



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

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No. 775-3410

DISTRICT COURT,
Carver County, Minnesota

Anna L. Y. Buttelas
Plaintiff
vs.

Frederick Buttelas
Defendant

Francis Muekel
Plaintiff's Attorney

Defendant's Attorney

Date of Entry Aug. 7th 1914

Register of Actions, E Page 176

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,
County of Carver ss.

In District Court,
8th Judicial District.

Anna Yost Butterfass, Plaintiff,

vs.

Dismissal.

Fred Butterfass, Defendant.

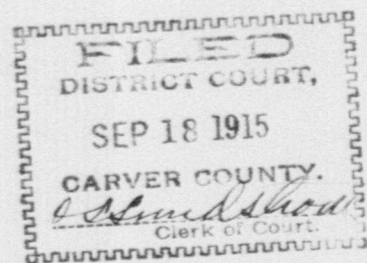
The above ^{on}entitled matter coming to be heard before the Court in Chambers
Sept. 11th 1915, the parties respectively and their attorneys being before
the Court, and the plaintiff indicating to the Court that she desires to ~~dismiss~~
dismiss the above entitled action without prejudice. The Court therefore
dismisses the said cause on behalf of plaintiff without prejudice.

Dated this 11th day of September 1915.

Julius Morrison

AS

195



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State of Minnesota, ss.
County of Carver,

In District Court,
Eighth Judicial District.

Anna Louise Yost Butterfass,
Plaintiff.

vs.

Frederick Butterfass,
Defendant.

Notice of Motion.

To Frederick Butterfass, Defendant.

You will hereby take notice that on the Complaint, filed in the above entitled cause, the files and proceedings therein including the affidavit hereto attached, the plaintiff will move the Court at a time and at a place to be fixed by the Court in an Order to Show Cause, for an Order restraining and enjoining the defendant from interfering with the plaintiff and restraining the defendant from interfering with and remaining on and trespassing on the premises and home of the plaintiff located in and adjacent to the Village of Young America, Carver County, Minn., a better description of which is contained in said Complaint, being the premises, on which you are now residing, and for such other and further relief as the circumstances will warrant.

George Muekel
Attorney for Plaintiff,
Chaska, Minn.,

ORDER TO SHOW CAUSE.

It have been shown to the satisfaction of the Court, that the Motion indicated in the foregoing Notice of Motion should be heard on less than eight days notice, on Motion of the plaintiff's Attorney.

It is hereby Ordered that the defendant Frederick Butterfass show cause before the Court at a Special Term, which special term will be holden commencing at Ten O'clock in the morning of the ___ day of August A. D. 1914, in the office of the Hon. P. W. Morrison, in the Village of Norwood, Carver County, Minn., why an Order should not be made granting the relief asked for and specified in said Notice of Motion.

Let service of the foregoing Notice of Motion and Order to Show Cause be had on defendant Frederick Butterfass, ___ days before the beginning of said Special Term of Court.

Dated at Norwood Minn.,

this 12th of Aug. 1914.

Judge of 8th District.

It is hereby stipulated and agreed by and between the above named parties and their respective attorneys that the above Order to Show Cause be brought on for hearing at the Chambers of said Court at Norwood, Minnesota, on the 14th day of August, 1914, at nine o'clock P. M. of said day.

George Muekel
Plaintiff's Attorney
John J. Fahy
Defendant's Attorney.

State of Minnesota,
County of Carver,

ss.

In District Court,
Eighth Judicial District.

Anna Louise Yost Butterfass,
Plaintiff,

vs.

Affidavit.

Frederick Butterfass,
Defendant.

I, Anna Louise Yost Butterfass, on oath depose and say that I am the plaintiff in the above entitled action, which is instituted for the purpose of annulling the marriage or purported marriage between myself and the said defendant as set forth in the Complaint filed in the above entitled action.

That I am the fee simple owner of a tract of land of about twenty acres together with a dwelling and other buildings thereon, in and adjacent to the Village of Young America, Carver County, Minn., which is in the possession of the said defendant to the exclusion of this plaintiff.

That the plaintiff cannot with safety live on said premises (a better description of which premises is contained in said Complaint) while the defendant remains thereon for the reason that the defendant is coarse, and cruel in his conduct toward the plaintiff, that he has threatened her with bodily injury, that he frequently becomes intoxicated and is dangerous and it is unsafe for the plaintiff to remain on said premises while the defendant remains thereon. That she fears defendant will carry out his threats to harm and hurt her and do her bodily harm.

The plaintiff further states that she is 55 years of age, that she is sick and unable to earn her living. That she has no funds or means or resources to raise fund of means with which to live and that she has no place to live. That she now is living with friends without any funds with which to pay for such support etc., so furnished by said friends.

The plaintiff has no way of raising funds or obtaining bond for the issuance of a Restraining Order or Injunction restraining the defendant from interfering with this plaintiff and restraining the defendant from interfering with said premises, or in any manner remaining thereon or trespassing thereon until after the final hearing of the Complaint in the above entitled action.

That plaintiff desires a restraining Order or Injunction without bonds, restraining the defendant from interfering with plaintiff or molesting her also restraining defendant from interfering with said premises or remaining thereon or trespassing thereon.

Francis Muekel
Attorney for Plaintiff,
Chaska, Minn., *head*

I, Anna Louise Yost Butterfass, depose and say that I have read the foregoing affidavit and that the statements therein contained are true of my own knowledge,

Her
Anna Louise *X* Yost Butterfass
Mark.

sworn to before me this 12th of August 1914.

[Signature]
Notary Public and for
Carver County, Minn.
NOTARY PUBLIC, CARVER COUNTY, MINN.

Order to Show Cause
Discharged

H. W. Morrison
Judge of said Court

195

FILED
DISTRICT COURT,
AUG 13 1914
CARVER COUNTY,
O. H. Lundstrom
Clerk of Court.

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State of Minnesota,

DISTRICT COURT,

County of Carver

Eighth Judicial District.

Anna Louise Yost Butterfass,
Plaintiff,

versus.

SUMMONS.

Frederick Butterfass,
Defendant.

THE STATE OF MINNESOTA, TO THE ABOVE NAMED DEFENDANT:

You Frederick Butterfass, are hereby summoned and required to answer the complaint in the above entitled action, a copy of which is herewith served on you and to serve a copy of your answer to the said complaint on the subscriber at his office, in Chaska, Carver in the County of and State of Minnesota, within ³⁰ ~~ten~~ days after the service of this summons on you, exclusive of the day of such service; and if you fail to answer the said complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief prayed for in said Complaint.

Dated August 8th, 1914. ~~XXXXXX~~

Francis Muekel

Service of foregoing Summons and Complaint thereto at Plaintiff's Attorney.

attached hereby accepted and copy thereof Chaska, Minn
received for this 12th of Aug. 1914

Eul Butterfass

State of Minnesota,)
ss

County of _____

I hereby certify and return.....being duly sworn, on
oath says that at.....in the County of.....State of
Minnesota, on the.....day of.....A. D. 190..., he served the within summons
and the complaint thereto attached upon.....the defendant
therein named, by.....
handing to and leaving with.....said defendant..., a true and correct copy of each said
summons and complaint, at the house of.....usual abode, by handing to and leaving with
.....person of suitable age and discretion then resident therein, to wit,.....
.....a true and correct copy of each said summons and complaint.

Subscribed and sworn to before me this.....day of.....A. D. 190.....

Notary Public.....County, Minn.

No.

DISTRICT COURT,

Judicial District.

County of _____

SUMMONS-SKELETON FORM

Plaintiff's Attorney.

No. 145.

State of Minnesota,)
County of Carver)

ss.

In District Court,

Eighth Judicial District.

Anna Louise Yost Butterfass,
Plaintiff,

vs.

Frederick Butterfass,
Defendant.

Complaint.

The Plaintiff respectfully states and complains of the defendant as follows:-

Par. 1,

The plaintiff states that she now is and has been for the last twenty-five years continuously, been a bona fide resident of the State of Minnesota, during all of which time she lived either in McLeod or Carver County; that she now is residing and has continuously since April 1914 resided in Young America Township, Carver County, Minn.,

Par. 11,

The plaintiff further states that the defendant Fred erick Butterfass, has lived in the State of Minnesota for the last four years continuously, living either in McLeod or Carver County during all of such time, and the he ~~ix~~ too, at this time is residing and has continuously since April 1914, resided ~~xxx~~ in Young America Township, Carver County, Minn.,

Par. 111,

The plaintiff further states that she is the fee-simple owner of the following described real estate in Young America Township, Carver County, Minn, and was such ^{owner} thereof, since before September 20th 1912, to-wit:

Commencing at the N. E. corner of the Northwest Quarter of Section Eleven, Township 115, North of Range 26 West, thence along the Section line 6.22 chains, thence south 27.91 chains; to center of Carver and Glencoe Road, thence 55 Degrees east along the center of said Road to center line running North and South of Section Eleven, thence north along said center line 32.50 chains to place of beginning, situate in East half of N.W. Quarter of Section Eleven, Township 115 North of Range 26 West, containing 18.75 Acres.

Also commencing 14.80 chains north of a post which stands in the center of Section Eleven, Township 115, North of Range 26, West, thence east 3.50 chains thence ^{North} 4.39 chains, thence west 3.50 chains, thence south 4.39

to place of beginning,, situate in part of Outlot No. 3, of the Village of Young America according to the plat of said Village filed and recorded in the Office of the Register of Deeds of Carver County, Minn., containing 1.53/100 Acres.

Par. 1V.

The plaintiff further states that on the 20th day of September, A. D. 1912, at the solicitation and request of the defendant, this plaintiff proceeded with defendant to Hudson, St. Croix County, Wis., and participated in a marriage ceremony, wherein and whereby this plaintiff believed she and the defendant were entering ^{and consummating} a legal marriage contract and wherein and whereby this plaintiff believed that she and defendant were being lawfully intermarried.

Par. V,

That immediately after the said marriage ceremony as above set forth, this plaintiff and defendant went to housekeeping, living together as husband and wife up to and until July 6th, 1914, when the plaintiff ascertained that said marriage ceremony and contract between this plaintiff and said defendant was invalid and unlawful, at her election, and in contravention of the laws of the State of Minnesota.

Par. VI,

The plaintiff further states that immediately after said marriage ceremony occurred and plaintiff and defendant went to housekeeping, the defendant began a course of treatment toward this plaintiff, coarse, cruel and inhuman in its character, impairing plaintiff's health and endangering her life, abusing her, calling her unmentionable names and using violence toward her. That since April A.D. 1914 plaintiff and defendant have resided in plaintiff's home, to-wit- the premises hereinbefore described. That the defendant frequently ejected this plaintiff from said premises, often in the middle of the night. That defendant's conduct was such that plaintiff sought counsel to institute divorce proceedings against defendant and plaintiff was then, to-wit: July 6th, 1914, apprised that the marriage contract between this plaintiff and defendant was invalid and voidable and contrary to the laws of the State of Minnesota, and that since said 6th day of July this plaintiff has wholly refrained from cohabiting with the defendant.

Par. 11,

The plaintiff further states that on April 16th 1912, Elizabeth Butterfass, former wife of the defendant Frederick Butterfass, obtained ~~xxx~~ an absolute divorce from the defendant, as appears by the Certified copy of the Decree of Divorce, hereto attached, and made a part hereof, marked exhibit "B", said Decree of Divorce having been granted in McLeod County, Minn.,

Par. 1X.

The plaintiff further states that she has been a widow since July 15th 1910, since which date she was at all times eligible to lawfully enter into a contract of marriage; and that on September 20th 1912, when said marriage contract and ceremony was entered into, she was eligible to enter therein and thereto and fully believed that the defendant was also eligible to enter into such contract and such relationship resultant therefrom.

Par. X.

The plaintiff further states that the defendant wrongfully, unlawfully and feloniously, falsely and fraudulently made oath that there was no impediment to his intermarriage with this plaintiff, as more fully appears by the "Application for Marriage License", a copy of which (certified) is hereto attached and made a part hereof, marked exhibit "A", said Application having been made on September 20th 1912, in Hudson, St. Croix County, Wis', when the fact is that less than six months prior the 20th day of September 1912, his wife Elizabeth Butterfass obtained a Decree of Divorce against said defendant as hereinbefore shown.

Par. XI,

The plaintiff further states that at all times until about ^{July 11th} 1914, or thereabouts, 1914, she was ignorant of the time the said defendant was divorced from said Elizabeth Butterfass; and that on September 20th 1912, he was ineligible to enter into a marriage contract with plaintiff, ~~that~~ ^{that} she hereby elects to regard the said marriage ceremony and the attempt of the defendant to enter into a marriage contract with plaintiff as aforesaid as ~~voidable~~ void and hereby annuls the same, she never having ratified the same.

Par. XII.

The plaintiff further states that the defendant in his false and fraudulent oath in his application to obtain a Marriage License as aforesaid, and in his attempt to enter into a marriage contract with this plaintiff on Sept. 20th, 1912, as above set forth, has committed a grave injustice

against this plaintiff and committed an act forbidden and prohibited by the laws of the State of Minnesota.

Par XIII,

The plaintiff further states that the ~~defendant~~ defendant Frederick Butterfass was on the 20th day of September 1912, a citizen of the State of Minnesota and amenable to all of the laws of the State of Minnesota, That he was wholly ineligible at that time to enter into a marriage contract with this plaintiff, by reason of having been divorced less than six months prior to September 20th, 1912, that the marriage ceremony and attempt of the defendant to enter into a marriage contract with this plaintiff as aforesaid is void and in violation of the laws of the State of Minnesota, at the instance and election of this plaintiff.

Par XIV.

The plaintiff further states that the defendant has at numerous times during the last six months driven and ordered the plaintiff from her home, to-wit: the hereinbefore described premises and that on July 30th or 31st, the defendant between the hours of ~~eleven~~ eleven O'clock and Midnight, broke into the plaintiff's bed-room apartments and drove her out of said premises, threatening her violence and bodily harm. That this plaintiff is in fear of her life and health and is afraid to return to her home, said premises, the defendant occupying the same to the exclusion of this plaintiff.

Par. XV.

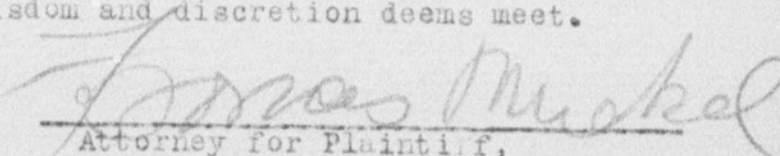
The plaintiff further states that she is of the age of 55 years, and is unable to earn her own living by reason of her poor condition of health, that she has ^{Means} no ~~means~~ excepting said premises, on which she cannot raise any funds without the signature of defendant by reason of their presumptive relationship of husband and wife. That she has no place to live except said premises, which is in the possession of defendant and which is unsafe for plaintiff to live in while defendant there remains. That the defendant Frederick Butterfass is the fee simple owner of One Hundred Twenty acres of farm land in McLeod County, Minn.,.

Par. XVI.

That the plaintiff has no funds or no manner or means by which to give bond for an Injunction against the defendant as hereinafter prayed for. That the plaintiff desires to return to her home, the above described premises, free from the defendant and to his exclusion, and elects to annul and vitiate

the Marriage ceremony and the Marriage formality participated in by the plaintiff and the defendant on September 20th 1912, as hereinbefore shown and referred to. , for the reasons that the same is not legal in such case ~~XXXX~~ made and provided for by Statute, etc., etc.,

Wherefore the plaintiff prays that the Court enter a Decree and Order annulling the marriage or purported marriage contract entered into by and between this plaintiff and defendant Butterfass on September 20th 1912, and release this plaintiff from all marriage obligations thereto attached, decree the plaintiff the fee-simple owner of the hereinbefore described premises, free from all claims of the defendant Frederick Butterfass, Also grant this plaintiff the privilege of using her former name, to-wit: Anna Louise Yost, Also issue an Injunction without, bond, until the final hearing of this Complaint, restraining the defendant Frederick Butterfass, from interfering with the plaintiff in any manner whatsoever and also restraining the defendant Frederick Butterfass from interfering ~~ex~~ with or trespassing on the above premises, render judgment in favor of plaintiff and against the defendant for the costs of this action and for any other and further relief that the Court in its wisdom and discretion deems meet.


Attorney for Plaintiff,
Old Post-office Building,
Chaska, Minn.,

State of Minnesota,
County of Carver,

ss.

I, Anna Louise Yost, also known as Anna Louise Butterfass, being first duly sworn on oath, depose and say that I have read the foregoing Complaint and that ^{the} statements therein contained are true of my own knowledge, excepting as to matters stated on information and belief and as to those matters, I believe them to be true.

Anna Louise ^{Her} Yost
Married Butterfass

Sworn to before me this 4 of August, 1914.

J. J. Connolly,
County Auditor
Carver Co. Minn

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State of Minnesota) In District Court,
County of McLeod) Eighth Judicial District.
Elizabeth Butterfass, Plaintiff,)
-vs-) Judgment.
Fred Butterfass, Defendant.)

Exhibit 10

The above entitled action came duly on for trial and was tried to the Court on the 7th day of December 1911.

C.M. Tiff, Esq; appeared as counsel for the plaintiff and John J. Fahey, Esq; appeared as counsel for the defendant.

And said Court, by its decision herein, having found among other things that the plaintiff is entitled to judgment against defendant of an absolute divorce from defendant, to permanent alimony in the sum of \$ 644.86, to the sum of \$80.00, heretofore allowed as temporary alimony, and court costs, together with the costs and disbursements of this action, all of which shall be made a specific lien upon the real estate therein and hereinafter described and the plaintiff have execution for the enforcement of said judgment, and that the care and custody of the minor children of plaintiff and defendant be awarded to defendant until further order of this court, provided that the plaintiff shall have the right and privilege of seeing and visiting them at any time and place she chooses so to do, and that the defendant shall not be permitted to take said children without the confines of the State of Minnesota, and said Court having ordered that judgment be entered herein accordingly,

Now, therefore, on motion of C.M. Tiff, Esq; attorney for plaintiff, it is hereby ordered, adjudged and decreed that the plaintiff Elizabeth Butterfass ^{Butterfass} and she hereby is granted an absolute ^{divorce} from the defendant, Fred Butterfass, and that the bonds of matrimony, now and heretofore existing between plaintiff and defendant, be, and they are hereby forever dissolved; that plaintiff have and recover of defendant the sum of \$ 651.30 as permanent alimony, besides the costs and disbursements of this action, taxed and allowed at the sum of \$ 98.75, all of which shall be, and hereby is, made a specific lien upon all the following described real estate, situate, lying and being in said County and State, to-wit: The east half of the southeast quarter of section twenty (20), all in Township one hundred sixteen (116) north of range twenty seven (27) west and that plaintiff have execution for the enforcement of said judgment.

It is further adjudged and decreed that the defendant have the care, custody and control of the minor children of plaintiff and defendant, to-wit: Elizabeth Butterfass, Eddie Butterfass, and Henry Butterfass, until the further order of this Court; provided that the plaintiff, their mother, shall have the right and privilege of seeing and visiting them at any time and place she chooses so to do and that the defendant shall not be permitted to take said children without the confines of the State of Minnesota.

Dated this 16th day of April, 1912.

By the Court: John Luiten,
Clerk of District Court.

STATE OF MINNESOTA, }
COUNTY OF McLEOD } ss.

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT.

*I, John Luiten, Clerk of District Court in and for said County, do hereby certify that I have
compared the foregoing with the original Decree of Divorce*

*now on file and of record in my office, and that the same is true and correct copy and transcript thereof and
of the whole thereof.*

Witness my hand and official seal, at the City of Glencoe, Minnesota, this 6th day of

August

A. D., 1914.

John Luiten

Clerk of said Court.

State of Wisconsin, } ss.
St. Croix County.

I, *Wm. J. Berdahl*

County

Clerk of said County, do hereby CERTIFY that I have compared the above and foregoing

application for Marriage License

with the original thereof, and that the same is a transcript therefrom and of the whole thereof
as the same remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my

hand and affixed my official Seal at my Office in the

City of Hudson, this *28th*

day of *July* A. D. 19*14*

Wm. J. Berdahl
County Clerk.

Copy

APPLICATION FOR MARRIAGE LICENSE.

"Sept 20 1912" A

State of Wisconsin, } ss.
County of St. Croix, }

Frederick Butterfass being duly sworn, on oath
says that he is a resident of Bergen, in the county
of McLeod in the state of Minnesota, of legal age,*
that he HEREBY makes application for a license to permit him to be joined
(him or her)
in marriage to Anna Louise Yost a resident of
Bergen county of McLeod and state
of Minnesota of legal age,* and that no legal impediment to
their marriage exists.

Frederick Butterfass

(If made before any other person than the county clerk.)

In presence of

A. S. S. S. S. S.

Frank S. S. S.

Subscribed and sworn to before me this

20th day of Sept. A. D. 1912

A. S. S. S. S.

*The legal age is twenty-one years for a male, and eighteen years for a female.

NOTARY PUBLIC, ST. CROIX CO. WIS.
My Commission Expires Aug. 8, 1915

No. 4,115

ST. CROIX COUNTY

APPLICATION FOR
MARRIAGE LICENSE

OF

Frederick Butterfass

TO

Anna Louise Yost

STATE OF WISCONSIN,
County of St. Croix,

Received and filed this 20th day

of Sept. 1902

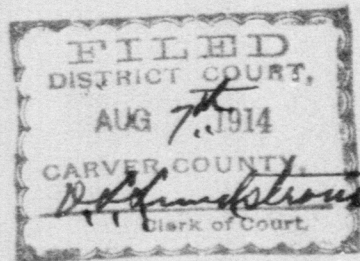
W. J. Herdahl
County Clerk.

#193
State of Minn
County of Coors

Anna L. J. Butterfass
—

Fredrick Butterfass
—

Complaint
—



Froncey Muekel
for Plaintiff

E196

No.

4765411

DISTRICT COURT,

Carver County, Minnesota

Albert F Beck Jr.

Plaintiff

vs.

Jacob Hinen

Defendant

P. R. Curran

Plaintiff's Attorney

John J. Fisher

Defendant's Attorney

Date of Entry

August 8th 1914

Register of Actions,

F

Page

197

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, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

THE STATE OF MINNESOTA

TO

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 14th day of Dec 1904, at 9 o'clock in the fore noon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

Defendant

on the part of the

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

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

District Court aforesaid at Chaska this

day of

October

A. D. 1904

O. L. Lundstram

Clerk of District Court.

ORIGINAL

State of Minnesota,
COUNTY OF CARVER

ss.

DISTRICT COURT
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named presence, and by delivering to him a true copy thereof, in County and State aforesaid, on this _____ day of _____ 190_____

Fees, { Service, _____
Mileage, _____
Total, _____

By _____

Deputy Sheriff.

Sheriff of Carver County.

No. 2689
STATE OF MINNESOTA,
COUNTY OF CARVER

DISTRICT COURT,
Eighth Judicial District.

Albert Beck Jr.

AGAINST

Jacob Keinen

SUBPOENA

Issued *Oct. 13th* 190*14*

O. L. Lundstrom
Clerk District Court.

Returned and Filed

Oct. 14th 190*14*
O. L. Lundstrom
Clerk.

On part of

Deft.

State of Minnesota,
County of Carver,

DISTRICT COURT,

Eighth

Judicial District

Albert P. Beck, Jr.

Plaintiff

Against

No. 15
196.

List of Jurors.

Jacob Heinen

Defendant

Attorneys Mark Here

NAMES

REMARKS

1

John Nayed

2

John Feltmann

3

Ed. Hunsel

4

Fred Strehlke

5

Ed. Knuthler

6

Albert Miller

7

Otto Schoenke

8

William Hunsauer

Excused

9

D. Mackenthun

10

Daniel Herron

11

William Hall

(1) P. H.

12

C. J. Doale

13

W. H. Utter

14

Walter Smith

15

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13
No. 196

STATE OF MINNESOTA,

County of Carver,
DISTRICT COURT.

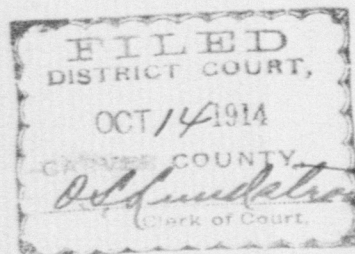
Albert H. Beck Jr.,

Plaintiff

Against

Jacob Heinemann
Defendant

JURY LIST



No. 962.

Reg. E. - 197.

State of Minnesota, ss

County of Carver

DISTRICT COURT

Eighth Judicial District

THE STATE OF MINNESOTA

TO

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the 14th day of Oct. 1904, at 9 o'clock in the fore noon, then and there to give evidence in the cause to be tried between

Albert Beck Jr.
Plaintiff, and

Jacob Krinen
Defendant on the part of the Defendants

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

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

O. L. Lundström
Clerk of District Court.

ORIGINAL

State of Minnesota,
COUNTY OF CARVER

ss.

DISTRICT COURT
Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named presence, and by delivering to him a true copy thereof, in County and State aforesaid, on this _____ day of _____ 190_____

Service, _____
Fees, _____
Total, _____

Sheriff of Carver County.

By _____

Deputy Sheriff.

No. 2690
STATE OF MINNESOTA,
COUNTY OF CARVER

DISTRICT COURT,
Eighth Judicial District.

AGAINST

SUBPOENA

Issued

Dec. 13th 190⁴
O. L. Lundstrom
Clerk District Court.

Returned and Filed

Dec. 14th 190⁴
O. L. Lundstrom
Clerk.

On part of _____

No. 2691

State of Minnesota, } ss.

County of Carver

DISTRICT COURT

Eighth Judicial District

THE STATE OF MINNESOTA

TO *William Heinen* GREETING:

You are Thereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the *Judge* of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the *14th* day of *Oct* 190*4*, at *9* o'clock

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

Albert Beck Jr.
Plaintiff, and

Jacob Heinen
Defendant on the part of the *Syndicate*

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

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

District Court aforesaid at Chaska this *13th*

day of *October* A. D. 190*4*

O. L. Lindstrom

Clerk of District Court.

ORIGINAL

State of Minnesota,
COUNTY OF CARVER

ss.

DISTRICT COURT

Eighth Judicial District.

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

Fees, { Service,
Mileage,
Total,

Sheriff of Carver County.

By Deputy Sheriff.

No. 2691

STATE OF MINNESOTA,
COUNTY OF CARVER

DISTRICT COURT,
Eighth Judicial District.

AGAINST

SUBPOENA

Issued

Oct. 13th 1904

O. L. Lundström
Clerk District Court.

Returned and Filed

Oct. 14th 1904
O. L. Lundström
Clerk.

On part of

State of Minnesota,
County of *Carver*

IN DISTRICT COURT OF SAID COUNTY,

} ss.

8th Judicial District
October Term, 19*14*

IN THE MATTER OF

Albert F. Beck Jr.
vs. Plaintiff

Jacob Hemen
Defendant

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

O. A. Elti
Foreman.

Dated at *Chaska* this *14th* day of *Oct.* A. D. 19*14*.

#15 — 196

DISTRICT COURT,

8th

Judicial District

Oct

Term, 1914

State of Minnesota,

County of

Carver

ss.

VERDICT FOR DEFENDANT

IN THE MATTER OF

Albert F. Beck Jr

vs.

Plaintiff

Jacob Hein

Defendant

Filed in open Court the

14th

day of

October

1914

O. S. Sundstrom

Clerk.

No. 864

By E. - 197.

State of Minnesota,

County of

Carver

ss.

The STATE OF MINNESOTA, To the Sheriff or any Constable of said County:

You are hereby commanded to summon

Jacob Heinen

the Defendant herein

if he shall be found in your County, to be and appear before the undersigned, one of the Justices of the Peace in and for said County, on the

12th

day of

June 1914, at 10 o'clock in the fore noon of said day at my office in the City of Chaska in said County, to answer the complaint of

Albert H Beck Jr

Plaintiff, in a civil action, wherein the Plaintiff claim

the sum of Twenty one and 50/100 (\$21.50) with interest thereon from the 1st day of April 1914, at the rate of 6 per cent per annum;

and have you then and there this writ.

Given under my hand and dated this

2nd

day of

June

1914

A. H. J. J.

Justice of the Peace

IN JUSTICE'S COURT

County of

Carver
Albert G. Beck Jr
Plaintiff

vs

Jacob Herion

Defendant.

SUMMONS

Returned and filed this *5th*
day of *June* 191*4*
A. G. Gatz
Justice of the Peace

At the request, cost, and risk of the
Plaintiff I authorize

to serve and return this Summons.

Dated 191

Justice of the Peace

713 8000

STATE OF MINNESOTA,

County of

Carver

ss.

FEES—Mileage, *32* Miles *320*
Service,*.15*
Copy,*.15*
Total, . . . \$ *350*

I hereby certify and return, that on the *5th* day of *June*
191*4*, in said County, I served the within Summons upon the within named Defendant personally,
by reading the same to said Defendant, and delivering a copy thereof to him.

G. A. Gatz
Shriffs Court Lee Minn

Deputy Sheriff

STATE OF MINNESOTA,

County of

ss.

FEES—Mileage, . . . Miles
Service,*.15*
Copy,*.15*
Total, . . . \$

I hereby certify and return, that on the . . . day of . . .
191 . . ., in said County, I served the within Summons upon the within named Defendant, by leaving
a copy thereof at his last usual place of abode, with one . . .
a person of suitable age and discretion, then residing therein, Defendant not being found.

Constable

Illegible
(Light Ink)

STATE OF MINNESOTA
County of Carver ss

In Justice Court,
Before A. F. Young,
Justice of The Peace.

Albert Beck Tr. vs Jacob Heinen

Plaintiff complains of the Defendant herein and alleges;
that between September 1st 1911 and June 1st 1912 plaintiff performed work and services on and about said Defendant's farm.

That said services were reasonably worth and of the value
Twenty one Dollars and fifty cents (\$21.50).

That said sum has not been paid or any part thereof.
That more than Ten days have passed since the ^{demand and the} commencement of
this action.

WHEREFORE Plaintiff demands Judgment against this
Defendant: First for \$21.50, Second for its costs and Disburse-
ments herein.

R. P. Cernan

Attorney for said Plaintiff,

Young America, Minn.

STATE OF MINNESOTA,
County of Carver ss.

Albert Beck Jr. ^{being} duly sworn deposes and says
that he is the Plaintiff in the above entitled 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 things
stated on information and belief and as to those he believes to
be true.

A. F. Beck Jr

Subscribed and sworn to before

me this ^{12th} day of June 1914.

A. F. Young
Justice of the Peace,
Carver County, Minn.

Albert Beck Jr
Plaintiff

vs

Jacob Weimer
Defendant.

Complaint

Filed this 12th day
of June 1914

A. H. Young

no 2

State of Minnesota,
County of Carver, Before A.F. Young, Esq., Justice of the Peace.

Albert Beck, Jr.,
vs
Jacob Heinen,
Plaintiff
Defendant.

For his answer to the complaint of the plaintiff in the above entitled action defendant alleges:

He denies said complaint and each and every part and portion thereof and the whole thereof.

WHEREFORE defendant demands judgment:

That plaintiff take nothing herein.

That he the said defendant have his costs and disbursements herein.

John J. Fahey,
Defendant's Attorney,
Norwood, Minnesota.

State of Minnesota,
County of Carver. ss

John J. Fahey being first duly sworn, says that he is the attorney for the defendant in the above entitled action; that he has read the foregoing answer and knows the contents thereof; that the same is true of his own knowledge except as to those matters therein stated on information and belief and as to those matters he believes it to be true. *That the reason defendant did not verify this complaint is because he is absent*

Subscribed and sworn to before me this 12th day of June, 1912.

Chas. A. Reil
NOTARY PUBLIC, Carver County, Minn.
My Commission expires April 11, 1921

Albert Beck Jr
Plaintiff

vs

Jacob Heinen
Defendant

Answer

Filed this 12th
day of June A.D. 1914

A. H. Young
Justice of the Peace

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(Light Ink)

S

State of Minnespota
County of Carver

Albert Beck Jr -vs- Jacob Heinan

State of "innesota
County of Carver

P.R.Curran being duly sworn says tthat, he
is the Attorney of the plaintiff in thre above entitled
action; that each of the following witnesses testified
in the said cause on the part of the plaintiff namely: Albe
Albert Beck Sr one day service and 32 miles travel \$2.92
Paul Beck one day service and 32 miles travel 2. 22
and for the purpose of testifying in said cause; and th
that the residence of each of said switnesses is at Wacona
Minnesota Caaver county.

P. R. Curran
atty for Plaintiff.

Subscribed and sworn to before me, this 27 day of June, 1914

Attest
Justice of the Peace.

No 4

Filed this 27th day
of June 1914

Attest
Justice of the Peace

State of Minnesota,

County of

Carver

ss.

The STATE OF MINNESOTA, To the Sheriff or any Constable of said County:

You are hereby commanded to summon

E. E. Oestreich
Wm. Elke, Wm. Holz, Joseph Ess,
*Christ Bender, John Suthemer, Math. Darsen*to be and appear before the undersigned, one of the Justices of the Peace in and for said County, on the *26th* day of *June* 1914, at *1* o'clock in the*Afternoon* of said day, at *Court House* in the *City* of *Chaska*in said County, to make a jury for the trial of a criminal action between *the State of*
Albert H. Beck
Minnesota, Plaintiff, and*Jacob Heinun*

Defendant ; and have you then and there this writ.

Given under my hand this

26th

day of

June

A. D. 191

*4**A. J. Forney* Justice of the Peace

55

OUR

6-6-Delemez

Urm. Ellis, Jacob Davis

Mail Room

and that the following named persons could not be found:

265

day of

20

1915

FEES---Milage,

2

Miles, S.

1

Summoning Jury

$$\frac{1.00}{1.20}$$

Wm. G. T. Sharpe

Canine

County of _____

Albert H. Beck Jr.
Plaintiff

Jacob Heinen
Defendant

~~VENIRE~~ = Criminal Action

Returned and filed this

day of

191.7

Justice of the Peace

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(Light Ink)

State of Minnesota,

} ss.

IN JUSTICE COURT,

County of CarverBefore A. F. Young, Esq.,

JUSTICE OF THE PEACE.

Albert Beck, Jr., Plaintiff.

-VS-

Jacob Heinen, Defendant.To Albert Beck, Jr, Plaintiff and to P. R. Curran, Esq., his Attorney*PLEASE TAKE NOTICE, That the above named Jacob Heinen, Defendant,**appeals to the District Court, in and for said County,
from the judgment rendered by said Justice of the Peace, in the above entitled cause, on
the 26th day of June, 1914 A-D-189, in favor of said
Albert Beck, Jr., Plaintiff**and against said Jacob Heinen, Defendant**therein, for the sum of Fifty & 60/100 Dollars;**and that the said appeal is taken upon questions of Law and Fact**Dated at* Horwood, Minn.*this* 3rd*day of* July 1914189*John J. Fahren*
Attorney for Defendant,
Horwood, Minnesota.

Original

IN JUSTICE COURT,

County of Carver.

Albert Beck, Jr. Plaintiff

- vs -

Jacob Heinen, Defendant

NOTICE OF APPEAL.

Filed this 6th day of July
1914
789

A. H. Young
Justice of the Peace.

Due service of the within Notice of Appeal
admitted at
this day of
A. D. 189

me 6

State of Minnesota,

ss.

County of Carver.

Henry Heinen, Deputy Sheriff,

being duly sworn, says, that at the Town of Young America in said County on the

6th day of JULY, 1914 189, he served the within Notice of Appeal upon

Peter R. Curran, the attorney for said plaintiff

by delivering to and leaving with him personally a copy thereof at his place of residence in said Town of Young America, Carver County, Minnesota,

Subscribed and sworn to before me, this

6th

day of JULY

189

Notary Public, Carver Co., Minn. My Com. expires April 22, 1920

Justice of the Peace.

Henry Heinen
Deputy Sheriff

Illegible
(Light Ink)

State of Minnesota,)
 County of Carver) ss. Before A. F. Young, Esq.,
 Justice of the Peace.

Albert Beck, Jr., Plaintiff.

-vs-

Jacob Heinen, Defendant.

Know all Men by these Presents, That we Jacob Heinen

as principal, and

Henry Heinen and Peter Schneewind

as sureties

are held and firmly bound unto Albert Beck, Jr., the said above named
 Plaintiff

in the sum of

One Hundred & No/100

Dollars, lawful money of the

United States, to be paid unto the said Albert Beck, Jr., his

heirs, executors, administrator,

or assigns, for which payment well and truly to be made, we jointly and severally bind ourselves and each of our heirs, executors and administrators, firmly by these presents.

Scaled with our seals, and dated this 3rd day of July, 1914

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

Jacob Heinen

appeals to the District Court, in and for said County, from a certain judgment rendered by said

Justice of the Peace in said cause, on the 26th day of June, 1914, in

favor of said Albert Beck, Jr., Plaintiff and against said

Jacob Heinen

for the sum of Fifty & 60/100 Dollars.

NOW, THEREFORE, If the said Appellant shall prosecute his appeal with effect, and abide the order of the Court therein, then this obligation shall be void; otherwise to remain in full force and effect.

IN TESTIMONY WHEREOF, We have hereunto set our hands and seals this 3rd day of July, 1914 A.D. 1914

Signed, Sealed and Delivered in Presence of

William H. J. Heinen,
 John J. Faher

Jacob Heinen [SEAL]
 Henry Heinen [SEAL]
 Peter. Schneewind [SEAL]
 [SEAL]

State of Minnesota,
County of Carver } ss.

On this 3rd day of July, 1914 A-D-1914, before me, a
Notary Public within and for said County, personally appeared
Jacob Heinen, Henry Heinen and Peter Schneewind

to me known to be the persons described in and who executed the foregoing instrument, and acknowledged
that they executed the same as their free act and deed.

John J. Zaher

Notary Public, Carver Co., Minn.
My Com. expires April 22, 1920

State of Minnesota,
County of Carver. } ss.

Henry Heinen and Peter Schneewind

being duly sworn, say, each for himself, that he is one of the sureties within named; that he is a resident
and freeholder of the State of Minnesota, and worth the amount of One Hundred

Dollars, specified in the within Bond,
above his debts and liabilities, and exclusive of his property exempt from execution.

Subscribed and sworn to before me, this

3rd day of July, 1914

John J. Zaher

Notary Public, Carver Co., Minn.
My Com. expires April 22, 1920

Henry Heinen
Peter. Schneewind

IN JUSTICE'S COURT

County of Carver.

Albert Beck, Jr.
Plaintiff

-vs-

Jacob Heinen,
Defendant.

APPEAL BOND

I hereby approve the within Bond and
the sureties thereon.

Dated July 3, 1914

Adolf Young,
Justice of the Peace.

The within Bond Filed the 3rd

day of July, 1914

Adolf Young,
Justice of the Peace.

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(Light Ink)

State of Minnesota,

ss.

In Justice's Court,

County of Carver.

Before A. F. Young, Esq.,
Justice of the Peace

Albert Beck, Jr., Plaintiff.

-vs-

Jacob Heinen, Defendant.

State of Minnesota,

ss.

County of Carver.

Jacob Heinen,

the Defendant in this action, being duly sworn, says that he appeals
to the District Court in and for said County, from the judgment rendered by said Justice of the Peace in the
cause, on the 26th day of June 1914, in favor of said

Albert Beck, Jr., Plaintiff

and against said Jacob Heinen, Defendant

therein; and that the said appeal is made in good faith, and not for the purpose of delay.

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

John J. Foley
Notary Public, Carver Co., Minn.
My Com. expires April 22, 1920

Justice of the Peace

no 8

IN JUSTICE'S COURT

County of Carver.

Albert Beck, Jr.

Plaintiff

-vs-

Jacob Heinen,

Defendant.

APPEAL AFFIDAVIT

Filed this 3rd day of July

A. D. 194.

A. H. Young.
Justice of the Peace

State of Minnesota,
County of Carver } ss.

Justice
In ~~District~~ Court of said County,

~~Judicial District.~~

Term, 190

In the Matter of

Albert H Beck Jr

vs

Plaintiff

Jacob Hein

Defendant

We, The Jury impaneled and sworn in the above entitled action, find for the plaintiff and assess *for* damages in the sum of \$ *21.50*

Twenty one and

50

100

DOLLARS,

Dated at

Waska

this

Christ Beck Foreman.
26th

day of

June

A. D. 190

14

mv 9

Justice
DISTRICT COURT

Judicial District

Term, 190

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

Verdict for Plaintiff

In the Matter of

Albert H Beck Jr

vs.

Plaintiff

Jacob Heinen

Defendant

Filed in open Court the *26th*
day of *June* 190*4*

Attest
Justin of the Peace. Clerk.

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(Light Ink)

State of Minnesota } In Justice Court
County of Carver } ss Before A. F. Young
City of Chaska } Justice of the Peace.

Albert F. Beck Jr
Plaintiff

vs
Jacob Steinen
Defendant.

I hereby certify and return that the
within is a true and correct copy of
all the proceedings had in said matter
before me including papers numbered
from 1 to 10 inclusive, in said
matter.

A. F. Young
Justice of the Peace.

State of Minnesota } In Justice Court
County of Carver } ss Before A. H. Janning
City of Chaska } Justice of the Peace.

Albert H. Beck Jr
Plaintiff

U.S.
Jacob Heinem
Defendant

Summons issued returnable
at my office in the City of Chaska in
said County, on the 12th day of June
1914 - 10 o'clock A.M. and delivered to
Sheriff G. A. Gab to serve, Plaintiffs
Claim \$21.50 and Costs.

June 5th 1914
Summons returned by Sheriff G. A.
Gab with his Certificate thereon, that
on the 5th day of June 1914 he served
the within summons upon the within
named defendant personally, by reading
the same and delivering a copy thereof
to him in said County, Sheriff's fee \$3.50
summons filed.

June 12th 1914 10 o'clock A.M.
Case Called Plaintiff appeared in person and
by his Attorney Peter Corran

After waiting the usual 1 hour Defendant
did not appear in person or by Attorney
Defendants Attorney, in writing asked

to have Cause Continued for one week.

By agreement of Plaintiff and his Attorney, Cause is hereby Continued to Friday June 19th 1914 - 10 O'clock A M

June 19th 1914

On account of the death of a relative of the Court on the 17th day of June 1914 Court notified the Plaintiff and the Defendant that the Cause is Continued to Friday June 26th 1914

June 26th 1914 10 O'clock A M
Case Called.

Plaintiff appeared in person and by his attorney Peter R Curran

Defendant appeared in person and by his Attorney John J Fahy.

Peter R Curran attorney ~~ask~~ for Plaintiff asked for a Jury of 6 men.

Sheriff requested by the Court to write the names of 18 men of which 6 men shall be drawn by the plaintiff and defendant.

The following named men were drawn as Jurors, E E Oestrich, Wm E Elke Wm Holz, Joseph Ess, Christ Bender and Math Gressen.

A Verdict for the above named

Jurors issued by the Court requesting their presence at the Court house at one o'clock P.M. and given to Sheriff G. A. Gatz to serve.

Court thereupon adjourned to 1 o'clock P.M.

1 o'clock P.M. Case Called

Roll Call of Jurors, All present.

The Court determined that the plaintiff enter into a recognizance in the sum of Twenty three dollars for the costs in this case.

The plaintiff did enter into a recognizance in the above named sum by depositing with the Court, twenty-three dollars of in lawful currency or money of the United States.

Jacob Heinen Defendant Called, sworn and testified in cross examination.

(Ques) Who selected the cement? Objected to by Fahey. Objection overruled.

(Ques) What did you consider the work worth a day? Objected to by Curran. Over ruled.

Albert Beck Jr Called, sworn and testified on cross examination.

(Ques) Did you help dig the cellar? Objected to. Objection sustained.

(Ques) That was the time you wanted to hit him? Objected to. Objection over ruled.

Plaintiff Rests

1 Paul Beck Called sworn and testified on
2 cross examination in behalf of defendant.

3
4 Albert Beck Jr Called sworn and testified
5 on cross examination

6 Plaintiff Rests

7 Jacob Heinen Called sworn and testified
8 in own behalf.

9
10 Albert Luedke sworn and testified
11 in behalf of defendant.

12 W. Heinen sworn & testified for Dept.

13 (Jury.) What was the last work done on the
14 hog barn? Objected to. Obj. Sustained

15
16 Albert Beck Jr Called sworn & testified
17 Albert Beck Sr " " " "

18
19 Plaintiff Rests

20 Defendant Rests

21
22 Pause Argued by Attorney for Plaintiff
23 and Attorney for Defendant. and submitted
24 to the jury.

25
26 Sheriff G A Gatz was sworn as
27 officer in Charge of Jury.

28
29 Jury Retired.

30
31 After due deliberation of the Cause the
32

the jury sent word they have agreed on a verdict.

Jury Called into the Court Room by the Court.

The Court asked the jury if they had agreed upon a verdict; to which each of them answered Yes. A Written Verdict - was handed the Court by the foreman Christ-Bender. As follows

We the jury empaneled and sworn in the above entitled action find for the Plaintiff, and assess for damages in the sum of Twenty one dollars and 50 cents \$21⁵⁰ and costs

Dated this 26th day of June A.D. 1914 Christ-Bender foreman.

Verdict - Filed.

Jury paid their fees and discharged.

It is therefore adjudged that the Plaintiff recover from the Defendant the sum of Twenty one dollar and 50 cents and the Costs of this action taxed at Twenty nine dollars and 26 cents \$29²⁶ Total amount \$50⁷⁶

I therefore enter judgment in favor of the Plaintiff and against the Defendant in the sum of Fifty Dollars and 76 cents \$50⁷⁶

Dated this 26th day of June A.D. 1914
Attesting
Justice of the Peace.

July 6th 1914

The said Defendant duly filed
their Affidavit of Appeal in said Case,
their Appeal Bond which was duly
Approved by me, and their notice of Appeal
with Proof of service thereon.

Defendant paid me the
Five dollars for return Appeal Allowed.

Transcript delivered to the Clerk
of Court.

Aug. 8th A.D. 1914

A. H. Jones
Justice of the Peace.

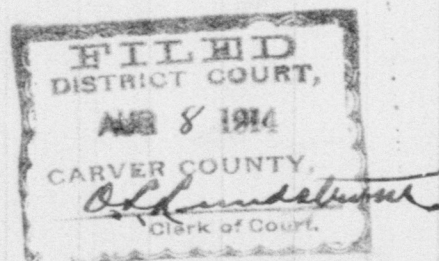
#196
In Justice Court-

Albert F. Beck Jr.
Plaintiff

vs
Jacob Heinen
Defendant

Transcript of Appeal
to Dist. Court

no 10



E 197

No. ³⁴¹²197

DISTRICT COURT,
Carver County, Minnesota

D. M. Gilmore Co
Plaintiff

vs.

George Hecklin
Defendant

H. H. Place
Plaintiff's Attorney

Defendant's Attorney

Date of Entry Aug. 25th 1914

Register of Actions, E Page 198

Term Tried October 1914

Judgment for Plaintiff

Amount of Judgment, \$ 540.¹⁰

Date of Judgment Oct. 23rd 1914

Judgment Book D. Page 477

Default Judgment Book — Page —

Date of Docketing Oct. 23rd 1914

General
SPECIAL TERM

(NOTE—Write FIRM name in title. Write NAMES of both Plaintiff's and Defendant's Attorneys.)

NO. *197*

DISTRICT COURT
CONNELLY COUNTY

D. H. Simon Co.
George Hicklin,
AGAINST
and
Albert H. Strong,
Isaiah

NOTE OF ISSUE

W. H. Place

Attorney for plaintiff.

W. C. & W. F. Odell

Attorney for Defendant.

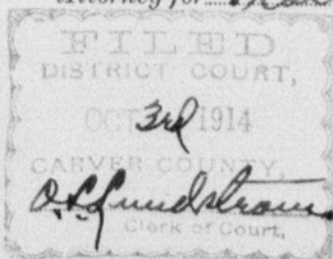
Will the clerk please file this note of issue and enter the cause on the *General* Special Term Calendar of said Court for the *19th* day of *October* 191*4*

Yours, etc.,

W. H. Place

Attorney for

Plaintiff,



E198

State of Minnesota, } ss.
County of Carver

District Court

Eight

Judicial District

The D M Mesumore Co, a Corporation,
Plaintiff,

vs -
George McKee, Defendant.

Sir : You Will Please to Take Notice, That the issuer of law and fact
in the above entitled action will be brought on for Trial at the next
General Term of the District Court to be held in and for the County of Carver
at the Court House, in the village of Chaska in said County, on the 12th
day of October 1914, at the opening of said Court on that day, or as soon thereafter as
Counsel can be heard.

Dated Sept. 23^d 1914

Yours respectfully,

To W. B. & W. F. Odell.

Attorney & for Defendant

W. H. Odell
Attorney for Plaintiff.

Original

DISTRICT COURT

Eight

Judicial District

County of

Carver

Thos. G. Ginn & Co.

vs

George H. Kline

Notice of Trial

Due service of the within Notice is hereby

admitted this 28th day of Sept

1914, at

Osaka

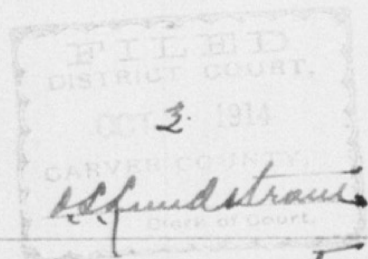
W. C. McNeill

Attorneys for

Defendant

Attorney for

114 3000



E198

~~General~~
SPECIAL TERM(NOTE—Write FIRM name in title. Write NAMES
of both Plaintiff's and Defendant's Attorneys.)NO. 197**DISTRICT COURT**
~~HENRY~~ COUNTYD. M. Simons Co.

AGAINST

George Hecklin**NOTE OF ISSUE**W. H. Deacy

Attorney for plaintiff.

W. C. & W. E. Odell

Attorneys for Defendant.

Will the clerk please file this note of issue
and enter the cause on the ~~General~~ Special Term Cal-
endar of said Court for the 12th day
of October 1914.

Yours, etc.,

W. H. Deacy

Attorney for

Plaintiff.Minneapolis, Minn.

DISTRICT COURT,

OCT 2 1914

CARVER COUNTY

O. J. Gunderson
Clark of Court.

E198

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STATE OF MINNESOTA

DISTRICT COURT

County of Carver

Eighth Judicial District

-----:-----

D. M. Gilmore Company,
a corporation,

Plaintiff

vs

George Hecklin

Defendant

-----:-----

Said defendant for his answer to the complaint of the plaintiff in the above entitled action respectfully states and shows to the Court:

1. That defendant admits the allegations of paragraph 1 of said complaint.
2. That he admits that plaintiff sold and delivered to him, said defendant, goods, wares and merchandise on and between the dates stated in paragraph 2 of said complaint.
3. That save as hereinbefore admitted he denies said complaint and each and every allegation thereof.

Wherefore he prays that he be hence dismissed and for his costs and disbursements herein.

W. C. Russell
Attorneys for Defendant,
Chaska, Minn.

State of Minnesota,

County of

ss.

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

Subscribed and sworn to before me this day of
19

Notary Public

Minnesota.

My Commission Expires

State of Minnesota,

ss.

County.

COURT.

JUDICIAL DISTRICT.

AGAINST

Plaintiff.

SUMMONS.

Defendant.

The State of Minnesota to the Above Named Defendant:

You are hereby summoned and required to answer the complaint of the Plaintiff
in the above entitled action, 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 afore-
said, 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

day of

19

, he served the within

being first duly sworn upon oath deposes
in said County and State, on the

upon

the

herein 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.

copy

State of Minnesota,

County of *Carver*

District

Court.

*D. M. Gilmore Co.,
etc.*

Plaintiff.

vs.

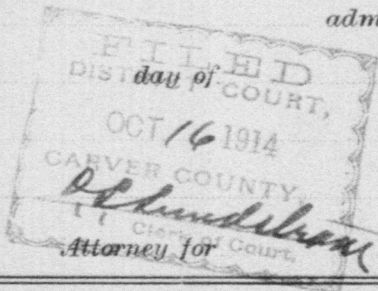
George Hicklin

Defendant.

Answer

Due and personal service of the within
admitted

this



W. F. ODELL,
Chaska, Minn.

Attorney for *Def.*

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(Light Ink)

State of Minnesota,)
County of Carver,)

District Court
8th Judicial District.)

D. M. Gilmore Company, a Corporation, Plaintiff,)

Vs.)

George Becklin, Defendant)

SUBPOENA

THE STATE OF MINNESOTA to the above named Defendant:

You are hereby summoned and required to answer the complaint of the Plaintiff in the above entitled action, which complaint is hereto annexed and herewith served upon you, and to serve a copy of your answer to the said complaint on the subscriber, at his office, in the City of Minneapolis, in the County of Hennepin within twenty days after service of this subpoena 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 action against you for the sum of \$713.78, and interest thereon since the thirty-first day of July, nineteen fourteen at the rate of six per cent per annum, together with Plaintiff's costs and disbursements herein.

Dated August nineteenth, nineteen-fourteen.

W. F. Place

Attorney for Plaintiff.

607 Sykes Block,

Minneapolis, Minn.

State of Minnesota,)
County of Carver,)

District Court,)
8th Judicial District.)

E. B. Gilmore Company, a Corporation, Plaintiff,

Vs.

George Becklin, Defendant.

The Plaintiff for a complaint and cause of action
alleges that at all the time and times, as hereinafter
mentioned, Plaintiff was, and now is a corporation,
duly organized, created and existing under and by virtue
of the laws of the State of Minnesota;

That on and between the twenty-fifth day of March,
nineteen fourteen and the thirty-first day of July, same
said year, said Plaintiff sold and delivered to said
Defendant goods, wares and merchandise to a large amount,
so that on said thirty-first day of July, nineteen fourteen,
there was a balance due and owing to said Plaintiff for
goods, wares and merchandise as aforesaid for the sum of
\$713.78;

That said goods, wares and merchandise was sold and
delivered to said Defendant at his express instance and
request at an agreed and stated price of \$713.78, and
same was worth and of the reasonable value of \$713.78;

That said sum is now due and owing to said Plaintiff,
and that same has been often requested and demanded before
commencement of this action;

Therefore, Plaintiff brings this action and demands
judgment against said Defendant for sum of \$713.78, and
interest thereon at the rate of six per cent per annum
since the thirty-first day of July, nineteen fourteen,
together with Plaintiff's cost and disbursements herein.

W. H. Place

Attorney for the Plaintiff.

607 Lykes Block,

Minneapolis, Minn.

#197

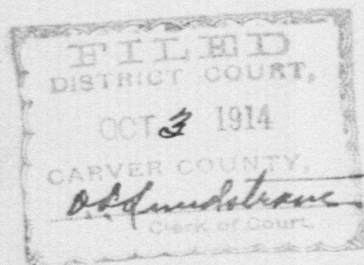
State Of Minnesota,
County of Carver.

The D. M. Gilmore CO.
Plaintiff,

-vs-

George Hecklin,
Defendant.

Summons and Complaint.



W. H. Place,
Attorney for Plaintiff,
Minneapolis, Minn.

8th Div. Aug. 20th 1914
E198

State of Minnesota,
County of Leavenworth

ss.

District Court

8th

Judicial District

The Wm. L. Brown Co. a corporation,
Plaintiff,

vs.
George Hecklin, Defendant,

State of Minnesota,
County of Hennepin

ss.

W. H. Place

being duly sworn says, that he is deputy for 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

And deponent further states that he believes that

Albert F. Young

has property and money in his hands

and under his control belonging to the said Defendant in said action, and that said

Albert F. Young

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

19th day of August 1914

Brown & SmithW. H. Place

Notary Public, Hennepin Co., Minn.,

My comm. expires Sept. 16th 1915

197

DISTRICT COURT

87

Judicial District

County of

Carver,

W.H. Schmitt & Co

-vs-

George McKinn,

Affidavit for Garnishment

Filed this 20th day of August
A. D. 1914

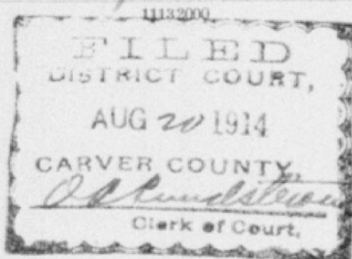
O. Lundstrom

Clerk of said Court

W.H. Place

Plaintiff's Attorney

Minneapolis, Minn.



E196

State of Minnesota,

ss.

District Court,

County of *Conover*

Judicial District.

The W.M. Simmons Co., a corporation,

AGAINST

Plaintiff

George Hecklin

AND

Defendant

Albert F. Young,

Garnishee Summons

Garnishee

The STATE OF MINNESOTA, To the above named Garnishee :

You are hereby summoned and required to appear before the above named Court at the *Chaska* in said County, on the *19th* day of *October* 19*04* at *two* o'clock in the *afternoon*, and answer touching your indebtedness to the Defendant above named, and any property or money of said Defendant in your possession or under your control.

Dated

*Aug. 19th*19*04**W.H. Place*
Attorney for Plaintiff

NOTICE TO DEFENDANT

Minneapolis, Minn.

To

George Hecklin

Defendant :

SIR:—Take Notice that a Garnishee Summons, of which the above is a true copy, and which is herewith served upon you, was personally served upon *Albert F. Young* the Garnishee named therein, by delivering a copy thereof to *Albert F. Young*.

80¢ the said Garnishee, at the *Chaska* in said County, on the *20th* day of *August* 19*04*, and that at said time and place the said Garnishee was paid in advance the sum of \$ *1.12* fees for one day's attendance and mileage.

Now, therefore, you are hereby required to appear and take part in said examination, to be held at the time and place specified in the above Summons.

W.H. Place
Attorney for Plaintiff

197 Original

STATE OF MINNESOTA

County of Leaver

DISTRICT COURT

8th

Judicial District

Wm. Simon Co.

George H. Klein

GARNISHEE SUMMONS

AND NOTICE TO DEFENDANT

Filed this 12 day of October
A. D. 1904

O. S. Lundstram
Clerk of District Court

1072000

E198

State of Minnesota,

County of Leaver, ss.

the 20th day of August 1904

at the Leaver County

being duly sworn, on oath, say that on

about 8 o'clock

to Wm. Simon Co.

for one day's attendance and mileage,

And that on the 20th day of August 1904, at the Leaver

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 W. H. Klein and requiring the said Defendant to appear and take part in

the examination. Said service on the Defendant was made by leaving with

at the last usual place of abode of said Defendant to said

discretion then resident therein.

FEES—Service of Summons, \$

Notice, \$

Copy " \$

Mileage, \$

Subscribed and sworn to this 20th day of August A. D. 1904

W. H. Klein

Wm. Simon Co.
George H. Klein
Dated and sworn to this 20th day of August 1904

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State of Minnesota } District Court
County of Carver. } 8th Judicial District

The D. M. Salmore Co.,
a corporation. Plaintiff.

vs.
George Hecklin, ~~Defendant~~
Albert Young. Garnishee.

Albert F. Young upon his oath depose and say, that he is the Garnishee in this action and that the Garnishee summons in the above entitled action was served on said Garnishee on the 20th day of August 1914, and that said Garnishee is now before this Court to make a disclosure in said matter.

Q.- You know George Hecklin the Defendant.

A.- Yes.

Q.- You own a house and lot in this city.

A.- Yes.

Q.- Did George Hecklin install any bath tubs, laboratory, closets, pneumatic trash system, and all necessary roughing in pipes to dispose of the sewage, and also valves and water pipes supplying to the fixtures mentioned?

A.- Yes.

Q.- The time the garnishee was served upon you on the 20th day of August 1914, what were you owing to the Defendant, George Hecklin.

A. - I was owing nothing.

Q. - When did you agree to pay him for them.

A. - After it was completely installed and accepted by me.

Q. - How much money were they worth to you on the 20th day of August, 1914.

A. - I don't know.

Q. - Don't you know what the bath tub was worth.

A. - I don't know, I bought the outfit complete.

Q. - How much were you to pay George Hicklin when the job was complete.

A. - \$200.00.

Q. - When would he have it completed.

A. - As soon as possible.

Q. - How much is it worth to complete the job?

A. - I have no idea.

Q. - Have you ever paid him anything on this job?

A. - Yes, Sir.

Q. - When?

A. - I don't recollect, some time in July or August.

Q. - Have you any data.

A. - I have in my books.

Q. - Have you paid him anything since the garnishment has been served on you?

A. - No.

2.- How much money ~~or~~ its equivalent have you paid to him?

A.- As near as I recollect \$63⁰⁰.

2.- And you say ~~now~~ ^{will} that it would take now to complete the job?

A.- ~~Yes~~. I don't know.

2.- The job is practically completed, isn't it?

A.- I don't know. It is the first plumbing I ever had done and I don't know if it ^{will} suit me or not.

2.- Are you living in the house where these fixtures were installed?

A.- Yes, Sir.

2.- And using them right along?

A.- No. Sir! very inconvenient as it is now.

Albert F. Jerny

State of Minnesota
County of Carver.

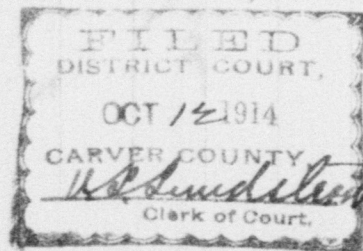
The D. M. Gilmore Co.,
a corporation. Piff.

- vs -

George Heston, Dep.
Albert Young, Garnishee

Disclosure of
Albert F. Young.
Garnishee

Taken before H. O. Muehlberg,
Deputy Clerk of Court
of Carver County, Minn.



Reg. 8-198

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STATE OF MINNESOTA

DISTRICT COURT

County of Carver

Eighth Judicial District

D. W. Gilmore Company,
a corporation,

Plaintiff

vs

George Hecklin

Defendant

Said defendant for his answer to the complaint of the plaintiff in the above entitled action respectfully states and shows to the Court:

1. That defendant admits the allegations of paragraph 1 of said complaint.
2. That he admits that plaintiff sold and delivered to him, said defendant, goods, wares and merchandise on and between the dates stated in paragraph 2 of said complaint.
3. That save as hereinbefore admitted he denies said complaint and each and every allegation thereof.

Wherefore he prays that he be hence dismissed and for his costs and disbursements herein.

W. C. & W. A. Odell
Attorneys for Defendant,
Crookston, Minn.

State of Minnesota,

County of

ss.

that he is the

nd within entitled action; that he has heard read the foregoing

that the same is true

of h own knowledge, except as to matters therein stated on information and belief, and as to such matters he believes it to be true.

being first duly sworn upon oath says

in the foregoing

Subscribed and sworn to before me this

day of

19

Notary Public

Minnesota.

My Commission Expires

State of Minnesota,

ss.

County.

COURT.

JUDICIAL DISTRICT.

AGAINST

Plaintiff.

SUMMONS.

Defendant.

The State of Minnesota to the Above Named Defendant:

You are hereby summoned and required to answer the complaint of the Plaintiff in the above entitled action, 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 afore-

said, 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

day of

19

being first duly sworn upon oath, deposes
in said County and State, on the

upon

the

therein named, personally, by

leaving with said

with

at the house of the usual abode of said
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.

Original

State of Minnesota,

County of Carver

District Court.

D. M. Gilmore Co.,
etc.

Plaintiff.

vs.

George Hecklin

Defendant.

Answer

Due and personal service of the within

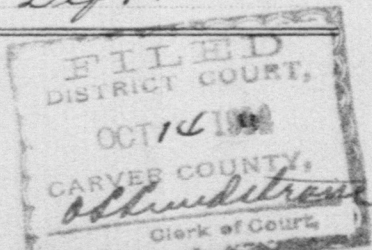
admitted

this day of

Attorney for

W. F. ODELL,
Chaska, Arlington, Minn.

Attorney for Deft.



Arg. E. - 198

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STATE OF MINNESOTA,
COUNTY OF CARVER.

DISTRICT COURT,
8th JUDICIAL DISTRICT.

D. M. GILMORE CO. A CORPORATION,
PLAINTIFF.

-VS-

GEORGE L. HECKLIN,
DEFENDANT.

This cause being regular on the October General Term Calendar for the 12th day of October 1914, was heard by the Court on the 14th day of October same said year. The defendant interposed an answer in the above entitled action, but did not appear at the trial thereof, and the jury being waived by both parties herein, the same was duly heard by the court as above stated. Upon the evidence adduced on the part of the plaintiff the following facts are found:

FINDING OF FACTS.

That on and between the 25th day of March 1914, and 31st day of July same said year, said plaintiff sold and delivered to said defendant goods, wares, and merchandise to a large amount, so that on said 31st day of July 1914, there was a balance due and owing to said plaintiff from said defendant for goods, wares, and merchandise sold and delivered to said defendant as aforesaid the sum of seven hundred thirteen dollars and 78/100 (\$713.78). That after the commencement of this action and on or about the 25th day of August, 1914, the said defendant returned a part of said goods, wares, and merchandise sold to him as aforesaid. Said goods so returned amounted in the aggregate to the sum of one hundred twenty-six dollars and 50/100 (\$126.50). That after the said hearing and on the 14th day of October 1914, the said defendant paid to said plaintiff the sum of eighty-two dollars and 08/100 (\$82.08) making a total credit on said debt the sum of two hundred eight dollars

and 58/100 (\$208.58), leaving a balance on said 14th day of October 1914, due and owing to plaintiff from said defendant after allowing all setoffs the sum of five hundred five dollars and 20/100 (\$505.20) with interest thereon at the rate of six per cent per annum from the 31st day of July 1914.

CONCLUSION OF LAW.

As a conclusion of law the plaintiff is entitled to judgement against the defendant for the sum of five hundred five dollars and 20/100 (\$505.20) with interest thereon at the rate of six per cent per annum since the 31st day of July, 1914, together with the costs and disbursements of this action. Let judgement be entered accordingly.

Dated this 16th day of October 1914.

By the Court

J. W. Morrison
JUDGE.

STATE OF MINNESOTA,
COUNTY OF CARVER.

DISTRICT COURT
8th JUDICIAL DISTRICT.

D. M. GILMORE CO.

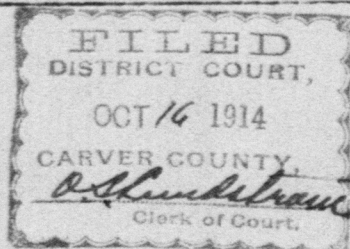
PLAINTIFF

-VS-

GEORGE L. HECKLIN.

DEFENDANT.

FINDING OF FACTS and
CONCLUSION OF LAW.



W. H. PLACE
Attorney for Plaintiff
Minneapolis, Minnesota.

Reg. E. - 198.

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State of Minnesota,

District Court

County of CARVER

EIGHTH

Judicial District

D. M. GILMORE CO., A CORPORATION

-VS-

PLAINTIFF

GEORGE L. HECKLIN

DEFENDANT.

AMOUNT OF JUDGMENT OR VERDICT

Amount of Judgment or Verdict, \$ 505.20

Interest on same from the thirty-first of July 1914 \$ 7.93

COSTS AND DISBURSEMENTS

Statutory Costs, \$ 10.00

Paid to Albert F. Young as garnishee 1.12

Two Affidavits, \$.50

Acknowledgments, \$

Sheriff's Fees, \$

Jury Fees, \$

Clerk's Fees (to be taxed), \$ 6.15

Witness Fees, viz:

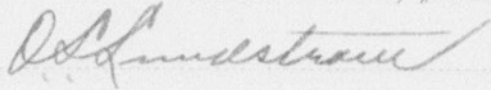
(Give name of each Witness, Residence, Number of Days and Dates of Attendance and Number of Miles Traveled)

NAMES	RESIDENCE	NO. DAYS ATTENDANCE	DATES OF ATTENDANCE	NO. MILES TRAVELED	
John Bruhns	M'P'L'S. Minn.	One	Oct. 14, 1914.	60	\$ 4.60
J. K. Gilmore	M'P'L'S. Minn.	One	Oct. 14, 1914.	60	\$ 4.60
					\$
					\$
					\$
					\$

The above Bill of Costs and Disbursements taxed and allowed at \$ 26.97

Dated October 23 1914

Total Amount, \$ 540.10



Clerk

AFFIDAVIT OF DISBURSEMENTS

State of Minnesota,

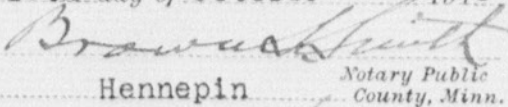
ss.

County of HENNEPIN

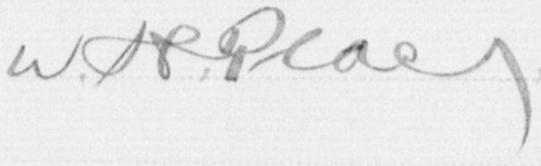
W. H. PLACE

being duly sworn, says on oath, that he is the Attorney of the PLAINTIFF in the above entitled action; that the foregoing is a true and correct statement of the costs and disbursements of said Plaintiff in the above entitled action; and that the foregoing items of disbursements, and each item thereof, have been actually and necessarily paid or incurred therein, by and on behalf of said Plaintiff; and that each of the above named witnesses was a material witness for the said Plaintiff in said action, and was duly sworn, and testified on the trial of said action, on behalf of said Plaintiff. That each of said witnesses actually and necessarily traveled the number of miles above set opposite his name, in going from his said place of residence to, and returning to said place of residence from, the place of trial of said action, and for the purpose of so testifying, actually and necessarily attended said Court the number of days and on the dates hereinbefore stated; and that the residence of each of said witnesses is at the place above stated.

Subscribed and sworn to before me this
17th day of October 1914


Notary Public
Hennepin County, Minn.

My commission expires 7/16 1916



NOTICE OF TAXATION OF COSTS

State of Minnesota,

District Court

County of CARVER

ss.

EIGHTH

Judicial District

D. M. GILMORE CO. A CORPORATION

PLAINTIFF

-VS-

GEORGE L. HECKLIN

DEFENDANT

Sir : Please Take Notice, That on the 23rd day of October 1914 at Ten o'clock A. M., application will be made to O. L. Lundstrom Esq., Clerk of said Court, at his office in the Courthouse in the City of Chaska in the County of Carver and State of Minnesota, to have the within bill of costs and disbursements taxed and inserted in the judgment then and there to be entered therein.

Dated October 17 1914

Yours respectfully,

W. H. Place

To W. C. & W. F. Odell.

Attorney for Plaintiff

Attorneys for Defendant

197
DISTRICT COURT

Eighth Judicial District

County of Carver

D. M. Gilmore Co.

Plaintiff

-VS-

George L. Hecklin

Defendant

Notice of Taxation of Costs and Bill of Costs and Disbursements

Due service of the within bill of disbursements and affidavits to same, and notice of taxation thereof, by delivery of copy thereof, is hereby admitted this 17th day of

October 1914, at City

of Chaska Minn.

Attorneys for Defendant

Filed this 17th day of October

D. 1914

O. L. Lundstrom
By H. O. Hecklin, Deputy Clerk
1243200

(198)

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State of Minnesota,

DISTRICT COURT.

County of Carver

Eighth

Judicial District.

D. M. Gilmore, Plaintiff

(A Corporation)

vs

George Hecklin, Defendant.

JUDGMENT.

The above entitled Cause being regularly on the October General Term Calendar for the 12th. day of October, 1914, was heard by the Court without a Jury, a Jury therein having been waived by both parties thereto.

W. H. Place, Esq., appeared for Plaintiff; no appearance on the part of Defendant.

And the Court having heard the evidence adduced at said hearing on the 14th. day of October, 1914, and being fully advised in the premises did make and file its Findings of Fact and Conclusions of Law and Order for Judgment therein.

Now therefore, On Motion of W. H. Place, Attorney for said Plaintiff It is Ordered, Adjudged, and Determined and the Judgment of this Court is that the above named Plaintiff have and recover from said Defendant George Hecklin the sum of Five Hundred Five and 20/100 Dollars (\$505.20) with interest thereon at the rate of Six per cent from July 31st. 1914, together with \$26.97 Costs and Disbursements herein, amounting in the aggregate to the sum and amount of Five Hundred Forty and 10/100 Dollars, and that he have Execution therefore.

Dated at Chaska, Minn., this 23rd. day of October, 1914.

By the Court,

O. L. Lundstrom

Clerk of said Court.

DISTRICT COURT,

County of *Carver*

D. M. Gilmore,
a corporation, Plff
AGAINST

George Hecklin,
Def

JUDGMENT ROLL.

Filed *Oct. 23rd* A. D. *1904*

O. L. Lundstrom
Clerk of the District Court.