



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

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No. 778 3413

DISTRICT COURT,
Carver County, Minnesota

Belvia B. Bennett et al
vs
Frank L. L. L.
Plaintiff

vs.

Frank L. L. L.
Defendant

H. C. & H. F. Bell
Plaintiff's Attorney

Defendant's Attorney

Date of Entry August 28th 1914

Register of Actions, E Page 177

Term Tried.....191.....

Judgment for.....

Amount of Judgment, \$.....

Date of Judgment.....191.....

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

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

Date of Docketing.....191.....

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(Light Ink)

Ed. H. Edce
Attorneys for Plaintiff,
Chaska, Minn.

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,

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

upon

the

leaving with said

therein named, personally, by

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 Carver

District Court.

Belina B. Bennett, etc.

Plaintiff.

vs.

Frank Dosch

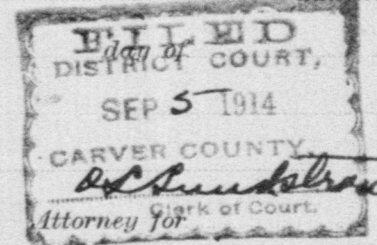
Defendant.

Notice of Dismissal etc

Due and personal service of the within

admitted

this



W. F. ODELL,
Attorney for

Attorney for

E199

State of Minnesota,
County of Crow } ss.

District Court
Eighth Judicial District

Belvia B. Bennett, as administratrix of the Es-
tate of Isaac Bennett, deceased }
Frank Doseh } Plaintiff
Defendant

Know all Men by these Presents, That we,

Belvia B. Bennett

as principal, and

M. W. Bennett and J. A. DuSart

as sureties,

are held and firmly bound unto

Frank Doseh

in the sum of

Five Hundred

Dollars, lawful money of the

United States, to be paid unto the said

Frank Doseh, his

heirs, executors, administrators

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.

Sealed with our seals and dated this 26th day of August, 1914.

The condition of this obligation is such, that whereas the above named Plaintiff ha^s applied for a Writ of Attachment against the property of

Frank Doseh

Defendant in said action, and has filed an affidavit pursuant to the statute in such case made and provided.

NOW, THEREFORE, In case the Defendant recovers judgment, or in case the Writ shall be set aside or vacated, if the said Plaintiff will pay all costs that may be awarded to said Defendant and all damages that he may sustain by reason of the Attachment, not exceeding the penalty of this Bond, then this obligation shall be void, otherwise to remain in full force.

IN TESTIMONY WHEREOF, We have hereunto set our hands and seals this

26th day of August, A. D. 1914.

Signed, Sealed and Delivered in Presence of

W. M. Doseh

J. S. Sundstrom

Belvia B. Bennett Seal
M. W. Bennett Seal
J. A. DuSart Seal

State of Minnesota,

County of

Carver

ss.

On this 26th day of August A. D. 1914, before me, a

within and for said County, personally appeared

Belvia B. Bennett, M. W. Bennett
and G. A. Dutoit

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.

[Signature]
Clerk of the District Court

State of Minnesota,

County of

Carver

ss.

M. W. Bennett and G. A. Dutoit

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 for which he justifies herein, below stated, above his debts and liabilities, and exclusive of his property exempt from execution.

Subscribed and sworn to before me this

26th day of August, 1914

[Signature]
Clerk of the District Court

[Signature]
Amount of Justification, \$ 500.00
[Signature]
Amount of Justification, \$ 500.00

Amount of Justification, \$

#198

DISTRICT COURT

Judicial District

County of

Carver

Belvia B. Bennett etc.

Plff.

vs.

Frank Daseh

Def.

BOND IN ATTACHMENT

I hereby approve the within Bond and the sureties thereon.

Dated Aug 26, 1914

[Signature]
Judge of said Court

[Signature]

Plaintiff's Attorneys,

[Signature]



E199

State of Minnesota, }
County of Crow } ss.

District Court
Eight Judicial District

Belvia B. Bennett, as administratrix of the Estate
of Isaac Bennett, deceased Plaintiff

vs.
Frank Doseh

Defendant

State of Minnesota, }
County of Crow } ss.

Belvia B. Bennett

came before me personally, and being first duly sworn, says, that he is

said Plaintiff in the above entitled action, which is brought for the recovery of money, and a summons has been issued therein.

That a cause of action exists against the Defendant, and in favor of said Plaintiff herein, and the amount of said Plaintiff's claim is Three Hundred Dollars with
interest on \$150.00 from May 1, 1914, and on \$150.00 from Aug. 1, 1914, at 6%
per annum
Dollars, and the ground thereof is as follows, that is to say:

Plaintiff's decedent in his lifetime leased to defendant and defendant rented from decedent, decedent's farm of 77 acres in Section 3, Chanhassen Town, said County, for the agreed rental of \$300.00; that \$150.00 thereof became due May 1, 1914, and \$150.00 thereof became due August 1, 1914; that no part thereof has been paid, and defendant refuses to pay any part thereof; that because thereof defendant is indebted to plaintiff as administratrix in the sum of \$300.00 and interest thereon as aforesaid.

And plaintiff further alleges and says that the defendant is about to assign, secrete or dispose of his property with intent to delay or defraud his creditors and particularly this plaintiff.

And said Affiant deposes and says, that said Plaintiff is in danger of losing her said claim by reason of the facts aforesaid, unless a Writ of Attachment issue, and prays that such Writ of Attachment may be allowed and issued against the property of said Defendant therein, according to the statute in such case made and provided; and said Affiant says that no previous application has been made therein for such order.

Subscribed and sworn to before me this

26th

day of

August

A. D. 1914

Belvia B. Bennett
O. L. Lindstrom
Clerk of the District Court

198

DISTRICT COURT

Eighth

Judicial District

County of

Carver

Belvia B. Bennett etc.

Plaintiff

vs.

Frank Dase

Defendant

Affidavit for Attachment

To the Clerk of said Court:

On filing the within Affidavit and a Bond approved by me in the within entitled cause, let a Writ of Attachment issue as within prayed.

Dated *August 26*, 191*4*

J. W. Morrison

Judge of said Court

Filed *August 26th* 191*4*

A. J. Lundstrom

Clerk of said Court

W. C. & M. J. M.

Plaintiff's Attorney

Nebraska, Minn.

E199

State of Minnesota, } ss.
County of Carver

District Court
Eighth Judicial District

Belvia B. Bennett, as administratrix of the Estate
of Isaac Bennett, deceased Plaintiff

vs.

Frank Dosch Defendant

The STATE OF MINNESOTA, To the Sheriff of the County of Carver

WHEREAS, In the above entitled action, an application has been duly made to the proper officer for a Writ of Attachment against the property of

Frank Dosch

Defendant therein, setting forth by affidavit that a cause of action exists against such Defendant, and specifying the amount of claim and the ground thereof;

and that the Defendant is about to assign, secrete or
dispose of his property with intent to
delay or defraud his creditors and par-
ticularly this plaintiff

and the bond required by law has been duly executed and filed, and said Writ allowed and directed to issue by said officer.

THEREFORE, You are hereby commanded and required to attach and safely keep all the property of said Frank Dosch

within your County and not exempt from
execution, or so much thereof as may be sufficient to satisfy the said Plaintiff's
demand, which amounts to the sum of Three Hundred

Dollars (\$300.00)

as appears by the complaint in said action, together with costs and expenses, and that you proceed herein in the manner required of you by law.

WITNESS the Honorable J. W. Morrison, Judge

of the District Court aforesaid, at Chaska, Minn.

this 26th day of August,

in the year 1914.

O. L. Lundstrom
Clerk of the District Court

State of Minnesota,

ss.

County of Carver

I hereby certify and return that by virtue of the within Writ of Attachment, I have, on this 27th day of August 1914, at the Town of Chanhassen in said County, levied on all the right, title and interest of the within named Defendant Frank Josch

in and to the following described Personal property, to-wit:

One Heifer Iron Gray, One year old
One Red Heifer " " "
One White & Red Heifer " " "
One calf Red & White 6 Months Old
One Black & White Holstein Bull 6 Months Old
Two Calves, One White & Black, & One Red & White 6 Weeks old
One Black Mare, White Star in face 15 year Old
Ten Acres of Ripe Corn, situated on Bennett farm ^{see 3}
Two Stacks of Wheat & Two Stacks half Wheat & half ^{see 23}
Oats, Two Stacks of Hay about 5 Ton,
All of said Stacks of Grain & Hay are situated upon Isaac Bennett's farm in Sec. 3, Chanhassen Town Carver Co Minn.

FEES:

Mileage, -

\$ 1.00

Service, -

\$ 1.00

Lery Copies, -

\$ 2.00

Adm. & C. C. C.

25

4.25

Witness my hand this

27th

day of

August

1914

Sheriff of

G. A. Gatz

County, Minn.

By

Deputy

State of Minnesota,

ss.

County of

I hereby certify that I have compared the within copy of

and my inventory of levy thereon as above, with the original in my possession, and that the same are true and correct copies therefrom and the whole thereof.

Witness my hand this

day of

191

Sheriff of

County, Minn.

By

Deputy

DISTRICT COURT

Judicial District

County of

Delia D. Bennett & Co.

Plff.

vs.

Frank Josch

Def.

WRIT OF ATTACHMENT

Issued

August 26th 1914

Adm. & C. C. C. Clerk

Returned

September 6th 1914

Adm. & C. C. C. Clerk

W. C. McDaniel

Plaintiff's Attorney

Chaska, Minn.

1212 1000

E179

No. 349
177

DISTRICT COURT,

Carver County, Minnesota

Henry Kleppner
Plaintiff

vs.

Willard C. Collins
Defendant

H. A. Rughman
Plaintiff's Attorney

Defendant's Attorney

Date of Entry September 14 1914

Register of Actions E Page 200

Term Tried May 5th 1915

Judgment for Plaintiff

Amount of Judgment, \$ 412.34

Date of Judgment Nov. 11th 1915

Judgment Book B. Page 470

Default Judgment Book Page

Date of Docketing 191

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H. A. LOUGHRAN
ATTORNEY AND COUNSELLOR AT LAW
Suite 516 New York Life Bldg.

ST. PAUL, MINN., January 25, 1915.

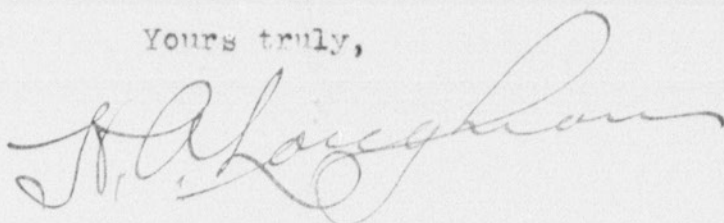
Mr. Oscar L. Lundstrom,
Clerk of the District Court,
Chaska, Minn.

Dear Sir:-

I enclose you herewith check for \$3.60, together
with decree, in the case of Klepperich vs. Village of Cologne.
I will send you notice of taxation of costs later. Kindly receipt
enclosed bill and return to me, and oblige.

Yours truly,

Encls



STATE OF MINNESOTA,
COUNTY OF CARVER.

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT.

Henry Klepperich, Plaintiff,

vs.

Village of Cologne, Defendant,

COMPLAINT

Plaintiff for his cause of action against the
above named defendant, complains and alleges:

-1-

That during all the times hereinafter mentioned,
the defendant above named was and still is a Municipal Corporation
duly organized, created and existing under and by virtue of the
laws of the State of Minnesota, with corporate name as above set
forth, and said corporation was located in the County of Carver,
State of Minnesota.

-11-

That on the 20th day of October, 1913, and for some
time prior thereto, said plaintiff whose name is Henry Klepperich,
resided at the village of Cologne, in said County of Carver, State
of Minnesota, and on said date, and for some time prior thereto,
was employed by the defendant as village marshal, and was engaged
in doing such work as he was directed to do by the officers of
said village of Cologne, the defendant above named, and on said
20th day of October, 1913, while said plaintiff was so employed by
said defendant in working for said Village of Cologne, and while in
the performance of his duty as he was ordered and directed by
one of the officers of said defendant, as aforesaid, and was

engaged in holding the handles of an ordinary land plow in doing some plowing for said village, the said plow by reason of its defective condition, and the condition in which the ground was in, suddenly came out of the ground and said plaintiff was thrown and fell on the handles of said plow in such a manner as to seriously and permanently injuring him, thereby injuring him in and about the scrotum, penis, testicles and perineum, thereby causing an infection of the scrotum and penis and laying bare the testicles and part of the penis and perineum, thereby injuring him internally, thereby injuring his nervous system and otherwise seriously and permanently injuring him, thereby causing him to become sick, sore and lame and to suffer great pain to both body and mind, and caused him to be confined to the hospital from October 31st, 1913 to January 1, 1914, thereby causing him to employ physician, surgeons, nurses and attendants, and so injuring him that he has been unable to perform any work, and will be unable to perform any work in the future, and will be deprived of his salary and income, to his damage in the sum of Two Thousand Four Hundred Dollars (\$2400.00).

-111-

That plaintiff prior to the time of the accident and injury to him was in good health, regularly employed and was earning in his customary occupation the sum of Fifty Dollars (\$50.00 per month, and by reason of said accident and injury to him has been deprived of said sum, and will be deprived of said sum for the remainder of his life.

That by reason of said accident and injury to said plaintiff, he was compelled to employ physicians and surgeons, and to go to the hospital to receive medical, surgical and hospital treatment and supplies, and was compelled to incur an expense thereby, by reason thereof, amounting to more than Two Hundred Dollars (\$200.00).

That said plaintiff, demands compensation from said defendant, by reason of the workman's compensation act, and claims that he is entitled to compensation for a period of four hundred (400) weeks at Six Dollars (\$6.00) per week, and further claims that he is entitled to recover for medical and surgical treatment in the further sum of Two Hundred Dollars (\$200.00) from said defendant, and said defendant though duly demanded has refused to pay said sum, or any sums whatsoever.

That said defendant had actual knowledge of the injury which said plaintiff received at the time of said accident and injury to him and was thereafter duly notified in writing of the injury which said plaintiff received, pursuant to the statute in such case, made and provided.

That a copy of the notice so served upon said defendant is hereto attached marked Exhibit "A", and made a part of this complaint.

-1V-

That said accident and injury to said plaintiff was caused solely by reason of the carelessness and negligence of said defendant, in this, that said defendant carelessly and negligently failed to furnish said plaintiff a safe instrumentality to work with, and carelessly and negligently directed said plaintiff to do said work when they knew it was unsafe for him to do the same.

That said defendant never posted any notice of an election not to accept and be bound by the provisions of the workman's compensation act of the State of Minnesota, nor was there any agreement between the plaintiff and defendant to that effect.

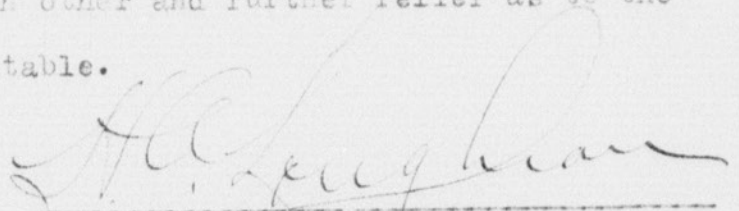
-V-

Plaintiff further alleges, that the question of liability of said defendant seems to be the matter in dispute, and that the plaintiff claims that he is entitled to recover

against said defendant under and by virtue of the workman's compensation act.

WHEREFORE, plaintiff prays said court for judgment against said defendant,

1. For judgment against said defendant for the sum of Two Thousand Six Hundred Dollars (\$2600.00).
2. For an order of said court fixing a time and place for the hearing of this complaint, and for the costs of this proceeding, and for such other and further relief as to the court may seem just and equitable.



Plaintiff's attorney,
516 N.Y. Life Bldg.,
St. Paul, Minnesota.

Exhibit "A"

TO THE VILLAGE COUNCIL OF THE VILLAGE OF COLOGNE, AND TO EDWARD GUETTLER, MAYOR OF THE VILLAGE OF COLOGNE, AND TO L.J. DOLS, VILLAGE CLERK OF THE VILLAGE OF COLOGNE, STATE OF MINNESOTA.

YOU ARE HEREBY NOTIFIED, that an injury was received by Henry Klepperich, who was in your employ at the Village of Cologne, while engaged in holding the handles of a plow within the incorporated Village of Cologne, on or about the 20th day of October, 1913, and who is now located at Cologne, Minnesota.

That as far as known, the nature of the injury was an infection of the scrotum and penis, paying bare the testicles and part of the penis and perineum, and that compensation will be claimed therefor.

Dated, February 26th, 1914.

Henry Klepperich.

TO THE CLERK OF THE VILLAGE OF COLOGNE:

YOU ARE HEREBY REQUESTED, to present to the COMMON COUNCIL, of the Village of Cologne, the annexed and within Notice of Claim for Damages, for injuries sustained by Henry Klepperich, at the next regular meeting of the said Common Council.

Henry Klepperich,

Claimant.

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

Henry Klepperich

being first duly sworn

upon oath says that he is the plaintiff in the
foregoing within entitled action, that he has read the foregoing complaint

that the same is true of his own knowledge, except as to those matters therein stated on information and belief,

and as to such matter he believes it to be true—to the best of his knowledge, information and belief—and that

the reason why this verification is not made by the defendant herein,

is that said defendant is absent from this County, wherein resides this

defendant his attorney.

Henry Klepperich

Subscribed and sworn to before me this 22nd day of August A. D. 1914

{ NOTARIAL }
{ SEAL }

Notary Public, Ramsey County, Minn.

STATE OF MINNESOTA, } My commission expires Feb. 9-1918 COURT.
County. }

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—has been filed in the office of the clerk of said Court,
at the City of St. Paul, County of Ramsey, and State of Minnesota, and to serve a copy of your answer to the
said complaint on the subscriber, at office, in the City of St. Paul, in the said County of
Ramsey, within days after service of this summons upon you, exclusive of the day of such
service, and if you fail to answer said complaint within the time aforesaid the plaintiff in this action will—apply
to the court for the relief demanded in said complaint—have the amount Plaintiff
entitled to recover, ascertained by the Court or under its direction and take judgment for the amount so ascer-
tained—take judgment against you for the sum of
(\$) with interest at the rate of per cent per annum since the
day of 1

together with Plaintiff's costs and disbursements herein.

Dated A. D. 1

PLAINTIFF'S ATTORNEY

516 NEW YORK LIFE BUILDING

ST. PAUL, MINN.

Original.

STATE OF MINNESOTA,

COUNTY OF RAMSEY

Carver

District COURT

Henry Klepperich Plaintiff

vs.

Village of Cologne Defendant

Complaint,

Due and personal service of the within

admitted

this day of

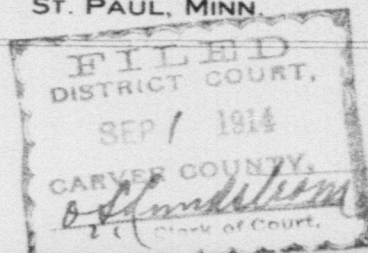
Attorney for

H. A. LOUGHRAN,

Attorney for plaintiff,

516 NEW YORK LIFE BLDG.

ST. PAUL, MINN.



E200

STATE OF MINNESOTA, }
County of Ramsey.

being
first duly sworn upon oath deposes and says, that at the
in said County and State, on the 1 day of 1, 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
that said is to affiant well known to be the same
as the within named

Subscribed and sworn to before me this

day of 1

Notary Public, Ramsey County, Minn.

DISTRICT COURT
EIGHTE JUDICIAL DISTRICT.

The complaint in this action having been presented to me, and duly filed with the clerk of the District Court of the County of Carver, State of Minnesota, on this 29 day of Aug August, 1914.

Dated, August 29 1914.

Frederick W. Harrison
District Judge.

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

being first duly sworn
upon oath says that he is the in the
foregoing within entitled action, that he has read the foregoing
that the same is true of his own knowledge, except as to those matters therein stated on information and belief,
and as to such matter he believes it to be true—to the best of his knowledge, information and belief, and that
the reason why this verification is not made by the herein,
is that said is absent from this County, wherein resides this
affiant his attorney.

Subscribed and sworn to before me this day of A. D. 1

{ NOTARIAL }
{ SEAL }

Notary Public, Ramsey County, Minn.

STATE OF MINNESOTA, }
County. }

COURT.

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—has been filed in the office of the clerk of said Court,
at the City of St. Paul, County of Ramsey, and State of Minnesota, and to serve a copy of your answer to the
said complaint on the subscriber, at office, in the City of St. Paul, in the said County of
Ramsey, within days after service of this summons upon you, exclusive of the day of such
service, and if you fail to answer said complaint within the time aforesaid the plaintiff in this action will—apply
to the court for the relief demanded in said complaint—have the amount Plaintiff
entitled to recover, ascertained by the Court or under its direction and take judgment for the amount so ascer-
tained—take judgment against you for the sum of
(\$) with interest at the rate of per cent per annum since the
day of 1

together with Plaintiff's costs and disbursements herein.

Dated A. D. 1

PLAINTIFF'S ATTORNEY

516 NEW YORK LIFE BUILDING

ST. PAUL, MINN.

#199

Original.

STATE OF MINNESOTA,
COUNTY OF RAMSEY.

REVER

District COURT

Henry Klepperich Plaintiff

vs.

Village of Cologne Defendant

Order.

Due and personal service of the within

admitted

this day of

Attorney for

H. A. LOUGHRAN,

Plaintiff,

Attorney for

516 NEW YORK LIFE BLDG.

ST. PAUL, MINN.

HILLIARD DISTRICT COURT,

SEP 8 1914

CARVER COUNTY,

CLERK OF COURT.

E200

STATE OF MINNESOTA,
County of Ramsey, ~~Carver~~

H. J. Hirsch

being

first duly sworn upon oath deposes and says, that at the Village of Cologne

in said County and State, on the 4th day of September 1914, he served

the within Order and Complaint ^{in said action} upon the Village of Cologne

the Defendant therein named, personally, by handing to and

leaving with said Defendant

of said ~~with~~ with Wm. Jaspers president of the village, ^{at the house of the usual abode} resided

with him, a true and correct copy of said order and complaint

that said is to affiant well known to be the same

as the within named

Subscribed and sworn to before me this

4th day of September 1914

Carver

Notary Public, Ramsey County, Minn.

Carver.

H. J. Hirsch

my commission expires Jan 30 - 1914

Illegible
(Light Ink)

STATE OF MINNESOTA

DISTRICT COURT

County of Carver

Eighth Judicial District

Henry Klepprich

Plaintiff

vs

Village of Cologne

Defendant

Comes now said defendant, and for its answer to the complaint filed in the above entitled proceeding respectfully states and shows to the Court and alleges:

1. That it admits the allegations of paragraph I of said complaint to be true, and avers that said defendant was organized and created under and by virtue of the provisions of Chapter 8 of the Special Laws of said State of Minnesota for the year 1881.

2. That it further admits that on the 20th day of October, 1913, and for some time prior thereto, said plaintiff resided in said village of Cologne, and on said date and for some time prior thereto was the Village Marshal of said village, and this defendant avers that said plaintiff as such Village Marshal was the peace officer of said village and, as such, was clothed with the powers and required to perform the duties of Constable under the laws of this State, and none other, and in addition thereto was employed by said defendant to attend to the street lights of said village, and this defendant expressly denies that said plaintiff was, at the time mentioned in said complaint, or at any other time, employed by said defendant to perform any work whatever for said defendant other than as such peace officer and to so attend to the street lights of said village.

3. That it further admits that on said 20th day of October, 1913, and prior thereto, said defendant paid to said plaintiff as

to be true.

Wherefore defendant demands judgment that plaintiff take
nothing by this action and for its costs and disbursements herein.

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

State of Minnesota,

County of

Carver

William Jaspers.

that he is the President of said defendant village in the foregoing and within entitled action; that he has heard read the foregoing answer, and that the same is true of his own knowledge, except as to matters therein stated on information and belief, and as to such matters he believes it to be true.

Wm Jaspers

Subscribed and sworn to before me this

11th

day of

September

1914

Lambert Dols

Notary Public

Carver Co. Minnesota.

My Commission Expires

Jan 30 - 1916

State of Minnesota,

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 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

day of

upon

therein named, personally, by

leaving with said

with

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.

being first duly sworn upon oath deposes

in said County and State, on the

19, he served the within

the

at the house of the usual abode of said

, a

State of Minnesota,

County of

Carver

District

Court.

Henry Klepperich

Plaintiff.

vs.

Village of Cologne

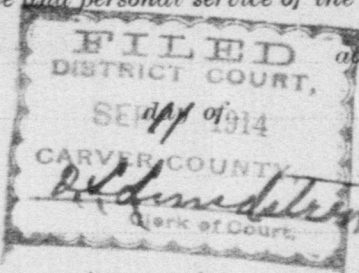
Defendant.

Answer

Due and personal service of the within

admitted

this



Attorney for

W. F. ODELL,

Arlington, Minn.

Attorney for

Deft.

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State of Minnesota

DISTRICT COURT

County of Carver

Eighth Judicial District

Henry Klepperich

Plaintiff

Village of Cologne

Defendant

Now comes the Plaintiff above named and for his reply to the answer of the Defendant, denies each and every allegation in said answer save and except such facts as are admitted therein or as otherwise alleged in the complaint of said Plaintiff. Wherefore Plaintiff prays judgment as in his complaint set forth.

J. A. Loughran

Plaintiff's Attorney

State of Minnesota (SS.
County of Craver (

Henry Klepperich been first duly sworn
says he is the Plaintiff in the above entitled action that he has
read the foregoing reply that the same is true ~~to the best of his own~~
~~knowledge, information and belief~~ except as to those matters stated
on information and belief and to such matters he believes it to
be true.

Henry Klepperich

Subscribed and sworn to before me this 12th day of October 1914.

W. Muehlberg
Deputy Clerk Dist. Court.

Subscribed and sworn to before me this 12th day of October 1914.

be true.

On information and belief and to such matters he believes it to
knowledge, information and belief except as to those matters stated
and the foregoing reply that the same is true as the best of his own
says he is the Plaintiff in the above entitled action that he has

Henry Kieppertich been first duly sworn

County of Carver

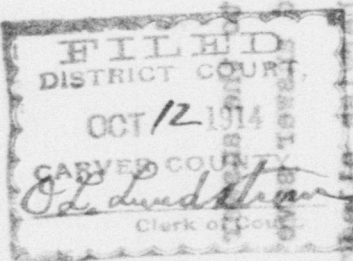
State of Minnesota

Plaintiff's Attorney

as in his complaint set forth.

in the complaint of said Plaintiff. Wherefore Plaintiff prays judgment
and except such matters are admitted therein or as otherwise alleged
the Plaintiff denies each and every allegation in said
and comes to Plaintiff's reply as above named and for his reply
in the complaint of said Plaintiff.

Defendant



Original
State of Minn.
County of Carver
Henry Kieppertich
vs.
Village of Cologne
Pls.

Henry Kieppertich

Plaintiff

County of Carver

State of Minnesota

Eleventh Judicial District

DISTRICT COURT

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STATE OF IOWA

DISTRICT COURT

County of Carter

Eleventh Judicial District

Henry H. Hargrave

Plaintiff

VS

Village of Cologne

Defendant

The above entitled matter having come regularly on for trial on the 1st day of September, 1914, at the adjourned term of the October 1914 Carter County General Term of said Court held at the Village of Woodward in said County;

And the plaintiff having failed to appear on the trial, and said case being set for trial on the 1st day of October, 1914, at the adjourned term of the October 1914 Carter County General Term of said Court held at the Village of Woodward in said County;

It is therefore ordered, that said case be set for trial on the 1st day of November, 1914, at the adjourned term of the November 1914 Carter County General Term of said Court held at the Village of Woodward in said County.

J. W. Morrison
J. W. Morrison, Clerk.

District Court
Carver County

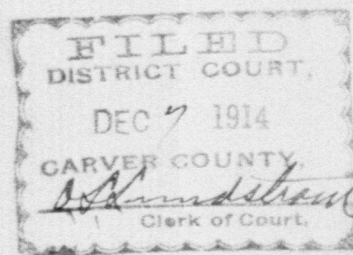
Henry Klepperich
Plff.

vs.

Village of Cologne
Def't.

Order of Dismissal

#199



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DISTRICT COURT
EIGHTH JUDICIAL DISTRICT.

Village of Cologne, Defendant,

~~Attorney for plaintiff,~~

Attorneys for defendant,

December 10th, 1914.

December 10th, 1914.

Dated, St. Paul, Minn.,

Attorneys for defendant,

Attorneys for plaintiff,

hearing on said date.

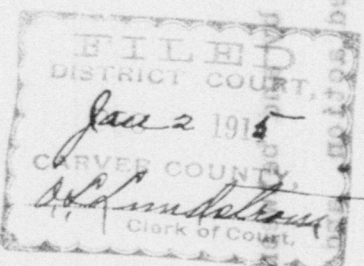
Court forward the files of said action to George Morrison for
be filed with the clerk of said court, and the clerk of said
o'clock in the forenoon of said day, and that this stipulation
Norwood, in said County, on Tuesday, January 5th, 1915, at ten
referred to George Morrison for hearing, at his chambers, at
instated upon the calendar of said court, and that the same be
counsel respectively, that the above entitled action be re-
plaintiff and defendant in the above entitled action, and that

IT IS AGREED AND STIPULATED,

Alliance of Colofene, Defendant,

vs.

Henry Klepperich, Plaintiff,



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COUNTY OF CARVER.

EIGHTH JUDICIAL DISTRICT.

STATE OF MINNESOTA,

DISTRICT COURT

9914
STATE OF MINNESOTA,
COUNTY OF CARVER.

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT.

Henry Klepperich, Plaintiff,

vs.

Village of Cologne, Defendant,

IT IS AGREED AND STIPULATED, by and between plaintiff and defendant in the above entitled action, and their counsel respectively, that the above entitled action be reinstated upon the calendar of said court, and that the same be referred to Judge Morrison for hearing, at his chambers, at Norwood, in said County, on Tuesday, January 5th, 1915, at ten o'clock in the forenoon of said day, and that this stipulation be filed with the clerk of said court, and the clerk of said court forward the files of said action to Judge Morrison for hearing on said date.

H. A. Laughman
Attorney for plaintiff,

W. B. & W. S. Hilde
Attorneys for defendant,

Dated, St. Paul, Minn.,

December 10th, 1914.

MINNEAPOLIS, MINN.,

Dec 26

1914

Mr Henry Klippnerich

Peffo
or d

ON Acc't

TO ST. MARY'S HOSPITAL, DR.

N. W. TELEPHONE, MAIN 973

TRI-STATE TELEPHONE, CENTER 1983

1913
Oct 3 to Jan 1st - 1914

To 8 weeks and 6 days board and attendance

in sickness at \$ 10.00 per wk

Supplies for operation two

Medicine + Surgical Dressings

Auto Ambulance

By Cash

\$ 88 55

15 00

40 50

4 00

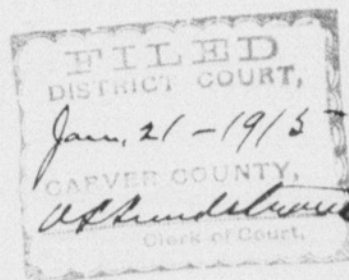
148 05

40 00

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Received Payment

#199



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Page 3

TO THE VILLAGE COUNCIL OF THE VILLAGE OF COLOGNE, AND TO EDWARD
GUETTLER, MAYOR OF THE VILLAGE OF COLOGNE, AND TO L.J. DOLS, ,
VILLAGE CLERK OF THE VILLAGE OF COLOGNE, STATE OF MINNESOTA.

YOU ARE HEREBY NOTIFIED, that an injury was re-
ceived by HENRY KLEPPERICH, who was in your employ at the Village
of Cologne, while engaged in holding the handles of a plow within
the incorporated Village of Cologne, on or about the 20th day of
October, 1913, and who is now located at Cologne, Minnesota.

That as far as known, the nature of the injury
was an infection of the scrotum and penis, laying bare the testicles
and part of the penis and perineum, and that compensation will
be claimed therefor.

Dated, February 26th, 1914.

Henry Klepperich

TO THE CLERK OF THE VILLAGE OF COLOGNE:

YOU ARE HEREBY REQUESTED, to present to the
COMMON COUNCIL, of the Village of Cologne, the annexed and within
Notice of Claim for Damages, for injuries sustained by Henry
Klepperich, at the next regular meeting of the said Common Council.

Henry Klepperich
Claimant.

State of Minnesota,
County of _____ } ss.

_____ being first duly sworn,
upon oath says that he is _____ the _____ in the
foregoing within entitled action; that he has heard read the foregoing
that the same is true of his own knowledge, except as to those matters therein stated on inform-
ation and belief, and as to such matters he believes it to be true—to the best of his knowledge,
information and belief, and that the reason why this verification is not made by the _____
herein, is that said _____ is absent from this County,
wherein resides this affiant, his attorney.

Subscribed and sworn to before me this _____ day of _____ A. D. 191____
{ NOTARIAL }
{ SEAL }

Notary Public, _____ County, Minn.
My Commission expires _____

State of Minnesota,
County, _____ }

Court, _____

_____ 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—has been filed in the office of the clerk of said _____
Court, at the _____ and State of Minnesota,
and to serve a copy of your answer to the said complaint on the subscriber at _____ office,
in _____ in the 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 com-
plaint within the time aforesaid, the Plaintiff in this action will—apply to the Court for the relief
demanded in said complaint—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 _____ A. D. 191____

Plaintiff's Attorney.
516 New York Life Building.
St. Paul, Minn.

199

Original.

State of Minnesota,

County of

District

Court.

Henry Klepperich

Plaintiff

vs.

Village of Colene,

Defendant

Notice of Claim.

Due and personal service of the within

is hereby admitted

this day of

A. D. 19

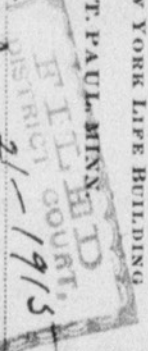
Attorney for

H. A. LOUGHRAN

516 NEW YORK LIFE BUILDING

ST. PAUL, MINN.

Attorney for



State of Minnesota,

County of Carver

ss.

first duly sworn, upon oath deposes and says, that at the

E. A. Gehrig being Village of Colene

4th

day of March 1914, he

served the within Notice upon E. A. Gueltles

upon

the Mayor and City Clerk of the Village of Colene named, personally, by

handing to and each of them

leaving with said

E. A. Gueltles and J. Dole

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

Notice

that said E. A. Gueltles and J. Dole are to affiant well known to be the same

persons

as the within named

Subscribed and sworn to before me this

5th day of March 1914

Carver County, Minn.

E. A. Gehrig

Notary Public, Carver County, Minn.

My Commission expires

Jan 30 1916

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STATE OF MINNESOTA,
COUNTY OF CARVER.

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT.

Henry Klepperich, Plaintiff,

vs.

FINDINGS.

Village of Cologne, Defendant,

The cause in the above entitled action came regularly on for hearing before the court, without a jury, at Norwood, in said County, on the 5th day of January, 1915, at ten o'clock in the forenoon of said day, said plaintiff appeared personally and represented by his attorney H.A. Loughran, Esquire, and said defendant by its attorneys W.C. and W.F. Odell, and it appearing to the court that this was an application on the part of said plaintiff to recover damages from said defendant, under the workman's compensation act, and after hearing the evidence and being duly advised by the attorneys of the respective parties, the court finds as facts.

FINDINGS OF FACT.

That the defendant above named is a Municipal corporation, duly organized, created and existing under and by virtue of the laws of the State of Minnesota, and that such corporation is located in the County of Carver, State of Minnesota, and that on the 20th day of October, 1913, and for some time prior thereto, said plaintiff who resided at said time at the Village of Cologne, in said County and State, and on said date, and for some time prior thereto, was employed by the defendant as village

marshall, and was engaged in doing such work as he was directed to do by the officers of the Village of Cologne, and on said 20th day of October, 1913, while said plaintiff was employed by said defendant, and working for said Village of Cologne, and while in the performance of his duty as he was ordered and directed by the officers of said defendant, and in the course of his employment, and was engaged in holding the handles of an ordinary land plow in doing some plowing for said village, the said plow suddenly came out of the ground and said plaintiff was thrown against the handles of said plow in such a manner as to receive the following personal injuries, to-wit: thereby injuring him in and about the scrotum, penis, testicles and perineum, thereby causing an infection of the scrotum and penis and laying bare the testicles and part of the penis and perineum, thereby causing him to become sick and to suffer a permanent total disability from the 21st day of October, 1913, until the first day of May, 1914, and a permanent partial disability for the remainder of his life.

That it became necessary for said plaintiff to receive medical, surgical and hospital treatment immediately following said injury to him, to cure and relieve him from the effects of the injury which should have been provided by said defendant, but by reason of their inability or refusal to do so said plaintiff was required to employ physicians and surgeons and to go to the hospital, and was compelled to incur a reasonable expense on account thereof of more than Two Hundred Dollars, which were furnished and provided within ninety days after said accident occurred, but no application having been made to the court during said ninety days to require the employer to furnish such additional medical, surgical and hospital treatment as were

reasonably necessary, the plaintiff can only recover a sum of One Hundred Dollars for such medical and hospital treatment.

That said plaintiff, prior to the time of said accident and injury to him, was regularly employed and was earning in his customary occupation the sum of Fifty Dollars per month, and from the time of said accident and injury to him up to the first day of May, 1914, did not earn any sum whatever, and is entitled to recover for all of said period of time, except the first two weeks thereof, or for a period of twenty-seven weeks and two days, at six dollars and twenty-five cents (\$6.25), per week, making a total sum of One Hundred Seventy dollars and fifty cents (\$170.50) and that said plaintiff has a permanent partial disability by reason thereof and is unable to earn more than Forty-five dollars per month, and his earning capacity has been diminished to the extent of Five Dollars per month, and he is entitled to recover fifty per centum of the difference between the wages he was receiving at and prior to the time he was injured, and the wages he is able to earn in his partially disabled condition for the period of three hundred weeks, or a total sum of One Hundred Eighty-seven dollars and fifty cents (\$187.50).

That the defendant had actual knowledge of the injury which said plaintiff received within fourteen days after the occurrence of the injury, and said defendant has refused to pay said plaintiff any sum whatsoever on account of said injuries, and said defendant has never posted any notices of an election not to accept or be bound by the provisions of the Workman's Compensation Act, in the State of Minnesota, nor was any agreement entered into between plaintiff and defendant to that effect.

AS CONCLUSIONS OF LAW.

The plaintiff is entitled to recover judgment against said defendant for the total sum of Four Hundred Fifty-

That the Contract under which
was so employed by defendant was made
and entered into on May 26th 1913

eight dollars (\$458.00), together with the costs and disbursements of this action.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated at Norwood, this 20th day of January, a.d. 1915.

J. W. Morrison
Judge of said Court.

All proceedings on the part of the plaintiff stayed for a period of thirty days.

J. W. Morrison
Judge. /

Memorandum:

It appears conclusively by the evidence that the Village of Cologne, by its proper officers, directed the grading of streets so that the property owners might lay the sidewalks on a uniform grade and that the work of grading was paid for by such Village. Such work, the evidence shows, was being done pursuant to contract let by the Village at the time the plaintiff claims he was injured. There does not seem to be any evidence to overcome the positive evidence of the plaintiff that he was injured in the way and manner as set forth in his complaint. It is the custom of the village marshall to cut weeds, clean sidewalks abutting village property and do such other work as will improve, beautify and be for the betterment of the village when requested so to do by any officer known to have any voice in the management of village ~~affairs~~ *affairs*. The evidence also shows that one member of the Village Council requested or commanded the plaintiff to assist at the grading, at which work the plaintiff claims he suffered the injury resulting in his sickness and disability. The plaintiff believed it was his duty to do as directed. I believe it was one of the incidental powers conferred upon a member of the Village Council to direct the Village Marshall to do this work and am inclined to the opinion that the plaintiff was performing work and services within the scope of his employment at the time he suffered the injury complained of.

J. W. Morrison

#199

State of Minnesota
County of Carver
In Dist Court

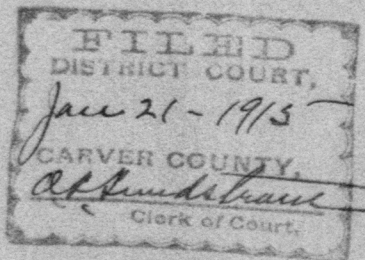
Henry Kleppner

- vs - Deft

Village of Cologne

Deft

Findings and
Decision



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State of Minnesota,

In District Court.

County of carver

Eighth

Judicial District.

Henry Klépperich,

Plaintiff,

vs.

Village of Cologne,

Defendant,

AMOUNT OF JUDGMENT OR VERDICT

Amount of Judgment or Verdict, \$ 458.00

Interest on same from the day of 19

Plaintiff's

COSTS AND DISBURSEMENTS

Statutory Costs, \$ 10.00

4 Affidavits, \$ 1.00

Acknowledgments,

Sheriff's Fees,

Jury Fees

Clerk's Fees (to be taxed)

8.58

Witness Fees, viz: (Give name of each Witness Residence, Number Days Attendance and Number of Miles Traveled)

NAMES	RESIDENCE	NO. DAYS ATTENDANCE	NO. MILES TRAVELED	
Mrs. Klepperich,	St. Paul, Minn.	Jan. 5, 1	47	6.64
L.J. Dols,	Cologne, Minn.	Jan. 5 1	14	1.84
L.H. Mueleners,	Cologne, Minn.	Jan. 5 1	14	1.84
Dr. H.B. Schweetser,	Minneapolis, Minn	Jan. 5, 1	74	5.44

The above bill of Costs and Disbursements taxed and allowed at \$ 35.34

Dated March 16th 1915

Total Amount, \$ 493.34

O. L. Lundstrom
Clerk.

AFFIDAVIT OF DISBURSEMENTS

State of Minnesota,

County of Ramsey

H.A. Loughran
plaintiff

being duly sworn, says 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 all the items 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 plaintiff in said action, and that he necessarily traveled the number of miles set opposite his name going from his said place of residence to and returning from the place of trial, and necessarily attended the number of days set opposite his said name.

Subscribed and sworn to before me, this

6th day of March 1915

Notary Public,

Ramsey County, Minnesota.

My commission expires Oct 6 1921

O. L. Lundstrom
3, 10 Marshallburg. Agents
(E. 200)
BROWN, TRACY & SPERRY CO., St. Paul and Minneapolis.
Clerk.

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State of Minnesota,
County of Carver.

ss.

District Court,

Eighth

Judicial District.

Henry Klepperich, Plaintiff.

Vs.

Village of Cologne, Defendant.

JUDGMENT.

The above entitled cause came regularly on for hearing before the Court, without a jury, at Norwood, in said County on the 8th day of January, 1915, said plaintiff appeared personally and represented by his Attorney E. A. Loughran, Esq., and said defendant by its Attorneys W. C. and W. F. Odell, and it appearing to the Court that this was an application on the part of said plaintiff to recover damages from said defendant, under the workmen's compensation act, and after hearing the evidence and being duly advised by the attorneys of the respective parties, did on the 21st day of January A. D. 1915, make and file its Findings and Decision in said cause.

As conclusions of law the Court found that the plaintiff is entitled to recover judgment against said defendant for the total sum of Four Hundred Fifty-eight Dollars, together with the costs and disbursements in this action, and ordered judgment to be entered accordingly.

Now on motion of E. A. Loughran, attorney for plaintiff, it is hereby adjudged that the plaintiff herein have and recover from said defendant, the Village of Cologne, the sum of Four Hundred Fifty-eight Dollars together with Thirty-five and 34/100 Dollars costs and disbursements taxed herein, aggregating in the total to Four Hundred Ninety-three and 34/100 Dollars, and that the plaintiff have execution therefor.

Dated March 11th, 1915.

By the Court,

O. L. Lundstrom

Clerk of said Court.

By N. O. Muehlberg, Deputy.

No. _____

DISTRICT COURT,

Eighth Judicial District.

County of *Carver*

Henry Klepperich

Plaintiff

AGAINST

Village of Cologne

Defendant

JUDGMENT ROLL.

Filed this *11th* day of

March A. D. 19*05*

at *10* o'clock *A.* M.

O. L. Lundstrom
Clerk.

By *H. Muehlberg*
Deputy.

District Court,

Carver - County, Minnesota.
Eighth Judicial District.Henry Klepperich, Plaintiff
vs
Village of Bologus, Defendant.

Satisfaction.

The Judgment in the above entitled action entered in
County, Minnesota, on the 11th day of March
A. D. 1915, and docketed in said County on the 11th day of March
A. D. 1915 for \$493³⁴ in favor of said plaintiff Henry Klepperich
andagainst said defendant Village of Bologus, which said judgment was thereafter
duly assigned to Michael J. Clark, its undersigned, which assignment was filed with the Clerk
of said court on the 24th day of May, 1915.
is paid and satisfied in full, and the Clerk of said District Court is hereby authorized to discharge said judgment of
Record.Witness my hand and seal this 1st day
of July A. D. 1915.

IN PRESENCE OF

G. Nelson
H. LoughranMichael J. Clark
Seal
Seal

State of Minnesota,

County of Ramsey - } ss.

Before me, a Notary Public in and for said County and
State, personally came Michael J. Clark to me known
to be the personwho executed the foregoing satisfaction of Judgment, and acknowledged that he executed and delivered the
same for the uses and purposes therein set forth, and as his free and voluntary act and deed.Witness my hand and seal, this 1st day
of July A. D. 1915.H. Loughran
Notary Public
Ramsey County -
MinnesotaMy commission expires
July 21-1917.

No. 200

DISTRICT COURT,

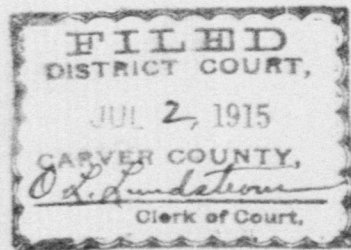
Carver

County.

Henry Kleppenich
vs

Village of Cologne

SATISFACTION OF JUDGMENT.



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H. A. LOUGHRAN
ATTORNEY AND COUNSELLOR AT LAW
Suite 516 New York Life Bldg.

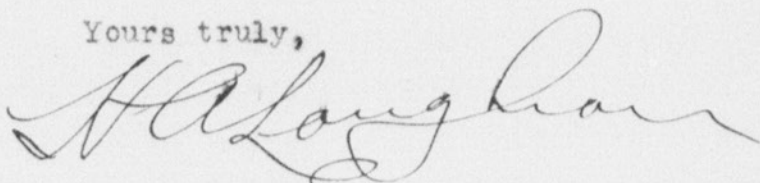
ST. PAUL, MINN., March 10, 1915.

Mr. O.L. Lundstrom,
Clerk of the District Court,
Chaska, Minn.,

Dear Sir:

I enclose you herewith affidavit of disbursements and notice of taxation of costs in the case of Henry Klepperich vs. Village of Cologne, with proof of service on the defendants attorneys. I don't think there will be any objections to the costs. If so, I wish you would notify me and continue the matter for hearing. If there is no objections to the costs have the judgment entered, and the costs taxed according to the decree.

Yours truly,



Encl

This Indenture, Made the 1st day of May
A. D. 1915, between Henry Klepperich

Michael J. Clark,
of the first part, and

Witnesseth, Whereas, the said part y of the first part, on the 11th day
of March A. D. 1915, recovered a judgment in the District Court
Eighth Judicial District
against Village of Cologne
for Four hundred fifty Eight Dollars,
damages and \$ 3534 costs, which judgment was, on the 11th day of
March A. D. 1915, docketed in Carver County, Minnesota,
as will by the record thereof more fully appear.

Now this Indenture Witnesseth, That the said part y of the first part, in consideration of
the sum of Four hundred ninety three and 34/100 Dollars,
to him duly paid, before the sealing and delivery of these presents, the receipt whereof is
herby acknowledged, ha s sold, and by these presents do assign, transfer and set over unto the said part y of
the second part and his assigns, the said judgment and any and all sums of money that may be had
or obtained by means thereof, or any proceedings to be had thereupon, and any and all liens and levies securing
the same.

And the said part y of the first part, do co covenant that there is now due on the said judgment the sum of
Four hundred ninety three and 34/100 Dollars,
and that he will not collect or receive the same, or any part thereof, nor release or discharge the
said judgment, but will own and allow all lawful proceedings therein, the said part y of the second part saving
the said part y of the first part harmless of and from any costs and charges in the premises.

In Testimony Whereof, The said part y of the first part ha s hereunto set his
hand and seal this 1st day of May A. D. 1915

Signed, Sealed and Delivered in the Presence of

John J. Devine
Wm. Klepperich

Henry Klepperich
Seal
Seal
Seal
Seal

State of Minnesota,
County of Kanabey ss.

On this 1st day
of May A. D. 1915, before me, a Natany Public
within and for said County, personally appeared Henry Klepperich

to me known to be the person described in and who executed the within instrument, and acknowledged that
he executed the same as his free act and deed.

John J. Devine
Natany Public
Kanabey County
Minnesota
my Commission Expires Oct 20 1921

No. _____

ASSIGNMENT OF JUDGMENT.

Henry Klepperick
to
Michael J. Clark

Office of Clerk, District Court,
County of Leavenworth Minn.

Filed on the 24th day
of May A. D. 1915,
at 3 o'clock P.M., in this office.

O. S. Lundstrom
Clerk of District Court.

By _____
Deputy.

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STATE OF MINNESOTA,

DISTRICT COURT

COUNTY OF CARVER.

EIGHTH JUDICIAL DISTRICT.

Henry Klepperich, Plaintiff,

vs.

Village of Cologne, Defendant,

DECREE.

The cause in the above entitled action came regularly on for hearing before the court, without a jury, at Norwood, in said County, on the 5th day of January, 1915, at ten o'clock in the forenoon of said day, said plaintiff appeared personally and represented by his attorney H.A. Loughran, Esquire, and said defendant by its attorneys W.C. and W.F. Odell, and it appearing to the court that this was an application on the part of said plaintiff to recover damages from said defendant, under the Workman's Compensation Act, and after hearing the evidence and being duly advised by the attorneys of the respective parties, and the court having made and filed his findings of fact and conclusions of law and order for judgment and decree to be entered herein.

Now pursuant thereto, and on motion of H.A. Loughran, attorney for said plaintiff,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that said plaintiff recover judgment against said defendant for the sum of Four Hundred Fifty-eight dollars (\$458.00), together with all costs and disbursements of this action.

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of March, A.D. 1915.

W. A. Lundstrom
Clerk of the District Court.

The foregoing form of judgment and decree is hereby approved.

W. A. Lundstrom
District Judge.

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

being first duly sworn
upon oath says that he is the in the
foregoing within entitled action, that he has read the foregoing
that the same is true of his own knowledge, except as to those matters therein stated on information and belief,
and as to such matter he believes it to be true—to the best of his knowledge, information and belief, and that
the reason why this verification is not made by the herein,
is that said is absent from this County, wherein resides this
affiant his attorney.

Subscribed and sworn to before me this day of A. D. 1

{ NOTARIAL }
{ SEAL }

Notary Public, Ramsey County, Minn.

STATE OF MINNESOTA, }
County. }

COURT.

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—has been filed in the office of the clerk of said Court,
at the City of St. Paul, County of Ramsey, and State of Minnesota, and to serve a copy of your answer to the
said complaint on the subscriber, at office, in the City of St. Paul, in the said County of
Ramsey, within days after service of this summons upon you, exclusive of the day of such
service, and if you fail to answer said complaint within the time aforesaid the plaintiff in this action will—apply
to the court for the relief demanded in said complaint—have the amount Plaintiff
entitled to recover, ascertained by the Court or under its direction and take judgment for the amount so ascer-
tained—take judgment against you for the sum of
(\$) with interest at the rate of per cent per annum since the
day of 1

together with Plaintiff's costs and disbursements herein.

Dated A. D. 1

PLAINTIFF'S ATTORNEY
516 NEW YORK LIFE BUILDING
ST. PAUL, MINN.

Original.

STATE OF MINNESOTA,

COUNTY OF RAMSEY.

Carver

District COURT

Henry Klepperich Plaintiff

vs.

Village of Cologne Defendant

DECREE.

Due and personal service of the within

admitted

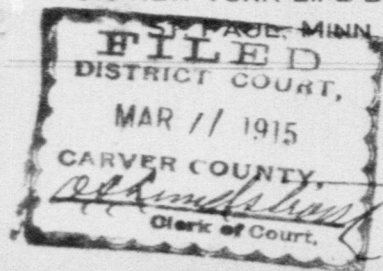
this day of

Attorney for

H. A. LOUGHRAN,

Attorney for plaintiff,

516 NEW YORK LIFE BLDG.



STATE OF MINNESOTA, } ss.
County of Ramsey.

being
first duly sworn upon oath deposes and says, that at the
in said County and State, on the 1 day of , 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
that said is to affiant well known to be the same
as the within named

Subscribed and sworn to before me this
day of 1

Notary Public, Ramsey County, Minn.

Illegible
(Light Ink)

H. A. LOUGHRAN
ATTORNEY AND COUNSELLOR AT LAW
Suite 516 New York Life Bldg.

ST. PAUL, MINN.,

May 20, 1915.

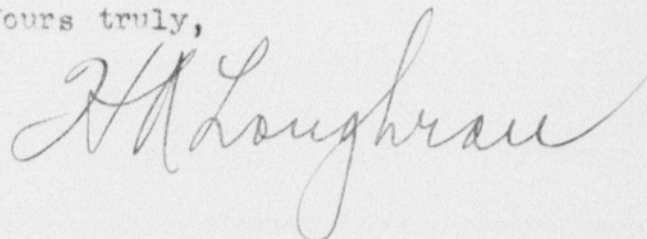
Mr. O.L. Lundstrom,
Clerk of the District Court,
Chaska, Minn.

Dear Sir:-

I inclose you herewith assignment of judgment to Michael J. Clark in the case of Henry Klepperich vs. Village of Cologne. I wish you would record the same and send me certified copy of the judgment showing the assignment of the same to Michael J. Clark, together with your bill for any additional charges in the matter.

Encl

Yours truly,

A handwritten signature in cursive script, reading "H. A. Loughran". The signature is written in dark ink and is positioned to the right of the typed name "H. A. Loughran".

No. ³⁴¹⁵ 220

DISTRICT COURT,
Carver County, Minnesota

Mrs. A. B. Holmberg
Plaintiff

vs.

City of Shakopee
Defendant

Theodore A. Huxford
Plaintiff's Attorney

H. H. Odell
Defendant's Attorney

Date of Entry Sep. 12 1914

Register of Actions, E Page 201

Term Tried March Term 1915

Judgment for Plaintiff

Amount of Judgment, \$ 220.00

Date of Judgment Apr. 17th 1915

Judgment Book D Page

Default Judgment Book Page

Date of Docketing Apr. 17th 1915

No. 2746

State of Minnesota, ss
County of Carver

DISTRICT COURT
Eighth Judicial District

THE STATE OF MINNESOTA

TO

Fred Burckhardt

GREETING:

You are hereby Commanded, That laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court for the Eighth Judicial District and County of Carver at the Court House in said County, on the fourth day of April, 1905, at 10 o'clock in the forenoon, then and there to give evidence in the cause to be tried between

Plaintiff

, and

Mrs. A. B. Holmberg

City of Chaska

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 10th day of March, A. D. 1905

O. L. Lundström

Clerk of District Court.

ORIGINAL

30711A 06

No. 2746

STATE OF MINNESOTA,
COUNTY OF CARVER

DISTRICT COURT,
Eighth Judicial District.

Wm. A. B. Holmberg

AGAINST
City of Chaska

SUBPOENA

Issued Mar 10th 1905
O. L. Lundstrom
Clerk District Court.

Returned and Filed
March 12th 1905
O. L. Lundstrom
Clerk.

On part of Defendant

State of Minnesota,
COUNTY OF CARVER

88.

DISTRICT COURT

Eighth Judicial District.

I hereby certify and return that I served the within Subpoena on the within named
Fred Beckmark 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 10th day of March 1905

Fees, { Service, 50
Mileage, 20
Total, 70

G. A. Gatz
Sheriff of Carver County.

By Thomas Berntsen Deputy Sheriff.

State of Minnesota,

} ss.

County of Carver

District Court

Eighth

Judicial District

Mrs. A. B. Holmberg

Plaintiff

-VS-

City of Chaska

Defendant

Sir : You Will Please to Take Notice, That the issue 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 City 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 August 25th 1914

Yours respectfully,

Theodor E. Wendland

To W. F. Odell, Esq.

Attorney for Plaintiff

Attorney for Defendant

200

DISTRICT COURT

Eighth Judicial District

County of Carver

Mrs. A. B. Holmberg

-VS-

City of Chaska

Notice of Trial

Due service of the within Notice is hereby
admitted this 21st day of August
1914, at Chaska, Minnesota

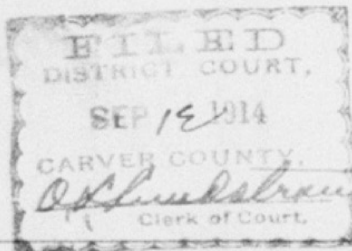
W. F. Wendland

Attorney for Defendant

Theodore F. Wendland

Attorney for Plaintiff

1143000



E 201

No.

DISTRICT COURT,

Carver County.

Mrs. A. B. Holmberg

Plaintiff

against

City of Chaska,

Defendant

NOTE OF ISSUE.

LAST PLEADING SERVED,

1904

Case.

Attorney for Plaintiff.

W. F. Odell

Attorney for Defendant.

Will the Clerk please file this Note of
Issue, and enter the cause on the Calen-
dar for the October A. D. 1904.

General Term of this Court.

Yours, etc.,

Attorney for Plaintiff.

Filed

Sep. 14 1904

D. Schmedemann Clerk.

The \$3.00 deposit required by Sec. 2, Chap. 48, General Laws
of 1883, must be paid before any action will be entered in
Clerk's Office.

No. 200

DISTRICT COURT,

Carver

County.

Mrs A. B. Holmberg

against

City of Alaska

NOTE OF ISSUE.

LAST PLEADING SERVED,

190

Case.

Theodore F. Wendland
Attorney for Plaintiff.

W. J. O'dell

Attorney for Defendant.

Will the Clerk please file this Note of
Issue, and enter the cause on the Calen-
dar for the A. D. 1904

General

Term of this Court.

Yours, etc.,

Theodore F. Wendland
Attorney for Plaintiff.

Filed

Sep 12

1904

A. C. Sundstrom Clerk.

The \$3.00 deposit required by Sec. 2, Chap. 48, General Laws
of 1883, must be paid before any action will be entered in
Clerk's Office.

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

oooooooooooooooooooo

Mrs. A. B. Holmberg, Plaintiff

-vs-

COMPLAINT

City of Chaska, Defendant

oooooooooooooooooooo

The Plaintiff for her cause of action against the
above named defendant hereinafter complains and alleges;-

FIRST

That at all times hereinafter mentioned the defend-
ent was and still is a Municipal Corporation, duly organized,
created and existing under and by virtue of the Laws of the State
of Minnesota.

SECOND

That on the 27th day of November, A.D. 1913, and for
a long time prior thereto, said City of Chaska has maintained that
certain bridge on Creek Road, and being that bridge below Schut-
rop's farm, and toward the brick yard, crossing a small creek there,
said bridge being a duly laid out and dedicated street and public
highway in the said City of Chaska, and was so on the said 27th day
of November, 1913.

THIRD

That for a long time prior thereto said City of Chaska
has carelessly and negligently allowed and permitted said bridge to
become old, defective, uneven and out of repair, and consisting of
uneven and loose boards, parts thereof being sunken, and others
projecting, forming great and dangerous declivities in said bridge,
and failing to properly guard said bridge with railing or other
guard to protect travelers from the danger of falling therefrom,
all of which was well known by the said City of Chaska long prior
to the time of the accident hereinafter described.

FOURTH

That on the 27th day of November, 1913, and while this Plaintiff was lawfully a pedestrian traveling along and upon said bridge and highway, in a careful and orderly manner, this Plaintiff was caused to trip and fall, and to be violently precipitated from said bridge and into the creek below, and was caused to suffer and sustain the injuries herein set forth, to-wit;- The muscles of the right arm and shoulder being badly bruised, stretched and torn from their attachments; the right hip and left leg being badly bruised and blackened from said fall; and causing a bad displacement of the uterus and a profuse vaginal discharge, and suffering other severe bodily injuries, and at the same time inflicting a severe nervous shock to her whole system, all of which were caused by the dangerous and unsafe condition of said bridge, and by the City of Chaska its agents, servants and employees in that they failed to keep the said bridge in a safe condition for travelers.

FIFTH

That by reason of the aforesaid injuries this Plaintiff has been compelled to expend and incur an expense, and as she is informed and believes, will in the future be obliged to expend large sums of money for hospital bills, physician's bills, nurse bills and for medical treatment, ect. in the proper care and treatment of said injuries in at least the sum of One Thousand (\$1000.00) Dollars

SIXTH

That since said injuries said Plaintiff has been, and still is unable to perform her usual household duties, and as she is informed and believes will be unable to perform the same for a long time in the future.

SEVENTH

That by reason of the aforesaid the Plaintiff has been damaged in the sum of Five Thousand (\$5000.00) Dollars.

Page # 3.

EIGHTH

That heretofore, and on the 26th day of December, 1913, this Plaintiff caused to be served upon the City of Chaska, the defendant herein, a Notice in writing of her intentions to claim damages for said injuries, therein giving the said City of Chaska notice of the time, place and circumstances under which the aforesaid injuries were received.

WHEREFORE, Plaintiff demands judgment against the City of Chaska in the sum of Five Thousand (\$5000.00) Dollars, together with her costs and disbursements herein.

Theodore F. Wendland
Attorney for Plaintiff

207 Globe Building
Minneapolis, Minnesota

State of Minnesota, }
County of Hennepin } ss.

being first duly sworn,
upon oath says that he is _____ the _____ in the
foregoing within entitled action; that he has heard read the foregoing _____
that the same is true of his own knowledge, except as to those matters therein stated on information and
belief, and as to such matters he believes it to be true—to the best of his knowledge, information and belief,
and that the reason why this verification is not made by the _____
herein, is that said _____ is absent from this County,
wherein resides this affiant, his attorney.

Subscribed and sworn to before me this _____ day of _____ A. D. 191_____

{ NOTARIAL
SEAL }

Notary Public, Hennepin County, Minn.

My Commission expires _____

State of Minnesota, }
COUNTY OF CARVER }
~~County of Hennepin~~

District Court—Municipal Court
EIGHTH ~~XXXXXX~~ Judicial District—~~CITY OF MINNEAPOLIS~~

Mrs. A. B. Holmberg Plaintiff

against

Plaintiff

SUMMONS

City of Chaska

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—~~has been filed in the office of the clerk of said above named Court at the County of Hennepin~~
~~and to serve a copy of your answer to the said complaint on the subscribers at their office, at Number 207 Globe Building, in the City of Minne-~~
apopolis, in the said County of Hennepin, State of Minnesota, within Twenty—~~Two~~ days after the 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—~~apply to the Court for the relief demanded in said com-~~
~~plaint~~ take judgment against you for the sum of _____
Five Thousand _____ Dollars (\$ 5000.00), ~~and to award costs~~
~~XX~~ ~~XXXX~~ 191
2X

together with Plaintiff's costs and disbursements herein.

Dated July 21st A. D. 1914

Theodore F. Wendland
Plaintiff's Attorneys,
207 Globe Building,
Minneapolis, Minn.

Residence Address:

~~XXXXXX~~ 124 North Newton Avenue
~~XXXXXX~~ GEO. J. M. TUCKER, 3541 So. Lincoln Avenue
Minneapolis, Minn.

Original

vs 200

State of Minnesota

County of Hennepin
Carver

District Court

Mrs. A. B. Holmberg
Plaintiff

City of Chaska
Defendant

SUMMONS & COMPLAINT

Due and personal service of the within
is hereby admitted

this day of

A. D. 191

Attorney for

Theodore F. Wendland
XXXXXX
207 21 GLOBE BUILDING
MINNEAPOLIS, MINN.

Attorneys for Plaintiff

FILED
DISTRICT COURT,
SEP 1914

CARVER COUNTY,
Hennepin
Clark of Court

State of Minnesota,

County of Hennepin

ss.

Theodore F. Wendland being
first duly sworn, upon oath deposes and says, that at the City of ^{Chaska} ~~Minneapolis~~, in said county ^{of Carver} ~~and state~~, on
the 23rd day of July 1914 he served the within Summons
and Complaint upon City of Chaska the defendant therein named, personally,
by sending to and leaving with J. E. Du Toit + J. M. Anetz + each of
~~them~~ ^{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 Summons and Complaint, that said persons are to affiant
well known to be the ~~same~~ Mayor + City Clerk, respectively of the said
defendant city + the same persons upon whom he served said summons + Complaint

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

J. J. Wright

Theodore F. Wendland

Notary Public, Hennepin County, Minn.

My Commission expires Feb. 1, 1920

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STATE OF MINNESOTA

DISTRICT COURT

County of Carver

Eighth Judicial District

-----:-----

Mrs. A. B. Holmberg

Plaintiff

vs

City of Chaska

Defendant

-----:-----

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

1. That it admits the first paragraph of said complaint.
2. That save as hereinbefore admitted it denies said complaint and each and every allegation thereof.

Wherefore it prays that it be hence dismissed with its costs and disbursements.



Attorney for Defendant,
Chaska, Minn.

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,

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

upon

therein named, personally, by

leaving with said

with

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.

being first duly sworn upon oath deposes

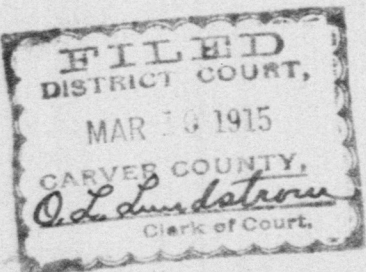
in said County and State, on the

19, he served the within.

the

at the house of the usual abode of said

, a



E. 201

(Original)

State of Minnesota,

County of Carver

District

Court.

Mrs. A. B. Holmberg

Plaintiff.

vs.

City of Chaska

Defendant.

Answer

Due and personal service of the within

admitted

this day of

Attorney for

W. F. ODELL,

Chaska, Arlington, Minn.

Attorney for Deft.

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

Mrs. A. B Holmberg,
Plaintiff

vs

City of Chaska,
Defendant

We ask to amend by inserting after the end of the seventh line of paragraph three of said complaint and after the word "therefrom" the following words, to wit:

" said bridge being constructed and maintained with its sides and road way diagonally on the bias and not parallel with the side lines of ^{Sixth} ~~and~~ street"

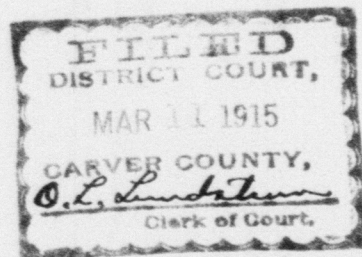
State of Minnesota
County of ~~Hennepin~~ Carver

District Court

Mrs A B Holmberg
vs

City of Ellsworth

Amendment



NOTICE

To the City of Chaska, The City Council and J. M. Aretz, City Clerk:

YOU WILL PLEASE TAKE NOTICE, that I, Mrs. A. B. Holmberg, of 1092-25th Ave South, in the City of Minneapolis, Minnesota, hereby make claim against the City of Chaska, in the State of Minnesota, for personal injuries received by me under the following circumstances, and at the time and place hereinafter mentioned, to-wit:- On the 27th day of November, 1913, at about 7.30 P.M. of said day, while traveling with due care on foot over and upon that certain bridge on Creek Road, and being that bridge below Schutrop's farm, and toward the brick yard, and crossing the small creek there, I was violently thrown from said bridge, and into the creek below, thereby sustaining severe personal injuries, in that the muscles of the right arm and shoulder were badly bruised, stretched and torn from their attachments, and that the right hip and left leg were badly bruised and blackened from said fall, and suffering other severe bodily injuries, and have been and still are under the care of a physician, and am necessarily put to great expense for said medical care and treatment, and other expenses, and as this claimant is informed and believes that for a long time to come will necessarily be under the care and treatment of her physician, all of which were sustained by reason of the defect and insufficiency and want of repair of said bridge, consisting of loose boards, and holes therein, and on account of the absence of any guard or railing on said bridge to protect travelers from the danger of falling therefrom, and because of the darkness at said bridge.

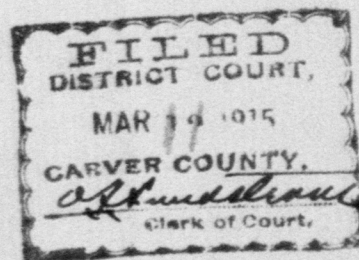
AND YOU WILL PLEASE FURTHER TAKE NOTICE that satisfaction for such personal injuries and damage is claimed from the said City of Chaska in the sum of Fifteen Hundred (\$1500.00) Dollars.

Mrs. A. B. Holmberg
Claimant

Theodore F. Wendland, Attorney for Claimant
207 Globe Building, Minneapolis, Minnesota.

Dated at Minneapolis, this 23rd day of December, 1913.

NOTICE
of
CLAIM FOR DAMAGES
-VS-
City of Chaska, etc.



HOUSE 700 NORTH 14TH ST.
T. S. NICOLLET 5070

THEODORE F. WENDLAND
ATTORNEY AT LAW
300 GLOBE BUILDING
N. W. NICOLLET 5070
TRI-STATE CENTER 2000

MINNEAPOLIS, MINNESOTA,
December 20th, 1913

To the Town Clerk,
Chaska, Minnesota

Dear Sir:-

I desire the following information, which I take it you can advise me about.

I want to know the owner, or rather who owns and maintains that certain bridge at Creek Road, being below Schutrop's farm and toward the Brick-yard, crossing the small creek there? You will please advise me as fully as you can find, because it is necessary that I know whether it be the city of Chaska, the County, or whether it is owned by a private party whose farm adjoins the same. I will very much appreciate your answer by return mail, and enclose stamped envelope for your reply.

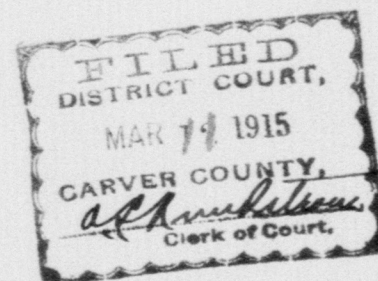
Thanking you in advance for the desired information I beg to remain,

Very Respectfully,

Shepherd F. Wendland
Attorney at Law

In reply.

Dear sir: The bridge above referred to is on a public street & is maintained by the City of Chaska. Yours J. M. Fritz City Clerk



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(Light Ink)

THEODORE F. WENDLAND
ATTORNEY AT LAW
306 GLOBE BUILDING
MINNEAPOLIS

October 26, 1912.

Dear Sir:-

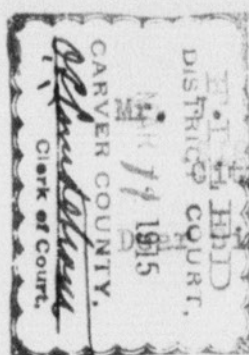
As a member of the Local 73, Minneapolis Musicians Association, A. F. of M. and as a practicing attorney, I beg to call your attention to Charles S. Jelley, who succeeded Judge Andrew Holt and is a candidate for re-election to the District Court of Hennepin County.

Judge Jelley is a man of keen intellect, sterling character, broad judgment and kindly personality. He has resided in Hennepin County for twenty-six years and as a practicing attorney has risen to a position of high standing, both as a lawyer and a citizen, having had wide experience both in private practice and in public service in the County Attorney's and the Attorney General's offices. His services on the bench have been eminently satisfactory and he has the endorsement of the bar of Hennepin County.

I recommend Judge Jelley because of his undoubted fitness for the office which he now holds and sincerely wish that you would not only vote for him, but do what you can in his behalf. I enclose a few of his cards which I trust you will be able to use with some of your friends.

Very truly yours,

924
924
924



December 23rd, 1913

M. Aretz, Esq
City Clerk, Chaska, Minn.

Dear Sir:-

I herewith enclose and serve upon you Notice of the
Claim of Mrs. A. B. Holmberg, of 1092-25th Ave S.E., this city
against the City of Chaska for personal injuries received by
her because of the defective bridge mentioned in said notice,
the circumstances of which are morefully set forth therein,
which notice you will please present to the City Council of
Chaska ^{or other governing body} for consideration as provided by law.

Very Respectfully,

Attorney at Law

State of Minnesota,
County of Carver,

DISTRICT COURT,

Eighth

Judicial District

Mrs. A. B. Holmberg

Plaintiff

No. 8

Against

The City of Chaska

Defendant

List of Jurors.

Attorneys Mark Here	NAMES	REMARKS
1	Andrew Engstrom	D. 7
2	H. J. W. Lundberg	Pliff 1
3	Ed Johnson	
4	Carl Luedloff	
5	August Vlock	D. 3
6	Arthur Leif	Pliff 2
7	Frank Rief	Pliff 3
8	Ed Eggerd	
9	Adolph Stark	
10	Wm. Tiedemann	
11	John Kelter	excused
12	Fred Ortlip	
13	Alfred Kuntz	
14	H. J. R. Kraus	excused
15	L. Lerber	
16	John Bierlein	
17	Thos. Sexton	
18	James Mohrbacher	
19	Peter Harden	D. 1
20	Fred Wildung	
21		
22		
23		
24		
25		
26		
27		
28		
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30		

No.

STATE OF MINNESOTA,

County of Carver,
DISTRICT COURT.

• Mrs. A. B. Holmberg

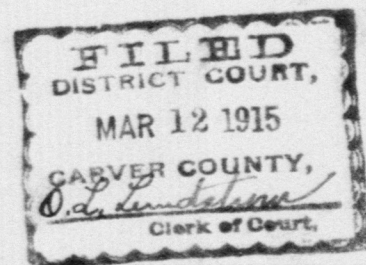
Plaintiff

Against

City of Chaska

Defendant

• JURY LIST



No. 982

E. 201

STATE OF MINNESOTA,
COUNTY OF CARVER

In District Court of said County,
Eighth Judicial District.

March, General Term, 1915.

In the Matter of

Mrs. A. B. Holmberg
VS
City of Chaska
Plaintiff
Defendant

We, The Jury empaneled and sworn in the above entitled action, find for the plaintiff and
assess her damages in the sum of \$ 220⁰⁰
Two hundred and twenty and ²⁰/₁₀₀ DOLLARS,

Edward C. Johnson
X
Foreman.

Jurors Concurring Sign Here

1.
2.
3.
4.
5.
6.

7.
8.
9.
10.
11.
12.

Jurors Concurring.

Dated at Chaska this 12th day of March A. D. 1915.

DISTRICT COURT

Eighth Judicial District.

March Term, 19*15*

State of Minnesota,

County of Carver

} ss.

Verdict for Plaintiff

IN THE MATTER OF

Mrs. A. B. Holmberg
vs. Plaintiff

City of Chaska
Defendant

Jury retired at *4.35* o'clock *P.*M.

Verdict rendered *7.10* o'clock *P.*M.

Filed in open Court the *12th*

day of *March* 19*15*

O. L. Lundstrom

Clerk.

By *H. T. Muehlberg* Deputy

E. 201.

State of Minnesota, } ss.
 County of Carver }
 District Court
 Eighth Judicial District
 Mrs. A. B. Holmberg Plaintiff
 -VS-
 City of Chaska Defendant

AMOUNT OF JUDGMENT OR VERDICT (\$220.00)
 Amount of Judgment or Verdict, - - - - - \$ 220.00
 Interest on same from the 12th day of March 1915 \$ 1.00

Plaintiff's COSTS AND DISBURSEMENTS
 Statutory Costs, - - - - - \$ 10.00
 2 Affidavits, - - - - - \$.50
 Acknowledgments, - - - - - \$
 Sheriff's Fees, - - - - - \$
 Jury Fees, - - - - - \$ 3.00
 Clerk's Fees (to be taxed), - - - - - \$ 7.25

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	
Chas. Laasch	Chaska, Minn.	2	Mar. 10 & 12, 15	2	\$ 2.12
J.M. Aretz,	Chaska, Minn.	2	Mar. 10 & 12, 15	2	\$ 2.12
Dr. E.W. Alger	Mpls. "	1	" 12, '15	46	\$ 12.76
Jos. Schutrop	" "	3	" 10-11-12	46	\$ 5.76
Paul Wellins	Near Chaska	2	" 11-12	8	\$ 2.48
Wm. Schutrop	Chaska	3	" 10-11-12	2	\$ 3.12
Elizabeth Schutrop	"	3	" 10-11-12	2	\$ 3.12
Albert Meyer	"	1	" 10	2	\$ 1.12

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

Dated April 9th / 1915

Total Amount, \$ 265.47

Theodore F. Wendland
 Clerk

AFFIDAVIT OF DISBURSEMENTS

State of Minnesota, } ss.
 County of Hennepin } Theodore F. Wendland
 being duly sworn, says on oath, that he is one of the Attorneys 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

9th day of April 1915

Hennepin

My commission expires

Notary Public
 County, Minn.

June 6, 1915

Theodore F. Wendland

NOTICE OF TAXATION OF COSTS

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

Mrs. A. B. Holmberg Plaintiff

-V-S-

City of Chaska Defendant

Sir : Please Take Notice, That on the 17th day of April 1915
at 10 o'clock A.M., application will be made to O. L. Lundstrom Esq.,
Clerk of said Court, at his office in the City of Chaska Court House 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 April 9th, 1915

Yours respectfully,

Theodore B. Wendland

To W.C. Odell & W.F. Odell, Esqs.

Attorney for Plaintiff

Attorney for Defendant

STATE OF MINNESOTA

ss

COUNTY OF CARVER

Harold A. Welch being duly sworn says that

he served the within Notice of Taxation of Costs
on W. C. Odell, one of the attorneys for the Defendant
by handing to and leaving with him a true copy thereof on
the 10th. day of April 1915.

Harold A. Welch

Subscribed and sworn to before me this 10th. day of April 1915.

DISTRICT COURT
Eighth Judicial District
County of Carver

Mrs. A. B. Holmberg

-VS-

City of Chaska

Notice of Taxation of Costs and Bill of
Costs and Disbursements

Due service of the within bill of disburse-
ments and affidavits to same, and notice of
taxation thereof, by delivery of copy thereof,
is hereby admitted this day of

April 1915, at

Chaska, Minnesota

Attorney for

Filed this 10 day of Apr.
A. D. 1915

O. L. Lundstrom
Clerk

117-2500

E 201

STATE OF MINNESOTA

DISTRICT COURT

County of Carver

Eighth Judicial District

-----:-----

Mrs. A. B. Holmberg,

Plaintiff

vs.

City of Chaska

Defendant

-----:-----

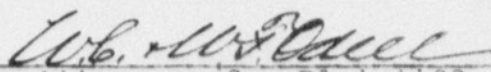
Comes now the defendant in the above entitled action and objects to the taxation and allowance of the following items of disbursements of plaintiff's proposed bill of costs and disbursements, viz:

1. To the allowance and taxation of \$12.76 as fees of the witness E. W. Alger, and to the taxation and allowance of any sum as fees of such witness in excess of the sum of \$3.76 on the following grounds, viz:

a. No facts are shown by the affidavit in support of such taxation justifying the allowance of any sum as fees of such witness in excess of such sum of \$3.76.

b. If it is sought to tax fees for said witness as an expert, then that no order allowing expert fees was made by the Court justifying such taxation.

2. To the allowance and taxation of the sum of \$3.00 or any other sum as a jury fee on the ground that no such disbursement was made by said plaintiff and that such fee was abolished by Chap. 217, Laws 1913.



Attorneys for Plaintiff
Chaska, Minn.

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,

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

upon

therein named, personally, by

leaving with said

with

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.

being first duly sworn upon oath deposes

in said County and State, on the

19, he served the within

the

at the house of the usual abode of said

a

State of Minnesota,

County of

Carver

District

Court.

Mrs. B. B. Holmberg
Plaintiff.

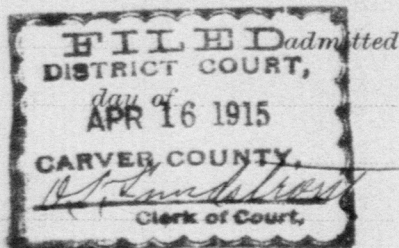
vs.

City of Chaska
Defendant.

Objections to Taxation
of certain items

Due and personal service of the within

this



Attorney for

W. F. ODELL,
Attorney for Chaska
Chaska, Minn.
Deft.

State of Minnesota, } ss.

COUNTY OF CARVER.

DISTRICT COURT.

Eighth Judicial District.

Mrs. A. B. Holmberg

vs.

Plaintiff.

JUDGMENT

City of Chaska

Defendant.

The above entitled cause came on duly for trial by the Court and a jury duly impaneled and sworn to try the issues between the parties thereto on the 10th day of March 1915 Theodore F. Wendland, Esq.,

appeared in behalf of the plaintiff, and

W. F. Odell Esq.

in behalf of the defendant. The said jury, having heard the evidence, the arguments of counsel, and the instructions of the Court, on the 12th day of March 1915, duly rendered their verdict in substance as follows: "We, the jury impaneled and sworn in the above entitled action, find for the plaintiff and assess her damages in the sum of \$220.00 Two Hundred and twenty and no/100 Dollars."

Now Therefore, Pursuant to said verdict and on motion of Theodore F. Wendland

attorney for said Plaintiff

IT IS ORDERED, ADJUDGED AND DETERMINED, That

the above named plaintiff have and recover from said Defendant City of Chaska the sum of Two Hundred Twenty one Dollars (\$221.00) with interest thereon from the 12th day of April, 1915, at 6% per annum together with her costs and Disbursements herein taxed and allowed at Forty Four and 47/100 Dollars (\$44.47), amounting in the aggregate to the sum and amount of Two Hundred Sixty five and 47/100 Dollars (\$265.47) and that she have execution therefore.

Witness the Hon. P.W. Morrison

Judge of said Court

and the seal thereof this 17th day of April 1915

O. L. Smith

Clerk.

DISTRICT COURT,
COUNTY OF CARVER.

Mrs A. B. Kolmberg

Plaintiff
AGAINST

City of Chaska

Defendant

JUDGMENT ROLL.

Filed *April 17th* 191*8*

O. S. Lindstrom
Clerk of the District Court.