



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

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

3276
No. 181

DISTRICT COURT,

Carver County, Minnesota

*In the matter of laying out
and establishing public
Road running into and
through the said, Quarter 16
of Corner 3 Sibley.*

Defendant

John J. Fahey
Petitioner's Attorney

Defendant's Attorney

Date of Entry *March 2nd 1914*

Register of Actions, *E* Page *182*

Term Tried *191*

Judgment for

Amount of Judgment, \$

Date of Judgment *191*

Judgment Book Page

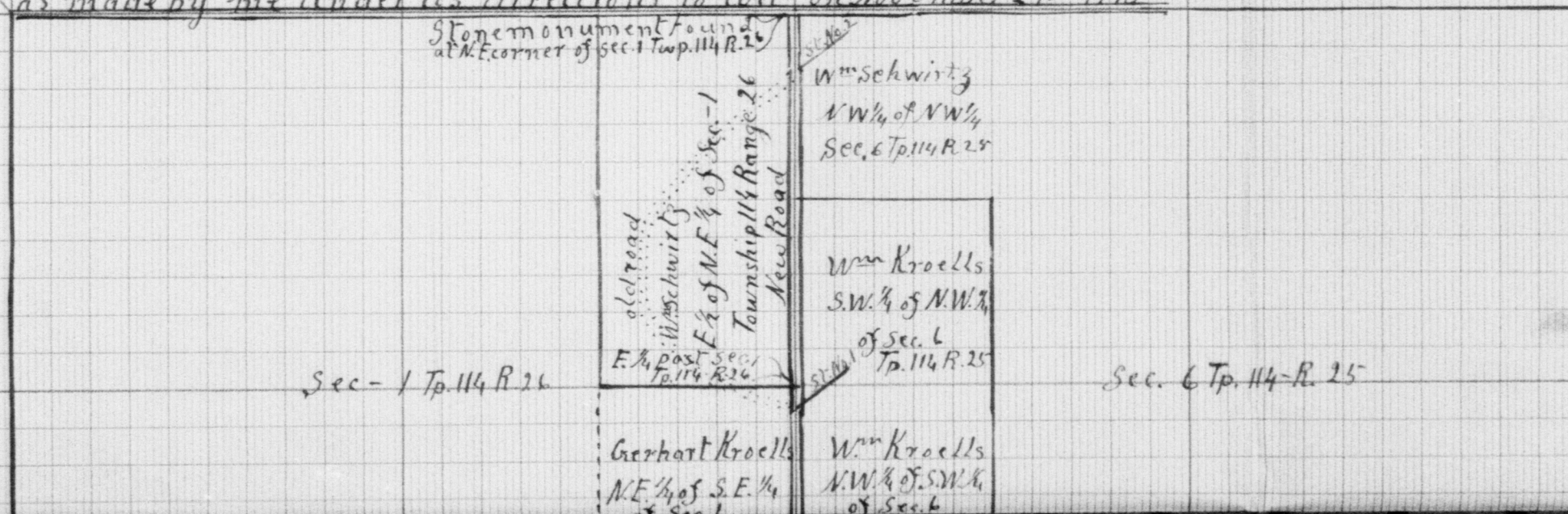
Default Judgment Book Page

Date of Docketing *191*

Surveyor's Report and plat of Survey for change of Public Highway
 along the County Line between Section 1 Township 113 Range 26, Sibley County Minn
 and .. 6 .. 114 .. 25 Carver ..

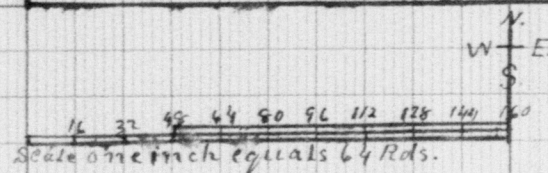
To the Honorable P.W. Morrison Judge of the District Court
 of the eighth Judicial District of the State of Minnesota

The undersigned having been employed by your committee to make a survey for change
 of above described road would report that the following is a correct survey thereof
 as made by me under its directions to wit on November 29th 1913.



Tp. 114 R. 26

Tp. 114 R. 25



County line Road

That part of the road to be changed described as follows
 Beginning on the said County line at a point two (2) chains south of the south
 east corner of the North East quarter of section one Twp. 114 Range 26
 thence running by course and distance as follows

From said point of beginning North 70° West 7.00 chains

Thence .. 58° .. 9.48 ..

.. $16^{\circ}45'$.. 6.00 ..

.. $5^{\circ}45'$ East 8.48 ..

.. $36^{\circ}30'$.. 3.07 ..

.. $48^{\circ}14'$.. 17.57 .. and there

intersecting the County line again at a point $6\frac{1}{2}$ chains south of the North East
 corner of said section 1 Tp. 114 R. 26

Said Road to run when changed as follows:

Beginning at a point on the County line between Tolley and Carver Counties two chains
 south of the south east corner of the North east quarter of section one (1) Township 114 Range 26
 at St. No. 1 and thence running north on the county line between Counties of Tolley and Carver
 35 chains and 88 links and there intersecting the old road again at a point 6 chains south
 of the North east corner of section one (1) Tp. 114 R. 26 there terminating at St. No. 2

And the above plat is a true and correct plat of said road according
 to survey.

Dated at Washington Lake Dec. 8th 1913

L. F. Marlen,
 Surveyor.

Illegible
(Light Ink)

State of Minnesota
County of Carver,

District Court, Eighth Judicial District.

In the Matter of the Alteration
and Vacation of a Judicial Road run-
ning into and through the Counties
of Carver and Sibley in said State.

The above entitled matter being on the Calendar 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 change, alter and vacate a part of a Judicial road running into and through the Counties of Carver and Sibley 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 27th day of October, 1913 whereby John J. Mohre James Duffy and Albert C. Klancke were appointed as Commissioners to so change alter and vacate said Judicial Road, according to the prayer of the petition. And it appearing now here that said Commissioners duly met on the 29th day of November, 1913, at the hour of ten o'clock in the forenoon of said day, at the office of John J. Fahey, Norwood, Minnesota, that being the time and place designated in the order of appointment, and that they then and there took the oath of office required by law, and that they then and there by a proper order in writing duly made and signed by them appointed S. F. Mullen County Surveyor of Sibley County, Minnesota, as surveyor on the survey of said change and alteration of said road, that thereupon said Commissioners proceeded to view said proposed change and alteration and vacation of said Judicial Road, caused a survey thereof to be made, and to make said change and alteration, and that they did then and there proceed to assess the damages and to ascertain the amount each landowner was to receive by reason of said change and alteration of said road. That they did not procure any release for 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 change and alter-

ation of said road as by them established, with the Clerk of this Court, and having caused duplicate plats 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 change, alteration and vacation of a part of 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 changed and altered, laid out and established as in such report and plat shown, as follows, the same being four rods in width and the center line of which is described as follows:

Beginning at a point on the County line between said Counties two (2) chains south of the South East corner of the North East Quarter (N.E. $\frac{1}{4}$) of Section one (1) Township one hundred and fourteen (114) Range Twenty-six (26), Sibley County, Minnesota, and thence running north on the county line between said Counties of Carver and Sibley, State of Minnesota, a distance of thirty-five (35) chains and eighty eight (88) links, and there intersecting the said Judicial Road as it is now located and established at a point six and one half ($6\frac{1}{2}$) chains south of the North East corner of said Section one (1), Township one hundred and fourteen (114) Range Twenty-six (26) and then and there terminating said *proposed* change ~~and~~ alteration. *of said Judicial Road aforesaid.*

That a more particular description of said change and alteration 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 as assessed and determined by said Commissioners as in their report set forth, be and the same is hereby allowed and confirmed, as follows:

W. Schwirtz,	Benefits equal to damages
William Kroells,	Damages \$ <u>80.00</u>
G. Kroells,	Benefits equal to damages.
Total damages allowed	\$ <u>80.00</u>

That the total damages assessed in Sibley County is none, and that the total damages assessed in Carver County is \$ 80.00.

That the total expenses reported by said Commissioners is as follows:

John J. Mohre	<u>2</u> days and <u>100</u> miles travel	\$ <u>16.00</u>
James Duffy	<u>2</u> days and <u>62</u> miles travel	\$ <u>12.20</u>
Albert C. Klancke	<u>1</u> days and <u>40</u> miles travel	\$ <u>10.00</u>
S. F. Mullen		

Out with Committee on Survey	\$5.00
Board and expense and own auto	1.00
3 Reports and Plats of Survey	6.00
One day on account of hearing	5.00

Ordered further that the fees of the Clerk of Court and also of the Register of Deeds of Carver and Sibley Counties be added to and included in the expenses and that the same are hereby confirmed and allowed.

Ordered further that the bill of F. H. Groetsch publisher of the Green Isle Record a weekly newspaper published in Sibley County, Minnesota, amounting to \$ 15.50 for printing notice of presentation of the petition in this matter, be allowed and the same is hereby allowed as a part of the expenses herein, and also the bill of J. E. Sweeney publisher of the Norwood Times a weekly newspaper published in Carver County, Minnesota, for publishing the notice of presentation of said petition to the Court in this matter, and amounting to the sum of \$ 28.50 be allowed and the same is hereby allowed as a part of the expenses herein.

Ordered further that the County of Carver in said Judicial District of said State pay all damages assessed and determined by said Commissioners in the matter of the right of way for said

change and alteration of said road taken in said Carver County amounting to the sum of \$ 80.00, and also that said Carver County pay the following items of expense incurred in said matter, J. E. Sweeney publishing notices, \$ 28.50, and the fees and expenses of the three Commissioners amounting in all the sum of \$ 38.20, and also the Clerk of Court and Register of Deeds fees if any. And that the County of ~~Carver~~ ^{Sibley} pay the following items of the expenses incurred in said change and alteration as follows: F. H. Groetsch for publishing notices \$ 15.50; S. F. Mullen fees and expenses incurred in said matter \$17, and also all other fees such as Register of Deeds fees, Clerk of Courts fees and auditor's fees if any in this matter.

That ~~Carver~~ County pay to R. P. McNamara the sum of \$17.50 for making a survey of said proposed road.

Ordered further that the Clerk of the District Court of Carver County furnish to the Auditors of the Counties of Sibley and Carver 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.

Ordered that the County Boards 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 said report, and as allotted to each of said Counties,

Ordered further that the said change and alteration 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 ninety days after the filing of this order with the Clerk of Court of Carver County, Minnesota.

Dated at Norwood, Minnesota, Oct. 5, 1914

W. W. Morrison
Judge District Court.

State of Minnesota,

ss.

County of

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,

COURT.

ss.

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.

181

State of Minnesota

County of _____

Court.

Plaintiff.

vs.

Defendant.

Due and personal service of the within

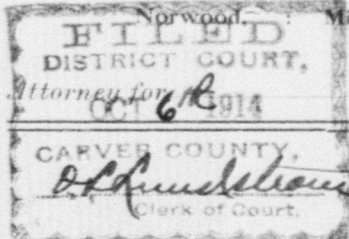
admitted

this _____ day of _____

Attorney for _____

J. J. FAHEY

Norwood, Minn.



E182

State of Minnesota,

County of _____

ss.

being first duly sworn upon oath deposes

and says, that at the _____

in said County and State, on the

day of _____

19____, he served the within

upon _____

the

therein named, personally, by _____

leaving in _____

at the house of the usual abode of said

with _____

a

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 _____

County, Minn.

My Commission Expires _____

Notice of Presentation of Petition.

Notice is hereby Given, That a petition for the change, alteration and establishment of judicial road running into and through the Counties of Carver and Sibley in the State of Minnesota, and the vacation of a part of said judicial road aforesaid, a true copy of which petition is hereto attached, will be presented to the Hon. P. W. Morrison, Judge of the District Court in and for said Counties, in and for the Eighth Judicial District of said State, at the General Term of said Court appointed to be held at the Court House in the Village of Le Sueur Center, in the County of Le Sueur, in said Eighth Judicial District of said State, on Monday the 23rd day of September 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 21st day of July 1913.

John J. Fahey

Atty. for Petitioners

Norwood, Minnesota

State of Minnesota

County of Carver

District Court, Eighth Judicial District,

In the Matter of the
Alteration and va-
cation of a Judic-
ial Road running
into and through
the Counties of Car-
ver and Sibley in
said State.

Petition

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

The undersigned, legal voters, freeholders and taxpayers residing in the Counties of Carver and Sibley, in the State of Minnesota, do hereby respectfully petition said Court for the change and alteration and the vacation of a part of a Judicial Road running into and through the Counties of Carver and Sibley, in said State of Minnesota, and which alteration and vacation is described as follows:

To alter, change, locate and establish that portion of said Judicial Road so running into and through the Counties of Carver and Sibley, in said State of Minnesota, so that said change when so established will run as follows: Beginning at a point on the County line between said Counties two (2) chains south of the South East corner of the North East Quarter (NE $\frac{1}{4}$) of Section one (1) Township one hundred and fourteen (114), Range twenty-six (26), Sibley county Minnesota, and thence running north on the County line between said Counties of Carver and Sibley, State of Minnesota, a distance of thirty-five (35) chains and eighty-eight [88] links, and there intersecting the said Judicial Road as it is now located and established at a point six and one half [$6\frac{1}{2}$] chains south of the North East corner of said Section one (1) Township one hundred and fourteen (114) Range twenty-six (26) and then and there terminating said proposed change or alteration of said Judicial road aforesaid.

And to vacate that portion of said Judicial Road so running into and through the said Counties of Carver and Sibley in said State of Minnesota, and now located and traveled to-wit: Beginning at a point on the said County line between said Counties of Carver and Sibley in the said Judicial Road as the same is now located and established, which said point is two (2) chains south of the South East corner of the North East Quarter [NE $\frac{1}{4}$] of section one (1) Township one hundred and fourteen (114) Range twenty-six (26) Sibley county Minnesota, thence running by course and distance as follows to-wit: From said point of beginning North seventy-one (71) degrees West seven (7) chains, thence North fifty-eight (58) degrees West nine and forty-eight hundredths [9.48] chains thence North sixteen (16) degrees forty-five (45) minutes West six (6) chains, thence North five (5) degrees forty-five (45) minutes East eight and forty-eight hundredths (8.48) chains, thence North thirty-six (36) degrees thirty (30) minutes East three (3) chains, thence North forty-eight (48) degrees fifteen (15) minutes east seven and fifty-seven hundredths (7.57) chains and there intersecting the said County line again at a point six and one half ($6\frac{1}{2}$) chains south of the North East corner of said section one (1) Township one hundred and fourteen (114) Range twenty-six (26) Sibley County Minnesota.

That the owners of the lands over which such proposed change or alteration of said Judicial Road will run as well said vacation are G. Kroells, Wm. Kroell and W. Schwartz.

Your petitioners pray that you will proceed to lay out, establish, and cause to be opened to travel said proposed change or alteration of said Judicial Road and that you will vacate said portion of the said old Judicial Road as above described.

Dated May 31, 1913.

J. H. Harms, Jr.

John Wirtz

H. Bachmann

John Trocke

H. C. Franck

Ernst Lindemeier

Fred Herrmann

John Herrmann

Gust Machus

Mike Herrmann

Herman Vox

Peter J. Kroells

And. Franck, Jr.

E. H. Daly

P. A. Colbert

Pat Welch

Pat Collins

Thomas Bowser

C. J. Johnson

Sam Rolff

Ernst Bartels

J. M. Miller

William Ische

Frank Hogan

John Flaherty

Mike O'Day

Pat Haugh

George Mullen

Thomas Collins

Pat Galvin

Hubert Meyer

Christ Effertz

G. Pieper

Chas. Herrmann

Petitioners.

State of Minnesota, } ss.
COUNTY OF CARVER

Came personally before me, *J. E. Sweeney*
and, being duly sworn, deposes and says that he now is, and during all the time hereinafter
mentioned, has been, the printer and publisher of the Norwood Times, a weekly newspaper
printed and published at Norwood, in said Carver County, on Friday of each week.

That he knows of his own knowledge that the printed notice of.....

notice of presentation of petition

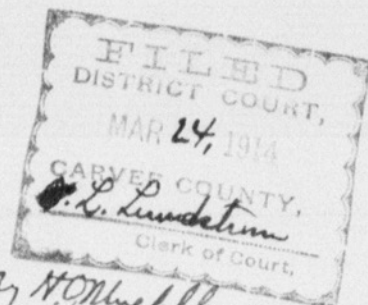
hereto attached, cut from the columns of said newspaper, was inserted, printed and pub-
lished in said newspaper once in each week for..... *3*..... successive weeks, and that all of
said publications were made in the English language. That said notice was first inserted,
printed and published in said newspaper on Friday, the *29* day of *Aug* 191*3*
and was printed and published therein on each and every Friday thereafter until and in-
cluding Friday, the *13* day of *Sept* 191*3*.....; that during all the
time aforesaid, said newspaper was a collection of general and local news, comments and
miscellaneous literary items, and regularly issued and published on Friday of each week
from a known office of publication, said office being equipped with the necessary materials-
presses, etc., and skilled workmen for producing same, and has consisted of not less than
four pages, of five columns or more to each page, each column not less than seventeen and
three-fourths inches in length, and never made up wholly of patents, plates and advertise-
ments, or either or any of them, and has not been substantially a duplicate of any other
newspaper, and has been regularly delivered each week to more than two hundred and
forty paid subscribers, and that said newspaper, composed and consisting as above set forth,
was printed and published in the English language, weekly and generally circulated in
Carver county for more than one year next preceding the date of the first publication of
said notice.

That the publisher of said newspaper has filed with the County Auditor of said 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 1888, and amendments thereto.

Subscribed and sworn to before me this, *16th* day of *Aug*, 191*3*

John J. Taher
Notary Public, Carver County, Minn.

My Com. Expires Dec 31, 1913



By H. O. Muehlberg, Deputy

E 182

Illegible
(Light Ink)

State of Minnesota,

County of Carver.

District Court, Eighth Judicial District

In the Matter of the Alteration
and Vacation of a Judicial Road run-
ning into and through the Counties
of Carver and Sibley in said State.

Order Appointing Commis-
sioners.

The petition in said above entitled matter was duly presented for hearing at the General Term of the District Court heard in and for said District at the Court House in the City of Shakopee, on Monday the 27th day of October, 1913, at 11:30 o'clock in the forenoon of said day.

John J. Fahey, Esq., an attorney at law residing at Norwood, Minnesota, appeared for and in behalf of the Petitioners.

Said petition called for the altering, changing, locating and establishing of a Judicial road running into and through the Counties of Carver and Sibley, in the state of Minnesota, so that the change when so established will run as follows: Beginning at a point in the county line between said Counties two (2) chains south of the South East corner of the North East Quarter (NE $\frac{1}{4}$) of Section One (1), Township One Hundred and Fourteen (114), Range Twenty-six (26), Sibley County, Minnesota, and thence running north on the County line between said Counties of Carver and Sibley, State of Minnesota, a distance of thirty-five chains and eighty-eight (88) links, and there intersecting the said Judicial Road as it is now located and established at a point six and one half (6 $\frac{1}{2}$) chains south of the North East corner of said Section One (1) Township One Hundred and Fourteen (114), Range Twenty-six (26) and then and there terminating said proposed change or alteration of said Judicial Road aforesaid,

And to vacate that portion of said Judicial Road so running into and through the Counties of Carver and Sibley, in said state of Minnesota, and now located and traveled, to-wit: Beginning at a point on the said county line between said counties of Carver and Sibley in said Judicial Road as the same is now located and established, which said point is two (2) chains south of the South East corner of the North East Quarter (NE $\frac{1}{4}$) of Section One (1), Township One Hundred and Fourteen (114) Range Twenty-six (26), Sibley County, Minnesota, thence running by course and distance as follows: to-wit: From said point of beginning North Seventy-one Degrees (71) West Seven (7) chains, thence North Fifty-eight Degrees (58) West Nine and forty eight hundredths (9.48) chains, thence North Sixteen Degrees forty five minutes (16 45') West six (6) chains, thence north Five degrees forty five minutes East eight and forty-eight hundredths (8.48) chains, thence north thirty-six degrees thirty minutes (36 30'), East three chains, thence north forty eight degrees fifteen minutes East seventeen and fifty-seven hundredths chains and there intersecting the said County line again at a point six and one half (6 $\frac{1}{2}$) chains south of the north east corner of said section one (1), township one hundred and fourteen (114), Range twenty-six, Sibley County, Minnesota.

That the owners of the lands over which such proposed change or alteration of said Judicial Road will run as well as said vacation are, G. Kroells, William Kroells and W. Schwirtz.

That it appeared that said petition had the requisite number of legal, voters, freeholders and taxpayers residing in said Counties as signers thereof, and that it further appeared that the Notice of Presentation of said Petition had been duly and legally published in the Norwood Times at Norwood, Carver County, Minnesota, and the Green Isle Record at Green Isle, Minnesota, and that said notices of presentation had been duly served on the Chairman of the Boards

of County Commissioners of said Counties and upon the Town Clerk's of the Town of Hancock and Washington Lake, which Towns are affected by said proposed change, and that notices of said presentation of said petition had been duly posted as provided by law, and that all the proceedings herein were done according to the statutes of this state governing such matters. That no person appeared in opposition to said proposed changes and alteration of said Judicial Road, *and that the same is of public benefit and utility*

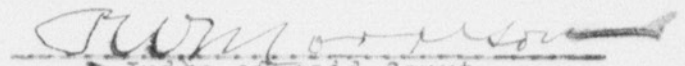
Now therefore It Is Ordered that John J. Mohre, residing at Henderson, Sibley County, Albert C. Klancke, residing at Norwood, Carver County, and James Duffy residing at Hancock Town, Carver County be and hereby are appointed Commissioners for the purpose of inspecting said proposed change and alteration, and determining the advisability thereof, and to do such other and further things in said matters and they shall determine necessary.

That it is further ordered that said above named John J. Mohre, Albert C. Klancke and James Duffy meet at the office of John J. Fahey at Norwood, Minnesota, there to take the oath of their office required by law and thereafter to proceed to inspect said proposed change, that the date of said meeting shall be the 29th day of November, 1913, at 10 o'clock in the forenoon of said day.

It is further ordered that S. F. Mullen be and he is hereby appointed surveyor to assist said Commissioners in their determination, and that said S. F. Mullen shall ~~with~~ meet with said Commissioners at the said office of said John J. Fahey on said 29th day of November, 1913, at said 10 o'clock in the forenoon of said day to then and there take his oath of office in said matter as 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 the City of Henderson, Minnesota, on the 8th day of December, 1913.

Dated at Shakopee, Minnesota, Oct. 27th, 1913.


Judge of said Court.

FILED
DISTRICT COURT,
MAR 24, 1914
CARVER COUNTY,
O. L. Lundstrum
Clerk of Court.

By H. O. Marshall, Deputy

E 182

STATE OF MINNESOTA, }
COUNTY OF CARVER. }

District Court, Eighth Judicial District.

In the Matter of the Alteration }
and Vacation of a Judicial Road run- } P E T I T I O N .
ning into and through the Counties }
of Carver and Sibley in said State. }

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

The undersigned, legal voters, freeholders and taxpayers residing in the Counties of Carver and Sibley, in the State of Minnesota, do hereby respectfully petition said Court for the change and alteration and the vacation of a part of a Judicial Road running into and through the Counties of Carver and Sibley, in said State of Minnesota, and which alteration and vacation is described as follows:

To alter, change, locate and establish that portion of said Judicial Road so running into and through the Counties of Carver and Sibley, in said State of Minnesota, so that said change when so established, will run as follows: Beginning at a point on the County line between said Counties two (2) chains south of the South East corner of the North East Quarter (NE $\frac{1}{4}$) of Section One (1), Township One Hundred and Fourteen (114) , Range Twenty-six (26), Sibley County, Minnesota, and thence running north on the County line between said Counties of Carver and Sibley, State of Minnesota, a distance of thirty-five (35) chains and eighty-eight (88) links, and there intersecting the said Judicial Road as it is now located and established at a point six and one half (6 $\frac{1}{2}$) chains south of the North East corner of said Section One (1) Township One Hundred and Fourteen (114), Range Twentysix (26) and then and there terminating said proposed change or alteration of said Judicial Road aforesaid.

And to vacate that portion of said Judicial Road so running into and through the said Counties of Carver and Sibley, in said State of Minnesota, and now located and traveled, to-wit: Beginning at a point on the said County line between said Counties of Carver and Sibley in the said Judicial Road as the same is now located and established, which said point is two (2) chains south of the South

East corner of the North East Quarter (NE $\frac{1}{4}$) of Section One (1) Township One Hundred and Fourteen (114) Range Twenty-six (26) Sibley County, Minnesota, thence running by course and distance as follows, to-wit: From said point of beginning North Seventy-one Degrees (71°) West ~~52~~ Seven (7) chains, thence North Fifty-eight Degrees (58°) West Nine and forty-eight hundredths (9.48) chains, thence North Sixteen Degrees forty five minutes (16° 45') West Six (6) chains, thence North Five Degrees Forty five minutes (5° 45') East Eight and forty eight hundredths (8.48) chains, thence North Thirty six Degrees thirty minutes (36° 30') East Three (3) chains, thence North Forty-eight Degrees Fifteen minutes (48° 15') East Seventeen and Fifty seven hundredths chains (17.57 chains) and there intersecting the said county line again at a point six and one half (6 $\frac{1}{2}$) chains South of the North East corner of said Section One (1), Township One Hundred and fourteen (114) Range Twenty-six (26), Sibley County, Minnesota.

That the owners of the lands over which such proposed change or alteration of said Judicial Road will run as well as said vacation are G. Kroells, Wm. Kroells and W. Schwirtz.

Your petitioners pray that you will proceed to lay out, establish and cause to be opened to travel said proposed change or alteration of said Judicial Road and that you will vacate said portion of the said old Judicial Road as above described.

Dated May 31, 1913.

<i>J. H. Hampe</i>	:	<i>Herman Vox</i>
<i>John Witz</i>	:	<i>Peter J. Kroell</i>
<i>W. Backman</i>	:	<i>And Knuck Jr.</i>
<i>John Trocke</i>	:	<i>E. H. Daly</i>
<i>E. L. Frank</i>	:	<i>P. A. Colbert</i>
<i>Ernst Lindemann</i>	:	<i>Pat Welch</i>
<i>Fred Herrmann</i>	:	<i>Pat Collins</i>
<i>John Herrmann</i>	:	<i>Thomas Brown</i>
<i>Gustav Abraham</i>	:	<i>E. J. Johnson</i>
<i>Mike Herrmann</i>	:	

Sam Rolf	Charles Herrmann
Ernst Bartels	
J. H. Miller	
William (Seeha)	
Freddie Hogan	
John J. Lahey	
Mike O'Day	
Pat Hogan	
George Mestlen	
Thomas Collins	
Pat Galvin	
Hubert Meyer	
Christ Effertz	S. Piper
Petitioners	Petitioners

ORIGINAL

State of Minnesota

County of Carver & Sibley

District _____ Court

In the Matter of the Al-
teration and Vacation of
a Judicial Road running
into and through Carver and
Sibley Counties in said
State

PETITION

Due and personal service of the within

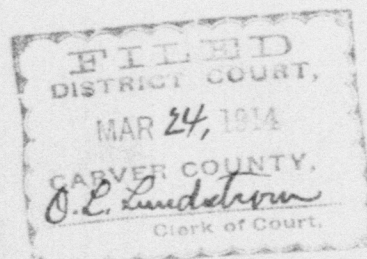
admitted

this _____ day of _____ 19 _____

Attorney for _____

Attorney for _____

Minnesota



By *N. O. Muehlberg, Deputy*
E 182

State of Minnesota,
Counties of Carver and Sibley

In District Court
8th Judicial District

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

Hearing of Commissioners
Report

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

COMPTON OF CARVER AND SIOUX
 COUNTY, IOWA AND JAMES H. HILL
 AND ESTABLISHED A TRADING POST
 IN THE WINTER OF 1882.

ATTEST, MINNESOTA
 JAMES L. HILL

FILED
 DISTRICT COURT,
 MAR 2 1914
 CARVER COUNTY,
John L. Hill
 Clerk of Court.

Illegible
(Light Ink)

State of Minnesota,
County of Carver,

In District Court,
Eighth Judicial District.

In the Matter of the Alteration
and Vacation of a Judicial Road run-
ning into and through the Counties
of Carver and Sibley in said State.

I, John J. Mohre one of the commissioners appoint-
ed by the Honorable, P. W. Morrison, Judge of the above named Court,
to inspect said proposed change and alteration and to determine the
advisability thereof, and to do such other and further things in said
matter as I deem necessary, do solemnly swear that I shall support the
Constitution of the United States and of the State of Minnesota, and
that I shall conduct myself as said commissioner to the best of my
ability, and with all good fidelity to the Court as well as to all
other parties concerned in said matter, and that I will use no false-
hood or deceit in said matter. So Help Me God.

Subscribed and sworn to before me this 29th day of November, 1913.

John J. Mohre
John J. Faherty



Nov. 29th, 1913.

We the undersigned Commissioners
Appointed by the Court to Consider said
above matter do hereby appoint S. J.
Mullen, as surveyor, to make all the
necessary and proper surveys and plat
in said matter.

John J. Mohre
James Huffy
Albert Kraus

State of Minnesota,

County of Carver,

In District Court,

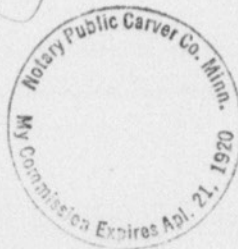
Eighth Judicial District.

In the Matter of the Alteration
and Vacation of a Judicial Road run-
ning into and through the Counties
of Carver and Sibley in said State.

I, James Duffy one of the commissioners appoint-
ed by the Honorable, P. W. Morrison, Judge of the above named Court,
to inspect said proposed change and alteration and to determine the
advisability thereof, and to do such other and further things in said
matter as I deem necessary, do solemnly swear that I shall support the
Constitution of the United States and of the State of Minnesota, and
that I shall conduct myself as said commissioner to the best of my
ability, and with all good fidelity to the Court as well as to all
other parties concerned in said matter, and that I will use no false-
hood or deceit in said matter. So Help Me God.

James Duffy
Subscribed and sworn to before me this 29th day of November, 1913.

John J. Fahy



State of Minnesota,
County of Carver,

In District Court,
Eighth Judicial District

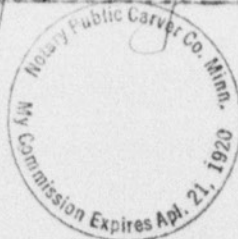
In the Matter of the Alteration
and Vacation of a Judicial Road run-
ning into and through the Counties
of Carver and Sibley in said State.

I, Albert C. Klancke, one of the commissioners appointed
by the Honorable P. W. Morrison, Judge of the above named Court,
to inspect said proposed change and alteration and to determine the
advisability thereof, and to do such other and further things in
said matter as I deem necessary, do solemnly swear that I shall sup-
port the Constitution of the United States and of the State of
Minnesota, and that I shall conduct myself as such commissioner
to the best of my ability, and with all good fidelity to the Court
as well as to all parties concerned in said matter, and that I will
use no falsehood or deceit in said matter. So Help Me God.

Albert C. Klancke

Subscribed and sworn to before me this 29th day of November, 1913.

John J. Fahy



State of Minnesota,
County of Carver,

In District Court,
Eighth Judicial District

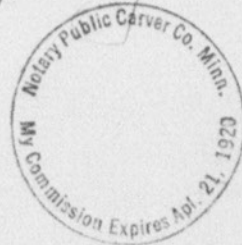
In the Matter of the Alteration
and Vacation of a Judicial Road run-
ning into and through the Counties
of Carver and Sibley in said State.

I, S. F. Mullen, surveyor, appointed
Commissioners in said matter
by the Honorable P. W. Morrison, Judge of the above named Court,
to inspect said proposed change and alteration and to determine the
advisability thereof, and to do such other and further things in
said matter as I deem necessary, do solemnly swear that I shall sup-
port the Constitution of the United States and of the State of
Minnesota, and that I shall conduct myself as such surveyor
to the best of my ability, and with all good fidelity to the Courta
as well as to all parties concerned in said matter, and that I will
use no falsehood or deceit in said matter. So Help Me God.

S. F. Mullen

Subscribed and sworn to before me this 29th day of November, 1913.

John J. Foley



State of Minnesota,
County of Carver.

District Court, Eighth Judicial District.

In the Matter of the Alteration
and Vacation of a Judicial Road run-
ning into and through the Counties : Report of Commissioners
of Carver and Sibley in said State.

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

We, John J. Mohre, James Duffy and Albert C. Klancke, the commissioners appointed by said Court in said above entitled matter, under and by virtue of appointment therein bearing date the 27th day of October, 1913, to lay out and establish a Judicial Road running into and through said Counties of Carver and Sibley, do hereby beg leave to report as follows:

1st. That we met on the 29th day of November, 1913, at the hour of 10 o'clock in the forenoon of said day, at the office of John J. Fahey, Norwood, Minnesota, that being the time and place designated in the order of appointment, and that we took the oath required by law and which oath is returned herewith.

2nd. That we then and there by an order in writing appointed S. E. Mullen, as surveyor, and he took the oath required by law, which oath is returned herewith.

3rd. That we did then proceed to make said change and alteration of said proposed judicial road and to lay out and establish the same, so described, and did cause a survey thereof to be made in pursuance to said order.

4th. That said change and alteration of said Judicial Road as when established so surveyed/is as follows: Beginning at a point on the County line between said Counties two (2) chains south of the South East corner of the North East Quarter ($NE\frac{1}{4}$) of Section One (1), Township One Hundred and Fourteen (114), Range Twenty-six (26), Sibley County, Minnesota, and thence running north on the county line between said Counties of Carver and Sibley, State of Minnesota, a distance of Thirty-five chains and eighty eight (88) links, and there intersecting the said Judicial Road as it is now located and established at a point six and one half ($6\frac{1}{2}$) chains south of the North East corner of said Section One (1) Township One Hundred and Fourteen

(114), Range Twentysix (26) and then and there terminating said proposed change or alteration of said Judicial Road aforesaid.

And to vacate that portion of said Judicial Road so running into and through the said Counties of Carver and Sibley, in said state of Minnesota, and now located and traveled, to-wit: Beginning at a point on the said County line between said Counties of Carver and Sibley in the said Judicial Road as the same is now located and established ^{point} which said ~~point~~ is two (2) chains south of the south east corner of the North East Quarter (NE $\frac{1}{4}$) of Section One (1), Township One Hundred and Fourteen (114) Range Twenty-six (26), Sibley County, Minnesota, thence running by course and distance as follows, to-wit, from said point of beginning north Seventy one Degrees West Seven (7) chains, thence north fifty-eight (58) Degrees West Nine and 43/100 chains (9.43), thence north sixteen degrees forty five minutes West Six chains, thence north five degrees forty five minutes east eight and 43/100 chains, thence north thirty-six degrees thirty minutes east three (3) chains, thence north forty eight degrees fifteen minutes east seventeen and fifty seven hundredths chains and there intersecting the said County line again at a point six and one half (6 $\frac{1}{2}$) chains south of the north east corner of said section one (1), Township One Hundred and Fourteen (114), Range Twenty-six (26), Sibley County, Minnesota.

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

5th. That we caused a plat of said change and alteration as well as of said vacation 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.

6th. That we conferred with as many of the land owners over which road runs as possible, that we did award damages as follows:

W. Schwirtz,	Benefits equal to damages.
Wm. Kroells,	Damages \$ <u>80.00</u>
G. Kroells,	Benefits equal to damages.

Total Damages

\$ 80.00

7th. That we find that said change and alteration of said Judicial Road and the vacation thereof to be of public benefit and u-

tility and that the same ought to be established.

Fees

John J. Mohre	<u>100</u> miles and two days, Total	<u>\$16⁰⁰</u>
James Duffy	<u>62</u> miles and two days, Total	<u>\$12.20</u>
Albert C. Klauke	<u>40</u> miles and two days, Total	<u>\$10⁰⁰</u>
S. F. Mullen,		
	Out with Committee on Survey	\$5.00
	Board and expense and own auto	1.00
	3 Reports and Plats of Survey	6.00
	One day on account of hearing	<u>5.00</u>
Total		\$17.00

Total

Made and dated this 29th day of November, 1913.

\$ _____

John J. Mohre
James Duffy
Albert C. Klauke
Commissioners.

State of Minnesota,

ss.

County of

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,

COURT.

ss.

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.

State of Minnesota,

County of _____

ss.

and says, that at the _____

being first duly sworn upon oath deposes

in said County and State, on the _____

day of _____

19____, he served the within _____

upon _____

the _____

therein named, personally, by _____

leaving with said _____

at the house of the usual abode of said _____

with _____

, a _____

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

County of _____

Court. _____

Plaintiff. _____

vs. _____

Defendant. _____

Due and personal service of the within _____

admitted _____

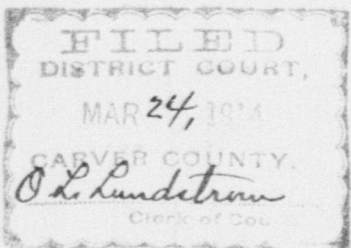
this _____ day of _____

Attorney for _____

J. J. FAHEY

Norwood, : Minn.

Attorney for _____



By NO Muehlberg, Deputy

Notice of Presentation of Petition.

Notice is hereby Given, That a petition for the change, alteration and establishment of judicial road running into and through the Counties of Carver and Sibley in the State of Minnesota, and the vacation of a part of said judicial road aforesaid, a true copy of which petition is hereto attached, will be presented to the Hon. P. W. Morrison, Judge of the District Court in and for said Counties, in and for the Eighth Judicial District of said State, at the General Term of said Court appointed to be held at the Court House in the City of Shakopee, in the County of Scott, in said Eighth Judicial District of said State, on Tuesday the 27th day of October, 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 21st day of July 1913.

John J. Fahey
Atty. for Petitioners
Norwood, Minnesota

State of Minnesota
County of Carver
District Court, Eighth Judicial District,

In the Matter of the
Alteration and vaca-
tion of a Judicial
Road running
into and through
the Counties of Car-
ver and Sibley in
said State.

Petition

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

The undersigned, legal voters, freeholders and taxpayers residing in the Counties of Carver and Sibley, in the State of Minnesota, do hereby respectfully petition said Court for the change and alteration and the vacation of a part of a Judicial Road running into and through the Counties of Carver and Sibley, in said State of Minnesota, and which alteration and vacation is described as follows:

To alter, change, locate and establish that portion of said Judicial Road so running into and through the Counties of Carver and Sibley, in said State of Minnesota, so that said change when so established will run as follows: Beginning at a point on the County line between said Counties two (2) chains south of the South East corner of the North East Quarter (NE $\frac{1}{4}$) of Section one (1) Township one hundred and fourteen (14), Range twenty-six (26), Sibley county Minnesota, and thence running north on the County line between said Counties of Carver and Sibley, State of Minnesota, a distance of thirty-five (35) chains and eighty-eight (88) links, and there intersecting the said Judicial Road as it is now located and established at a point six and one half (6 $\frac{1}{2}$) chains south of the North East corner of said Section one (1) Township one hundred and fourteen (14) Range twenty-six (26) and then and there terminating said proposed change or alteration of said Judicial road aforesaid.

And to vacate that portion of said Judicial Road so running into and through the said Counties of Carver and Sibley in said State of Minnesota, and now located and traveled to-wit: Beginning at a point on the said County line between said Counties of Carver and Sibley in the said Judicial Road as the same is now located and established, which said point is two (2) chains south of the South East corner of the North East Quarter (NE $\frac{1}{4}$) of Section one (1) Township one hundred and fourteen (14) Range twenty-six (26) Sibley county Minnesota, thence running by course and distance as follows to-wit: From said point of beginning North seventy-one (71) degrees West seven (7) chains, thence North fifty-eight (58) degrees West nine and forty-eight hundredths (9.48) chains thence North sixteen (16) degrees forty-five (45) minutes West six (6) chains, thence North five (5) degrees forty-five (45) minutes East eight and forty-eight hundredths (8.48) chains, thence North thirty-six (36) degrees thirty (30) minutes East three (3) chains, thence North forty-eight (48) deg. fifteen (15) minutes east seven and fifty-seven hundredths (7.57) chains and there intersecting the said County line again at a point six and one half (6 $\frac{1}{2}$) chains south of the North East corner of said section one (1) Township one hundred and fourteen (14) Range twenty-six (26) Sibley County Minnesota.

That the owners of the lands over which such proposed change or alteration of said Judicial Road will run as well said vacation are G. Kroells, Wm. Kroells, and W. Schwirtz.

Your petitioners pray that you will proceed to lay out, establish, and cause to be opened to travel said proposed change or alteration of said Judicial Road and that you will vacate said portion of the said old Judicial Road as above described.

Dated May 31, 1913.

J. H. Harms, Jr.
John Wirtz
H. Bachmann
John Trocke
H. C. Franck
Ernst Lindemeier
Fred Herrmann
John Herrmann
Gust Machus
Mike Herrmann
Herman Vox
Peter J. Kroells
And. Franck, Jr.
E. H. Daly
P. A. Colbert
Pat Welch
Pat Collins
Thomas Bowser
O. J. Johnson
Sam Rolff
Ernst Bartels
J. M. Miller
William Ische
Frank Hogan
John Flaherty
Mike O'Day
Pat Haugh
George Mullen
Thomas Collins
Pat Galvin
Hubert Meyer
Christ Effertz
G. Pieper
Chas. Herrmann
Petitioners.

Chaska, Minn.,

October 8th 1913

County of Carver, Minnesota,

To

J. A. Grotsch

Dr.

To publishing Notice of Presentation of
Road Petition of Carver and Sibley
Counties, Aug. 26th, Sept. 5th, Sept. 12th,
and Sept. 19th, 1913, 12 folios

\$ 2000

State of Minnesota,

County of Carver,

{ ss.

I, J. A. Grotsch 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 8th day of Oct, 1913, Publicly.

Edward Phaal

Notary Public, Sibley County, Minn.

My commission expires Feb. 23, 1914

F.A. Goutsch

Account Against

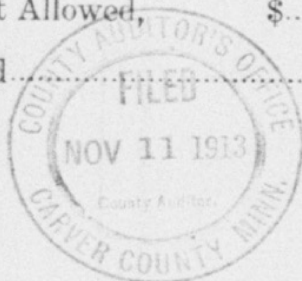
County of Carver

Minnesota

Amount of Claim, \$ *20.00*

Amount Allowed, \$

Allowed 191...



Within bill is in form

County Attorney

Chairman Board of County Com.



By H.O. Marshallberg, Deputy
E 182

Illegible
(Light Ink)

Notice of Presentation of Petition.

Notice is hereby Given, That a petition for the change, alteration and establishment of a judicial road running into and through the Counties of Carver and Sibley in the State of Minnesota, and the vacation of a part of said judicial road aforesaid, 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 said Counties, in and for the Eighth Judicial District of said State, at the General Term of said Court appointed to be held at the Court House in the City of Shakopee, in the County of ~~St~~ Scott, in said Eighth Judicial District of said State, on Monday the 27th day of October, 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, the 21st day of July, 1913.

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

STATE OF MINNESOTA, }
COUNTY OF CARVER. }

District Court, Eighth Judicial District.

In the Matter of the Alteration }
and Vacation of a Judicial Road run- } P E
ning into and through the Counties
of Carver and Sibley in said State. }

State of Minnesota, }
County of Carver. } ss

Albert C. Klancke, being duly sworn, says that he is now and has been for more than ten years last past a resident of the County of Carver, state of Minnesota, and that he has more all of said time resided in the village of Norwood in said County. That he is more than 25 years of age. That on the 4th day of September, 1913, he posted the Notice of Presentation of Petition in the above entitled matter by posting true and correct copies thereof at the following places, to-wit: one copy thereof on the bill board at the store of Vitalis Ahlin, one copy thereof on bill board at school house in scholl district No. 25, one copy thereof on bill board at Assumption, ~~Min~~ all of said places being in the town of Hancock, Carver County, Minnesota, and being public places and usual ~~posting~~ places for posting notices. That he also posted a copy thereof on the bill board at the junction of the Hamburg and Green Isle and the Assumption and Green Isle roads, so called; at the town hall on the bill board at said hall; and also one on the bill board at Assumption, all of said places being in the County of Sibley, and in the town of Washington Lake in said County of Sibley, Minnesota.

Affiant further states that on said 4th day of September, 1913, he served said Notice of Presentation of Petition on James Kivel the Town Clerk of said Hancock Town, Carver Co., Minn., by handing to and leaving with Thomas Kivel a person of sound mind and discretion, aged 1913, a true and correct copy thereof; that also on said day he served said Notice of Presentation of Petition on Charles Purcell the Town Clerk of the Town of Washington Lake, Sibley Co., Minn., by handing to and leaving with Katie Purcell wife of said Charles Purcell a true and correct copy thereof, said Katie Purcell being a person of

suitable age and discretion.

Albert H. Klausner

Subscribed and sworn to before me this 25th day of October, 1913.

John J. Fahey



STATE OF MINNESOTA, }
COUNTY OF CARVER. }

District Court, Eighth Judicial District.

In the Matter of the Alteration
and Vacation of a Judicial Road run-
ning into and through the Counties
of Carver and Sibley in said State.

State of Minnesota, }
County of Carver. } ss

John J. Fahey, being first duly sworn, says that he is now and has been for more than five years last past a resident of Carver County, Minnesota, and that he is more than 30 years of age; that at Henderson, Sibley County, Minnesota, on the 16th day of September, 1913, he served said Notice of Presentation of Petition on John J. Mohre, Chairman of the Board of County Commissioners of Sibley County, Minnesota, by handing to and leaving with said John J. Mohre a true and correct copy thereof; that at the City of Chaska, Carver County, Minnesota, on the 20th day of September, 1913, he served said Notice of Presentation of Petition on Charles Buschkowsky, Chairman of the Board of County Commissioners of Carver County, Minnesota, by handing to and leaving with said Charles Buschkowsky a true and correct copy thereof.

John J. Fahey

Subscribed and sworn to before me this 25th day of October, 1913.

Albert H. Krause
Justice of the Peace,

Carver County, Minnesota.

CARVER COUNTY, MINNESOTA.

FILED
DISTRICT COURT,
MAR 24, 1914
CARVER COUNTY,
Chas. Lundstrom
Clerk of Court.

By *W. O. Muehlberg*, Deputy
E 182

NOTICE OF THE COURT

TO BE FORWARDED TO THE COURT BY THE CLERK OF THE COURT, MAR 24, 1914.

NOTICE OF THE COURT

A RETURN TO BE MADE BY THE CLERK OF THE COURT, MAR 24, 1914.

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

THE COURT OF CARVER COUNTY, MINNESOTA, HAS ORDERED THAT

COUNTY OF CARVER

COUNTY OF CARVER

COUNTY OF CARVER

COUNTY OF CARVER

COUNTY OF CARVER

COUNTY OF CARVER

COUNTY OF CARVER

COUNTY OF CARVER

327 No. 165

DISTRICT COURT,
Carver County, Minnesota

Elbert Johnson Plaintiff
vs.

Edward Radde, et al. Defendant

Francis Menkel
Plaintiff's Attorney

Defendant's Attorney

Date of Entry March 9th 1914

Register of Actions, E. Page 183.

Term Tried.....191

Judgment for.....

Amount of Judgment, \$.....

Date of Judgment.....191

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

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

Date of Docketing.....191

State of Minnesota,

In District Court,

County of Carver,

_____ Eighth Judicial District.

Elbert Johnson, Plaintiff,

vs.

DISMISSAL.

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

Comes now the plaintiff, Elbert Johnson, and without prejudice to his rights against the defendants named in the above entitled action, withdraws his Complaint therein and dismisses the same from the records in the above entitled Court at his cost and consents that judgment be entered against him for the costs accrued therein.

Francis Muekel
Attorney for Plaintiff.

#182

State of Minnesota,

Carver County.

In District Court,

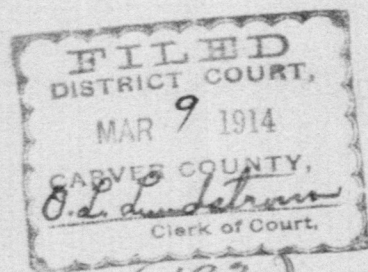
Eighth Judicial District.

Elbert Johnson, Plaintiff.

vs.

Edward Radde, Walter Kus-
serow, Peter Weinzierl,
Frank Harvey, and Henry
Braun, Defendants.

Dismissal .



(183)
Francis Muekel, Atty. for
Plaintiff.

Illegible
(Light Ink)

fol. 1
STATE OF MINNESOTA

DISTRICT COURT

County of Carver

Eighth Judicial District

-----:-----
Elbert Johnson

Plaintiff

vs

Answer.

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

Defendants
-----:-----

Said defendants for their answer in the above entitled action respectfully state and show to the Court:

fol. 2
1. They admit, upon information and belief, that said plaintiff is a resident of the County of Ramsey in the State of Minnesota; they admit that the defendants are residents of the County of Carver in said State, and they aver that at the time mentioned in the complaint each of said defendants was a citizen and resident of the Village of Waconia in said County of Carver.

2. They deny the complaint and each and every allegation thereof, except such allegations as are in this answer expressly admitted to be true.

fol. 3
3. Further answering, these defendants aver that on, to-wit, the 24th day of August, 1913, said plaintiff, accompanied by another, whom these defendants are informed and believe, is a brother of said plaintiff, one George Johnson, drove into the village of Waconia in a covered wagon drawn by a team of ponies, commonly called "bronchos", and tarried for several hours of said day in said village, and while so in said village said plaintiff made an assault upon the defendant Edward Radde and attempted to strike and beat said defendant; that said defendant repelled said assault, and thereupon said plaintiff armed himself with a shot-gun loaded with gunpowder and heavy shot, and did, with said gun so loaded, wilfully, wrongfully, unlawfully and feloniously make an assault upon the person of said defendant Edward Radde with intent then and there to kill said defendant or to wound

fol. 4

and inflict grievous bodily harm upon him, said defendant, and said plaintiff, then and there, threatened to kill said defendant; that said George Johnson was present and aided and abetted said plaintiff in so assaulting said defendant Radde with said loaded shot-gun; that by reason of said wilful, wrongful, unlawful and felonious acts, so committed by said plaintiff, and so aided and abetted by said George Johnson, said plaintiff and said George Johnson, at the time and place aforesaid, to-wit, on the 24th day of August, 1913, at said village of Waconia, committed a felony under the laws of the State of Minnesota, all of which was then well known to these defendants and each of them.

fol. 5

4. That thereafter and for a long space of time, to-wit, one hour, in said village, said plaintiff and said George Johnson held at bay a large number of the citizens of said village who were intent upon arresting said plaintiff and his said accomplice and turning them over to the proper authorities to be dealt with according to law for the offense against the law so committed by them and each of them, and by covering said citizens with loaded guns and threatening to kill any who might attempt to arrest them, or either of them, terrified said citizens and so escaped arrest for their said offense so committed at the time and place aforesaid and drove away from said village.

fol. 6

5. That on said 24th day of August, 1913, said defendant Edward Radde was the village marshall of said village of Waconia, duly appointed, qualified and acting as such; said defendant Frank Harvey was a Justice of the Peace of said village duly elected, qualified and acting as such; and each of said other defendants was a special police officer of said village duly appointed, qualified and acting as such, and said defendants, each acting in his said official capacity and each engaged in the performance of his duties as a peace officer of said village and of said County of Carver on the day aforesaid, in said County of Carver, arrested said plaintiff and his said accomplice, said George Johnson, for the commission by them and each

fol. 7

fol. 8
of them of the felony hereinbefore charged, as these defendants, and each of them, had the lawful right to do, and on the same day turned said plaintiff and his said accomplice over to the sheriff of said County of Carver to be dealt with according to law for the commission of said felony; and the acts of these defendants in so arresting said plaintiff and his said accomplice for the commission of said felony constitute the assault with which these defendants are charged by the complaint in this action.

fol. 9
6. Further answering, these defendants aver that each of these defendants at the time of making said arrest well knew the threats which had been made in said village on said day by said plaintiff and his said accomplice and hereinbefore set out, and the dangerous character of said plaintiff and his said accomplice, and in going out to make such arrest prudently armed himself for his own protection against the assault and acts so threatened by said plaintiff and his said accomplice, and to accomplish such arrest, as he had the lawful right to do; that said plaintiff and his said accomplice each well knew that these defendants had followed them out from the village of Waconia to place them under arrest for committing in said village the felony hereinbefore charged, and attempted to avoid such arrest, and refused to stop and to submit to arrest when commanded by these defendants so to do, and because of the acts of said plaintiff and his said accomplice in so attempting to avoid such arrest it then and there became and was necessary for these defendants, in order to accomplish the arrest of said plaintiff and his said accomplice upon the charge of felony aforesaid, to resort to the use of some force and violence, but these defendants expressly aver that in the making of such arrest of said plaintiff and his said accomplice neither of these defendants used unnecessary force or violence, and that whatever was done by these defendants or either of them was necessarily done in order to enable these defendants to accomplish the aforesaid arrest of said plaintiff and his said accomplice

fol. 10

for the offense aforesaid, and that the force so used by these defendants on the occasion of the making of such arrest is the force and violence complained of in the complaint in this action, and these defendants deny that said plaintiff, in consequence thereof, suffered damage in the sum of Ten Thousand Dollars, or in any sum whatever.

fol. 11
7. Further answering, and in mitigation, these defendants further allege and show to the Court that ^{before} these defendants started out from said village for the purpose of putting said plaintiff and his said accomplice under arrest for the commission of the felony hereinbefore charged, as hereinbefore stated, certain citizens of said village called the sheriff of said County of Carver on the telephone, and informed said sheriff of the felonious assault made by said plaintiff and his said accomplice upon the village marshall of said village, said defendant Edward Radde, in said village on said day; that said plaintiff and an accomplice had committed a felony in said village on said day, and of the acts and conduct of said plaintiff and his said accomplice hereinbefore set forth, and further informed said sheriff that the persons so guilty of committing said felonious assault and said felony had taken the public road leading from said village of Waconia to the City of Minneapolis, and said citizens so talking with said sheriff on the telephone gave to said sheriff a description of the persons whom they so charged with having committed the offense aforesaid and a description of the vehicle in which they were traveling, and requested said sheriff to intercept said persons so charged with said offense and place them under arrest to be dealt with according to law.

fol. 12

fol. 13
That at the time such conversation over the telephone was so had said sheriff was at his office in the Court House in the City of Chaska, and said sheriff informed the persons so conversing with him that owing to inability to procure a conveyance it would be impossible for him to intercept and arrest the persons so charged, and that the citizens of said village ought to be able to make such arrest and to do so without calling upon

him to make it or for his assistance.

That the persons so conversing with said sheriff informed these defendants of the nature of said conversation and as to what the sheriff said as hereinbefore set out, and further informed these defendants that said sheriff had, in said conversation, distinctly stated that the citizens of said village had the lawful right to arrest those so guilty of committing said felony and to use whatever force or violence might be necessary to accomplish such arrest and to "take them dead or alive".

fol. 14

That these defendants, and each of them, believed the statements so made to them and believed that said sheriff had so stated to their said informants that they, said defendants, had the lawful right to arrest those guilty of committing said felony and to use whatever force or violence might be necessary to accomplish such arrest and "to take them dead or alive", and these defendants relied thereon, and so believing and so relying upon the statements so made to them as to what was said by said sheriff as hereinbefore set out, these defendants, in good faith, made said arrest of said plaintiff and his said accomplice and used whatever force and violence was used in making the same, believing that they, and each of them, had the lawful right to do so, and these defendants aver that in the making of such arrest and the use of whatever force and violence was used in making the same neither of these defendants was actuated by malice or ill-will or a disregard, wanton or otherwise, of the rights of the persons so arrested, and neither used more force or violence than then seemed to him necessary to be used to accomplish such arrest or more than was actually necessary under the then existing circumstances.

fol. 15

Wherefore these defendants demand judgment that said plaintiff take nothing by this action, and that they be hence dismissed with their costs and disbursements.

J. C. & W. D. Dece
Attorneys for Defendants,
Chaska, Minn.

5

State of Minnesota

ss

County of Carver

Edward Radde, being first duly sworn, on his oath says that he is one of the defendants named in the foregoing answer; that he has read said answer and knows the contents thereof; and that the same is true of his own knowledge except as to those matters therein stated on his information and belief, and as to those he believes it to be true.

Edward Radde

Subscribed and sworn to before me this 25th day of February, 1914.

Chas. A. Riel

NOTARY PUBLIC, Carver County, Minn.
My Commission expires April 11, 1914.

182
District Court
Carver County
—

Elbert Johnson
Plff.

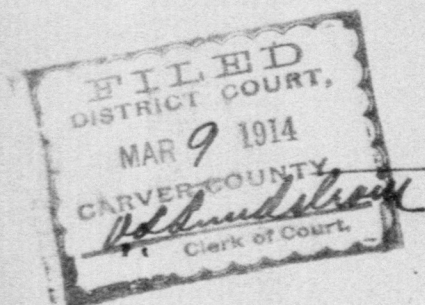
vs.

Edward Radde
et al.

Defts.

Answer

Original



F183

W.C. & F. Adell
Attys. for Defts.
Chaska, Minn.

State of Minnesota,
County of Carver.

In District Court,
Eighth Judicial District.

Elbert Johnson, Plaintiff,

vs.

NOTICE OF DISMISSAL.

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

To the above named defendants and to W. F. & W. C. O'Dell, their attorneys;

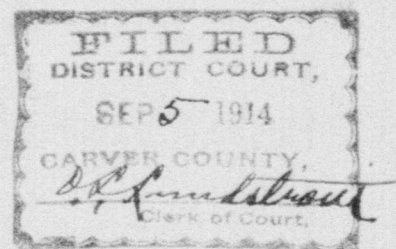
You will please hereby take notice that on the ninth day of March, A. D. 1914, the plaintiff dismissed the above entitled action without prejudice, as will more fully appear by the written Dismissal then filed and by the Entry in the Clerk's Register of Actions.

Francis Mueke
Attorney for Plaintiff.

Service of the foregoing Notice of Dismissal hereby accepted and a copy thereof receipted for this 5th day of September A. D. 1914.

W. F. & W. C. O'Dell
Attorneys for defendants.

182.



E183.

3398

No.

DISTRICT COURT,

Carver County, Minnesota

Mary Isabella Drews
Plaintiff

vs.

Lottlieb A. Drews
DefendantP. R. Curran
Plaintiff's Attorney

Defendant's Attorney

Date of Entry March 10th 1914

Register of Actions, E. Page 184

Term Tried Default 191

Judgment for Sumamed

Amount of Judgment, \$

Date of Judgment March 28 1914

Judgment Book D Page 452

Default Judgment Book Page

Date of Docketing 191

Illegible
(Light Ink)

District Court,

Eighth Judicial District.

-3A-

Gottlieb A. Drews - Defendant

Plaintiff's Atty, Young America, Minn.

1
2
3 State of Minnesota,

District Court

4 County of Carver.

5 Eighth Judicial District.

6
7 Mary Isabella Drews-----Plaintiff,

8 -vs-

9 Gottlieb A. Drews-----Defendant.

10
11 The plaintiff complains of defendant and alleges:

12 I. That the plaintiff Mary Isabella Drews, aged 37 years,
13 and the defendant Gottlieb A. Drews, aged 46 years, are husband
14 and wife, and were married at the village of Norwood, State of
15 Minnesota, on the 13th day of December 1893.

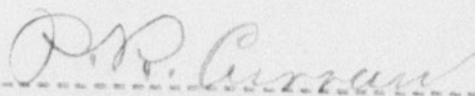
16 II. That plaintiff is a resident of this State and has re-
17 sided therein continuously for more than one year immediately
18 preceding the starting of this action.

19 III. That on the 13th day of December 1893 defendant wilfully
20 deserted plaintiff and has ever since and for more than one year
21 next preceding the service of said summons and complaint un-
22 interruptedly continued said desertion.

23 IV. That there are living of the issue of said marriage one
24 daughter named Elizabeth, aged 19 years.

25 Wherefore plaintiff demands judgment:

26 (1) Dissolving the marriage relation of plaintiff and defendant.

27
28 
29 -----
30 Plaintiff's Atty, Young America, Minn.

1
2
3
4
5 State of Minnesota

6 County of Carver.

7
8 Mary Isabella Drews, being first duly sworn
9 upon oath says, that she is the plaintiff in the within entitled
10 action; that she has read the foregoing complaint and knows the
11 contents thereof; that the same is true of her own knowledge,
12 except as to matters therein stated on information and belief,
13 and as to such matters she believes it to be true.

14 Mary Isabella Drews
15

16 Subscribed and sworn to before me this 14th day of January 1914.

17 A. F. Heithaus
18
19 Justice of the Peace, Carver County, Minn.
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

State of Minnesota } SS.
County of Carver }

P. R. Curran being first sworn upon
oath says, that on the 14th day of January A.D. 1914
in the Village of Young American, County of
Carver, state of Minnesota, he served upon
Johliet A. Drews, ^{the defendant, a person well known to him} the within Summons and
complaint. Personally by Reading the same to said
Defendant and by delivering ^{to him} personally a true
copy thereof.

P. R. Curran

Subscribed and sworn to ^{before me} this 14th day of January
1914.

A. F. Heitkamp
Justice of the Peace
Carver Co., Minn.

State of Minnesota

County of Carver.

District Court,

Eighth Judicial District.

Mary Isabella Drews,--Plaintiff

--vs--

Gottlieb A. Drews,--Defendant

Summons and complaint

Carver County, Minn.

*Filed this 10th day of
March, 1914*

*O. L. Lundstrom,
Clerk.*

Reg. E. 1841

P. R. Curran, Attorney
for plaintiff.

Long America,
Minn

Illegible
(Light Ink)

State of Minnesota,

In District Court,

County of Carver.

Eighth Judicial District.

Mary Isabella Drews-----Plaintiff

-vs-

Gottlieb A. Drews-----Defendant.

State of Minnesota

ss

County of Carver.

P. R. Curran being duly sworn says:

- I That he is the attorney for plaintiff in the above entitled action.
- II That the summons and complaint herein were personally served on the defendant on the 14th day of January, 1914, at the village of Young America, in the afore said County and State.
- III That no answer or demurrer herein has been received by affiant from the defendant within the time allowed by law or at any time.
- IV That the defendant has not appeared herein.

-----P. R. Curran-----

Subscribed and sworn to before me this ^{6th} day of March, 1914.

-----R. H. Hiltkamp-----
Justice of the Peace
Carver County

DISTRICT COURT

CARVER COUNTY.

Mary Isabella Drews, Plaintiff

-vs-

Gottlieb A. Drews, Defendant.

AFFIDAVIT OF NO ANSWER

Carver County, Minn.

Filed this 10th day of
March, 1914.

O. L. Lundstrom

Clk.

Reg. E. (184)

P. R. Curran, Atty for
Plaintiff.

Young America, Minn.

Illegible
(Light Ink)

State of Minnesota
County of Carver,

District Court,
Eighth Judicial District.

Mary Isabella Drews,
 against
Gottlieb Drews,

Plaintiff,)
 ()
Defendant.)

FINDINGS AND DECISION.

At Chambers, in the Village of Norwood, Carver County, Minnesota, on the seventh day of March, A. D. 1914, the above entitled cause came duly on for trial and hearing, to the Court.

Peter R. Curran, Esquire, appeared as counsel for the Plaintiff; There was no appearance on the part of the Defendant.

There was proof showing that no answer or demurrer was ever interposed to the complaint of the plaintiff, which was served upon the defendant on the 14th day of January, 1914, more than thirty days prior to the hearing of said cause.

After hearing the evidence adduced at the trial and giving the testimony of the plaintiff and her witnesses due consideration, the Court finds as facts:

1. That the plaintiff, Mary Isabella Drews, is of the age of thirty seven years and that the defendant, Gottlieb Drews, is of the age of forty six years, and that they were on the 13th day of December, 1893, married to each other, and one child was born, named Elizabeth, now aged nineteen years.
2. That the plaintiff is a resident of this State, and has resided herein continuously for more than one year immediately preceeding the commencement of this action, and that the defendant for many years prior to the commencement of such action was a resident of the town of Camden in Carver county and State of Minnesota.
3. That on the 13th day of December, A. D. 1893, defendant wilfully deserted the plaintiff, and has ever since, and for more than one year prior to the commencement of this action uninterruptedly continued said desertion, and that the said plaintiff and defendant never since the 13th day of December A. D. 1893 the d.

the 13th day of December, A. D. 1893, the day upon which they were married ever lived and cohabited together as man and wife, and that the desertion on the part of the defendant was wilful and without just cause.

As conclusions of law the Court finds:

1. That the plaintiff is entitled to the judgment and decree of this Court dissolving the bonds of matrimony heretofore existing between plaintiff and defendant, and that the plaintiff be granted an absolute divorce from the defendant.

Let judgment be entered accordingly.

Dated at Chaska, Minnesota, this 20th day of March, A. D. 1914.

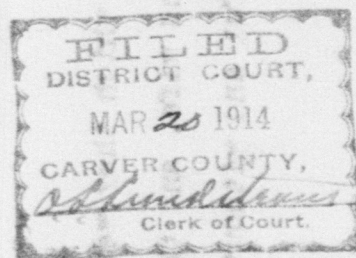
Wm. Morrison,
Judge of said Court.

State of Minnesota
County of Carver
District Court.

Mary Adelle Deane
- vs - John

County Deane,
Defendant

Findings and
Verdict



(E. 184)

Illegible
(Light Ink)

State of Minnesota, }
 County of Carver } ss. Eighth Judicial District.

Mary Isabella Dews Plaintiff

vs

Gottlieb Dews Defendant

JUDGMENT.

The above entitled Cause came duly on for hearing- trial and hearing before the Court at Chambers in the Village of norwood Carver County, Minnesota on the Seventh day of March, A. D. 1914, And it having been made satisfactorily to appear that the Summons in said action was duly served upon the Defendant on January the 14th. day of March, A.D. 1914 and that more than Thirty days had elapsed since said service and that Defendant did not appear, answer or plead thereto.

P.R. Curran, Esq. appeared as Counsel for the Plaintiff but Defendant did not appear either in person or by counsel and after hearing the evidence adduced at said trial and being fully advised in the premises the Court did make and file its-Findings and Order for Judgment;

Now, Therefore on motion of P. R. Curran, Esq. Attorney for for said Plaintiff It Is Ordered, Adjudged, and Determined and Decreed That the marriage relations existing between the Plaintiff and the Defendant be dissolved, and granting to Plaintiff an absolute divorce from the bonds thereof.

Dated at Chaska, Minn. this 28th.

day of March, A. D. 1914.

By the Court,

O. L. Lundstrum
 Clerk of said Court.

183

DISTRICT COURT,

County of *Leavenworth*

Mary Isabelle Drews
Plaintiff

AGAINST

Gottlieb Drews
Defendant

JUDGMENT ROLL.

Filed *Mar. 28th* A. D. 190*7*

O. S. Lundstrom
Clerk of the District Court.

No. 1071.

X 462

3399 No. 782

DISTRICT COURT,
Carver County, Minnesota

John L. Lock
Plaintiff

vs.

Fred & Anna Dietel
Defendant

P. R. Curran
Plaintiff's Attorney

Defendant's Attorney

Date of Entry March 31st 1914

Register of Actions, E Page 185

Term Tried 191

Judgment for Plaintiff

Amount of Judgment, \$ 1335.70

Date of Judgment March 31st 1914

Judgment Book G Page 524

Default Judgment Book Page

Date of Docketing 191

AFFIDAVIT OF PUBLICATION.

Herald Pub. Co., Chaska

SHERIFF'S SALE.

State of Minnesota)
County of Carver) ss. District Court
John Trocke,)
Plaintiff,

vs.

Fred Dietzel & Anna Dietzel, his wife,
Defendants.

Notice is hereby given, That by virtue of an Execution to me directed and delivered and now in my hands, issued out of the District Court Eighth Judicial District, State of Minnesota, in and for the County of Carver upon a Judgment rendered in said Court in favor of John John Trocke, and against Fred Dietzel & Anna Dietzel, his wife, I have levied upon the following described real estate of said defendants, to-wit:

The South West Quarter of the South East Quarter, and the West Half of the South East Quarter of the South East Quarter of Section sixteen. Also: Commencing at the South East corner of the North East Quarter of the South East Quarter of said Section sixteen, Township One Hundred fifteen, Range Twenty-five, thence running west eighty rods to the South West corner of the said North East Quarter of the South East Quarter, thence North until it reaches and to the South line of the right of way of the Chicago, Milwaukee & St. Paul Ry. Co., thence easterly along the said South line of the said right of way to the Section line between Sections fifteen and sixteen in said Township and Range, thence South on said Section line to the place of beginning. Also: Commencing at the center post of the South East Quarter of Section sixteen, thence running West to the South line of the right of way of the Chicago, Milwaukee & St. Paul Ry. Co., thence in a North-easterly direction along the said South line of said right of way to the North and South center line of the said South East Quarter of said Section sixteen, thence South along the said center line to the point of beginning. All of the above tract of land being in Section sixteen, Township One Hundred fifteen, Range Twenty-Five, Carver County, Minnesota.

And that I shall on Thursday the 25th day of September A. D., 1919 at the hour of 10 o'clock A.M., of said day at the east front door of the Court House in the City of Chaska, in said county and state, proceed to sell all the right, title and interest of the above named defendants, Fred Dietzel & Anna Dietzel, his wife, in and to the above described property, to satisfy said judgment and costs, amounting to One Thousand Three Hundred Twenty Dollars and Seventy cents, (\$1,320.70,) together with all accruing costs of sale, and interest on the same from the 31st day of March, 1914 at the rate of six per cent per annum, at Public Auction, to the highest bidder for cash.

G. A. GATZ,

Sheriff Carver County, Minnesota.

John J. Fahey,

Plaintiff's Attorney.

Dated, Chaska, Minnesota, August 12th, 1919.

(Publications Aug. 14-21-28 Sep. 4-11-18.)

State of Minnesota,
County of Carver.

ss.

J. E. Decort

being duly sworn says that he is and during all that time hereinafter mentioned has been the printer and publisher of a weekly newspaper known as The Weekly Valley Herald, 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 City of Chaska, 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 city 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, Chapter 33, of the Laws of the State of Minnesota for the year 1893 and amendments thereto. That

the annexed printed notice of

Sheriff's Sale

hereto attached and made a part hereof, was cut from

the columns of said newspaper and was published in said newspaper for

Six

successive weeks, once in each week; that said notice was first published in said newspaper on

Thursday the *14th* day of *August* A. D. 19*19* and was thereafter published in said newspaper on each and every succeeding Thursday until and including Thursday,

the *18th* day of *September* A. D. 19*19* (insertions) and that during all of said period said newspaper was published on Thursday of each week.

J. E. Decort, Pub.

Sworn and subscribed to before me this

25th day of *September*

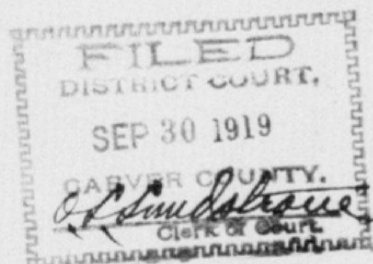
A. D. 19

19

John J. Fahey

*Notary Public Carver Co. Minn.
My Com. expires Apr. 26, 1920*

584



E 584

State of Minnesota
County of Carver

District Court
Eighth Judicial District

John Trocke, Plaintiff
 - vs -
Fred Dietzel and Anna Dietzel,
his wife, Defendants

To the Hon. G. A. Gatz, Sheriff of Carver County, Minnesota;

Dear Sir:

You will please to take notice that pursuant to your request made in the above entitled proceeding of date July 26th 1919, asking us to select from the real property levied upon by you by virtue of the execution issued in the above entitled action, that part of such property which we desire to retain as our homestead, we have selected and hereby do select as our homestead the west half of the northeast quarter of section twentyone in township 115 range twentyfive, Carver county, Minnesota, according to the U. S. government survey thereof, and that we claim said tract last aforesaid as exempt from levy and sale upon execution.

Dated at Glencoe Minnesota this 28th day of July 1919.

Fred Dietzel

Anna Dietzel

Defendants and Judgment Debtors
in the above entitled action.

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

I HEREBY CERTIFY AND RETURN, That at the

Town of Benton, ----- County and State aforesaid, on the
-----26th----- day of ----- July ----- A. D. 1919, I served the ----- NOTICE -----
----- hereto attached upon the within named Fred and Anna Dietzel,
by then and there handing to and leaving with then and each of them personally a true and correct copy thereof.
Dated this 26th, day of ----- July ----- 1919.

G. A. Gatz

Sheriff of Carver County, Minn.

Sheriff's fee service, \$ -----
Travel \$ -----
Total \$ -----

By ----- Deputy

STATE OF MINNESOTA,)
(SS.
County of Carver)

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

John Trocke,

Plaintiff,

vs.

Fred Dietzel and Anna
Dietzel, his wife,

Defendants

To the above named Defendants:

You will please take notice that under and by virtue of
an execution issued out of said court in the above entitled action
on the 26th day of June 1919, I did on the 16th day of July 1919,
levy on all your right, title and interest in and to the follow-
ing described real estate to-wit:

The South West Quarter of the South East Quar-
ter and the West Half of the South East Quarter of
the South East Quarter of Section Sixteen,- Also:
Commencing at the South East corner of the North
East Quarter of the South East Quarter of said sec-
tion Sixteen Township one hundred fifteen, range
twenty-five, thence running West eighty rods to the
South West corner of the said North East Quarter
of the South East Quarter, thence North until it
reaches and to the South line of the right of way
of the Chicago, Milwaukee & St. Paul Ry. Co., thence
easterly along the said South line of the said right
of way to the Section line between Sections fifteen
and sixteen in said Township and Range, thence South
on said Section line to the place of beginning.*
Also: Commencing at the center post of the South
East Quarter of Section sixteen, thence running West
to the South line of the right of way of the Chicago
Milwaukee & St. Paul Ry. Co., thence in a Northeast-
erly direction along the said South line of said
right of way to the North and South center line of
the said South East Quarter of said Section sixteen,
thence South along the said center line to the point
of beginning. All of the above tract of land being
in Section sixteen, Township One Hundred Fifteen,
Range Twenty-five, -Also: The West Half of the North
East Quarter of Section Twenty-one, in Township One
Hundred Fifteen, Range Twenty-five, Carver County,
Minnesota.

That said tract of land exceeds the homestead area pre-
scribed by statute, and that such homestead area has not been
set apart or its boundaries defined.

And you will further take notice that you are hereby re-
quired within twenty days after the service of this notice on

you, to select from said premises that part thereof which you claim as a homestead and exempt and to deliver to me a description of the part so claimed as your exempt homestead, which said homestead so selected by you shall embrace the site of the buildings and its appurtenances, shall be compact in form, and shall be so made as not unreasonably to affect the value of the remaining part.

And you will further take notice that if such selection is not made by you within the time aforesaid, or if the same when made is not satisfactory to the creditor procuring the levy, I will cause such homestead to be set apart by a survey in the manner provided by law and shall cause the expense of such survey to be added to the debt and paid out of the proceeds of sale.

Dated, July 26, 1919.

G. A. Gatz
Sheriff of Carver County, Minn.

Original

#184

DISTRICT COURT
CARVER COUNTY.

JOHN TROCKE,

-VS-

FRED DIETZEL AND

ANNA DIETZEL HIS WIFE.

NOTICE TO SELECT HOMESTEAD

SEP 25 1919

O. S. Strauss

E185

Illegible
(Light Ink)

1
2 State of Minnesota,
3

In District Court,

4 County of Carver.
5

Eighth Judicial District.

6 John Trocke,-----Plaintiff
7

-vs-

8 Fred Dietzel and Anna Dietzel,-----Defendants.
9

10 THE STATE OF MINNESOTA to the above named defendants:

11 You, and each of you, are hereby summoned and required to
12 answer the complaint in the above entitled action of which a copy
13 is hereto annexed and herewith served upon you and to serve a copy
14 of your answer thereto upon the subscriber at his office at
15 Young America, County of Carver and State of Minnesota, within
16 twenty days after the service upon you, exclusive of the day of
17 such service.

18 If you fail to answer the complaint within such time the plain-
19 tiff will take judgment against you for the sum of Nine hundred
20 and eighty two dollars with interest on \$782 from and after Feb-
21 ruary 12th., 1907, and on \$200 from and after April 1st., 1907,
22 at the rate of 5% per annum, together with the costs and dis-
23 bursements of this action.

24 *P. R. Curran*

25 Atty. for Plaintiff,
26

27 Young America, Minn.
28
29
30
31
32
33
34
35

State of Minnesota, In District Court,
County of Carver. Eighth Judicial District.

John Trocke,-----Plaintiff,
-vs-
Fred Dietzel and Anna Dietzel,----Defendants.

For a first cause of action plaintiff complains and alleges:

(1) That on the 12th day of February, 1907, defendants made to one Mrs John Trocke Jr their promissory note of which the following is a copy:

\$782.00-----Norwood, Feb. 12, 1907.

One year after date we promise to pay to the order of Mrs-John-Trocke Jr. Seven hundred Eighty two Dollars, at-----value received with interest before and after maturity, at the rate of 5% per annum, until paid, payable annually.

No-----Due----- Fred Dietzel

Anna Dietzel.

(2) That said note was transferred and lawfully came into the possession of this plaintiff as part of the estate of his wife, Mrs John Trocke Jr. the payee, she having died without leaving issue of said marriage.

(3) That plaintiff is the owner and holder of said note.

(4) That no part thereof has been paid.

For a second cause of action:

(1) The plaintiff repeats and makes a part of this cause of action each and every allegation contained in the first four paragraphs of the first cause of action herein set forth and further alleges:

(2) That on the 1st day of April, 1907, the defendants made to one Mrs Katie Trocke, their promissory note of which the following is a copy:

\$200.00 Norwood, April 1, 1907.

One year after date we promise to pay to the order of Mrs Katie Trocke Two hundred Dollars, at-----value received with interest before and after maturity, at the rate of 5% per

1
2 annum, until paid, payable annually.

3 No-----Due-----

4 Fred Dietzel

5 Anna Dietzel

6 (2) That said note was transferred and came lawfully into the
7 possession of said plaintiff as part of the estate of his wife,
8 Mrs Katie Trocke the payee, she having died without leaving any
9 issue of said marriage.

10 (3) That said plaintiff is the owner and holder of said note.

11 (4) That no part thereof has been paid.

12 W)H)E)R)E)F)O)R)E plaintiff demands judgment:

13 (1) For the sum of Nine hundred and eighty two dollars with
14 interest on \$782.00 from the 12th day of February, 1907, and on
15 \$200.00 from the first day of April, 1907, at the rate of 5% per
16 annum. (2) For his costs and disbursements of this action.

17 *P. R. Curran*
18 -----
19 ATTY. for Plaintiff,

20 Young America, Minn.
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

State of Minnesota }
County of Carver } ss

John Tracke being first duly sworn says, that he is the plaintiff in the foregoing action; that he has read the foregoing complaint and knows the contents thereof; that the same is true of his own knowledge, except as to those matters ^{stated} upon information and belief, and as to such he believes are true.

John Tracke

Subscribed and sworn to before me this 7th day of February - 1914.

J. R. Krause
Justice of the Peace, Carver Co., Minn.
Commission expires January 11, 1915

State of Minnesota }
County of Carver } ss

P. R. Curran being first duly sworn says, that he served the within summons and complaint upon said defendants and each of them on the 7th day of February 1914, by reading the same to them ^{to their full knowledge} and leaving a true copy of said summons and complaint to each of them.

P. R. Curran

Subscribed and sworn to before me this 9th day of Feb. 1914.

A. J. Heathcraft
Justice of the Peace, Carver Co.

(Original)
184

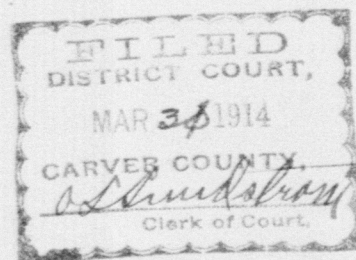
District Court
Carver Co.

John Frocke, Plaintiff

- vs -

Fred & Anna Dietzel, Defendants.

Summons & Complaint



E185

R. H. Curran

Atty. for Plaintiff,
Young America,
Minn.

State of Minnesota, }
County of Carver

DISTRICT COURT,
Eighth Judicial District.

John Locke,

Plaintiff

AGAINST

Affidavit of Disbursements.

Fred Dietzel and Anna Dietzel,
Defendants.

PLAINTIFF'S COSTS AND DISBURSEMENTS.

Statute Costs,	- - - - -	\$ <u>10.00</u>
Affidavits,	- - - - -	<u>1.00</u>
Sheriff's Fees,	- - - - -	
Clerk's Fees to be added,	- - - - -	<u>4.00</u>
Total Costs and Disbursements,	- - - - -	\$ <u>15.00</u>

AMOUNT CLAIMED IN SUMMONS.

Principal,	- - - - -	\$ <u>982.00</u>
Interest,	- - - - -	<u>338.70</u>
Total amount of Judgment to be Entered,	- - - - -	<u>\$1320.70</u>

State of Minnesota, } ss.
County of Carver

P.R. Curran

being duly sworn, on oath says that he is the attorney for the plaintiff in the above entitled cause; that the above bill and each item thereof, of costs and disbursements above specified, are just, correct and necessary, and have been actually and necessarily paid or incurred therein.

P.R. Curran

Subscribed and sworn to before me this 23rd day of March 1914

A.F. Heutkamp

Justice of the Peace
Carver Co.

State of Minnesota,
County of *Carver*

DISTRICT COURT,
Big Lake Judicial District

John Frocke, Plaintiff

- vs -

Fred Dietzel and Anna Dietzel,
Defendants

Affidavit of No Answer.

State of Minnesota,
County of *Carver* } ss.

R. R. Curran

came personally before me, and having been first duly sworn, he doth depose and say, that he is
the attorney for the plaintiff in the above entitled action; which
is one arising on contract for the recovery of money only; that the summons, therein has been per-
sonally served upon said defendants, and that proof of such personal service of said summons, has
been filed with the Clerk of this Court; that more than twenty days have elapsed since the said
service of said summons, ^{and complaint} and that no appearance by or on behalf of defendant has been made in
said action and no answer or demurrer, or copy of either, has been served upon or received by the
plaintiff, nor his attorney in this cause, and prays judgment according to law.

R. R. Curran

Subscribed and sworn to before me this

23^d day of *March* 19*14*

A. F. Heithaus

Judge of the Peace
Carver Co

184
DISTRICT COURT

Carver County.

John Frocke,
Plaintiff

against

Fred Dietzel and
Anna Dietzel,
Defendants.

AFFIDAVIT OF NO ANSWER, ETC.

Filed this *31st* day of

March A. D. 19*14*

R. R. Curran
Clerk.

R. R. Curran
Attorney for Plaintiff

No. 74.

E185

State of Minnesota,

DISTRICT COURT

County of Carver

Eighth

Judicial District.

John Trocke,

Plaintiff.

VS

Judgment

Fred Dietzel and Anna Dietzel, Defendants

The Summons and Complaint

in this action

having been duly served on Fred Dietzel and Anna Dietzel

the Defendant^s, on the 7th. day of February A. D. 1914, and proof thereof filed with the Clerk, and no answer to the complaint herein having been served upon or received by the Plaintiff's Attorney within the time allowed by law, as required by the summons:

Now, On motion of P. R. Curran

Plaintiff's Attorney

it is hereby adjudged that John Trocke

have and
the Plaintiff, recover of said

the Defendant^s, the sum of Thirteen Hundred Twenty and 70/100 ----- Dollars,
the amount and interest claimed in the summons, with Fifteen -----
----- Dollars costs and Disbursements, amounting in the whole
to Thirteen Hundred Thirty five and 70/100 ----- Dollars.

Dated March 31st. 1914

Clerk of District Court.

By Deputy

District Court,

State of Minnesota,

ss.

County of

being duly sworn, says he is Attorney for Plaintiff in the above entitled action, and that no answer or demurrer has been received therein, or appearance in any manner made by Defendant, and that more than twenty days have elapsed since the service of the summons on the Defendant in this action; and that the disbursements in the annexed bill have been or will be necessarily paid or incurred therein.

Subscribed and sworn to before me, this

day of 19

Bill of Costs and Disbursements.

		TOTALS	
Amount Claimed in Summons	\$ 982.	\$ 1320.	70
Interest	338.70	10.	00
Costs by Statutes		4.	00
Serving Summons		1.	00
Clerks Fees			
Affidavits			
Transcripts and Docketing			
Postage, \$ Copying, \$			
The above Bill of Costs and Disbursements taxed and allowed at \$			

Dated March 31st. 1914

Total, - - \$1335. 70

Clerk.

By

Deputy.

No.

184

DISTRICT COURT

Eighth Judicial District.

County of *Carver*

John Trappe
Deputy

AGAINST

Fred Dietzel & Anna
Dietzel Defendants

JUDGMENT ROLL

Filed in the office of the Clerk of
District Court, *Carver*
County, Minn. *March 3/16*
A. D. 19*16*

A. Sundstrom
Clerk.

By

Deputy.

No. 785-3400

Carver County, Minnesota

Plaintiff

Defendants

Plaintiff's Attorney

Defendant's Attorney

Date of Entry April 6 1914

Register of Actions, E Page 162

Term Tried.....1914

Amount of Judgment, \$ 2492 ⁴¹/₁₀₀

Date of Judgment Oct. 22 1914

Judgment Book..... Page 470

Default Judgment Book B Page 470

Date of Docketing Oct. 23rd 1914

B 137

Illegible
(Light Ink)

State of Minnesota,

ss.

District Court

County of Carver,

Eighth

Judicial District

J. D. Krause, Plaintiff.

J. H. Hoeffken, Defendant

and

John Herrmann and Carl Segler, Garnishees:

State of Minnesota,

ss.

County of Carver

John J. Fahey,

being duly sworn says, that he is the attorney of said Plaintiff in the above entitled action; that a Summons has been issued in said action; that a cause of action exists therein in favor of said Plaintiff and against said Defendant for the recovery of money; that the amount due to said Plaintiff from the Defendant exceeds the sum of twenty-five dollars, as will more fully appear by the Complaint of said Plaintiff, which has been filed with the Clerk of said Court at said County of Carver

And deponent further states that he believes that John Herrmann and Carl Segler

have property and money in their hands and under their control belonging to the said Defendant in said action, and that said John Herrmann and Carl Segler

indebted to said Defendant in said action, and that the value of such property exceeds the sum of twenty-five dollars, and the amount of such money exceeds the sum of twenty-five dollars, and that the amount of such indebtedness exceeds the sum of twenty-five dollars.

Subscribed and sworn to before me this

1st day of April 19

Justice of the Peace,
Carver Co., Minn.

John J. Fahey,

DISTRICT COURT

8th

Judicial District

County of

Barren

J. D. Krause

VS.

J. H. Haggert Def
and

John Herrington et al
Plaintiffs

Affidavit for Garnishment

Filed this

6th

day of

April

A. D. 1916

J. H. Haggert

Clerk of said Court

Plaintiff's Attorney

891000

E-186

Illegible
(Light Ink)

State of Minnesota,

County of Carver,

J. D. Krause,

In District Court,

Eighth Judicial District.

Plaintiff

-VS-

J. H. Hoeffken,

Defendant.

State of Minnesota, ss

County of Carver.

John J. Fahey, being duly sworn, says that he is the attorney for the plaintiff in the above entitled action; that said defendant is not a resident of the state of Minnesota and is not within the state of Minnesota as affiant verily believes. That the place of residence of said defendant is not known to affiant.

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

John J. Fahey
O. L. Lindstrom
Clerk of the District Court,

Carver Co., Minnesota.

State of Minnesota
County of Carver
J. D. Krause, - vs.
J. H. Hoeffken,

In District Court
8th Judicial District
Plaintiff
Defendant

State of Minnesota
County of Carver } 55

Henry Heinen being duly sworn
says that he is constable in and for
said County of Carver, That after due
and diligent search he has been unable
to find said J. H. Hoeffken in said County
of Carver, and the said J. H. Hoeffken
cannot be found within said Carver
County.

Henry Heinen
Constable

Subscribed and sworn to before me
this 5th day of May 1914

John J. Fahy
Notary Public Carver Co. Minn
my Com. expires April 22, 1920

State of Minnesota, }
COUNTY OF RAMSEY } SS.

Form 201

3-13. 1M

I hereby certify and return that after due and diligent search I have
been unable to find the within named J. H. Hoeffken

within my County, and the said J. H. Hoeffken
cannot be found within said Ramsey County.

Dated this 28th day of May 1911

JOHN WAGENER,

Sheriff of Ramsey County, Minn.

Sheriff's Fee Return, \$ 1.00

By Frank Robert Jr. Deputy.

Illegible
(Light Ink)

State of Minnesota,
County of Carver.

DISTRICT COURT,

ss.

Eighth

Judicial District.

J. D. Krause,

Plaintiff.

-vs-

J. H. Hoeffken,

Defendant,

and
John Herrmann and Carl Segler, Garnishees.

The STATE OF MINNESOTA, To John Herrmann and Carl Segler

above named Garnishee s:

Whereas, The affidavit of John J. Fahey, the attorney of

the above named Plaintiff, has been made and filed with the Clerk of said Court at his office in the said County, in an action therein pending, wherein the said J. D. Krause is

Plaintiff and against J. H. Hoeffken

Defendant, stating that he believes that John Herrmann and Carl Segler

Garnishees above named have property, money and effects in their hands and under their control, belonging to the above named Defendant, and that said Garnishees are indebted to said Defendant, and that the value of said property and effects, and each of the same, exceeds the sum of twenty-five dollars, and the amount of said money exceeds the sum of twenty-five dollars, and the amount of said indebtedness exceeds the sum of twenty-five dollars.

Therefore, You, the said Garnishee are hereby required to appear before the

Hon. O. L. Lundstrom, Clerk of the District Court of Carver County, Minnesota,

at his office in the Court House at Chaska in the County of Carver and State aforesaid, on Saturday the 20th day of June, 1914, at 10 o'clock in the

fore-noon of that day, and then and there answer, under oath, such questions as may be put to you, the said Garnishee s, touching your indebtedness to said Defendant and as to any property, money or effects of the Defendant in your possession or under your control.

And if you neglect to appear at the time above specified, or within two hours thereafter, you will be defaulted, and judgment will be rendered against you for the amount of the damages and costs recovered by the Plaintiff in the action against the Defendant.

Dated April 7th, 1914

JJK

John J. Fahey

Plaintiff's Attorney

NOTICE TO DEFENDANT.

State of Minnesota,

DISTRICT COURT,

County of *Carver*

8th

Judicial District.

J. D. Krause.

Plaintiff

-VS-

*J. H. Hoeffken,
John Herrmann and Carl Segler.*

Defendants and
Garnishees

To *J. H. Hoeffken*

the above named Defendant :

Sir: You Will Please to Take Notice, That the within Garnishee Summons was served by
Henry Heimer, Constable of Carver Co. Minn.

Segler

upon *John Herrmann and Carl*

to wit on said John Herrmann on May 5, 1914 and
the above named Garnishees *on the* *on said Carl Segler on May 7, 1914*
at *Young America Town* in the County of *Carver* and State
aforesaid, by handing to and leaving with *said John Herrmann and said Carl*

Segler

personally, a true and correct copy of the same, and
then and there tendering and paying to said Garnishee his fees for attendance and mileage
And you will further take notice, that you are hereby required to appear and take part in the examination
of said Garnishee which is to take place at the time and place specified in the within Garnishee Summons.

Dated *May 8*

1914

Henry Heimer
Constable

State of Minnesota,

County of

came before me personally, and first being duly sworn, deposes and says, that on the
day of *A. D. 1914*, at the of in said
County, he served the within Summons upon the within named Garnishee, by delivering a true and
correct copy thereof to the said Garnishee, and paid him in advance the sum of
\$ his fees for one day's attendance and mileage. And he further says that on the
day of 190 at the of
in said County, he served upon the within named Defendant a copy of the within Summons together with
a Notice to said Defendant, of which the foregoing is a copy, stating the time, place and manner of service
of said Summons upon said Garnishee, signed by
Attorney for Plaintiff thereon and requiring the said Defendant to appear and take part in the
examination.

Subscribed and sworn to before me, this
day of 190

Original

DISTRICT COURT

Judicial District,

8th

County of *Carver*

*J. D. Krause, Plaintiff
vs.
J. H. Hoeffken, Defendant
and John Herrmann and Carl
Segler, Garnishees*

● Garnishee Summons and
Notice to Defendant.

RECEIVED

MAY 23 1914

JOHN WAGNER, Clerk

Filed this *20th* day of *June* A. D. 1914

John W. Wagner
Clerk of District Court.

E 186

WILLIAM SMITH PRINTING CO., MINNEAPOLIS

Illegible
(Light Ink)

O. L. LUNDSTROM
CLERK OF COURT
Chaska, Minnesota

REGULAR TERMS OF COURT
SECOND MONDAY IN MARCH
SECOND MONDAY IN OCTOBER

State of Minnesota,
County of Carver. ss.

I, O. L. Lundstrom, Clerk of the District Court, do hereby certify that the Disclosure of John Hermann and of Carl Segler hereto attached was taken before me at the Village of Norwood, Carver County, Minnesota on the date therein mentioned.

Clerk.

State of Minnesota,
County of Carver. ss

In District Court,
Eighth Judicial District.

J. D. Krause,

Plaintiff.

-vs-

J. H. Hoeffken,
and John Herrmann et al,

Defendant.
Garnishees.

John Herrmann the above named Garnishee, pursuant to the command of the summons duly issued and served in said action did not appear before the undersigned Clerk of said Court at the time and place fixed by said summons for such appearance, and said matter was continued by request of all of said parties except said defendant to and until the 9th day of July, 1914.

Norwood, Minn. Said plaintiff appeared by his attorney John J. Fahey., at
N There was no appearance on the part of said defendant.

Thereupon said Garnishee after having been by me duly sworn made disclosure as follows:

My name is John Herrmann

I am the above named Garnishee.

I know the defendant.

I do not know where he resides.

I received certain sums of money belonging to said defendant by giving him certain notes and mortgages.

The Garnishee Summons was served on me on the 5th day of May, 1914.

I do not know the exact amount but I owe him more than \$5000.00 and owed him more than that sum on said date, the same being according to the terms of a certain mortgage against my farm.

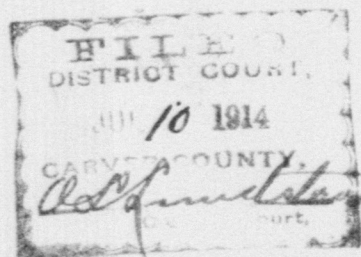
I have no other money or property in my possession or under my control belonging to said defendant.

John Herrmann

Subscribed and sworn to before me this 9th day of July, 1914.

O. L. Lundstrom
Clerk District Court

185



#186

Illegible
(Light Ink)

State of Minnesota,

County of Carver,

In District Court,

Eighth Judicial District.

J. D. Krause,

Plaintiff.

-vs-

J. H. Hoeffken,

Defendant and

John Herrmann and Carl Segler, Garnishee.

XXXX Carl Segler one of the above named Garnishees, pursuant to the command of the summons duly issued served in said action did not appear before the undersigned Clerk of said Court at the time and place fixed by said summons for such appearance and said matter was continued by request of all of said parties except said defendant to and until the 9th day of July, 1914.

Said plaintiff appeared by his attorney John J. Fahey, at Norwood, Minn. There was no appearance on the part of said defendant.

Thereupon said Garnishee after having been by me duly sworn made disclosure as follows:

My name is Carl Segler.

I am one of the above named Garnishees.

I know the defendant John Hoeffken.

I do not know where the defendant lives now.

I owe him some money. I owe him \$13,650.

I owe him \$614.30 interest. I owed him that amount on the day on which the Garnishee Summons was served on me, that is to say on the 7th day of May, 1914. I received said sum of money from and the same is due on a mortgage on my land in said County of Carver.

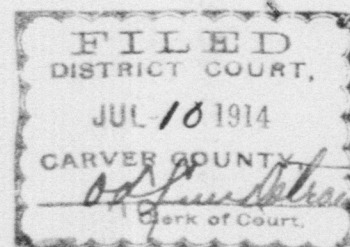
I have no other money or property in my possession or under my control belonging to him.

Carl Segler

Subscribed and sworn to before me this 8th day of July, 1914.

O. L. Lundstrom
Clerk of Dist. Court.

185



E 186

Illegible
(Light Ink)

STATE OF MINNESOTA
COUNTY OF CARVER

IN DISTRICT COURT
8TH JUDICIAL DISTRICT

J. D. Krauss,

Plaintiff.

-VS-

J. H. Hoeffken,

Defendant.

and

John Herrmann and Carl Segler,

Garnishees.

Judgment having been heretofore entered in said Court in favor of said plaintiff and against said defendant for the sum of \$2442.99 ~~cents~~ and said garnishees having heretofore disclosed that said garnishees were indebted to said defendant as follows: The said John Herrmann in the sum of at least \$5000.00, and the said Carl Segler was indebted to said defendant in the sum of \$14,264.30, and that they have respectively said amounts in their hands applicable to the payment of said judgment.

It is therefore ordered on motion of John J. Fahey, attorney for said plaintiff that judgment be entered in favor of plaintiffs and against said garnishees and each of them for the sum of

\$2442.99 with interest on said sum at the rate of 6 percent per

annum from and after 9th day of December, 1910, *together with all the costs and disbursements in said matter*

Dated at Chaska, Minnesota, this 16th day of October, 1914.

J. W. Morrison
Judge of the District Court.

State of Minnesota
County of Carver.

J. D. Krause, Plff.

- vs -

J. N. Hoffken, Deft.

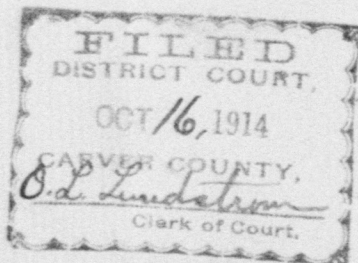
and

John Herrmann vs

Carl Segler.

Garnishees

Order for Judgment



State of Minnesota, }
County of CARVER } ss.

DISTRICT COURT.
EIGHTH

Judicial District.

J. D. KRAUSE

PLAINTIFF

VS

J. H. HOEFFKEN, Defendant and John Herrmann
and Carl Segler Garnishees.

JUDGMENT.

Judgment having been heretofore entered in said Court in favor of said plaintiff and against said defendant for the sum of \$2442.99 and said garnishees having heretofore disclosed that said garnishees were indebted to said defendant as follows: The said John Herrmann in the sum of at least \$5000.00, and the said Carl Segler was indebted to said defendant in the sum of \$14,264.30, and that they have respectively said amounts in their hands applicable to the payment of said Judgment.

Now, Therefore, On Motion of John J. Fahey, Attorney for said plaintiff, It Is Ordered, Adjudged, and Determined That plaintiff have and recover of said garnishees the sum of \$2442.99 with interest on said sum at the rate of 6 per cent per annum from and after the 9th. day of December, 1910, together with all the Costs and Disbursements in said matter, amounting to \$49.50.

Dated at Chaska, Minnesota, this 23rd day of October, A.D. 1914.

By the Court,

O. R. Lindstrom

Clerk of said Court.

DISTRICT COURT,

County of *Leavenworth*

J. D. Krause,
Plaintiff.

AGAINST

J. H. Haeffler, Defendant
John Hermann & Carl
Sepler, Garnishers

JUDGMENT ROLL.

Filed *October 23rd* A. D. 19*04*

O. S. Lindstrom
Clerk of the District Court.

No. 1071.

J. 475