed and herewith served upon you
Court, at the
County of and State of Minnesota, and to serve a copy of your answer to the
said complaint on the subscriber, at office, in the of
in said County of within days after service of this summons upon
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 for the sum of
Dollars, (\$) with interest at the rate of per
cent per annum since the day of 19

together with Plaintiff's costs and disbursements herein.

Dated 19

Plaintiff's Attorney.

Minn.

179
Original (COPY)

State of Minnesota

County of Carver.

In District Court.

Frances Schug, by her guardian,

M. J. C. Nyborg,

Plaintiff.

vs.

William Kramer,

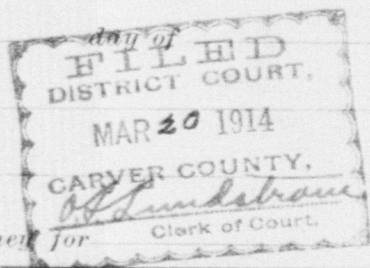
Defendant.

Answer

Due and personal service of the within

admitted

this



Attorney for

J. J. FAHEY

Norwood, : Minn.

Attorney for Defendant.

E 180

State of Minnesota.

County of

ss.

and says, that at the

day of

19—, he served the within

upon

the

therein named, personally, by

leaving with said

with

at the house of the usual abode of said

person of suitable age and discretion, then resident therein, a true and correct copy of said

Subscribed and sworn to before me this

day of

19—

Notary Public

My Commission Expires

County, Minn.

State of Minnesota,

DISTRICT COURT,

County of Carver,

Eighth Judicial District

Frances Schug, by her Guardian M.J.G.

Nyborg

Plaintiff

No. 24

Against

List of Jurors.

William Kramer

Defendant

Attorneys Mark Here	NAMES	REMARKS
1	George Inatus	
2	Gottfried Schlueter	
3	Edward Campbell	
4	Henry Plaen	Pf. 07
5	Carl Jellmann	
6	Henry Kuhlman	Deft 1
7	George Becker	
8	Eldo Gustafson	
9	Emil Schmidt	
10	Robert Demme	
11	Aug. Schaecke	
12	Edward Fink	
13	Theo D. Braherg	
14	Thas. Klingelhatz	
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179
No. 24

STATE OF MINNESOTA,

County of Carver,
DISTRICT COURT.

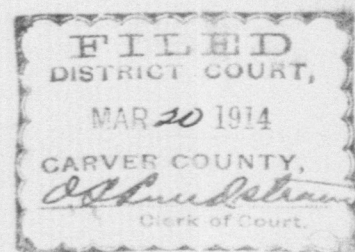
*Frances Schuy by her
Guardian M. J. Nyberg.*

Plaintiff

Against

William Kramer
Defendant

JURY LIST



No. 982

E 180

State of Minnesota, }
COUNTY OF HENNEPIN

peffa
Pet

LETTERS OF GUARDIANSHIP.

M. J. C. Nyborg of Hennepin County, Minnesota, is

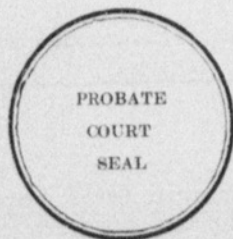
hereby appointed GUARDIAN of the person and estate of

Frances Schug of said County and State, minor.

Witness, ^{John A. Dahl}
Hon. ~~GEORGE R. SMITH~~ Judge of the Probate Court in the County of Hennepin.

and the seal of the Court, affixed the 26th day of September A. D. 1913.

By the Court:



John A. Dahl

Judge of Probate, Hennepin Co. Minn.

File No......

State of Minnesota,

COUNTY OF HENNEPIN.

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

.....

.....

.....

LETTERS OF GUARDIANSHIP

Recorded in Book "....." of Letters

on Page

State of Minnesota, }
County of Hennepin. } ss.

Probate Court 7941

I, ARTHUR E. CASTLE, Clerk of the Probate Court, within and for said County of Hennepin,
and Custodian of the Seal and Records of said Court, do hereby certify that I have compared the foregoing
copy of the record of the letters of guardianship, in the matter of the
Guardianship of Francis Schug, minor,

with the original records thereof now remaining in this office and have found the same to be correct
transcripts therefrom, and of the whole of such original Records. And I further certify that said exempli-
fication would be received in evidence in all the Courts of the State of Minnesota.

In Testimony Whereof, I have hereunto set my
hand and affixed the Seal of said Court, at Minne-
apolis, in said County, this 6th
day of October A. D. 1913.

Arthur E. Castle

Clerk of Probate Court.

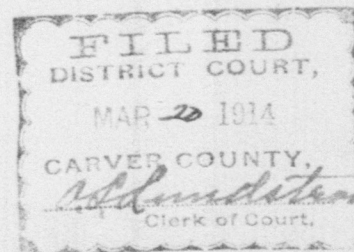
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9608

STATE OF MINNESOTA
COUNTY OF HENNEPIN

PROBATE COURT

In the Matter of the ~~Estate of~~
Guardianship of
Frances Schug, minor.
Letters of guardianship

CERTIFIED COPY.



State of Minnesota,
County of *Carver*

IN DISTRICT COURT OF SAID COUNTY,

88.

8th

Judicial District

March Term, 1914

Term, 1914

IN THE MATTER OF

Frances Schug
by her guardian
vs.

Plaintiff

William Kramer
Defendant

And, The Jury impaneled and sworn in the above entitled action, find for the defendant

Not Guilty

Carl Zillman
Foreman.

Dated at *Shaska* this *20th* day of *March* A. D. 1914

179

DISTRICT COURT,

8th Judicial District

March Term, 1914

State of Minnesota, }
County of Carver } ss.

VERDICT FOR DEFENDANT

IN THE MATTER OF

Frances Schug
by her guardian
vs. Plaintiff

William Krause
Defendant

Filed in open Court the 20th

day of March 1914

O. S. Sundstrom
Clerk.

No. 864

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STATE OF MINNESOTA,
COUNTY OF CARVER,

IN DISTRICT COURT,
EIGHTH JUDICIAL DISTRICT

Frances Schug, by her Guardian,
M. J. C. Nyborg,
Plaintiff.

-vs-

Separate Answer of Martha Kramer.

William Kramer and
Martha Kramer, Defendants.

6

Comes now said defendant, Martha Kramer, and for her separate answer to the complaint of the plaintiff herein she alleges.

That her true name is Martha Kramer and not Martha Kramer as stated in the complaint herein.

That whether or not M. J. C. Nyborg was appointed guardian of Frances Schug this defendant has not sufficient knowledge of information to form a belief therefore she denies the same.

Defendant further alleges that she is the wife of and resides with the said defendant, William Kramer, at their home on a farm in the town of Young America, Carver County, Minnesota.

Defendant further avers and alleges that said Frances Schug came to said farm to live with this defendant and her said husband sometime in January or February, 1905, and lived with defendants in their said home to and until the latter part of March, 1909.

Defendant avers that at all times while said Frances Schug lived with her and her said husband she treated her in a kind and human manner, and she specifically denies that she ever at any time assaulted, struck, beat bruised or maimed said Frances Schug, but avers the facts to be that she occasionally, when the actions and conduct of said Frances warranted it, reprimanded said Frances Schug, but that she did so in a kindly spirit and for the purpose of bringing up said Frances Schug in a Christian manner.

Defendant further avers that she never mistreated said Frances Schug and she specifically denies that said Frances Schug became deformed and crippled by reason of any hard manual labor per-

formed on the farm of this defendant's husband but avers the facts to be that said Frances Schug was naturally deformed and crippled.

Further answering defendant alleges that said Frances Schug, while she lived on the farm of defendant's husband was regularly sent to the public school in the home district, and during the summer months was sent to the German Lutheran School at Hamburg, Minnesota.

Further answering this defendant denies said complaint and each of the first, second and third causes of action therein and each and every part and portion thereof and the whole thereof.

Wherefore this defendant demands judgment that this action be dismissed as to her and that she have her costs and disbursements herein.

John J. Fahey,
Attorney for Defendant, Martha Kramer,
Norwood, Minnesota.

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(ORIGINAL)

District Court

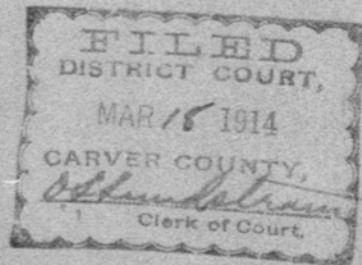
Carver County

Frances Schug, by her
Guardian M.J.C. Nyborg

-vs-

William Kramer and Martha
Kramer

Separate Answer of Martha
Kramer



E/80.

3395 180
No.

DISTRICT COURT,

Carver County, Minnesota

In the Matter of the laying out
and establishing a public
road running from
through the said County
of Carver and Hamper

Defendant

John J. [Signature]
Petitioner & Attorney

Defendant's Attorney

Date of Entry March 2nd 1914

Register of Actions, E Page 181

Term Tried 191

Judgment for

Amount of Judgment, \$

Date of Judgment 191

Judgment Book Page

Default Judgment Book Page

Date of Docketing 191

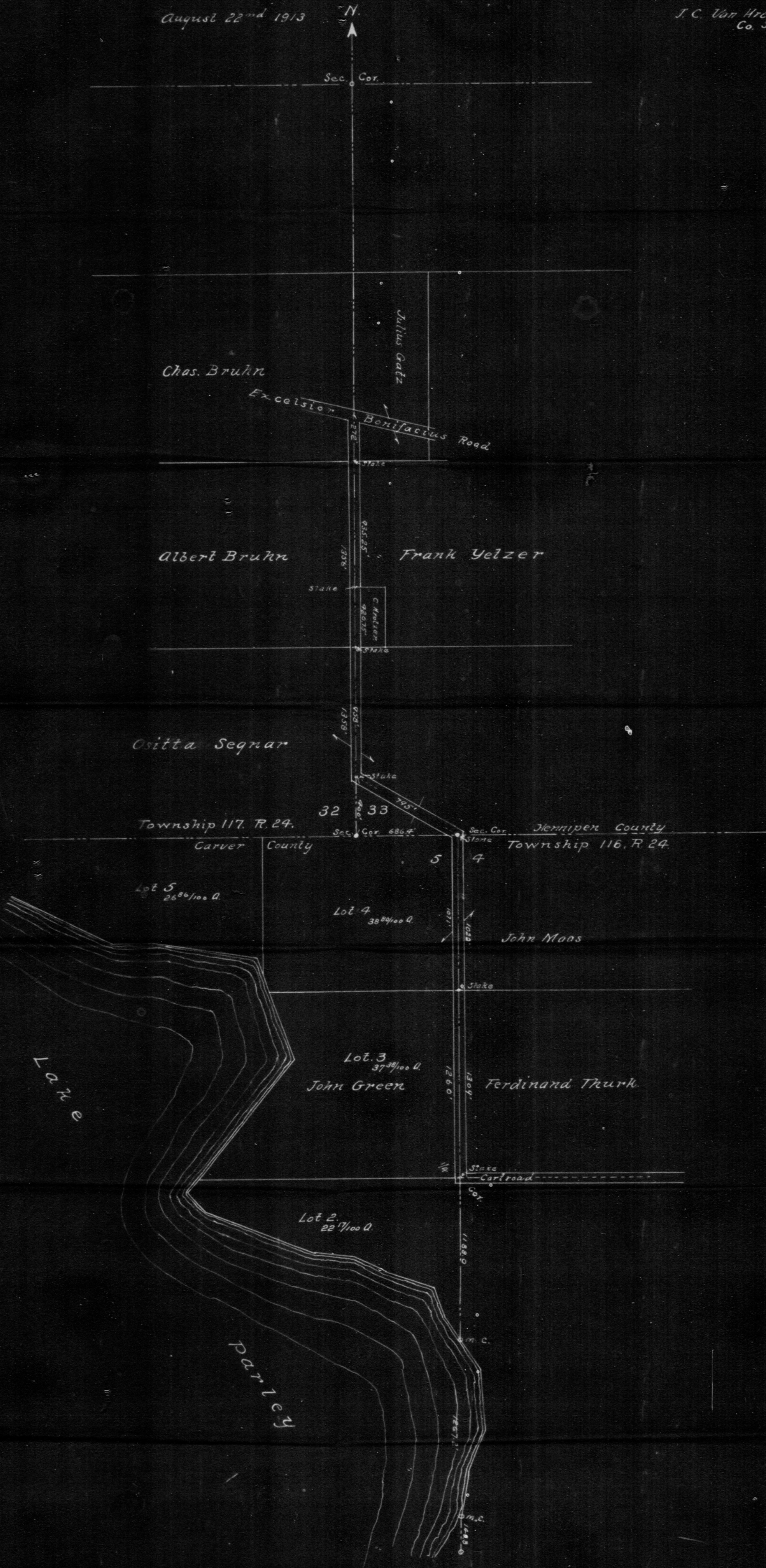
PLAT OF PROPOSED JUDICIAL ROAD

Carver and Hennipen Counties, The center line of which is described as follows, to-wit:

Commencing at the Quarter post on line between Sections Four (4) and Five (5), Township 116, N. of Range 24, West; Thence North on Section line a distance of Twenty-three hundred thirty-one (2331) feet to the section corner of sections four (4) and five aforesaid; thence North 58° 45' West a distance of seven hundred ninety-five (795) feet to a point on Section line, a distance of four hundred (400) feet North from the Southwest corner of Section Thirty-three (33) Township 117, N. of Range 24, W. thence North on Section line between Sections Thirty-two (32) and Thirty-three (33) Township and Range aforesaid, a distance of Twenty-five hundred eighty-six (2586) feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

August 22nd 1913

J. C. Van Havelen,
Co. Surveyor.



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(Light Ink)

State of Minnesota

County of Carver and Hennipen

In District Court,

In the matter of laying out and establishing a Judicial road running into and through the said Counties of Carver and Hennipen

To the Honorable P. W. Morrison Judge of said Court,

120
I, J. C. Van Krevelen appointed by said court in said above entitled matter, under and by virtue of appointment therein bearing date the 20th day of November, 1913, to lay out and survey a Judicial road running into and through the said Counties of Carver and Hennipen, do hereby beg leave to report as follows.

1st. That I have made a survey of the aforesaid Judicial road, that I have made a plat of said survey, a copy of which is hereto attached

2nd That I have caused stakes to be set as indicated upon the said plat.

3rd. That the center line of the said Judicial road is indicated in red upon the said plat.

4th. That the field notes of the center line of the said Judicial road appear at the top of the attached plat.

Respectfully submitted,

Dated this 2nd day of March A.D. 1914

J. C. Van Krevelen
.....
Surveyor.

Dated this 2nd day of March A.D. 1914

Respectfully submitted,

road appear at the top of the attached plat.

4th. That the field notes of the center line of the said judicial road upon the said plat.

3rd. That the center line of the said judicial road is indicated in plat.

2nd. That I have caused stated to be done as indicated upon the said plat. I have made a plat of said survey, a copy of which is herewith being left to register follows.

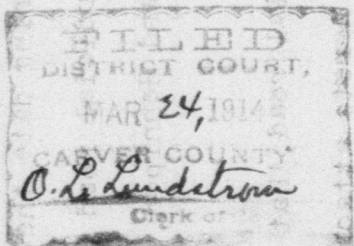
running into and through the said Councils of Carver and 30th day of November, 1912, to lay out and survey a judicial road, under and by virtue of appointment therein bearing date 1. J. C. Van Kleevelan appointed by said court in said above entitled

into and through the said Councils of Carver and Hamilton

in the matter of laying out and establishing a judicial road running in District Court.

County of Carver and Hamilton

State of Minnesota



By H. D. Muehlberg, Deputy

Notice of Presentation of Petition.

Notice is hereby given that a petition for the laying out and establishing of a Judicial Road running into and through the counties of Carver and Hennepin, in the State of Minnesota, a true copy of which petition is hereto attached, will be presented to the honorable P. W. Morrison, judge of the District Court in and for the Eighth Judicial District of said state of Minnesota, at the General Term of said Court appointed to be held at the Court House in the city of Glencoe, in the county of McLeod, in said Eighth Judicial District of said state, on Thursday the 20th day of November, 1913, at the opening of Court on that day or as soon thereafter as Counsel can be heard for the hearing of said petition, the appointment of commissioners thereunder, and for such further proceedings therein as in such cases is provided by statute.

Dated at Norwood, Minnesota, this 20th day of September, 1913.

JOHN J. FAHEY,

Attorney for Petitioners.

P e t i t i o n

State of Minnesota

Counties of Carver and Hennepin

In the District Courts of Carver and Hennepin Counties.

In the matter of the laying out and establishing a Judicial Road running into and through the said counties of Carver and Hennepin.

To the Honorable P. W. Morrison, Judge of the Eighth Judicial District of Carver County, Minnesota.

The undersigned, legal voters, freeholders and taxpayers residing in the counties of Carver and Hennepin, in the state of Minnesota, do hereby respectfully petition said court to lay out and establish a Judicial Road four rods wide running into and thru the counties of Carver and Hennepin, in Said state of Minnesota, and which said Judicial Road is described as follows:

To lay out and establish said Judicial Road so running into and thru the said counties of Carver and Hennepin, so

that the center line of said Judicial Road when laid out and established will run as follows: Commencing at the Quarter Section corner of Section (4) and (5) Township 116 N. of Range 24 West, Carver County, Minnesota, Thence north on section line a distance of twenty-three hundred thirty one (2331) feet to the section corner of section Four (4) and Five (5) aforesaid, thence running a distance of seven hundred ninety-five (795) feet to a point on section line, a distance of four hundred (400) feet north from the Southwest corner of Section Thirty three (33) Township 117, N. of Range 24, W. said Hennepin County, Minnesota, Whence north on section line between sections Thirty-two (32) and Thirty-three (33) Township 117 N. of Range 24 W. said Hennepin County, Minnesota, a distance of Twenty-five hundred eighty six (2586) feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

That the owners of the land over which said proposed Judicial Road will run, to-wit: Albert Bruhn, Chas. Bruhn, Julius Gatz and Chas. Krotzer, residing in Said Hennepin County.

Wherefore your petitioners pray that you will proceed to lay out, establish and cause to be opened to travel said proposed Judicial Road as above described.

Petitioners: Adolph Klatt, Herman Klatt, Ferdinand Thurk, Edward Walter, Geo. Fink, John Green, Gust Kowalke, Sam Walter, Henry Sohns, John Gast, Ferdinand Buelow, M. Zorbe, Theo. Hedtke, Christ Fink, Bernard Logelin, Martin Maas, John Hegerle, John H. Gothmann, Ignatz Brandl, Albert Dill, John Pauly, Chas. Lohrke, M. H. Hegerle, Joseph Weinzirel, H. Neubauer, Geo. T. Logelin, Frank A. Schuller, Jos. Hauwiller, Hy Gothmann, Frank J. Hauwiller, L. A. Klotz, J. A. Ahlstrom, Julius Gatz.

County of Carver, Minnesota,

To

Hopkins News
Carver County

Dr.

*Re Publishing Judicial Bond Leaf**1960*

State of Minnesota,

County of Carver,

{ ss.

I,

A. Harace

being duly sworn,

do depose and say that the annexed bill is just and true; that the property, goods, merchandise, labor or services therein charged was actually delivered or rendered to Carver county, and of value charged, and that no part thereof has yet been paid.

Subscribed and sworn to before me this

3rd

day of

A. Harace
Nov. 8
Editor Hopkins News

191

Chaska
Notary Public, Hennepin County, Minn.
My commission expires Nov. 7th 1917.

Leopold News
Account Against

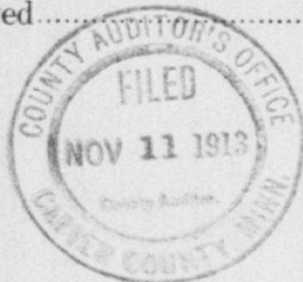
County of Carver

Minnesota

Amount of Claim, \$19.60

Amount Allowed, \$

Allowed 191...



Within bill is in form

County Attorney

Chairman Board of County Com.

NOTICE OF PRESENTATION OF PETITION.

Notice is hereby given, that a petition for the laying out and establishing of a judicial road running into and through the counties of Carver and Hennepin, in the state of Minnesota, a true copy of which petition is hereto attached, will be presented to the Honorable P. W. Morrison, judge of the district court in and for the eighth judicial district of said state of Minnesota, at the general term of said court appointed to be held at the court house in the city of Glencoe, in the county of McLeod, in said eighth judicial district of said state, on Thursday, the 20th day of November, 1913, at the opening of court on that day or as soon thereafter as counsel can be heard for the hearing of said petition, the appointment of commissioners thereunder, and for such further proceedings therein as in such cases is provided by statute.

Dated at Norwood, Minnesota, this 20th day of September, 1913.

JOHN J. FAHEY,
Attorney for Petitioners,
Norwood, Minnesota.

Petition.

STATE OF MINNESOTA, Counties of Carver and Hennepin.

In the District Courts of Carver and Hennepin Counties.

In the matter of the laying out and establishing a Judicial Road running into and through the said counties of Carver and Hennepin.

To the Honorable P. W. Morrison, Judge of the Eighth Judicial District of Carver County, Minnesota.

The undersigned, legal voters, freeholders and taxpayers residing in the counties of Carver and Hennepin, in the state of Minnesota, do hereby respectfully petition said court to lay out and establish a judicial road four rods wide running into and through the counties of Carver and Hennepin, in said state of Minnesota, and which said judicial road is described as follows:

To lay out and establish said judicial road so running into and through the said counties of Carver and Hennepin so that the center line of said judicial road when laid out and established will run as follows: Commencing at the quarter post on line between sections four (4) and five (5), township 116, north of range 24 west, Carver county, Minnesota; thence north on section line, a distance of twenty-three hundred thirty-one (2331) feet to the section corner of sections four (4) and five (5) aforesaid; thence running north in Hennepin county 58 45' west, a distance of seven hundred ninety-five (795) feet to a point on section line, a distance of four hundred (400) feet north from the southwest corner of section thirty-three (33), township 117, north of range 24 west, said Hennepin county, Minnesota; thence north on section line between sections thirty-two (32) and thirty-three (33), township 117, north of range 24 west, said Hennepin county, Minnesota, a distance of twenty-five hundred eighty-six (2586) feet, to a point in the center of the Excelsior-Bonifacius road and there terminating.

That the owners of the land over which said proposed judicial road will run are John Green, Ferdinand Thurk, John Maas, residing in said Carver county, and Ositta Segnar, Frank Yetzer, Albert Bruhn, Chas. Bruhn, Julius Gatz and Chas. Krotzer, residing in said Hennepin county.

Wherefore your petitioners pray that you will proceed to lay out, establish and cause to be opened to travel said proposed judicial road as above described.

Dated at Laketown township, Sept. 17, 1913.

ADOLPH KLATT,
HERMAN KLATT,
FERDINAND THURK,
EDWARD WALTER,
GEO. FINK,
JOHN GREEN,
GUST KOWALKE,
SAM WALTER,
HENRY SOHNS,
JOHN GAST,
FERD. BUELOW,
M. ZORBE,
THEO. HEDTKE,
CHRIST. FINK,
BERNARD LOGELIN,
MARTIN MAAS,
JOHN HEGERLE,
JOHN H. GOTHMANN,
IGNATZ BRANDL,
ALBERT DILL,
JOHN PAULY,
CHAS. LOHRKE,
M. H. HEGERLE,
JOS. WEINZIREL,

is
Arachoes, Kiowas, Comanches, at
even some Apaches, the most dard
and desperate warriors of the plai
Yet this was no time to hesitate,
debate; it was a moment for decis

Affidavit of Publication in The Waconia Patriot

State of Minnesota, } SS.
County of Carver,

Chas. A. Reil being duly sworn, says that he is and during all the time hereinafter mentioned has been the printer and publisher of a weekly newspaper known as *The Waconia Patriot*, that said newspaper is a collection of reading matter in columns and sheet form, consisting of general and local news, comment and literary items, that during all the time for ten years last past the said newspaper has been and now is published in the English language, weekly, in the Village of Waconia, in Carver County, Minnesota, at an established office therein, equipped with the necessary materials and skilled workmen for producing the same, and that the said newspaper has been during all of said time and now is printed in part in said office, in said city, where the same is dated, that said newspaper during all of said time has had and now has general circulation in said village and throughout the said Carver County, and during all of said time has consisted and now consists of not less than four pages of six columns to each page, each column not less than seventeen and three-quarter inches long, that during all of said time there has been and now is published and delivered weekly, at each regular issue of said paper, more than 240 complete copies of said paper to paying subscribers, that said paper is not substantially a duplicate of any other publication, is not made up wholly of patents and plates and advertisements, that the publisher of said paper did file with the County Auditor of Carver County an affidavit setting forth the facts required by Section 2, of Chapter 33, of the Laws of the State of Minnesota for the year 1893 and amendments thereto. That the annexed printed notice of

Judicial Road Petition
hereto attached and made a part hereof, was cut from the columns of said newspaper and was published in said newspaper for *4* successive weeks, once in each week; that said notice was first published in said newspaper on Friday, the *26* of *September* A. D. 19*13* and was thereafter published in said newspaper on each and every succeeding Friday until and including Friday, the *17* day of *October* A. D. 19*13* (*4* insertions), and that during all of said period said newspaper was published on Friday of each week.

Chas. A. Reil
Sworn and subscribed to before me this *23* day of *October* A. D. 19*13*

J. J. S. S. S.
Notary Public, Carver County, Minnesota.

my com exp 20, 1919

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(Light Ink)

State of Minnesota,
Carver

In the District Courts of

Counties of ~~Hennepin~~ and Hennepin. Carver and Hennepin Counties.

In the Matter of the laying out
and establishing a Judicial
Road running into and through
the said Counties of Carver and
Hennepin.

State of Minnesota,)
Carver } ss
County of Hennepin.)

John J. Fahy, being duly sworn, says that
he is a resident of ~~Hennepin~~ County, Minnesota, and is more than
25 years of age; that at the County of ~~Hennepin~~ Minnesota, on the
15th day of October, 1913, he served the within Notice of
Presentation of Petition on Chas Buskowsky Jr
Chairman of the Board of County Commissioners of ~~Hennepin~~ County,
Minnesota, personally, by handing to and leaving with him a true
and correct copy thereof.

Subscribed and sworn to before me this 17th day of November, 1913.

John J. Fahy
Albert H. Krauske
Justice of the Peace,
Carver Co. Minn

State of Minnesota,
Counties of Carver and Hennepin.

In the District Courts of
Carver and Hennepin Counties.

In the Matter of the laying out
and establishing of a Judicial
Road running into and through
the said Counties of Carver and
Hennepin.

State of Minnesota,
County of Carver ss

Chas. A. Reil, being duly sworn, says that he is a resident
of Carver County, Minnesota, and is more than 25 years of age;
that at the Town of Laketwon, Carver County, Minnesota, on the
29th day of September, 1913, he served the within
Notice of Presentation on Frank Lundsten, Town Clerk of said
Town, personally by handing to and leaving with him a true and
correct copy thereof; that on the 29th day of September, 1913,
at the Town of Minnetrista, he served the ^{said} within Notice of Pre-
sentation of Petition on John Weinzierl, Town Clerk of said Town
personally by handing to and leaving with him a true and correct
copy thereof; that on the 29th day of September, 1913,
he posted Notices of Presentation of Petition within, at the
Town of Laketown, Carver County, Minnesota, by posting on copy
thereof at The Scandia Church
by posting one copy thereof at intersection of the Victoria - St. Bonifacius road and
the Excelsior - Wacouia Road
and by posting one copy thereof at school house in Dist 16,
which are three conspicuous and usual places of posting notices
in said town of Laketown; he further says that he posted of Pre-
sentation of Petition within, on the 29th day of September
1913, at the Town of Minnetrista, Hennepin County, Minnesota, by
posting one copy thereof at Town Hall,
by posting one copy thereof at State Bank of St. Bonifacius and
by posting one copy thereof at Post office at St. Bonifacius
which are three usual and conspicuous places of posting notices in

said Minnetrista Town.

Chas A. Reil

Subscribed and sworn to before me this 10th day of November, 1913.

John J. Fahey
Notary Public Cass Co Minn
My Comm. Expires April 24, 1920

State of Minnesota,
Carver

In the District Courts of

Counties of ~~Hennepin~~ and Hennepin. Carver and Hennepin Counties.

In the Matter of the laying out
and establishing a Judicial
Road running into and through
the said Counties of Carver and
Hennepin.

State of Minnesota,)
County of Hennepin.) ss

A. F. Havacek, being duly sworn, says that
he is a resident of Hennepin County, Minnesota, and is more than
25 years of age; that at the County of Hennepin, Minnesota, on the
18th day of October, 1913, he served the within Notice of

Presentation of Petition on C. W. Carlson,
Chairman of the Board of County Commissioners of Hennepin County,
Minnesota, personally, by ^{mailing} ~~handing~~ to and leaving with him a true
and correct copy thereof.

Subscribed and sworn to before me this 10th day of November, 1913.

A. J. [Signature]
Notary Public, Hennepin County, Minn.
My commission expires Nov. 7th 1917.

Notice of Presentation of Petition

Notice is hereby Given, That a petition for the laying out and establishing of a Judicial Road running into and through the counties of Carver and Hennepin, in the state of Minnesota, a true copy of which petition is hereto attached, will be presented to the Honorable P. W. Morrison, Judge of the District Court in and for ~~THE COUNTY OF HENNEPIN~~, ~~IN~~ the Eighth Judicial District of said State of Minnesota, at the General Term of said Court appointed to be held at the Court House in the City of Glencoe, in the County of McLeod, in said Eighth Judicial ^{District} of said State, on Thursday the 20th day of November, 1913, at the opening of Court on that day or as soon thereafter as Counsel can be heard for the hearing of said petition, the appointment of commissioners thereunder, and for such further proceedings thereon as in such cases is provided by statute.

Dated at Norwood, Minnesota, this 20th day of September, 1913.

John J. Fahey,

Attorney for Petitioners,

Norwood, Minnesota.

Defective Document

Notice of Presentation of Petition.

Notice is hereby given that a petition for the laying out and establishing of a Judicial Road running into and through the counties of Carver and Hennepin, in the State of Minnesota, a true copy of which petition is hereto attached, will be presented to the honorable P. W. Morrison, judge of the District Court in and for the Eighth Judicial District of said state of Minnesota, at the General Term of said Court appointed to be held at the Court House in the city of Glencoe, in the county of McLeod, in said Eighth Judicial District of said state, on Thursday the 20th day of November, 1913, at the opening of Court on that day or as soon thereafter as Counsel can be heard for the hearing of said petition, the appointment of commissioners thereunder, and for such further proceedings therein as in such cases is provided by statute.

Dated at Norwood, Minnesota, this 20th day of September, 1913.

JOHN J. FAHEY,

Attorney for Petitioners

Norwood, Minnesota.

P e t i t i o n

State of Minnesota

Counties of Carver and Hennepin

In the District Courts of Carver and Hennepin Counties,

In the matter of the laying out and establishing a Judicial Road running into and through the said counties of Carver and Hennepin.

To the Honorable P. W. Morrison, Judge of the Eighth Judicial District of Carver County, Minnesota.

The undersigned, legal voters, freeholders and taxpayers residing in the counties of Carver and Hennepin, in the state of Minnesota, do hereby respectfully petition said court to lay out and establish a Judicial Road four rods wide running into and thru the counties of Carver and Hennepin, in said state of Minnesota, and which said Judicial Road is described as follows:

To lay out and establish said Judicial Road so running into and thru the said counties of Carver and Hennepin, so

that the center line of said Judicial Road when laid out and established will run as follows: Commencing at the Quarter Post on line between Sections (4) and (5) Township 116 N. of Range 24 West, Carver County, Minnesota, Thence north on section line a distance of twenty-three hundred thirty one (2331) feet to the section corner of section Four (4) and Five (5) aforesaid, thence running north in Hennepin County 58 45' West a distance of seven hundred ninety-five (795) feet to a point on section line, a distance of four hundred (400) feet north from the Southwest corner of Section Thirty-three (33) Township 117, N. of Range 24, W. said Hennepin County, Minnesota. Whence north on section line between sections Thirty-two (32) and Thirty-three (33) Township 117 N. of Range 24 W. said Hennepin County, Minnesota, a distance of Twenty-five hundred eighty six (2586) feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

That the owners of the land over which said proposed Judicial Road will run are John Green, Ferdinand Thurk, John Maas, residing in said Carver County, and Ositta Segnar, Frank Yetzer, Albert Bruhn, Chas. Bruhn, Julius Gatz and Chas. Krotzer, residing in said Hennepin County.

Wherefore your petitioners pray that you will proceed to lay out, establish and cause to be opened to travel said proposed Judicial Road as above described.

Petitioners: Adolph Klatt, Herman Klatt, Ferdinand Thurk, Edward Walter Geo. Fink, John Green, Gust Kowalke Sam Walter, Henry Sohns, John Gast Ferdinand Buelow, M. Zorbe, Theo Hedtke, Christ Fink, Bernard Logelin Martin Maas, John Hegerle, John H. Gothmonn, Ignatz Brandl, Albert Dil John Pauly, Chas. Lohrke, M. H. Hegerle, Joseph Weinziere, H. Neubaue Geo. T. Logelin, Frank A. Schulle Jos. Hauwiller, Hy Gothmann, Frank J. Hauwiller, L. A. Klott, J. A. Ahlstrom, Julius Gatz.

On the matter of Application for a Commission
to lay out a Judicial Road in a part of
Carver and Hennepin Counties, Minn.

We the undersigned voters and tax payers
resident in Hennepin County Minn. do hereby
earnestly protest against the granting of the petition
in this matter for the following reasons.

- 1st If said Commission is appointed by this Court
it will cause endless litigation on account
of the immense damage it would cause property
owners were said road laid and opened.
- 2^d There is no public necessity for the proposed
road - only fire men want to save a half mile
travel in going to St. Bonifacius while they now
have a good graded road to said point.
- 3 There is not a farmer in Hennepin County
that wants this road laid or opened.
Therefore to save waste of public money, time and
much litigation we respectfully request

John Maass

Wm. Maass

Frank Keger

Michael Reichenberg

Yorl W. W. W.

Ed. W. W.

Ed. W. W.

H. E. Strobel

Chas. Segner

Alfred Maass

Albert Maass

Wm. H. Maass

John W. W.

Samuel W. W.

Aug. W. W.

Wm. Bruhn

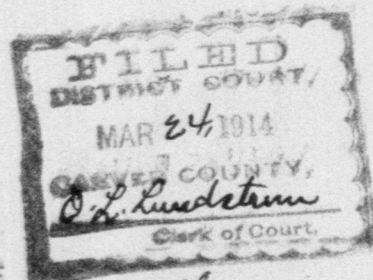
Aug. Maass
Arthur Schult
Frank Weiland
Jacob Lammann

Peter Weiland
Andrew Weiland
Christ Giff
Frank P. Logelin
Mrs. Martha Segner
J. F. Fisher

George Maass.
Frank J. Kirber

180

Filed Nov 20, 1913
John Runtan
Clerk of District Court
McLeod County
Minnesota



By H. M. Wheelberg, Deputy
E 181.

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State of Minnesota,
Counties of Carver and Hennepin, In District Court

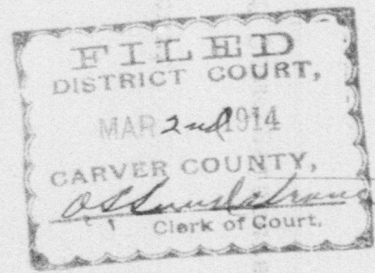
In the Matter of the laying out
and establishing a Judicial Road
running into and through the said
Counties of Carver and Hennepin.

Hearing of Commissioners
Report.

Heasias John J. Fahey,
Attorney for the Petitioners,
Norwood, Minnesota.

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State of Minnesota

County of Carver and Hennipen

In District Court,

In matter of laying out and establishing a Judicial road running
innd through the said Counties of Carver and Hennipen

To the Honorable P. W. Morrison Judge of said Court,
I, C. Van Krevelen appointed by said court in said above entitled
mar, under and by virtue of appointment therein bearing date the
20 day of November, 1913, to lay out and survey a Judicial road
rning into and through the said Counties of Carver and Hennipen,
do hereby beg leave to report as follows.

- 1st. That I have made a survey of the aforesaid Judicial road, that
I have made a plat of said survey, a copy of which is hereto attached
- 2nd That I have caused stakes to be set as indicated upon the said
plat,
- 3rd. That the center line of the said Judicial road is indicated in
red upon the said plat.
- 4th. That the field notes of the center line of the said Judicial
road appear at the top of the attached plat.

Respectfully submitted,

Dated this 2nd day of March A.D. 1914

J. C. Van Krevelen
.....
Surveyor.

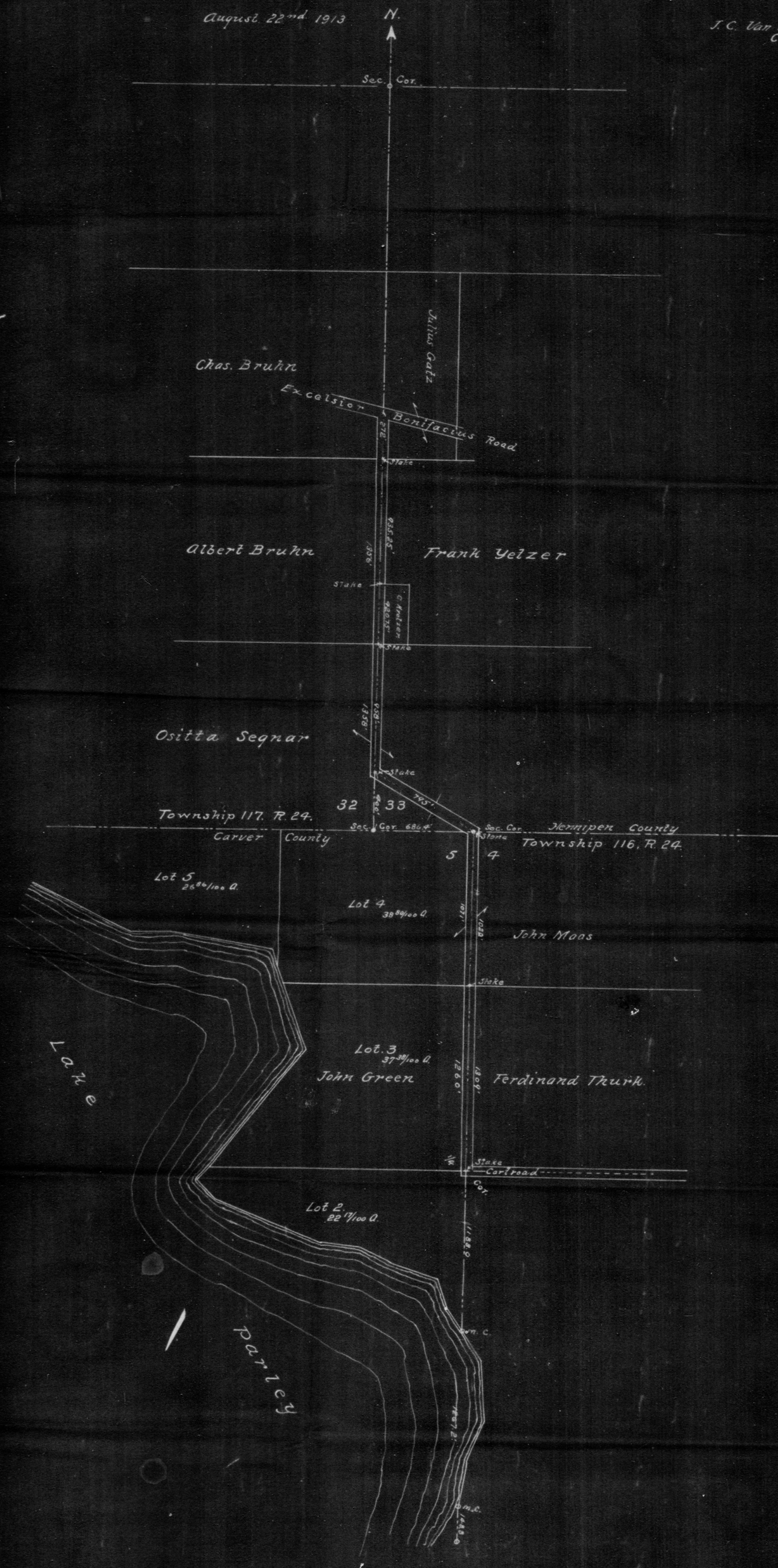
PLAT OF PROPOSED JUDICIAL ROAD

Carver and Hennipen Counties, The center line of which is described as follows, to-wit:

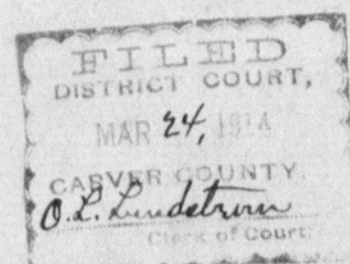
Commencing at the Quarter post on line between Sections Four (4) and Five (5), Township 116, N. of Range 24, West; Thence North on Section line a distance of Twenty-three hundred thirty-one (2331) feet to the section corner of sections four (4) and five aforesaid; thence North 58° 45' West a distance of seven hundred ninety-five (795) feet to a point on Section line, a distance of four hundred (400) feet North from the Southwest corner of Section Thirty-three (33) Township 117, N. of Range 24, W. thence North on Section line between Sections Thirty-two (32) and Thirty-three (33) Township and Range aforesaid, a distance of Twenty-five hundred eighty-six (2586) feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

August 22nd 1913

J. C. Van Hrevelen
Co. Surveyor.



180



By H. Muehlberg, Sp. Atty.
E 181

State of Minnesota,
Counties of Carver and
Hennepin,

In District Court,

In the Matter of the laying out
and establishing a Judicial
Road running into and through
the said Counties of Carver and
Hennepin

Order appointing Surveyor

We, the undersigned, Commissioners appointed by the Court
in the above entitled matter to consider the same do hereby
appoint John C? VanKrevelin the surveyor to make the proper
surveys and plats in said matter,

Dated this 20th day of February, 1914

Chas. Burdakovsky Jr.
C. M. Carlson
J. J. Boylan

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State of Minnesota,
Counties of Carver and Hennepin

In District Court

In the Matter of the laying out
and establishing a Judicial
Road running into and through
the said Counties of Carver and
Hennepin.

State of Minnesota,)
County of Hennepin.) ss

Chas. Buschkowsky, C. ^M~~M~~ E. Carlson and John F. Boylan,
being each duly sworn, doth say each for himself, that I will
support the constitution of the United States and that of the
state of Minnesota, and that I will perform all duties imposed
upon me as a Commissioner appointed by the Court in the matter
of the laying out and establishing of said Judicial Road run-
ning into and through said Counties of Carver and Hennepin
to the best of my knowledge and ability. So help me God.

Chas. Buschkowsky

M. E. Carlson

John F. Boylan

Subscribed and sworn to before me this 20 day of February, 1914.

M. H. Hegule

Notary Public, Hennepin Co. Minn.
My Commission Expires Mar. 8, 1915

State of Minnesota,)
County of Hennepin.) ss

I, John C. Vankrevelin, being duly sworn, do say that I will
support the constitution of the United States and of the State
of Minnesota, and that I will perform all duties imposed on me
as Engineer in the matter of the laying out and establishing of
said Judicial Road running into and through said Counties of
Carver and Hennepin to the best of my knowledge and ability. So
help me God.

J. C. Van Krevelin

Subscribed and sworn to before me this 20 day of February, 1914.

M. H. Hegule

Notary Public, Hennepin Co. Minn.
My Commission Expires Mar. 8, 1915

State of Minnesota, }
County of Hennepin. } ss

I, _____, axman, and _____
and _____, chairmen, do solemnly swear that
I will support the constitution of the United state and of the
state of Minnesota, and that I will perform all the duties de-
volved upon me in the matter of the laying out and establishing
of said Judicial Road to the best of my knowledge and ability.
So help me God.

Subscribed and sworn to before me this _____ day of February, 1914

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State of Minnesota,
Counties of Carver and
Hennepin.

In District Court

In the Matter of the laying out
and establishing a Judicial
Road running into and through : Report of Commissioners
the said Counties of Carver and
Hennepin.

To the Honorable P. W. Morrison, Judge of said Court:

We, Charles Buschkowsky, C. ~~S.~~ E. Carlson and John F. Boylan,
the Commissioners appointed by said Court in said above entitled
matter, under and by virtue of appointment therein bearing date
the 20th day of November, 1913, to lay out and establish a
Judicial Road running into and through the said Counties of Car-
ver and Hennepin, do hereby beg leave to report as follows:

1st. That we met on the 20th day of February, 1914, at the
hour of 10 o'clock in the forenoon of said day, at the state
Bank of St. Bonifacius, Minnesota, that being the time and place
designated in said order of appointment, that we after giving
the matter consideration, adjourned said meeting to and until the
27th day of February, 1914, at said place, and at 10 o'clock in
the forenoon of said day.

2nd, That on said 20th day of February, 1914, when we so met
as aforesaid we took the oath required by law and which oath is
returned herewith.

3rd. That we then and there by an order in writing appointed
John C. Van Krevelin, as Surveyor and _____
and _____ as chairmen and _____
as axman, and ^{he} they each took the oath required by law which
appointment and oath are hereby returned herewith.

4th. That we did then proceed to ~~make-said~~ lay out said
Judicial Road so described, and ~~did~~ cause a survey thereof to be
made in pursuance to said order.

5th. That said ~~change~~ establishment and laying out of said
Judicial Road and so surveyed is as follows: Commencing at the
Quarter Post on line between Sections Four (4) and Five (5) Town-
ship 116 N. of Range 24 W. Carver County, Minnesota, thence north

on section line a distance of 2331 feet to the section corner of sections 4 and 5 aforesaid, thence running north in Hennepin Co. 53 degrees ⁴⁵ minutes west a distance of 795 feet to a point on section line, a distance of 400 feet north from the south west corner of section 33, Township 117 N. of Range 24 W. said Hennepin County, Minnesota, thence north on section line between sections 32 and 33 Township 117 N. of Range 24 W. said Hennepin County, Minnesota, a distance of 2536 feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

That we caused stakes to be set at each angle of said establishment.

6th That we caused a plat of said change establishment of said Judicial Road as made and established by us to be made in triplicate, one copy of which is hereto attached and is made a part hereof.

7th That we met and conferred with as many of the land owners over which said road runs as possible, that we did award damages as follows:

John Green Benefits equal to Damages
 Ferdinand Thurn Benefits equal to Damages
 John Maas Benefits \$200.⁰⁰ Damages \$237.⁰⁰
 allowed \$37.⁰⁰ Damages.

Asitta Sequer	Damages	\$ 397.50	
	Cattle Pass	100. ⁰⁰	497.50
	Benefits		75. ⁰⁰
	Total Damages		422.50

C. Kutzer	Benefits equal	Damages
Albert Bruhn	Damages	\$ 144.20
Chas. Bruhn	Damages	\$ 31.50
Frank Jetter	Damages	106.50
Julius Satz	Damages	31.50

Total Damages

\$773.20

Fees

Chas Busch Nowoky	{ 54 miles @ 8¢	4.32
	{ 4 days @ 3.00	12.00
	{ Expenses	5.00
C. M. E. Carlson	{ 128 miles @ 8¢	10.24
	{ 4 days	12.00
	{ Expenses	27.24
John Boylan	{ 40 miles travel @ 8¢	3.20
	{ 4 days at 3.00	12.00
	{ Travel and expenses	8.00
		<u>23.20</u>

John C. Van Krevelen

40 miles @ 8	3.20
5 days @ 10	50.00
Expenses	5.00
	<u>\$ 58.20</u>

That said proposed Judicial Road is
of Public benefit and utility and ought to
be Established

Chas. Busch Nowoky L.

C. M. E. Carlson

J. F. Boylan

J. C. Van Krevelen C. E.

being first duly sworn upon oath says
that he is _____ the _____ in the foregoing
and within entitled action; that he has heard read the foregoing
that the same is true _____ of his own knowledge, except as to
matters therein stated on information and belief, and as to such matters he believes it to be true.

Subscribed and sworn to before me this _____ day of
_____ 19____

Notary Public _____ Minnesota.

My Commission Expires _____

State of Minnesota,

ss.

COURT.

County.

JUDICIAL DISTRICT.

Plaintiff.

AGAINST

SUMMONS

Defendant.

The State of Minnesota to Above Named Defendant:

You _____ are hereby summoned and required to answer the complaint of the Plaintiff
in the above entitled action, which complaint is hereto annexed and herewith served upon you _____

Court, at the _____

County of _____ and State of Minnesota, and to serve a copy of your answer to the
said complaint on the subscriber _____, at _____ office, in the _____ of _____
in said County of _____ within _____ days after service of this summons upon
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 for the sum of _____

_____ Dollars, (\$ _____) with interest at the rate of _____ per
cent per annum since the _____ day of _____ 19____

together with Plaintiff's costs and disbursements herein.

Dated _____ 19____

Plaintiff's Attorney.

Minn.

180

State of Minnesota.

County of

ss.

and says, that at the

day of

19, he served the within

upon

the

therein named, personally, by

leaving with said

with

at the house of the usual abode of said

person of suitable age and discretion, then resident therein, a true and correct copy of said

Subscribed and sworn to before me this

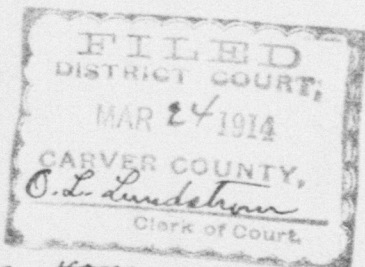
day of

19

Notary Public

My Commission Expires

County, Minn.



By H. O. Muehlberg, Deputy
E 181

State of Minnesota

County of

Court.

Plaintiff.

vs.

Defendant.

Due and personal service of the within

admitted

this day of

Attorney for

J. J. FAHEY

Norwood, : Minn.

Attorney for

Illegible
(Light Ink)

State of Minnesota,
County of Carver. ss

District Court, Eighth Judicial District

In the Matter of the laying out
and establishing a Judicial
Road running into and through
the Counties of Carver and
Hennepin, Minnesota.

The above entitled matter being on the Calende for Hearing at the March, 1914, Term of this Court in and for the County of Carver, Minnesota, and the same having come on to be heard in its order thereon, upon the report of the Commissioners duly appointed by this Court to lay out a part of a judicial road running into and through the Counties of Carver and Hennepin in said state, and for an order of the Court confirming the report of the commissioners as so made. An order having been made in said matter on the 20th day of November, 1913, whereby Charles Buschkowsky, C. M. E. Carlson and John F. Boylan were appointed as Commissioners to lay out and establish said Judicial Road according to the prayer of the petitioners. And it appearing now here that said Commissioners duly met on the 20th day of February, 1914 at the hour of 10 o'clock in the forenoon of said day at the State Bank of St. Bonifacius, Minnesota, that being the time and place designated in said order of appointmentt. That then and there they took the oath of office required by law, and they then and there by a proper order in writing duly made and signed by them, appointed John C. Van Krevelin as surveyor on the survey of said establishment of said Judicial Road. That on the 27th day of February, 1914, said Commissioners proceeded to view said proposed establishment of said Judicial Road, caused a survey thereof to be made and to establish said Judicial Road, and they did then and there proceed to assess the damages and to ascertain the amount each landowner was to receive by reason of said ~~XXXXXX~~ establishment of said road. That they did not procure any release from damages, and that said commissioners proceeded with said assessment of damages, and after the completion thereof, having made report of all their doings to this Court, and having filed their said report with a plat of said judicial road by them established, with the

Clerk of this Court, and having caused duplicate plate thereof to be made and said Report of said Commissioners having come on for hearing and confirmation and it appearing to this Court that said Commissioners have in all things performed and fulfilled the requirements of the law and having fully discharged their duties as such Commissioners, and have made and established said Judicial Road, and having assessed the damages therefor, and the expenses thereof as far as they could, and said Report having been filed in the office of the Clerk of this Court. Now, therefore, on motion of John J. Fahey attorney for the petitioners herein, IT IS HEREBY ORDERED that the Report of said Commissioners in the above entitled matter, and now on file in the office of the Clerk of this Court at Chaska, Minnesota, be, and the same is in all things confirmed, and the said Judicial Road be, and the same is hereby laid out and established as in such Report and Plat shown, as follows, the same being four (4) rods in width and the center line of which is described as follows:

Commencing at the Quarter Post on line between Sections Four (4) and Five (5) Township 116 N. of Range 24 West, Carver County, Minnesota, Thence north on section line a distance of twenty-three hundred thirty one (2331) feet to the section corner of sections Four (4) and Five (5) aforesaid; thence running north in Hennepin County 58° 45' West a distance of seven hundred ninety-five (795) feet to a point on section line, a distance of four hundred (400) feet north from the Southwest corner of Section Thirty three (33) Township 117, N. of Range 24, W. said Hennepin County, Minnesota, Thence north on section line between sections Thirty two (32) and Thirty three (33) Township 117 N. of Range 24 W. said Hennepin County, Minnesota, a distance of Twenty five hundred eighty six (2586) feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

That a more particular description of said establishment of said Road showing the stations thereon appears upon the Plat of the survey thereof as attached to said Report of said Commissioners and made a part thereof.

IT IS FURTHER ORDERED that the schedule of damages and expenses incurred and assessed and determined by said Commissioners as in their Report set forth, be, and the same is hereby allowed and confirmed as follows:

John Green	Benefits equal to Damages	
Ferdinand Thurm	Benefits equal to Damages	
John Maas	Damages	\$ 37.00
Ositta Segner	Damages	422.50
Albert Bruhn	Damages	144.20
C. Kratzer	Benefits equal to Damages	
Chas. Bruhn	Damages	31.50

Frank Yetzer	Damages	\$106.50
Julius Gatz	Damages	31.50
Total Damages allowed		\$773.20

That the total damages assessed by said Commissioners is \$773.20 of which amount Carver County shall pay \$386.60 and Hennepin County shall pay \$386.60.

That the total expenses allowed by the Court as fees and expenses for said Commissioners and for said Surveyor in said matter including the making of all plats and mileage for said Commissioners and said Surveyor as allowed by law are as follows:

C. M. E. Carlson	4 days	\$12.00
C. M. E. Carlson	100 miles travel	3.00
		<u>\$20.00</u>
Charles Buschkowsky	4 days	\$12.00
Charles Buschkowsky	60 miles travel	4.80
		<u>\$16.80</u>
John Boylan	4 days	\$12.00
John Boylan	30 miles travel	2.40
		<u>\$14.40</u>
John C. Van Krevelin	4 days	\$16.00
John C. Van Krevelin	30 miles travel	2.40
John C. Van Krevelin	5 Plats	10.00
John C. Van Krevelin Expenses		<u>10.00</u>
		<u>\$38.00</u>

IT IS FURTHER ORDERED that the fees of the Clerk of Court and also the fees of the Register of Deeds of both Counties of Carver and Hennepin be added to and included in the said expenses and that the same are hereby confirmed and allowed

IT IS FURTHER ORDERED that the bill of C. A. Reil publisher of the Waconia Patriot a weekly newspaper published in Carver County, Minnesota, amounting to \$25.50 for printing Notice of Presentation of Petition in this matter be allowed and the same is hereby allowed as a part of the expenses herein, and also that the bill of A. Klavacek publisher of the Hopkins News a weekly newspaper published in Hennepin County, Minnesota, for publishing the Notice of Presentation of Petition in said matter, and amounting to \$12.50 be allowed and the same is hereby allowed as a part of the expenses herein.

IT IS FURTHER ORDERED that each of said Counties pay half the damages assessed and determined by said Commissioners in the matter of the right of way for said Judicial Road amounting to \$386.60 for each of said Counties.

IT IS FURTHER ORDERED that the said County of Carver pay the following

items of expense incurred in said matter, to-wit:

Charles Buschkowsky	\$16.30
John Boylan	14.40
C. A. Reil	25.50
	\$56.70

and also the fees of the Register of Deeds, if any, and the fees of the Clerk of Court in said County of Carver, and that the said County of Hennepin pay the following items of expense incurred in said matter, to-wit:

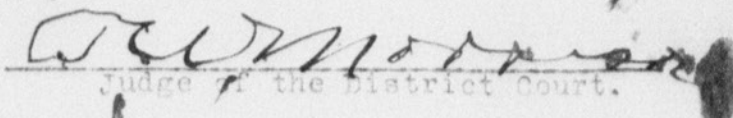
C. M. E. Carlson	\$20.00
John C. Van Krevelin	33.00
A. Hlavacek	19.50

and also the fees of the Register of Deeds, if any, and the fees of the Clerk of Court in said County of Hennepin.

IT IS FURTHER ORDERED that the Clerk of the District Court of Carver County furnish to the Auditors of the Counties of Carver and Hennepin in said State, certified copies of the Report of the Commissioners herein, with the Plat attached, and a certified copy of this Order confirming the same attached thereto, within thirty days after the filing hereof.

IT IS FURTHER ORDERED that the County Boards of each of said Counties pay without delay at the next meeting after the filing of said certified copies with said Auditors each of the persons entitled thereto and as herein directed, the expenses incurred in said matter, and as shown by this Order, and as allotted to each of said Counties.

IT IS FURTHER ORDERED that the establishment of said Judicial Road as herein described and according to the route specified be and the same is hereby declared and established as a public highway and that the same shall be opened for public use by the several Counties through which said road passes, as provided by the statutes of this state, within 90 days after the filing of this Order with the Clerk of the District Court of Carver County, Minnesota.


Judge of the District Court.

Original

State of Minnesota
County of Harlow

In the matter of the
laying out and
establishing a
Judicial Road
Running into and
through Harlow
and Hennepin Cos.

Order confirming
Report of Commissioners

Filed this 8th
day of March, 1925
O. L. Lundstrom
Clerk of Dist Court
By H. O. Muehlberg
Deputy

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STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

In the matter of laying out
and establishing a Judicial
Road running into and through
the Counties of Carver and
Hennepin Counties, Minnesota.

ORDER

Whereas the Court made and caused to be
filed an order confirming the report of the Commissioners in
the above entitled matter on the 8th. day of March 1915 and whereas
it now appears by an examination of the Court's Minutes that said
matter had been stricken from the calender by John Fahey, acting
as the attorney for the petitioners in said matter at the General
October term of said Court on the opening of said term of Court
held in the Court House in Chaska City, Carver County, Minnesota
on the 12th day of October 1914 and that said matter had never been
re-instated on the callender, this Court had no Jurisdiction to
make an order confirming the report of Commissioners above refered
to and it is now hereby ordered:

" That the prior order of this Court confirming
the report of the Commissioners in the above entitled matter be and
is hereby revoked". *and such proceedings had prior
there to be, and they are dismissed,*
By the Court

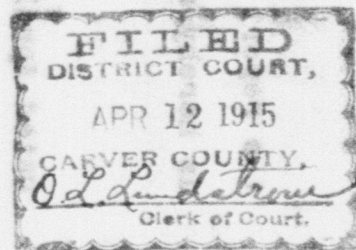
Dated April 12th. 1915

J. W. Morrison
Judge.

State of Minnesota
County of Carver

In the matter of the laying
out and establishing a
Judicial Road running into
and through the Counties of
Carver and Hennepin.

Order revoking and dismissing
prior proceeding in the
above entitled matter



E181

U S D C

MINNESOTA DISTRICT COURT
JUDICIAL COUNTY

APPROPRIATE STATE
REVENUE NO. 1770000

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State of Minnesota,
County of Carver. ss

District Court, Eighth Judicial District

In the Matter of the laying out
and establishing a Judicial
Road running into and through
the Counties of Carver and
Hennepin, Minnesota.

The above entitled matter being on the Calende for Hearing at the
March, 1914, Term of this Court in and for the County of Carver, Minne-
sota, and the same having come on to be heard in its order thereon,
upon the report of the Commissioners duly appointed by this Court
to lay out a part of a judicial road running into and through the Coun-
ties of Carver and Hennepin in said state, and for an order of the
Court confirming the report of the commissioners as so made. An order
having been made in said matter on the 20th day of November, 1913,
whereby Charles Fuschkowsky, C. W. M. Carlson and John F. Boylan were
appointed as Commissioners to lay out and establish said Judicial
Road according to the prayer of the petitioners. And it appearing now
here that said Commissioners duly met on the 20th day of February, 1914
at the hour of 10 o'clock in the forenoon of said day at the State
Bank of St. Bonifacius, Minnesota, that being the time and place de-
signated in said order of appointment. That then and there they took
the oath of office required by law, and they then and there by a pro-
per order in writing duly made and signed by them, appointed John C.
Van Krevolin as surveyor on the survey of said establishment of said
Judicial Road. That on the 27th day of February, 1914, said Commission-
ers proceeded to view said proposed establishment of said Judicial
Road, caused a survey thereof to be made and to establish said Ju-
dicial Road, and they did then and there proceed to assess the damages
and to ascertain the amount each landowner was to receive by reason of
said ~~XXXXXX~~ establishment of said road. That they did not procure any
release from damages, and that said commissioners proceeded with said
assessment of damages, and after the completion thereof, having made
report of all their doings to this Court, and having filed their said
report with a plat of said judicial road by them established, with the

Clerk of this Court, and having caused duplicate plate thereof to be made and said Report of said Commissioners having come on for hearing and confirmation and it appearing to this Court that said Commissioners have in all things performed and fulfilled the requirements of the law and having fully discharged their duties as such Commissioners, and have made and established said Judicial Road, and having assessed the damages therefor, and the expenses thereof as far as they could, and said Report having been filed in the office of the Clerk of this Court. Now, therefore, on motion of John J. Fahey attorney for the petitioners herein, IT IS HEREBY ORDERED that the Report of said Commissioners in the above entitled matter, and now on file in the office of the Clerk of this Court at Chaska, Minnesota, be, and the same is in all things confirmed, and the said Judicial Road be, and the same is hereby laid out and established as in such Report and Plat shown, as follows, the same being four (4) rods in width and the center line of which is described as follows:

Commencing at the Quarter Post on line between Sections Four (4) and Five (5) Township 116 N. of Range 24 West, Carver County, Minnesota, Thence north on section line a distance of twenty-three hundred thirty one (2331) feet to the section corner of sections Four (4) and Five (5) aforesaid; thence running north in Hennepin County 58° 45' West a distance of seven hundred ninety-five (795) feet to a point on section line, a distance of four hundred (400) feet north from the Southwest corner of Section Thirty three (33) Township 117, N. of Range 24, W. said Hennepin County, Minnesota, Thence north on section line between sections Thirty two (32) and Thirty three (33) Township 117 N. of Range 24 W. said Hennepin County, Minnesota, a distance of Twenty five hundred eighty six (2586) feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

That a more particular description of said establishment of said Road showing the stations thereon appears upon the Plat of the survey thereof as attached to said Report of said Commissioners and made a part thereof.

IT IS FURTHER ORDERED that the schedule of damages and expenses incurred and assessed and determined by said Commissioners as in their Report set forth, be, and the same is hereby allowed and confirmed as follows:

John Green	Benefits equal to Damages	
Ferdinand Thurk	Benefits equal to Damages	
John Maas	Damages	\$ 37.00
Ositta Segner	Damages	422.50
Albert Bruhn	Damages	144.00
C. Fratzler	Benefits equal to Damages	
Chas. Bruhn	Damages	31.50

Frank Yetzer	Damages	\$106.50
Julius Gatz	Damages	31.50
Total Damages allowed		\$773.20

That the total damages assessed by said Commissioners is \$773.20 of which amount Carver County shall pay \$386.60 and Hennepin County shall pay \$386.60.

That the total expenses allowed by the Court as fees and expenses for said Commissioners and for said Surveyor in said matter including the making of all plats and mileage for said Commissioners and said Surveyor as allowed by law are as follows:

C. M. E. Carlson	4 days	\$12.00
C. M. E. Carlson	100 miles travel	8.00
		<u>\$20.00</u>
Charles Buschkowsky	4 days	\$12.00
Charles Buschkowsky	60 miles travel	4.80
		<u>\$16.80</u>
John Boylan	4 days	\$12.00
John Boylan	30 miles travel	2.40
		<u>\$14.40</u>
John C. Van Krevelin	4 days	\$16.00
John C. Van Krevelin	30 miles travel	2.40
John C. Van Krevelin	5 Plats	10.00
John C. Van Krevelin Expenses		<u>10.00</u>
		<u>\$38.40</u>

IT IS FURTHER ORDERED that the fees of the Clerk of Court and also the fees of the Register of Deeds of both Counties of Carver and Hennepin be added to and included in the said expenses and that the same are hereby confirmed and allowed

IT IS FURTHER ORDERED that the bill of C. A. Reil publisher of the Waconia Patriot a weekly newspaper published in Carver County, Minnesota, amounting to \$25.50 for printing Notice of Presentation of Petition in this matter be allowed and the same is hereby allowed as a part of the expenses herein, and also that the bill of A. Klavacek publisher of the Hopkins News a weekly newspaper published in Hennepin County, Minnesota, for publishing the Notice of Presentation of Petition in said matter, and amounting to \$19.50 be allowed and the same is hereby allowed as a part of the expenses herein.

IT IS FURTHER ORDERED that each of said Counties pay half the damages assessed and determined by said Commissioners in the matter of the right of way for said Judicial Road amounting to \$386.60 for each of said Counties.

It IS FURTHER ORDERED that the said County of Carver pay the following

Items of expense incurred in said matter, to-wit:

Charles Buschkowsky	\$16.30
John Boylan	14.40
C. A. Reil	25.50
	\$56.20

and also the fees of the Register of Deeds, if any, and the fees of the Clerk of Court in said County of Carver, and that the said County of Hennepin pay the following items of expense incurred in said matter, to-wit:

C. M. E. Carlson	\$20.00
John C. Van Krevelin	35.00
A. Hlavacek	19.50

and also the fees of the Register of Deeds, if any, and the fees of the Clerk of Court in said County of Hennepin.

IT IS FURTHER ORDERED that the Clerk of the District Court of Carver County furnish to the Auditors of the Counties of Carver and Hennepin in said State, certified copies of the Report of the Commissioners herein, with the plat attached, and a certified copy of this Order confirming the same attached thereto, within thirty days after the filing hereof.

IT IS FURTHER ORDERED that the County Boards of each of said Counties pay without delay at the next meeting after the filing of said certified copies with said Auditors each of the persons entitled thereto and as herein directed, the expenses incurred in said matter, and as shown by this Order, and as allotted to each of said Counties.

IT IS FURTHER ORDERED that the establishment of said Judicial Road as herein described and according to the route specified be and the same is hereby declared and established as a public highway and that the same shall be opened for public use by the several Counties through which said road passes, as provided by the statutes of this state, within 90 days after the filing of this Order with the Clerk of the District Court of Carver County, Minnesota.

P. H. Morrison

Judge of the District Court.

Copy

For the use
of M. H. Argente
St Bonifacio
Minn

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State of Minnesota, In the District Courts of
Counties of Carver and Hennepin. Carver and Hennepin Counties.

In the Matter of the laying out
and establishing a Judicial Road
running into and through the said
Counties of Carver and Hennepin,)
Order Appointing Commissioners.

The above entitled matter duly came on for hearing at the General Term of the District Court held in and for the County of McLeod, state of Minnesota, in said District, at the City of Glencoe on the 20th day of November, 1913, at 10 o'clock in the forenoon of said day.

John J. Fahey, Esq., appeared for and in behalf of said petitioners *and John Maas and others appeared and filed written objections to the appointment of said Commissioners*

Said petition called for the laying out and establishing a Judicial Road running into and through said Counties of Carver and Hennepin which said road is described as follows:

Commencing at the Quarter Post on line between Sections Four(4) and Five (5) Township 116 N. of Range 24 West, Carver County, Minnesota, thence north on section line a distance of 2331 feet to the section corner of sections Four (4) and Five (5) aforesaid; thence running north in Hennepin County 53 45' West a distance of 795 feet to a point on section line, a distance of 400 feet north from the southwest corner of section 33 Township 117 N. of Range 24 W. said Hennepin County, Minnesota, thence north on section line between sections 32 and 33 Township 117 N. of Range 24 W. said Hennepin County, Minnesota, a distance of 2536 feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

That the owners of the lands over which the said proposed Judicial Road will run are John Green, Ferdinand Thurk, John Maas, residing in Carver County, Minnesota, and Ositta Segnar, Frank Yetzer Albert Bruhn, Chas. Bruhn, Julius Gatz and Chas. Krotzer residing in said Hennepin County.

It appeared that said petition had the requisite number of legal voters, freeholders, and taxpayers residing in said Counties of Carver and Hennepin as signers thereof, and it further appeared that said Notice of Presentation of said Petition had been duly and legally printed and published in the Waconia Patriot, a newspaper printed and published at Waconia, Carver County, Minnesota, and in the Hopkins News a newspaper printed and published in Hopkins, Hennepin County, Minnesota. That said copies of said Notice had been duly posted in the Town of Laketown, Carver County, and the Town of Minnetriesta, Hennepin County, and that the respective town clerks of said Town had been personally served with said notices, as provided by law, said towns of Laketown and Minnetriesta being the towns affected by said proposed Judicial Road. It also appeared that the respective Boards of County Commissioners of each County had been duly served with said Notice as provided by law, and that all the proceedings herein were done according to the statutes of this state governing said matters.

Now, therefore, It Is Ordered that Chas. Buschowsky
Residing at Waconia, Minn. and John F. Boylan
Residing at Chambers, Carver Co., Minn.
residing at Waketown, Carver Co., Minn. be and are hereby
appointed Commissioners for the purpose of inspecting the laying out of said proposed Judicial Road, and determining the advisability thereof, and to do such other and further things in said matter that they shall deem necessary.

That is is further ordered that said above named Commissioners meet at the State Bank at St Bonifacius, Minnesota, there to take the oath of office required by law and thereafter to proceed to inspect said proposed change, that the date of said meeting at said State Bank shall be the 20th day of February 1914, at 10 O'clock in the forenoon of said day.

It is further ordered that J. C. Van Krevelin a civil engineer be and he is hereby appointed to assist said Commissioners in their determination, and that said J. C. Van Krevelin shall meet with said Commissioners at said State Bank of St. Bonifacius on said 20th day of February at 10 O'clock in the forenoon of said day to then and there take the oath of office required by law.

It is further ordered that said Commissioners shall prepare and make their Report of their doings with reference to said matter at The Court House, in Chaska, Carver Co. Min.

on the 9th day of March, 1914.
and that said Report shall be in writing.

Dated at Glencoe, Minnesota, this 20th day of November, 1913.

R. W. Morrison
Judge of said Court

180

THING LIKE TO SURE

H. H. DISTRICT COURT.
Mar. 24, 1914
D. L. Lundstrom
of Court.

By H. O. Muehlberg, deputy
E 181

State of Minnesota

County of Carver and Hennipen

In District Court.

In the matter of laying out and establishing a Judicial road running into and through the said Counties of Carver and Hennipen

To the Honorable P. W. Morrison Judge of said Court
I, J. C. Van Krevelen appointed by said court in said above entitled matter, under and by virtue of appointment therein bearing date the 20th day of November, 1913, to lay out and survey a Judicial road running into and through the said Counties of Carver and Hennipen, do hereby beg leave to report as follows.

1st. That I have made a survey of the aforesaid Judicial road, that I have made a plat of said survey, a copy of which is hereto attached

2nd That I have caused stakes to be set as indicated upon the said plat.

3rd. That the center line of the said Judicial road is indicated in red upon the said plat.

4th. That the field notes of the center line of the said Judicial road appear at the top of the attached plat.

Respectfully submitted,

Dated this 2nd day of March A.D. 1914

J. C. Van Krevelen
.....
Surveyor.

PLAT OF PROPOSED JUDICIAL ROAD

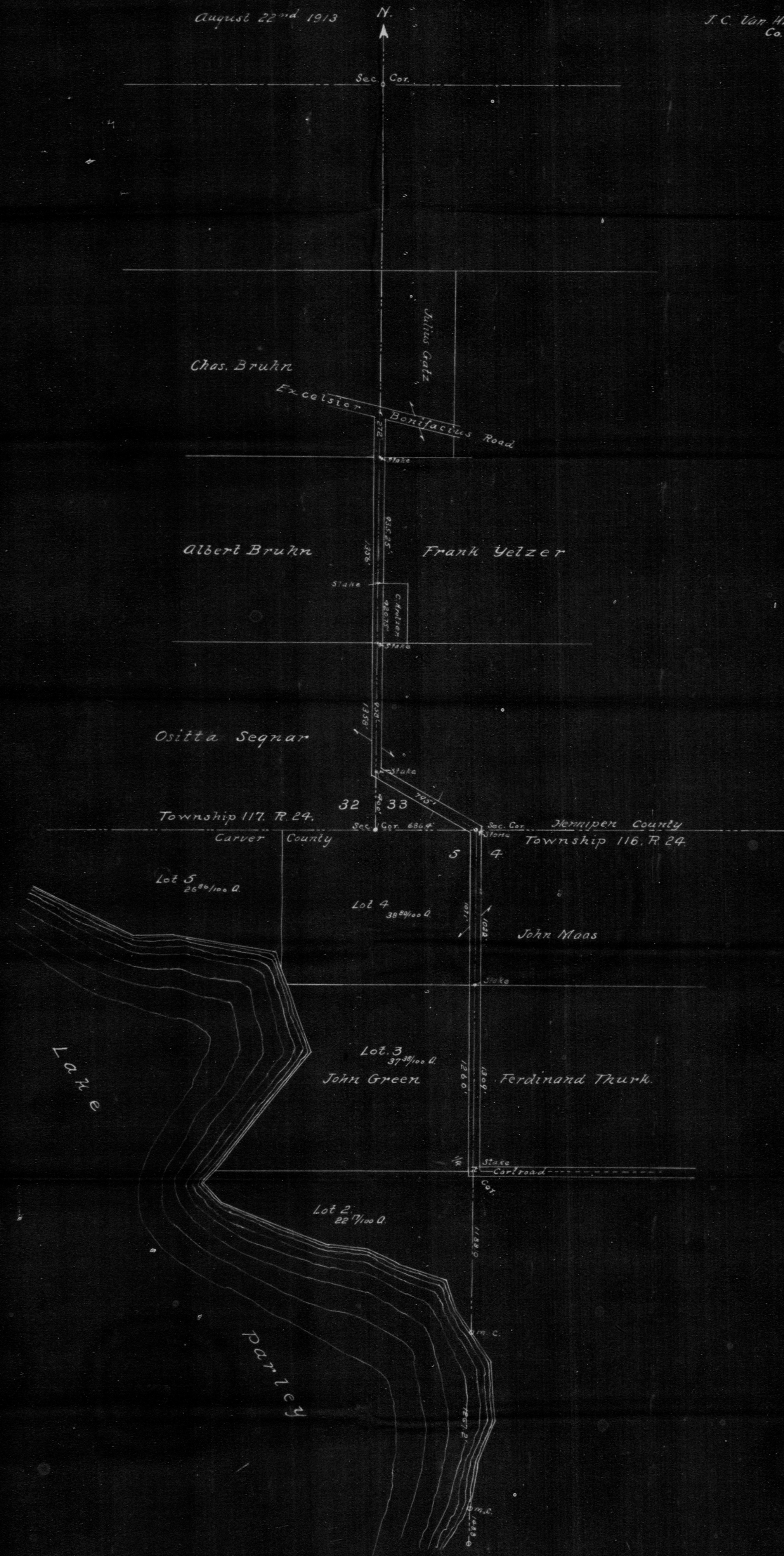
Carver and Hennipen Counties, The center line of which is described as follows; to-wit,

Commencing at the Quarter post on line between Sections Four (4) and Five (5) Township 116. N. of Range 24. West; Thence North on Section line a distance of Twenty-three hundred thirty-one (2331) feet to the section corner of sections four (4) and five aforesaid; thence North 58° 45' West a distance of seven hundred ninety-five (795) feet to a point on Section line, a distance of four hundred (400) feet North from the Southwest corner of Section Thirty-three (33) Township 117. N. of Range 24. W. thence North on Section line between Sections Thirty-two (32) and Thirty-three (33) Township and Range aforesaid, a distance of Twenty-five hundred eighty-six (2586) feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

August 22nd 1913

N.

J. C. Van Hrevelen
Co. Surveyor



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(Light Ink)

State of Minnesota,
Counties of Carver and Hennepin.

In the District Courts of
Carver and Hennepin Counties

In the Matter of the laying out
and establishing of a Judicial
Road running into and through
the said Counties of Carver and
Hennepin.

}
} PETITION
}

To the Honorable P. W. Morrison, Judge of the Eighth Judicial District
of Carver County, Minnesota

The undersigned, legal voters, freeholders and taxpayers residing
in the Counties of Carver and Hennepin, in the state of Minnesota,
do hereby respectfully petition said Court to lay out and establish
a Judicial Road ^{four rods wide} running into and through the Counties of Carver and
Hennepin, in said state of Minnesota, and which said Judicial Road
is described as follows:

To lay out and establish said Judicial Road so running into and
through the said Counties of Carver and Hennepin so that ^{the center line of} said Judicial Road when laid out and established will run as follows: Commencing at the Quarter Post on line between Sections Four (4) and Five (5) Township 116 N. of Range 24 West, Carver County, Minnesota, Thence north on section line a distance of twenty-three hundred thirty one (2331) feet to the section corner of sections Four (4) and Five (5) aforesaid; thence running north in Hennepin County 58 45' West a distance of seven hundred ninety-five (795) feet to a point on section line, a distance of four hundred (400) feet north from the Southwest corner of Section Thirty three (33) Township 117, N. of Range 24, W. said Hennepin County, Minnesota, Thence north on section line between sections Thirty two (32) and Thirty three (33) Township 117 N. of Range 24 W. said Hennepin County, Minnesota, a distance of Twenty five hundred eighty six (2586) feet to a point in the center of the Excelsior-Bonifacius Road and there terminating.

That the owners of the lands over which said proposed Judicial Road will run are John Green, Ferdinand Thurk, John Maas, residing

in said Carver County, and Ogitta Segnar, Frank Yetzer, Albert Bruhn, Chas. Bruhn and Julius Gatz, ^{and Chas. Krotzer} residing in said Hennepin County.

Wherefore your petitioners pray that you will proceed to lay out, establish and cause to be opened to travel said proposed Judicial Road as above described.

Dated at Lake Town Township Sept 17, 1903

Alfred Klatt	John Segnar
Herman Klatt	John W. Gottmann
Friedrich Thuerk	Ernest Bismell
Edward Walter	Albert J. Dill
Ro. Fink	John P. Papp
John Green	Chas. L. Papp
Gust Kowalski	M. H. Regule
Sam Walter	Jos. Wiegand
Henry Lohm	Heliodor Leubauer
John G. East	George F. Loggins
Frank Bruckner	Frank C. Schuber
Wm. J. Goch	Jos. Thurneller
John Walter	H. J. Guthmann
Christ. Fink	John J. Hamiller
Bernard Loggin	John Hamiller
Martin Meas	L. K. Klock
	J. A. Ahlstrom
	Julius Gatz

Petitioners

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State of Minnesota

County of _____

Court

Due and personal service of the within

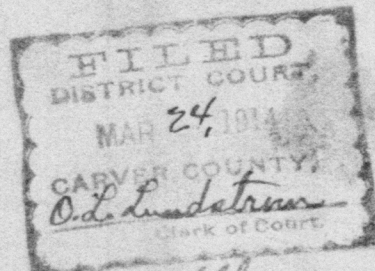
admitted

this _____ day of _____ 19 _____

Attorney for _____

Attorney for _____

Minnesota



By H. O. Muehlberg, Deputy
E 181

Illegible
(Light Ink)

STATE OF MINNESOTA

DISTRICT COURT

County of Carver

Eighth Judicial District

-----:-----

In the matter of the laying out
and establishing a Judicial Road
running into and through the Coun-
ties of Carver and Hennepin, Minnesota.

-----:-----

Whereas John Hegerle and others duly petitioned said Court for
the laying out and establishment of a judicial road running into
and through said counties, which said petition was filed in said
Court on March 24, 1914;

And, Whereas, said petition was, on notice duly given, duly
presented to said Court on Nov. 20, 1913, and C. M. E. Carlson,
Chas. Buschkowsky and John F. Boylan were then duly appointed ^{Commissioners} for
the purpose of inspecting the laying out of such proposed Judicial
Road and reporting thereon as required by law and J. C. VanKrevelen
was appointed to assist said Commissioners;

And, Whereas, said Commissioners duly qualified as such, said
J. C. VanKrevelen was ^{appointed} by said Commissioners to make a survey of
said proposed road, such survey was actually made by said J. C.
VanKrevelen, and said Commissioners duly made report of their pro-
ceedings at the March, 1914, term of said Court as required by the
Order appointing them;

And, Whereas, said Court lost jurisdiction to make a final
order establishing such road as appears by an order filed in said
Court on the 12th day of April, 1915.

And, Whereas, certain espenses and fees were actually and nec-
essarily incurred in said proceedings, and the following named per-
sons are entitled to the amounts set opposite their names because
of fees and expenses in said proceeding, viz:

C. M. E. Carlson	4 days	\$12.00
C. M. E. Carlson	100 miles travel	8.00
		<u>\$20.00</u>

Charles Buschkowsky	4 days	\$12.00
Charles Buschkowsky	60 miles travel	4.80
		<u>\$16.80</u>
John Boylan	4 days	\$12.00
John Boylan	30 miles travel	2.40
		<u>\$14.40</u>
J. C. VanKrevelen	4 days	\$16.00
J. C. VanKrevelen	30 miles travel	2.40
J. C. VanKrevelen	4 plats	10.00
J. C. VanKrevelen	expenses	10.00
		<u>\$38.40</u>
C. A. Reil	publishing notice	\$25.50
A. Hlavacek	publishing notice	\$19.50

The fees of the Clerk of Court and Register of Deeds of both Counties in the sums allowed by law.

It is therefore Ordered, That the County of Carver pay the following sums, or so much thereof as have not been heretofore paid, in discharge of the foregoing items of fees and expenses, viz:

To Charles Buschkowsky	\$16.80
To John Boylan	14.40
To C. A. Reil	25.50

and the fees, if any, of the Register of Deeds for said County and the fees of the Clerk of Court for said County.

And it is further Ordered, That the County of Hennepin pay the following sums, or so much thereof as have not been heretofore paid, in discharge of the items of fees and expenses incurred in said proceeding, viz:

To C. M. E. Carlson	\$20.00
To J. C. VanKrevelen	38.40

To A. Hlavacek

\$19.50

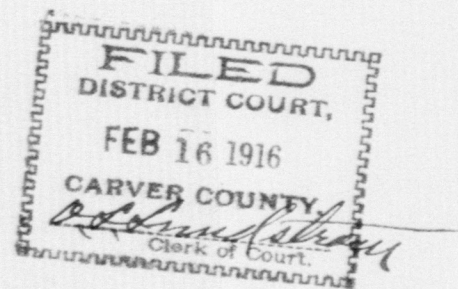
together with the fees of the Register of Deeds and the Clerk of
Court for said Hennepin County.

Dated, Feb. 9, 1916.

W. M. Morrison
Judge of the District Court

Original

#180



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