



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

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3416
No. 204

DISTRICT COURT,

Carver County, Minnesota

Henry Koalke
Plaintiff

vs.

William Miller & Adam Hanson
Defendant

Benz. Dacke, N.E. Parker, P. S. Luther
Plaintiff's Attorney

H.C. & H.F. Idell
Defendant's Attorney

Date of Entry September 17 1914

Register of Actions, E Page 202

Term Tried Dismissed Oct 1914

Judgment for

Amount of Judgment, \$

Date of Judgment 191

Judgment Book Page

Default Judgment Book Page

Date of Docketing 191

State of Minnesota,

ss.

District Court

County of CARVER.

8th

Judicial District

Henry Koalke, Plaintiff,

-VS-

William Miller and Adam Homan,

Defendants.

Sir: You Will Please to Take Notice, That the issue of fact in the above entitled action will be brought on for hearing and 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 September 8th, 1914.

Yours respectfully,

Benjamin Drake, N. E. Pardee and P. L. Solether,

Attorneys for Plaintiff,

Minneapolis, Minnesota.

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

Attorneys for Defendants Miller,
Chaska, Minnesota

Original #201

DISTRICT COURT

8th Judicial District

County of CARVER.

HENRY KOALKE,

vs

WILLIAM MILLER AND ADAM

HOMAN.

Notice of Trial

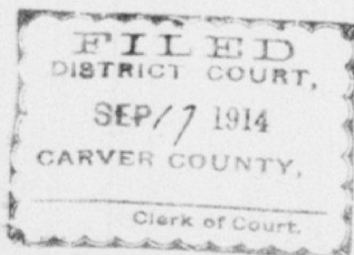
Due service of the within Notice is hereby
admitted this *12th* day of September,
1914, at Chaska, Minnesota,

W. H. Hulse

Attorney for Defendant.

Attorney for

1143000



E202

No. 201

DISTRICT
MUNICIPAL COURT,
~~CITY OF MINNEAPOLIS~~
3th Judicial District.

HENRY KOALKE,

AGAINST

WILLIAM MILLER AND ADAM HOMAN.

NOTE OF ISSUE

BENJAMIN DRAKE, N. E. PARDEE,
AND P. L. SOLETHER,

Attorney for Plaintiff,

W. C. & W. F. ODELL,

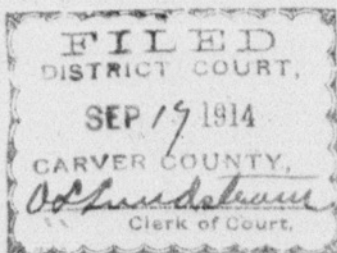
Attorney for Defendant.

Will the Clerk please file this Note of Issue
and enter the same on the General
Term Calendar of
said Court for the 12th day
of October, 1914.

Yours, etc.,

Drake, Pardee and Solether,
Attorney for Plaintiff.

818 Lumber Exchange
Minneapolis, Minn.



E202

Illegible
(Light Ink)

STATE OF MINNESOTA

DISTRICT COURT

County of Hennepin

Fourth Judicial District

-----:-----

Henry Koalke

Plaintiff

vs

William Miller and Adam Homan

Defendants

-----:-----

5087
1087
The defendants in the above entitled action having heretofore served on the attorneys for the plaintiff in the above entitled action their affidavit setting forth that at the time of the commencement of said action each of them was and now is a resident of the County of Carver in the Eighth Judicial District of said State, and said defendants having at the time of the service of said affidavit also served a demand that the place of trial of said action be changed from the County of Hennepin in the Fourth Judicial District to the said County of Carver.

Now, therefore, it is hereby stipulated by and between the parties to said action, by their respective attorneys, that the place of trial of said action be and the same hereby is changed to said County of Carver and that all future proceedings in said action be had and taken in said County of Carver.

Dated September 5, 1914.

Benj. Drake, A. E. Pardee and P. L. Solter
Attorneys for Plaintiff,

W. C. & W. H. Mace
Attorneys for Defendants

201

DISTRICT COURT

County of Hennepin

State of Minnesota

County of Hennepin

Plaintiff

Defendant

vs

Know all men by these presents

That

John Doe and Jane Doe, his wife, of the County of Hennepin, State of Minnesota, do hereby certify that

the within and foregoing is a true and correct copy of the original as the same appears from the records of the County of Hennepin, State of Minnesota.

Witness my hand and seal of office this 17th day of September, 1914.

John Doe, County Clerk.

My commission expires the 17th day of September, 1915.

Witness my hand and seal of office this 17th day of September, 1914.

John Doe, County Clerk.

My commission expires the 17th day of September, 1915.

Witness my hand and seal of office this 17th day of September, 1914.

John Doe, County Clerk.

My commission expires the 17th day of September, 1915.

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John Doe, County Clerk.

My commission expires the 17th day of September, 1915.

Witness my hand and seal of office this 17th day of September, 1914.

John Doe, County Clerk.

My commission expires the 17th day of September, 1915.

Witness my hand and seal of office this 17th day of September, 1914.

John Doe, County Clerk.

My commission expires the 17th day of September, 1915.

FILED
SEP 17 1914
CARVER COUNTY
O. J. Lundstram
Clerk of Court

F 201

Added to the record of the County of Hennepin, State of Minnesota, this 17th day of September, 1914.

John Doe, County Clerk.

STATE OF MINNESOTA. :
COUNTY OF HENNEPIN. :

DISTRICT COURT.
FOURTH JUDICIAL DISTRICT.

HENRY KOALKE,

Plaintiff,

-vs-

COMPLAINT.

WILLIAM MILLER and
ADAM HOMAN,

Defendants.

Plaintiff complains of defendants and alleges:

1. That plaintiff is the father of Louis Koalke.
2. That Louis Koalke is 13 years of age.
3. That on the 31st day of July, 1914, in the village of Watertown, Minnesota, defendants wilfully and maliciously assaulted and beat said Louis Koalke.
4. That said Louis Koalke was then suffering from neuralgia in his face, and forehead, and defendants struck said Louis several severe blows in the face, bruising him and rendering him lame and sore, and the neuralgia of said Louis was thereby greatly aggravated and said Louis has suffered great pain by reason of defendants, said unlawful acts; and defendants seized said Louis by the clothing and tore and destroyed his shirt and trousers; all to the damage of said Louis in the sum of \$300.00.

WHEREFORE Plaintiff demands judgment against defendants, and each of them for \$300.00, with costs and disbursements of this action.

Benj. Drake.
A. E. Pardee
P. L. Solether

Attorneys for Plaintiff

318 Lumber Exchange,

Minneapolis, Minnesota.

STATE OF MINNESOTA :
COUNTY OF HENNEPIN :

DISTRICT COURT.
FOURTH JUDICIAL DISTRICT.

HENRY KOALER,

Plaintiff,

-VS-

WILLIAM MILLER and
ADAM HOMAN,

Defendants.

- - - - -

The STATE OF MINNESOTA, To the above named Defendants :

You are hereby summoned and required to answer the complaint in the above entitled action, which complaint is hereto annexed and herewith served upon you, and to serve a copy of your answer thereto, on the subscribers, at the City of Minneapolis, Minnesota, within twenty (20) days after the service of this Summons upon you, exclusive of the day of service, and if you fail so to serve your answer, the Plaintiff will apply to the court for the relief demanded in said complaints, together with the costs and disbursements herein.

Benj. Drake
N. E. Burdell
P. L. Solather
Attorneys for Plaintiff,

318 Lumber Exchange,

Minneapolis, Minnesota.

Original

Watertown Maine

Aug 12 - 1914

This is to certify
that on August 12th 1914
I have issued to
William Mueller and
Robert H. Johnson each
a copy of the enclosed
successions

Respectfully

R. D. Linton

Village Constable

Original

201

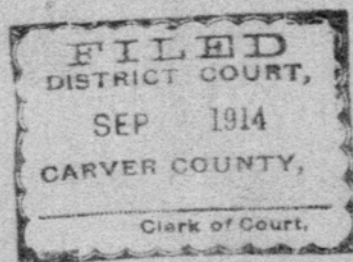
STATE OF MINNESOTA.
COUNTY OF HENNEPIN.
DISTRICT COURT.

HENRY KOALKE,

-vs-

WILLIAM MILLER and
ADAM HOMAN,

SUMMONS AND COMPLAINT.



• E 202

Return with proof of service.

STATE OF MINNESOTA :
COUNTY OF HENNEPIN :

DISTRICT COURT.
FOURTH JUDICIAL DISTRICT.

HENRY KOALKE, Plaintiff,

-vs-

William Miller and Adam Homan,
Defendants.

DISMISSAL.

It is hereby stipulated and agreed by and between
the parties to the above entitled action, that the same may
be and hereby is compromised, settled and dismissed without
costs to either party.

Sept 30, 1914

Henry Koalke
~~Attorneys for Plaintiff.~~

A. W. Mueller
~~Attorneys for Defendants.~~

Adam Hermann.

Benjamin Drake,
H. E. Pardee and P. L. Soletcher,
Attorneys for plaintiff.

201

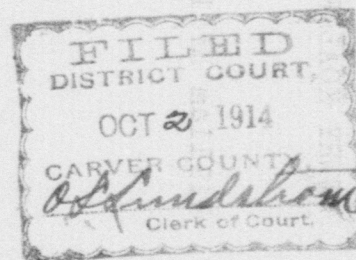
STATE OF MINNESOTA.
COUNTY OF HENNEPIN.
DISTRICT COURT.

HENRY KOALKE,

- 73 -

WILLIAM MILLER et al.

D I S M I S S A L .



E 202

3417
No. 202

DISTRICT COURT,
Carver County, Minnesota

William Marose
Plaintiff

vs.

Abby James, et al
Defendant

Francis Muekel
Plaintiff's Attorney

Defendant's Attorney

Date of Entry Sept. 23rd 1914

Register of Actions, E Page 202

Term Tried Dec. Special 1914

Judgment for Title

Amount of Judgment, \$

Date of Judgment Dec. 15th 1914

Judgment Book D Page 484-82

Default Judgment Book Page

Date of Docketing 191

State of Minnesota,

In District Court,

County of Carver,

Eighth Judicial District.

ss.

:-:

William Marose, Plaintiff,

vs.

Abby S. James, Freeman James her husband.
Catharine Warner, Willie Warner, Lucien
Warner, John Barbarich, Carl Protowski and
all the unknow heirs of all of said parties,
also all persons unknown, claiming any right,
title, estate or interest in or to, or any
lien or incumbrance on the real estate des-
cribed in the Complaint in the above entitled
action. Defendants.

A F F I D A V I T .

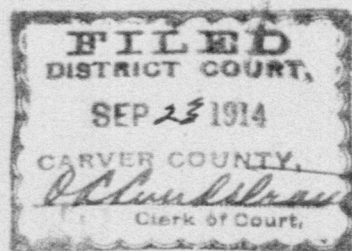
I, Francis Muekel, on oath, depose and say that I am the legal representa-
tive of the above named plaintiff. that for the purpose of serving the Sum-
mons in the above entitled action on the defendants, I sought to ascertain
their whereabouts, that I inquired of F. E. DuToit, Sr. George DuToit and
several other pioneers of Carver County, Minn, as to the addresses or
the whereabouts of the above named defendants and am advised that Abby S. James
and Freeman James, Catharine Warner and Lucien Warner are dead and the
residence or whereabouts of John Barbarich, Carl Protowski and Willie Warner
are unknown and that they do not live in the State of Minnesota. That the
residence or whereabouts of all of the above named defendants and their
unknown heirs and all other persons unknown claiming an interest in or
against said real estate is unknown to me, that I believe that the defendants
are non-residents of Minnesota and that they cannot be found in the State
of Minnesota and their residence is to me unknown. That the above entitled
action is to determine the claims and rights of the parties to said action
in and to Lot Three of Block Fifty-four in the City of Chaska, Carver Co. Minn.
and to exclude the defendants in their claims in, to or against said lot
real estate and to have plaintiff declared the fee-simple owner of said
real estate free from all claims of the defendants.

Francis Muekel

Sworn to before me this 23 of September 1914.

Albert Meyer
Register of Deeds,
Carver County, Minn.

202



E 203

State of Minnesota,

In District Court,

ss.

County of Carver,

Eighth Judicial District.

-0-

William Marose, Plaintiff,

vs.

Abby S. James and Freeman James, her husband. Catharine Warner, Willie Warner, Lucien Warner, John Barbarich, Carl Protowski; and all the unknown heirs of all the said parties, also all persons unknown claiming any right, title, estate or interest in, or lien or incumbrance on the real estate described in the Complaint therein.

DEFENDANTS.

C O M P L A I N T .

The plaintiff, William Marose, for his cause of action against the above named defendants, alleges and avers:

Par. 1.,

That the plaintiff is now and has been for more than fifteen years, continuously, next prior date hereof, in actual possession of the following described premises, to wit: Lot Three (3) of Block Fifty-four (54) of the Townsite (now City) of Chaska, Carver County, Minn., according to the recorded plat thereof, on file and recorded in the Office of the Register of Deeds in and for Carver County, Minn.,

Par. 2,

That the plaintiff is the owner in fee-simple of the premises described in paragraph One (1) hereof.

Par. 111,

That the plaintiff has and has had ~~open~~ actual, open, visible and notorious possession of said premises described in paragraph One (1) hereof, hostile and adverse to all of the above named defendants, for more than Fifteen Years, continuously immediately next prior date hereof.

Par. 1V.

That the defendants claim interests or estates ~~and~~ ~~in~~ ~~the~~ ~~premises~~

in said premises and liens or incumbrances on said premises described in paragraph One (1) hereof, adverse to plaintiff herein.

Par. V.

The plaintiff claims and contends that he is the absolute and undonditional fee simple owner of said described premises, free from any and all claims of the defendant, individually and collectively.

WHEREFORE, the plaintiff demands that the interests of the plaintiff and the defendants be determined;; that the plaintiff be decreed the absolute and unconditional fee-simple owner of said ^{Lot} ~~One~~ (3) of Block Fifty-four (54) of the Townsite (now City) of Chaska, Carver County, Minn., according to the plat thereof, duly filed and recorded in the Office of the Register of Deeds, in and for Carver County, Minn., free from any and all claims and liens of the defendants, individually and collectively ., and for such other and further relief as the premises, in the wisdom and discretion of the Court, justify and is consistent with Equity.

Dated this 23 day of Sept. 1914.

Francis Muekel
Attorney for Plaintiff.

State of Minnesota,
ss.
County of Carver,

William Marose, being first duly sworn oath, deposes and says that he is the plaintiff in the above entitled action, that he has read the foregoing Complaint and that the statments and allegations therein contained are true of his own knowledge, except as to matters stated on information and belief; and as to those matters, he believes them to be true.

William Marose

Sworn to before me this 23^d day of September, 1914.

Albert Meyer
Notary Public in and for
Register of Deeds Carver Co., Minn.,

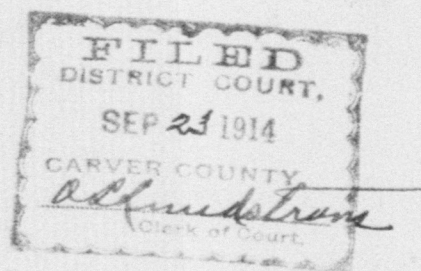
202
State of Minnesota
Court of Comm

District Court
for judicial dist

William Moore

vs
Alby S. Jones et al
defendants.

Complaint



Francis Muzikel
Atty for Plaintiff
E203

State of Minnesota,

County of

Carr

} ss.

I hereby certify and return, that after due and diligent search, I have been unable to find the within defendants or either of them within my said County and the defendants aforesaid cannot be found within said County.

Dated this

23rd

day of

Sept.

1914

Sheriff's fees, return, \$

1.00

Mileage \$

\$

Sheriff of

G. A. Gatz
Carr

County, Minn.

By

Deputy.

Illegible
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State of Minnesota,

In District Court,

County of Carver,

ss.
Eighth Judicial District.

-0-

William Marose, Plaintiff,

vs.

Summons.

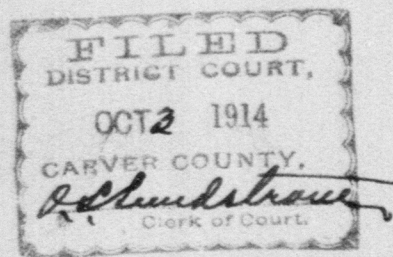
Abby S. James and Freeman James, her husband, Catharine Warner, Willie Warner, Lucien Warner, John Barbarich, Carl Protowski; and all the unknown heirs of all the said parties, also all persons unknown, claiming any right, title, estate or interest in, or lien or incumbrance on the real estate described in the Complaint, etc.,
Defendants.

THE STATE OF MINNESOTA; TO THE ABOVE NAMED DEFENDANTS:

You are hereby summoned and required to answer the Complaint of the Plaintiff which Complaint is on file in the office of the Clerk of the District Court above named, at Chaska, Minn., and to serve a copy of your answer on the Subscriber hereto, in his office in the "Old Post Office Building" in Chaska Carver County, Minn., within Twenty days after service of this summons on you, exclusive of the day of service, and if you fail to answer said Complaint at the time and in the manner aforesaid, the plaintiff will apply to the Court for the relief demanded in the said Complaint; and you are hereby further notified, that this action is brought to quiet title to real estate hereinafter described and to establish the plaintiff's fee-simple title therein, superior and paramount to any claim of any kind; of the defendants and to forever bar the defendants and each of them from any right, title, estate, interest or lien or incumbrance in said premises or against said premises adverse to the plaintiff, said real estate being situate in Carver County Minn., and being described as follows: Lot Three (3) Block Fifty-four (54) of the Townsite (Now City) of Chaska, Carver County, Minn., according to the plat thereof, which plat is duly filed and recorded in the Office of the Register of Deeds, of Carver County, Minn., at Chaska, Minn.,

Francis Mueckel,
Atty. for Plaintiff,
Old Post-Office Building.
Chaska, Minn.,

202



E 203

State of Minnesota,
County of Carver,

In District Court,
Eighth Judicial District.

-0-

William Marose, Plaintiff,

vs.

Abby S. James, and Freeman
James, her husband. Cathar-
ine Warner, Willie Warner,
Lucien Warner, John Barbar-
ich, Carl Protowski, and all
the unknown heirs of said parties
also all persons unknown, claiming
any right, title, interest or
estate in or lien or incumbrance
on the real estate described
in the Complaint etc.,
Defendants.

NOTICE OF LIS PENDENS.

Notice is hereby given:

That the above entitled action is now pending in the District
Court of Minnesota, in the Eighth Judicial District thereof, in and for the
County of Carver, Minn., holden at Chaska, Minn.,

That said action involves the title of Lot Three (3) of Block
Fifty-four (54) of the Townsite (now City) of Chaska, Minn., according to
the plat thereof, filed and recorded in the Office of the Register of Deeds
in and for the County of Carver, State of Minnesota.

That the object of said action, on the part of the plaintiff,
is to have the interests of the parties, respectively, in and to said
premises, determined.

That the plaintiff William Marose, claims to be the abso-
lute and unconditional fee-simple owner of the said premises in question,
free from any and all the claims of the defendants, individually and col-
lectively,

*Filed this 23rd
of September 1914*

Francis Muekel.
Attorney for the Plaintiff.

#202

29362

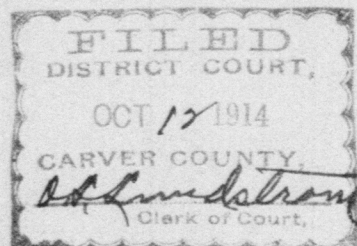
OFFICE OF REGISTER OF DEEDS,
STATE OF MINNESOTA
COUNTY OF CARVER

I hereby certify that the within instrument
was filed for record in this office on the
23 day of Sept. A. D. 1914 at 9³⁰ o'clock
A. M., and was duly recorded in Book
A of Lis Pend Pages 191-192

Albert Meyer

REGISTER OF DEEDS

DEPUTY REGISTER OF DEEDS



E203

State of Minnesota, County of Carver,

ss.
In District Court, Eighth Judicial Dis-

trict.
William Marose, Plaintiff,

vs.

Abby S. James and Freeman James, her husband, Catharine Warner, Willie Warner, Lucien Warner, John Barbarich, Carl Protowski; and all the unknown heirs of all the said parties, also all persons SUMMONS. unknown, claiming any right title, estate or interest in, or lien or incumbrance on the real estate described in the Complaint, etc.,

Defendants.

THE STATE OF MINNESOTA; TO THE ABOVE NAMED DEFENDANTS:

You are hereby summoned and required to answer the Complaint of the Plaintiff which Complaint is on file in the office of the Clerk of the District Court above named, at Chaska, Minn., and to serve a copy of your answer on the Subscribed hereto, in his office in the "Old Post Office Building" in Chaska, Carver County, Minn., within Twenty Days after service of this summons on you, exclusive of the day of service, and if you fail to answer said Complaint at the time and in the manner aforesaid, the plaintiff will apply to the Court for the relief demanded in the said Complaint; and you are hereby further notified, that this action is brought to quiet title to real estate hereinafter described and to establish the plaintiff's fee-simple title therein, superior and paramount to any claim of any kind: of the defendants and to forever bar the defendant and each of them from any right, title, estate, interest or lien or incumbrance in said premises or against said premises adverse to the plaintiff, said real estate being situate in Carver County Minn., and being described as follows: Lot (3) Block Fifty-four (54) of the Townsite (Now City) of Chaska, Carver County, Minn., according to the plat thereof, which plat is duly filed and recorded in the Office of the Register of Deeds, of Carver County, Minn., at Chaska, Minn.

FRANCIS MUEKEL,

Atty. for Plaintiff.

Old Post-Office Building, Chaska, Minn.

State of Minnesota, County of Carver,

ss.

In District Court, Eighth Judicial Dis-

trict.
William Marose, Plaintiff,

vs.

Abby S. James, and Freeman James, her husband, Catharine Warner, Willie Warner, Lucien Warner, John Barbarich, Carl Protowski, and all unknown heirs of said parties also all persons unknown PENDENS claiming any right, title, interest or estate in or lien or incumbrance on the real estate described in the Complaint, etc.,

Defendants.

NOTICE IS HEREBY GIVEN:

That the above entitled action is now pending in the District Court of Minnesota, in the Eighth Judicial District thereof, in and for the County of Carver, Minn., holden at Chaska, Minn.

That said action involves the title of Lot Three (3) of Block Fifty-four (54) of the Townsite (now City) of Chaska, Minn., according to the plat thereof, filed and recorded in the Office of the Register of Deeds in and for the County of Carver, State of Minnesota.

That the object of said action, on the part of the plaintiff, is to have the interests of the parties, respectively, in and to said premises, determined.

That the plaintiff William Marose, claims to be the absolute and unconditional fee-simple owner of said premises in question, free from any and all the claims of the defendants, individually and collectively.

Dated this 23rd day of September, 1914.

FRANCIS MUEKEL,

Attorney for the Plaintiff.

(First pub. Oct. 8, 1914.)

STATE OF MINNESOTA,
COUNTY OF CARVER

ss.

Came personally before me, *J. D. Meyer* and being duly sworn, deposes and says that he now is and during all the time hereinafter mentioned has been manager and printer of the CARVER JOURNAL-REVIEW, a weekly newspaper printed and published at Carver in said Carver county on Thursday of each week.

That he knows of his own knowledge that the printed notice of *Summons and Notice*

of Lis Pendens

hereunto attached, cut from the columns of said newspaper, was inserted, printed and published in said news-

paper once in each week for *four* successive weeks, and that all of said publications were made in the English language; that said notice was first inserted, printed and published in said newspaper

on Thursday, the *24* day of *October*, 191*4*, and printed and published

therein on each and every Thursday thereafter until and including Thursday, the *5* day of

November, 191*4*; and that during all the time aforesaid said newspaper was a col-

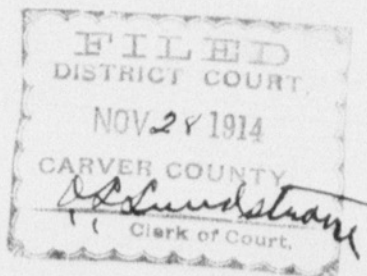
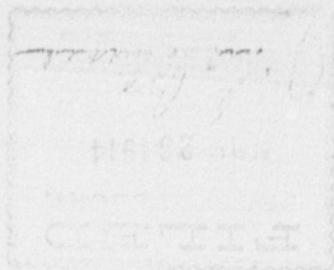
lection of general and local news, comments and miscellaneous literary items, and regularly issued and published on Thursday of each week from a known office of publication, said office being equipped with the necessary material, presses, etc., and skilled workmen for producing the same, and has consisted of not less than seventeen and three-fourths inches in length, and never made up wholly of patents, plates, and advertisements, or either or any of them, and has not been substantially a duplicate of any other newspaper, and has been regularly delivered each week to more than two hundred and forty paid subscribers, and that said newspaper, composed and consisting as above set forth, was printed and published in the English language weekly and generally circulated in Carver county for more than one year next preceding the date of the first publication of said notice. That the publisher of said newspaper has filed with the county auditor of said Carver county an affidavit setting forth the facts required in Section 2, Chapter 33, of the laws of the State of Minnesota for the year 1893 and amendments thereto.

Subscribed and sworn to before me this *6* day of *November*, 191*4*

Clarence E. Jund

Carver County, Minn.

202



F 203

State of Minnesota,
County of Carver , ss.

In District Court,
Eighth Judicial District.

William Marose, Plaintiff,

vs.

Abby S. James & Freeman James
her husband, Catharine Warner,
Willie Warner, Lucien Warner,
John Barbarich, Carl Protowski,
and all the unknown heirs of all
the said parties, also all persons
unknown, claiming any right, title
estate or interest, in, or lien or
incumbrance on the real estate described
in the Complaint, etc., Defendants.

AFFIDAVIT OF NO ANSWER.

I, Francis Muekel on oath being first duly sworn, depose
and say that I am the attorney for the plaintiff in the above
entitled action, That the Summons and Complaint was delivered
to the Sheriff of Carver County for service and was duly returned
by him, indorsed thereon "that the defendants could not be found
in Carver County, Minn.;" That the plaintiff made a sufficient
affidavit which was duly filed in the above entitled cause, en-
titled the plaintiff to obtain service of said Summons by pub-
lication. That due, legal and timely service of the Summons
in said cause was had on all the defendants above named, that
more than twenty days have elapsed since such service was so ob-
tained on defendants and that the defendants and each of them have
failed to serve on me or deliver to me an answer, demurrer or
other pleading and that the defendants and each of them have
failed to appear and defend against said complaint in any man-
ner, whatsoever.

Francis Muekel

Sworn to before me this 27th day of November, 1914.

John Klauer.

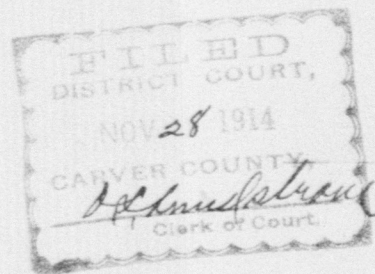
Judge of Probate, Carver County,
Minnesota.

William Monroe

or

Abby S. Jones.

Affidavit of the
Answer



Francis Muecke Jr.
Atty for Plaintiff
E-403

Illegible
(Light Ink)

State of Minnesota,
County of Carver,

In District Court,
Eighth Judicial District.

William Marose, Plaintiff,

Vs.

Abby S. James and Freeman James,
her husband, Catherine Warner,
Willie Warner, Lucien Warner,
John Barcarich, Carl Protowski,
and all the unknown heirs of all
the said parties, also all persons
unknown, claiming any right, title
estate, or interest in, or lien or
incumbrance on the real estate des-
cribed in the Complaint etc.,

FINDINGS OF FACT AND CONCLUSIONS OF LAW.

This cause coming for hearing before the
above named Court at a Special Term thereof, on Dec. 1st, 1914,
and due proof ~~of~~ having been presented to the Court of the fil-
ing with the Clerk of said Court, proof of the due service of
the Summons herein on all of said defendants and that no answer
or Demurrer has been received from them or any of them within the
time allowed by law, and more than twenty days having elapsed since
such service on all the defendants, the Court upon the evidence
and the pleadings, finds.

As Facts.

I,

That all the material allegations contained in the plaintiff's
Complaint are true.

II,

That the plaintiff has had ^{adverse to all the defendants} actual open, visible and notorious
possession of the real estate described in said Complaint, to-wit:

Lot Three (3) of Block Fifty-Four (54) of the Townsite (now City)
of Chaska, Carver County, Minn., according to the recorded plat
thereof recording in the Office of the Register of Deeds of said County.,
for more than Fifteen years, continuously immediately next prior
the date of said Complaint, to-wit: September 23rd, A. D. 1914.

AS CONCLUSIONS OF LAW.

That the plaintiff, William Marose, is entitled to judgment

against all the defendants, and the judgment of the Court is that the plaintiff is the absolute and unconditional fee-simple owner of Lot Three, (3) of Block Fifty-four (54) of the Townsite, (now City) of Chaska, Carver County, Minn., according to the recorded plat thereof recorded in the office of the Register of Deeds of Carver County, Minn., free from any and all claims of the defendants individually and collectively.

Let Judgment be entered accordingly.

W. M. Morrison
Judge Eighth Judicial District.

Dated this 1st. day of December, 1914.

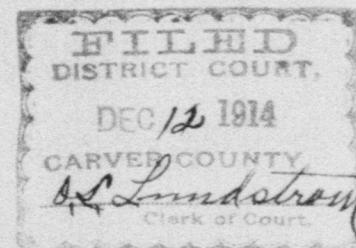
202

Wm Monroe

vs.

Abby S. James
et al

Hudings Fock
and Conclusions
of Law.



E203

Francis Muecke
Att for Plaintiff

Illegible
(Light Ink)

State of Minnesota, }

DISTRICT COURT.

County of Carver

Eighth Judicial District.

William Marose, Plaintiff

vs.

John S. Jones, and Freeman Jones, her husband, Catherine Warner, Willie Warner, Lucien Warner, John Barbarich, Carl Protowski, and all the unknown heirs of all the said parties, also all persons unknown, claiming any right, title, estate, or interest, in, or lien or incumbrance on the real estate described in the Complaint therein.

Defendants.

JUDGMENT.

& Decree.

The above entitled cause came on for hearing before the above named Court at a Special Term thereof, on the 1st day of December, A.D. 1914, in Chambers at Norwood, Minn., and it appearing to the satisfaction of the Court that the summons in said action was duly served upon each and all of the defendants therein named and on all persons or parties unknown claiming any right, title, estate, lien or interest in and to the premises therein described by publication of said summons and more than twenty days having elapsed since the service of said summons and no appearance or answer having been filed in said cause by said defendants, and they being wholly in default in said matter the Court duly made and filed its Findings of Fact and Conclusions of Law, and Order for Judgment therein.

Now, therefore, on Motion of Francis Muehl, Attorney for said Plaintiff, it is hereby Ordered, Adjudged, and Decreed, that the plaintiff William Marose is the absolute and unconditional fee-simple owner of the property described in the Complaint to-wit: Lot Three (3) of Block Fifty-four (54) of the Townsite, (new city), of Chaska, Carver County, Minn., according to the recorded plat thereof recorded in the office of the Register of Deeds of Carver County, Minn., free from any and all claims of the defendants individually and collectively.

And it is further Ordered, Adjudged and Decreed That the defendants and each of them and all persons or parties unknown, have right, title, estate, lien or interest in the real estate hereinbefore described adverse to this plaintiff, and the defendants and each of them and all other persons or parties unknown be forever barred from asserting any right, title, estate, lien or interest in the said real estate or any part thereof.

Dated at Chaska, Minn., December 15th, 1914.

By the Court,

O. L. Lundstrom
Clerk of said Court

DISTRICT COURT,

County of *Carver*

William Marose
Plaintiff

AGAINST

Abby S. James et al
Defendants

JUDGMENT ROLL.

Filed *December 5th* A. D. 190*8*

A. J. Armstrong
Clerk of the District Court.

3418
No. 203

DISTRICT COURT,
CARVER COUNTY, MINN.

In the Matter of the Petition
for Liquidation of a Distinct
Personality Plaintiff
vs.

Defendant

Francis Muehl
Plaintiff's Attorney

Defendant's Attorney

Date of Entry *October 2nd* 191*4*

Register of Actions *E* Page *204*

Term Tried *October* 191*4*

Dismissed by Court
Judgment for

Amount of Judgment, \$

Date of Judgment 191

Judgment Book Page

Default Judgment Book Page

Date of Docketing 191

NOTICE OF THE PRESENTATION OF A PETITION TO LAY OUT AND
ESTABLISH A JUDICIAL ROAD.

Notice is hereby given that a Petition for the laying out and establishing a Judicial Road, running into and through the Counties of Wright and Carver, in the State of Minnesota, said proposed road to be less than six miles in length, a true copy of which Petition is hereto attached, will be presented to the Honorable P. W. Morrison, Judge of the District Court of Minnesota, in and for the Eighth Judicial District thereof; at the General October Term A. D. 1914, thereof, appointed and ordered to be held in the Court-house in the City of Chaska, Carver county, Minn., on the 12th day of October, A. D. 1914. Said petition will be presented to the Court or Judge thereof in the manner and place aforesaid at Two o'clock in the afternoon of the Twelfth day of October, A. D. 1914, or as soon thereafter as Counsel can be heard in the discretion of the Court; for the appointment of Commissioners thereunder, and for such other purposes relative to laying out and establishing said proposed Judicial Road as is in such case made and provided by Statute.

Dated at Chaska, Minn., this 4th of August, 1914.

FRANCIS MUEKEL,
Atty. for the Petitioners,
Old Post-office Bldg.,
Chaska, Minn.

State of Minnesota, County of Carver.
—ss. In District Court, 8th Judicial District.

PETITION.

In the Matter of a Petition for laying out of a Judicial Highway.
To the Honorable P. W. Morrison, Judge of the District Court of the 8th Judicial District, County of Carver, State of Minnesota.
The petition of the undersigned, legal voters and taxpayers resident in the counties of Carver and Wright in the State of Minnesota respectfully shows:

That your petitioners are legal vot-

ers and taxpayers resident in the counties of Carver and Wright in the State of Minnesota; that the said county of Carver is located in and constitutes a part of the 8th Judicial District in said state and the said county of Wright is located in and constitutes a part of the 18th Judicial District in and for the said state of Minnesota.

That each of your petitioners own real estate in the county in which he resides. That the highway which your petitioners desire to have laid out and located is to be a new road four rods in width and is described as follows:

So the center line of said proposed judicial road runs as follows: Beginning at the corner of sections 13, 14, 23 and 24 in township No. 117, Range 26 in said county of Carver, thence running north in said Carver County along the section line separating said sections 13 and 14 and sections 11 and 12 and sections 2 and 1 in said township No. 117, and crossing the county line dividing said counties of Carver and Wright and running and continuing along said section line into the said county of Wright to a point or place in said section line where it intersects with the public road or highway known as the Watertown and Whipple road in said Wright county, its termination, it being the intention of your petitioners to extend what is known as the Mayer and Hollywood road northerly along said section line until it intersects and connects with the said Watertown and Whipple road at said point in said Wright county.

That the said Mayer and Hollywood road in Carver County and the said Watertown and Whipple road in Wright County, Minnesota are both public roads, and the distance which the said proposed new road is to extend into the said Wright County, 18th Judicial District, State of Minnesota, is less than six miles, being approximately 80 rods.

The names of the owners of the lands, as far as known, through which the said road may pass, are:

Owners and Description of Lands.	Sec.	Town	Range
Mary Jane Drew, SE $\frac{1}{4}$ of SE $\frac{1}{4}$	14	117	26
Michael Drew, Jr., SW $\frac{1}{4}$ of SW $\frac{1}{4}$	13	117	26
William Drew, NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 13 & NE of SE $\frac{1}{4}$	14	117	26
P. P. Burns, NE $\frac{1}{4}$ of	14	117	26
J. F. Kelly, NW $\frac{1}{4}$ of	13	117	26
M. F. & P. P. Burns, E $\frac{1}{2}$ of SE $\frac{1}{4}$ of	11	117	26
Mrs. Chas. Tunberg, W $\frac{1}{2}$ of SW $\frac{1}{4}$ of	12	117	26
John Pyseck, W $\frac{1}{2}$ of NW $\frac{1}{4}$ of	12	117	26
Nellie, Elizabeth & Bridget Herron, E $\frac{1}{2}$ of E $\frac{1}{2}$ of NE $\frac{1}{4}$...	11	117	26
Martin Neaton, E $\frac{1}{2}$ of SE $\frac{1}{4}$ & E $\frac{1}{2}$ of NE $\frac{1}{4}$ except 10 acres in NE corner of	2	117	26
Mrs. Pyseck, 10 acres in NE corner of NE $\frac{1}{4}$ of	2	117	26
Emil Johnson, N $\frac{1}{2}$ of SW $\frac{1}{4}$	1	117	26
Emil Carlson, SW $\frac{1}{4}$ of SW $\frac{1}{4}$	1	117	26
Joe Pyseck, NW $\frac{1}{4}$ of	1	117	26
F. Westerman, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of	35	117	26
John Pilgram, S $\frac{1}{2}$ of SW $\frac{1}{4}$	36	117	26
And School District No. 48.			

WHEREFORE, your petitioners pray that your honor appoint commissioners from the said counties of Carver and Wright, which are the counties affected by said road, not exceeding five in number, and that you order and direct them to lay out the new road which is described in the body of this

petition, according and pursuant to Chapter 245 of the General Laws of the State of Minnesota for the year 1905, and your petitioners will ever pray.

Dated at Norwood this 3rd day of Aug., 1914.

Carver County.

Names and descriptions of Lands.	Section	Names and Descriptions of Lands.	Section
P. P. Burns, NE $\frac{1}{4}$ of	14	H. Milschewsky, W $\frac{1}{2}$ of SW $\frac{1}{4}$...	25
Mrs. C. Thunberg, W $\frac{1}{2}$ of SW $\frac{1}{4}$...	12	H. Gloege, W $\frac{1}{2}$ of NW $\frac{1}{4}$	25
Dan Herron & Sisters, NE $\frac{1}{4}$	11	Sam Nelson, N $\frac{1}{2}$ of NE $\frac{1}{4}$	23
M. F. Neaton, E $\frac{1}{2}$ of SE $\frac{1}{4}$ & E $\frac{1}{2}$ of NE $\frac{1}{4}$	2	Edd. Campbell, S $\frac{1}{2}$ of SE $\frac{1}{4}$	10
Emil Johnson, N $\frac{1}{2}$ of SW $\frac{1}{4}$	1	Thomas Saxton, SW $\frac{1}{4}$	2
Emil Carlson, SW $\frac{1}{4}$ of SW $\frac{1}{4}$	1	P. P. & M. F. Burns, E $\frac{1}{2}$ of SE $\frac{1}{4}$..	11
Chas. Blacketter, S $\frac{1}{2}$ of SE $\frac{1}{4}$..	1	J. A. Burns, N $\frac{1}{2}$ of SW $\frac{1}{4}$	11
J. F. Kelly, NW $\frac{1}{4}$	13	J. F. Campbell, SE $\frac{1}{4}$ of SE $\frac{1}{4}$	36
T. R. Sandquist, W $\frac{1}{2}$ of SE $\frac{1}{4}$	2	Chas. McGinnis, S $\frac{1}{2}$ of NW $\frac{1}{4}$	22
A. P. Nelson, W $\frac{1}{2}$ of W $\frac{1}{2}$ of NE $\frac{1}{4}$..	11	George Campbell, N $\frac{1}{2}$ of SE $\frac{1}{4}$..	10
		Thos. C. Burns, NW $\frac{1}{4}$ of NE $\frac{1}{4}$	14

Wright County.

Joe F. Rogers, W $\frac{1}{2}$ of SE $\frac{1}{4}$	35	P. J. Neaton, N $\frac{1}{2}$ of SE $\frac{1}{4}$	36
E. D. O'Brien, NW $\frac{1}{4}$ of NE $\frac{1}{4}$	26	John H. Pilgram, S $\frac{1}{2}$ of SW $\frac{1}{4}$...	36
J. P. Rogers, NW $\frac{1}{2}$ of NW $\frac{1}{4}$	36	R. Kirchenwitz, E $\frac{1}{2}$ of SE $\frac{1}{4}$ of ..	35

PRINTER'S AFFIDAVIT.

State of Minnesota } ss
COUNTY OF CARVER

C. C. Teas being duly sworn, says that he

is, and during all the time herein mentioned, has been the printer and publisher of a weekly newspaper known as the CARVER COUNTY NEWS; that said paper is a collection of reading matter in columns and sheet form, consisting of general and local news, comments and literary items; that during all the time for six years last past newspaper has been and is now published in the English language, in Carver County, Minnesota, at an established office therein, equipped with the necessary material and skilled workmen for printing the same, and that said newspaper has been during all of said time and now is printed in part in an office in said County, where the same is dated; that said newspaper during all of said time has had and now has a general circulation throughout the said Carver County, and during all of said time has consisted, and now consists of not less than four pages of six columns to each page, each column not less than seventeen and three-quarters inches long; that during all of said time there has been and now is published and delivered weekly at each regular issue more than 250 complete copies of said paper to paying subscribers; that said paper is not substantially a duplicate of any other publication and is not made up wholly of patents and plates and advertisements; that the publisher of said paper did file with the County Auditor of said county, on the 22nd day of April, 1893, the affidavit required by Sec. 2 of Chap. 33, of the General Laws of 1893, of the State of Minnesota. That the annexed printed

notice of the Pres. J. A. Pet. & signed by C. C. Teas hereto attached and made a part hereof, was cut from the columns of said newspaper and was published in said newspaper for 4... successive weeks, once in each week; that said notice was first published in said newspaper on Thursday, the 13... day of August... A. D. 1914 and was thereafter published in said newspaper on each and every Thursday until and including Thursday the 3... day of Sept... A. D. 1914. (4... insertions) and that during all of said period said newspaper was published on Thursday of each week.

C. C. Teas, Pub.
Subscribed and sworn to before me this 8... day of September... A. D. 1914.
Chas. A. Nelson
Notary Public, Carver County, Minn.

203

JEWELL
H.C.

LARS

f collar comfort.
our favorite style
tie-tying trouble.

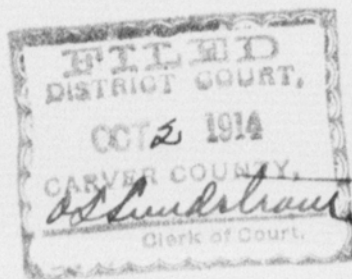


ur tie slide. They
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TEM.

atertown



204

Mayer Auto Garage

IS THE ONLY RIGHT PLACE to have your auto troubles repaired. Our prices cannot be lower in this line and the work is of the best.

IS THE ONLY RIGHT PLACE to get all your automobile supplies. We handle a complete line of high grade supplies at the lowest prices.

IS THE ONLY RIGHT PLACE to buy that automobile and be assured of a square deal. We sell all the popular makes.

Our Prices are Reasonable

Our Work Is Guaranteed

We also repair all gasoline and steam engines.

Aaron Pretzel, Prop.

Mayer, Minnesota.

NT

**Keeping Our Promises
Old Price of \$495 Reduced**

NOTICE OF THE PRESENTATION OF A PETITION TO LAY OUT AND ESTABLISH A JUDICIAL ROAD.

Notice is hereby given that a Petition for the laying out and establishing a Judicial Road, running into and through the Counties of Wright and Carver, in the State of Minnesota, said proposed road to be less than six miles in length, a true copy of which Petition is hereto attached, will be presented to the Honorable P. W. Morrison, Judge of the District Court of Minnesota, in and for the Eighth Judicial District thereof; at the General October Term A. D. 1914, thereof, appointed and ordered to be held in the Court-house in the City of Chaska, Carver county, Minn., on the 12th day of October, A. D. 1914. Said petition will be presented to the Court or Judge thereof in the manner and place aforesaid at Two o'clock in the afternoon of the Twelfth day of October, A. D. 1914, or as soon thereafter as Counsel can be heard in the discretion of the Court; for the appointment of Commissioners thereunder, and for such other purposes relative to laying out and establishing said proposed Judicial Road as is in such case made and provided by Statute.

Dated at Chaska, Minn., this 4th of August, 1914.

FRANCIS MUEKEL,

Atty. for the Petitioners,
Old Post-office Bldg.,
Chaska, Minn.

State of Minnesota, County of Carver.
—ss. In District Court, 8th Judicial District.

PETITION.

In the Matter of a Petition for laying out of a Judicial Highway.

To the Honorable P. W. Morrison, Judge of the District Court of the 8th Judicial District, County of Carver, State of Minnesota.

The petition of the undersigned, legal voters and taxpayers resident in the counties of Carver and Wright in the State of Minnesota respectfully shows:

That your petitioners are legal vot-

ers and taxpayers resident in the counties of Carver and Wright in the State of Minnesota; that the said county of Carver is located in and constitutes a part of the 8th Judicial District in said state and the said county of Wright is located in and constitutes a part of the 18th Judicial District in and for the said state of Minnesota.

That each of your petitioners own real estate in the county in which he resides. That the highway which your petitioners desire to have laid out and located is to be a new road four rods in width and is described as follows:

So the center line of said proposed Judicial road runs as follows: Beginning at the corner of sections 13, 14, 23 and 24 in township No. 117, Range 26 in said county of Carver, thence running north in said Carver County along the section line separating said sections 13 and 14 and sections 11 and 12 and sections 2 and 1 in said township No. 117, and crossing the county line dividing said counties of Carver and Wright and running and continuing along said section line into the said county of Wright to a point or place in said section line where it intersects with the public road or highway known as the Watertown and Whipple road in said Wright county, its termination, it being the intention of your petitioners to extend what is known as the Mayer and Hollywood road northerly along said section line until it intersects and connects with the said Watertown and Whipple road at said point in said Wright county.

That the said Mayer and Hollywood road in Carver County and the said Watertown and Whipple road in Wright County, Minnesota are both public roads, and the distance which the said proposed new road is to extend into the said Wright County, 18th Judicial District, State of Minnesota, is less than six miles, being approximately 80 rods.

The names of the owners of the lands, as far as known, through which the said road may pass, are:

Owners and Description of Lands.	Sec.	Town	Range
Mary Jane Drew, $3\frac{1}{4}$ of $SE\frac{1}{4}$	14	117	26
Michael Drew, Jr., $SW\frac{1}{4}$ of $SW\frac{1}{4}$	13	117	26
William Drew, $NW\frac{1}{4}$ of $SW\frac{1}{4}$ Sec. 13 & $NE\frac{1}{4}$ of $SE\frac{1}{4}$	14	117	26
P. P. Burns, $NE\frac{1}{4}$ of	14	117	26
J. F. Kelly, $NW\frac{1}{4}$ of	13	117	26
M. F. & P. P. Burns, $E\frac{1}{2}$ of $SE\frac{1}{4}$ of	11	117	26
Mrs. Chas. Tunberg, $W\frac{1}{2}$ of $SW\frac{1}{4}$ of	12	117	26
John Pyseck, $W\frac{1}{2}$ of $NW\frac{1}{4}$ of	12	117	26
Nellie, Elizabeth & Bridget Herron, $E\frac{1}{2}$ of $E\frac{1}{2}$ of $NE\frac{1}{4}$...	11	117	26
Martin Neaton, $E\frac{1}{2}$ of $SE\frac{1}{4}$ & $E\frac{1}{2}$ of $NE\frac{1}{4}$ except 10 acres in NE corner of	2	117	26
Mrs. Pyseck, 10 acres in NE corner of $NE\frac{1}{4}$ of	2	117	26
Emil Johnson, $N\frac{1}{2}$ of $SW\frac{1}{4}$	1	117	26
Emil Carlson, $SW\frac{1}{4}$ of $SW\frac{1}{4}$	1	117	26
Joe Pyseck, $NW\frac{1}{4}$ of	1	117	26
F. Westerman, $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of	35	117	26
John Pilgram, $S\frac{1}{2}$ of $SW\frac{1}{4}$	36	117	26
And School District No. 48.			

WHEREFORE, your petitioners pray that your honor appoint commissioners from the said counties of Carver and Wright, which are the counties affected by said road, not exceeding five in number, and that you order and direct them to lay out the new road which is described in the body of this

petition, according and pursuant to Chapter 245 of the General Laws of the State of Minnesota for the year 1905, and your petitioners will ever pray.

Dated at Norwood this 3rd day of Aug., 1914.

Carver County.				Wright County.			
Names and descriptions of Lands.		Section		Names and Descriptions of Lands.		Section	
P. P. Burns, $NE\frac{1}{4}$ of	14	H. Milschewsky, $W\frac{1}{2}$ of $SW\frac{1}{4}$...	25	Joe F. Rogers, $W\frac{1}{2}$ of $SE\frac{1}{4}$	35	P. J. Neaton, $N\frac{1}{2}$ of $SE\frac{1}{4}$	36
Mrs. C. Thunberg, $W\frac{1}{2}$ of $SW\frac{1}{4}$..	12	H. Gloege, $W\frac{1}{2}$ of $NW\frac{1}{4}$	25	E. D. O'Brien, $NW\frac{1}{4}$ of $NE\frac{1}{4}$...	26	John H. Pilgram, $S\frac{1}{2}$ of $SW\frac{1}{4}$...	36
Dan Herron & Sisters, $NE\frac{1}{4}$	11	Sam Nelson, $N\frac{1}{2}$ of $NE\frac{1}{4}$	23	J. P. Rogers, $NW\frac{1}{2}$ of $NW\frac{1}{4}$	36	R. Kirchenwitz, $E\frac{1}{2}$ of $SE\frac{1}{4}$ of ..	35
M. F. Neaton, $E\frac{1}{2}$ of $SE\frac{1}{4}$ & $E\frac{1}{2}$ of $NE\frac{1}{4}$	2	Edd. Campbell, $S\frac{1}{2}$ of $SE\frac{1}{4}$	10				
Emil Johnson, $N\frac{1}{2}$ of $SW\frac{1}{4}$	1	Thomas Saxton, $SW\frac{1}{4}$	2				
Emil Carlson, $SW\frac{1}{4}$ of $SW\frac{1}{4}$	1	P. P. & M. F. Burns, $E\frac{1}{2}$ of $SE\frac{1}{4}$..	11				
Chas. Blacketter, $S\frac{1}{2}$ of $SE\frac{1}{4}$..	1	J. A. Burns, $N\frac{1}{2}$ of $SW\frac{1}{4}$	11				
J. F. Kelly, $NW\frac{1}{4}$	13	J. F. Campbell, $SE\frac{1}{4}$ of $SE\frac{1}{4}$	36				
T. R. Sandquist, $W\frac{1}{2}$ of $SE\frac{1}{4}$	2	Chas. McGinnis, $S\frac{1}{2}$ of $NW\frac{1}{4}$	22				
A. P. Nelson, $W\frac{1}{2}$ of $W\frac{1}{2}$ of $NE\frac{1}{4}$..	11	George Campbell, $N\frac{1}{2}$ of $SE\frac{1}{4}$..	10				
		Thos. C. Burns, $NW\frac{1}{4}$ of $NE\frac{1}{4}$	14				

NOTICE OF THE PRESENTATION OF A PETITION TO LAY OUT
AND ESTABLISH A JUDICIAL ROAD.

Notice is hereby given that a Petition for the laying out and establishing a Judicial Road, running into and through the Counties of Wright and Carver, in the State of Minnesota, said ~~road~~ proposed road to be less than six miles in length, a true copy of which Petition is hereto attached, will be presented to the Honorable P. W. Morrison, Judge of the District Court of Minnesota, in and for the Eighth Judicial District thereof; at the General October Term, A. D. 1914, thereof, appointed and ordered to be held in the Court-house in the City of Chaska, Carver County, Minn., on the 12 day of October A. D. 1914. Said Petition will be presented to the Court or Judge thereof in the manner, ~~time~~ and place aforesaid at Two O'clock in the afternoon of the Twelfth day of October A. D. 1914, or as soon thereafter as Counsel can be heard in the discretion of the Court; for the appointment of Commissioners thereunder, and for such other purposes relative to laying out and establishing said proposed Judicial Road as is in such case made and provided by Statute.

Dated at Chaska, Minn., this 4th of August 1914.

Francis Muekel
Atty for the Petitioners
Old Post-office Bldg.,
Chaska, Minn.,

STATE OF MINNESOTA) IN DISTRICT COURT
)SS.
COUNTY OF CARVER) 8th Judicial District.

In the matter of a Petition for PETITION.
laying out of a Judicial Highway.

To the Honorable P. W. Morrison, Judge of the District Court
of the 8th Judicial District, County of Carver, State of Minnesota:

The petition of the undersigned, legal voters and taxpayers
resident in the counties of Carver and Wright in the State of Minnesota
respectfully shows:

That your petitioners are legal voters and taxpayers
resident in the counties of Carver and Wright in the State of Minnesota;
that the said county of Carver is located in and constitutes a part
of the 8th judicial District in said state and the said county of
Wright is located in and constitutes a part of the 18th Judicial
District in and for the said state of Minnesota.

That each of your petitioners own real estate in the county in
which he resides. That the highway which your petitioners desire to
have laid out and located is to be a new road four rods in width
and is described as follows: So the center line of said proposed
Judicial Road runs as follows: Beginning at the corner of sections
13, 14, 23 and 24 in township No. 117, Range 26 in said county of Carver,
thence running north in said Carver County along the section line
separating said sections 13 and 14 and sections 11 and 12 and sections
2 and 1 in said township No. 117, and crossing the county line
dividing said counties of Carver and Wright and running and continuing
along said section line into the said county of Wright to a point
or place in said section line where it intersects with the public
road or highway known as the Watertown and Whipple road in said
Wright county, its termination, it being the intention of your
petitioners to extend what is known as the Mayer and Hollywood
road northerly along said section line until it intersects and connects
with the said Watertown and Whipple road at said point in said Wright
county.

That the said Mayer and Hollywood road in Carver County and the
said Watertown and Whipple road in Wright County, Minnesota are both
public roads, and the distance which the said proposed new road
is to extend into the said Wright County, 18th judicial District,
State of Minnesota is less than six miles, being approximately 80
rods.

The names of the owners of the lands, as far as known, through
which the said road may pass, are:

Owners of Lands.	Description of lands.	Sec.	Town.	Range
Mary Jane Drew	SE. 1/4 of SE. 1/4	14	- 117	- 26.
Michael Drew jr	SW. 1/4 of SW. 1/4	13	- 117	- 26
William Drew	N.W. 1/4 of SW. 1/4 Sec. 13 & NE. 1/4 of SE. 1/4	14	- 117	- 26.
P. P. Burns	NE. 1/4 of	14	- 117	- 26.
J. F. Kelly	NW. 1/4 of	13	- 117	- 26.
M. F. & P. P. Burns	E. 1/2 of S. 1/4 of	11	- 117	- 26.
Mrs Chas Tunberg	W. 1/2 of SW. 1/4 of	12	- 117	- 26.
John Pyseck	W. 1/2 of N. W. 1/4 of	12	- 117	- 26.
Elizabeth & Bridget Herron	E. 1/2 of E. 1/2 of NE. 1/4	11	- 117	- 26.
Martin Neaton	E. 1/2 of SE. 1/4 & E. 1/2 of NE. 1/4 except 10 acres in NE. corner of	2	- 117	- 26.
Mrs. Pyseck	10 acres in NE. corner of NE. 1/4 of	2	- 117	- 26.
Emil Johnson	N. 1/2 of S. W. 1/4	1	- 117	- 26.
Emil Carlson	SW. 1/4 of SW. 1/4	1	- 117	- 26.
Joe Psyck	NW. 1/4 of	1	- 117	- 26.
F. Westerman	SE. 1/4 of SE. 1/4 of	35	- 117	- 26.
John Pilgram	S. 1/2 of SW. 1/4	36	- 117	- 26.

and School Dist. No. 48.

WHEREFORE, your petitioners pray that your honor appoint commissioners from the said counties of Carver and Wright, which are the counties affected by said road, not exceeding five in number, and that you order and direct them to lay out the new road which is described in the body of this petition, according and pursuant to Chapter 245 of the General Laws of the State of Minnesota for the year 1905, and your petitioners will ever pray.

Dated at Novorod this 3rd day of Aug, 1914.

NAMES	Description of lands.	Sec	carver co.
P.P. Burns	N.E. $\frac{1}{4}$ of		14
Mrs. E. Thunberg	W $\frac{1}{2}$ of S.W. $\frac{1}{4}$	12	
Don Harrison & Sisters	N.E. $\frac{1}{4}$	" 11	
M. J. Keaster	E. $\frac{1}{2}$ of S.E. $\frac{1}{4}$ & E. $\frac{1}{2}$ of N.E. $\frac{1}{4}$	" 2	
Ernest Johnson	N. $\frac{1}{2}$ of S.W. $\frac{1}{4}$	" 1	
Ernest Johnson	S.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$	" 1	
Chas. Blackbott	S. $\frac{1}{2}$ of S.W. $\frac{1}{4}$	" 1	
J. H. Kelly	S.W. $\frac{1}{4}$	" 19	
J. E. Sandquist	W $\frac{1}{2}$ of S.E. $\frac{1}{4}$	" 2	
A. P. Nelson	W. $\frac{1}{2}$ of W. $\frac{1}{2}$ of N.E. $\frac{1}{4}$	" 11	
H. Milschewsky	W. $\frac{1}{2}$ of S.W. $\frac{1}{4}$	" 25	
H. Glouge	N. $\frac{1}{2}$ of N.W. $\frac{1}{4}$	" 25	
Sam Nelson	N. $\frac{1}{2}$ of N.E. $\frac{1}{4}$	" 23	
Eld. Campbell	S. $\frac{1}{2}$ of S.E. $\frac{1}{4}$	" 10	
Thomas Saxton	S.W. $\frac{1}{4}$	" 2	
P.P. & M. F. Burns	E. $\frac{1}{2}$ of S.E. $\frac{1}{4}$	" 11	
J. A. Burns	N. $\frac{1}{2}$ of S.W. $\frac{1}{4}$	" 11	
J. J. Campbell	S.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$	36	
Chas. McSinnis	S. $\frac{1}{2}$ of N.W. $\frac{1}{4}$	22	
J. J. Campbell	N. $\frac{1}{2}$ of S.E. $\frac{1}{4}$	10	
Thos. O. Burns	N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$	14	
Geo. Ryan	W. $\frac{1}{2}$ of S.E. $\frac{1}{4}$	36	Wright co.
E. D. O'Brien	N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$	26	
J. P. Fogles	N. $\frac{1}{2}$ of N.W. $\frac{1}{4}$	36	
H. J. Neaton	W. $\frac{1}{2}$ of S.E. $\frac{1}{4}$	36	
John H. Pitaran	S. $\frac{1}{2}$ of S.W. $\frac{1}{4}$	36	
R. Kirchenwitz	E. $\frac{1}{2}$ of S.E. $\frac{1}{4}$ of Sec	35	

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(Light Ink)

State of Minnesota

ss.

Carver County,

I. P. P. Burns on oath depose and say that I am a resident and tax payer of Carver County and that I am over 35 years of age. That I served the hereto attached Notice of Presentation and Petition thereto attached as follows:

By posting a true and correct copy thereof on the front door of the Court House of Carver County, Minn., at Chaska, Minn., on the 4th day of August A. D. 1914.

By handing to and delivering to Dan O'Connell, Chairman of the Town Board of the Town of Woodland, Wright County, Minn., a true and correct copy of the said hereto attached Notice of Presentation and Petition thereto attached on the 17th day of August, A. D. 1914. said Dan O'Connell receiving the same on August 17th, 1914 in Wright County, Minn.,

By handing and delivering to J. J. Connolly, Chairman of the Town Board of the Town of Hollywood, Carver County, Minn., a true and correct copy of the said hereto attached Notice of Presentation and Petition thereto attached, on the 17th day of August, A. D. 1914, said J. J. Connolly receiving the same in Warver County, Minn.,

By handing and delivering to E. W. Ferrell, Chairman of the County Board of Wright County, Minn., at Montrose, Wright County, Minn., a true and correct copy of the said hereto attached Notice of Presentation and Petition thereto attached, on the 17th day of August 1914.

By handing and delivering to Charles Buschkowsky, Chairman of the County Board of Carver County, Minn., at Chaska, Minn., a true and correct copy of the said hereto attached Notice of Presentation and Petition thereto attached, on the 20th day of August A. D. 1914.

P. P. Burns

Sworn to before me this 20th day of August, A. D. 1914.

R. L. Lundström
Clerk of District Court,
Carver County, Minn.,

State of Minnesota,

ss.

County of Wright.

I. E. W. Ferrell, on oath depose and say that I posted a true and correct copy of the hereto attached Notice of Presentation and Petition thereto attached, on the front door of the Court House of Wright County, Minn., at Buffalo, Wright County, Minn., on the 18 day of August A. D. 1914.

E. W. Ferrell

Sworn to before me this 21 day of August A. D. 1914.

E. Swanson

Notary Public in and
for Wright County,
Minnesota.
NOTARY PUBLIC WRIGHT COUNTY, MINN.
MY COMMISSION EXPIRES MAR. 23, 1917

State of South Dakota, } ss.
County of

I hereby certify and return that the within summons came into my hands
the day of 191.... and that I served the same upon the within named de-
fendant by delivering to and leaving with
....., personally, a true copy thereof at o'clock M., on this day of
..... 191.... in County, South Dakota, and that I know the
..... so served to be the same mentioned in said summons
as defendant.

Sheriff County, South Dakota.

FEES.

MILEAGE	\$
COPY	
SERVICE	
TOTAL	\$

#203
District Court
8th Judicial
District

In the matter of the
Petition for Copying
out of a Judicial
Highway —

The within petition
was on this 2nd day
of Aug 1914 presented
to the Court and
approved.

H. H. Morrison
Judge of the Dist.

F 204

FILED
DISTRICT COURT,
OCT 2 1914
CARVER COUNTY,
Adm. Ström
Clerk of Court.



CORRESPONDENCE SHOULD BE
ADDRESSED TO THE ATTORNEY GENERAL

LYNDON A. SMITH,
ATTORNEY GENERAL

CLIFFORD L. HILTON
WILLIAM J. STEVENSON
C. LOUIS WEEKS
ALONZO J. EDGERTON
JOHN C. NETHAWAY
ASSISTANT ATTORNEYS GENERAL

Office of the Attorney General
St. Paul.

October 6, 1914.

Francis Muckel, Esq.,
Chaska, Minnesota.

Dear Sir:-

In your letter of the 5th inst. you call our attention to the provisions of Section 25, of Chapter 235, Laws 1913, which relates to the giving of notice of the presentation of a petition for a judicial road. That section reads as follows:

2512

9412

"Three weeks' published and posted notice of the presentation of such petition shall be given in each of the counties affected, at least thirty days in advance thereof. Such notice shall contain a copy of the petition, the name of the judge to whom it will be presented, and the time and place of presentation; and proof of such notice shall be filed with the clerk before the hearing. Such notice shall also be served, in the same manner as the service of the summons in a civil action upon each county and organized town in which, or along the boundary of which, such proposed road is sought to be established, and proof of the service of such notice on such counties and towns shall be filed with the clerk of said court before the hearing."

You ask:

"Does the last sentence in said section refer to the person who may serve such notice of presentation, as well as the period of time it must be served before presentation?"

Answering your inquiry I beg to advise you that we are of the opinion that the words "such notice shall also be served in the same manner as the service of the summons in a civil action" merely requires that the service shall be made by delivering a copy thereof to the chairman of the county board, or to the County Auditor when service is to be made upon the county, and by delivery of a copy thereof to the chairman of the town board, or to the town clerk, when the service is to be made upon a town, and that such language does not require that the same shall be served any specified period of time prior to the presentation of the petition, nor does it prohibit the service of such notice by one of the petitioners for the establishment of the road. (Section 4107 Revised Laws 1905).

Section 4104, Revised Laws 1905, provides that -

The summons in a civil action may be served by the sheriff ***** or by any other person not a party to the action."

It would seem to me that if the legislature intended to prescribe the person by whom the notice might be served and the time for service, it would have said:

"Such notice shall also be served by a person, in the manner and within the time as is prescribed for the service of a summons in a civil action."

I realize that this leaves the statute without any direction as to the time prior to the presentation of the petition when the notice must be served. In such case the

FM - 3

notice must be served a reasonable time before the presentation.

"Where a statute requires notice to be given, but does not specify the length of time, it will be construed to mean a reasonable time."

Burden vs. Stein, 25 Ala. 455; 29 CYC 1118.

In our opinion, a notice served on the county and the towns by one of the petitioners for the road a reasonable time before the date of the presentation of such petition, would give the court jurisdiction.

Yours truly,

CLW-KR

E. Louis Jorke
Assistant Attorney General.

State of Minnesota,

County of Wright

ss.

Came personally before me, James F. Mc
duly sworn, deposes and says, that he is now and during all the
tioned has been the manager and printer of the WAVERLY STAF
newspaper printed and published in Waverly in said Wright Co
each week. That he knows of his own knowledge that the print

hereto attached, cut from the columns c
inserted, printed and published in said newspaper once in each
cessive weeks, and that all of said publications were made in t
That said notice was first inserted, printed and published i
Thursday, the 13 day of August 1914, and was
therein on each and every Thursday thereafter until and inc
27 day of Aug. 1914, that during all the
newspaper was a collection of general and local news, commen
literary items, and regularly issued and published on Thursday
known office of publication, said office being equipped with the
and skilled workmen for producing the same, and has consisted
pages, of five columns or more to each page, each column not le
and never made up wholly of patents, plates and advertisement
tially a duplicate of any other newspaper, and has been regular
forty paid subscribers, and that said newspaper, composed and
lished in the English language and generally circulated in Wrig
date of the first publication of said notice. That the publisher
County Auditor of said Wright county an affidavit setting fort
of the State of Minnesota, for the year 1893.

Subscribed and sworn to before me, this 12 day

October 1914

William H. Bocan

Notary Public, Wright County, Minn.

My commission expires Feb. 16 1921

yesterday.

Notice of the Presentation of a Petition to Lay
Out And Establish a Judicial Road.

Notice is hereby given that a Petition for
the laying out and establishing a Judicial
Road, running into and through the Count-
ies of Wright and Carver, in the State of
Minnesota, said proposed road to be less
than six miles in length, a true copy of
which Petition is hereto attached, will be
presented to the Honorable P. W. Morrison,
Judge of the District Court of Minnesota, in
and for the Eighth Judicial District
thereof; at the General October Term,
A. D. 1914, thereof, appointed and ordered
to be held in the Court house in the City of
Chaska, Carver County, Minn., on the 12th
day of October A. D. 1914. Said Petition
will be presented to the Court or Judge
thereof in the manner, and place aforesaid
at Two o'clock in the afternoon of the
Twelfth day of October A. D. 1914, or as soon
thereafter as Counsel can be heard in the
discretion of the Court; for the appointment
of Commissioners thereunder, and for such
other purposes relative to laying out and
establishing said proposed Judicial Road as
is in such case and provided by Statute.

Dated at Chaska, Minn., this 1th of August
1914.

FRANCIS MUEKEL,

Atty for the Petitioners,

Old Post-office Bldg.,

Chaska, Minn.

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

In the matter of a Petition for Petition.
Laying out of a Judicial Highway

To the Honorable P. W. Morrison, Judge
of the District Court of the 8th Judicial
District, County of Carver, State of Minne-
sota: The petition of the undersigned, legal
voters and taxpayers resident in the
counties of Carver and Wright in the
State of Minnesota respectfully shows:

That your petitioners are legal voters and
taxpayers resident in the counties of
Carver and Wright in the State of Minne-
sota; that the said county of Carver is locat-
ed in and constitutes a part of the 8th
judicial District in said state and the said
county of Wright is located in and consti-
tutes a part of the 18th Judicial District
in and for said state of Minnesota.

That each of your petitioners own real
estate in the county in which he resides.
That the highway which your petitioners
desire to have laid out and located is to be
a new road four rods in width and is de-
scribed as follows: So the center line of said
proposed Judicial Road runs as follows:

Beginning at the corner of sections 13, 14,
23 and 24 in Township No. 117, Range 26 in
said county of Carver, thence running
north in said Carver County along the
section line separating said sections 13 and
14 and sections 11 and 12 and sections 2 and
1 in said township No. 117, and crossing the
county line dividing said counties of Carver
and Wright and running and continuing
along said section line into the said county
of Wright to a point or place in said section
line where it intersects with the public
or highway known as the Watertown and
Whipple road in said Wright county, its
termination, it being the intention of your
petitioners to extend what is known as the
Mayer and Hollywood road northerly along
said section line until it intersects and con-
nects with the said Watertown and
Whipple road at said point in said Wright
county.

That the said Mayer and Hollywood road
in Carver county and the said Watertown
and Whipple road in Wright County, Min-
nesota are both public roads, and the dis-
tance which the said proposed new road is to
extend into the said Wright county, 18th
judicial District, State of Minnesota is less
than six miles, being approximately 59 rods.

The name of the owners of the lands, as
far as known, through which the said road
road may pass, are:

Owners of Lands	Description of lands.	14	117	26
Mary Jane Drew,	SE 1/4 of SE 1/4	14	117	26
Michael Drew jr.	SW 1/4 of SW 1/4	14	117	26
William Drew,	NW 1/4 of SW 1/4 Sec. 13 NE 1/4 of SE 1/4	14	117	26
P. P. Burns,	NW 1/4 of 13	14	117	26
J. F. Kelly,	NW 1/4 of 13	14	117	26
M. E. & P. P. Burns,	E 1/4 of SE 1/4 of	14	117	26
Mrs. Chas Turnberg,	W 1/4 of SW 1/4 of	14	117	26
John Pyseck,	W 1/4 of NW 1/4 of	14	117	26
Nellie, Elizabeth & Bridget Herron	E 1/2 of E 1/2 of NE 1/4	11	117	26
Martin Neaton,	E 1/2 of SE 1/4 & E 1/2 of NE 1/4 except 10 acres in NE corner of	2	117	26
Mrs. Pyseck,	10 acres in NE corner of NE 1/4 of	2	117	26
Emil Johnson,	N 1/4 of SW 1/4	1	117	26
Emil Carlson,	SW 1/4 of SW 1/4	1	117	26
Jos Psyck,	NW 1/4 of	1	117	26
F. Westerman	SE 1/4 of SE 1/4 of	26	117	26
John Pilgram	S 1/4 of SW 1/4 & school dist No 48	26	117	26

WHEREFORE, your petitioners pray that your honor appoint commissioners
from the said counties of Carver and Wright, which are the counties affected by said
road, not exceeding five in number, and that your order and direct them to lay out the
new road which is described in the body of this petition, according and pursuant to
Chapter 245 of the General Laws of the State of Minnesota for the year 1905, and your
petitioners will ever pray.

Dated at Norwood this 3rd day of August 1914.

Names	Description of lands.	Carver County	Section	14
P. P. Burns	N. E. 1/4	"	"	22
Chas. McGinnis	S 1/4 of NW 1/4	"	"	12
Mrs. C. Thumberg	W 1/2 of SW 1/4	"	"	11
Dan Herron and sisters	N. E. 1/4	"	"	2
M. E. Neaton	E 1/2 of SE 1/4 & E 1/2 of NE 1/4	"	"	1
Emil Johnson	N 1/2 of SW 1/4	"	"	1
Emil Carlson	SW 1/4 of SW 1/4	"	"	1
Chas Blackkiter	S 1/2 of SE 1/4	"	"	13
J. F. Kelly	N. W. 1/4	"	"	2
J. R. Sandquist	W. 1/2 S. E. 1/4	"	"	11
A. P. Nelson	W 1/2 of W 1/2 of N. E. 1/4	"	"	25
Herman Milschewsky	W 1/2 of SW 1/4	"	"	25
H. Gloege	W. 1/2 of NW 1/4	"	"	10
Sam Nelson	N 1/2 SE 1/4	"	"	2
Thos Sexton	SW 1/4	"	"	11
P. P. & M. E. Burns	E 1/2 of SE 1/4	"	"	10
Ed Campbell	S 1/2 of NE 1/4	"	"	11
J. A. Burns	N 1/2 of SW 1/4	"	"	33
J. F. Campbell	SE 1/4 of SE 1/4	"	"	10
Geo Campbell	N 1/2 of SE 1/4	"	"	14
Thos. C. Burns	NW 1/4 of NE 1/4	"	"	35
Jerry Rogers	W 1/2 of SE 1/4	"	"	26
E. D. O Brine	NW 1/4 of NE 1/4	"	"	35
J. F. Rogers	NW 1/2 of NW 1/4	"	"	35
P. J. Neston	N 1/2 of SW 1/4	"	"	35
John H. Pilgram	S 1/2 of SW 1/4	"	"	35
R. Kirchenwitz	W 1/2 of SE 1/4	"	"	35

State of Minnesota,

County of Wright

ss.

Came personally before me, James P. McDermott,
duly sworn, deposes and says, that he is now and during all the time hereinafter
mentioned has been the manager and printer of the WAVERLY STAR & TRIBUNE, a weekly
newspaper printed and published in Waverly in said Wright County, on Thursday of
each week. That he knows of his own knowledge that the printed notice of section

hereto attached, cut from the columns of said newspaper, was
inserted, printed and published in said newspaper once in each week for three suc-
cessive weeks, and that all of said publications were made in the English language.
That said notice was first inserted, printed and published in said newspaper on
Thursday, the 13 day of August 1 914, and was printed and published
therein on each and every Thursday thereafter until and including Thursday the
27 day of Aug. 1 914, that during all the time aforesaid said
newspaper was a collection of general and local news, comments and miscellaneous
literary items, and regularly issued and published on Thursday of each week from a
known office of publication, said office being equipped with the necessary materials
and skilled workmen for producing the same, and has consisted of not less than four

pages, of five columns or more to each page, each column not less than seventeen and three-fourths inches in length
and never made up wholly of patents, plates and advertisements, or either or any of them, and has not been substan-
tially a duplicate of any other newspaper, and has been regularly delivered each week to more than two hundred and
forty paid subscribers, and that said newspaper, composed and consisting as above set forth, was printed and pub-
lished in the English language and generally circulated in Wright county for more than one year next preceeding the
date of the first publication of said notice. That the publisher of said newspaper on March 17, 1899, filed with the
County Auditor of said Wright county an affidavit setting forth the facts required by Sec. 2, Chapter 33, of the laws
of the State of Minnesota, for the year 1893.

Subscribed and sworn to before me, this 12 day

October 1 914

William J. Robinson

Notary Public, Wright County, Minn.

My commission expires Nov. 16th 1921

James P. McDermott

No. 3449
204

DISTRICT COURT,
CARVER COUNTY, MINN.

Joseph Schneider
Claimant - Plaintiff

Peter Winkler, Administrator
of the Estate of Maria Winkler
Respondent - Defendant

H. C. Odell
Plaintiff's Attorney

P. R. Curran
Defendant's Attorney

Date of Entry October 2nd 1914

Register of Actions E Page 205

Term Tried Adj. Jan. 6th 1915

Judgment for Dismissal & Costs

Amount of Judgment, \$14.37

Date of Judgment June 19th 1915

Judgment Book D Page 486

Default Judgment Book Page

Date of Docketing Jan. 19th 1915

ESTATE OF

Theresa Kintler

Chaska, Minn.,

Oct. 2nd

1904

M

IN ACCOUNT WITH

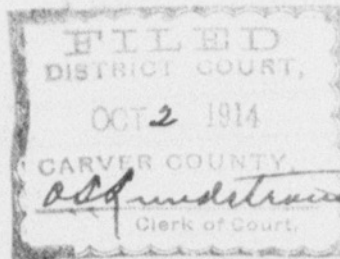
JOHN GLAESER

JUDGE OF PROBATE, CARVER COUNTY

*Oct. 2, 1904 To Certified copies of Claim of
Joseph Schneider, and Order
allowing same, and Objection to
Claim and Notice of Appeal
to District Court, and Proof
of Service of Notice of Appeal
and 3 Transcripts. Total*

\$ 1.35

204



Reg. E. - 205

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(Light Ink)

STATE OF MINNESOTA, }
County of Carver } ss.

DISTRICT COURT,
Eighth Judicial District

Joseph Schneider, Claimant and Plaintiff

VS

Peter Winkler, as Administrator of the Estate of
Theresa Winkler, Decedent. Defendant.

Sir: You will Please to Take Notice. That the issue

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 A. D. 1914, at the opening of said Court on that day, or as soon thereafter as counsel can be heard.

Dated September 29th. 1914

Yours respectfully,

R. R. Curran

To W. C. Odell

Attorney for Defendant

Attorney for Plaintiff

Original
204

District Court,

Judicial District

County of Carver

Joseph Schneider
Claimant & Plaintiff
- vs -

Peter Winkler, administrator
of the Estate of Thresa Winkler
Decedent, Appellant & Defendant.

Notice of Trial.

~~Due~~ service of the within Notice is
hereby admitted this 2nd

day of October

1914

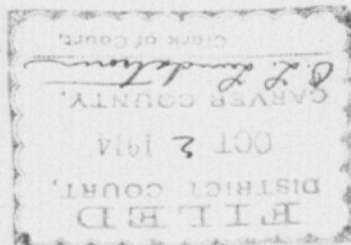
at Carver, Minn.

Attorney for Claimant

R. H. Curran

Attorney for Appellant.

204—FREE PRESS PRINTING CO., HARRATO, WIS. —10-10-500



E 205

Young America. Minn. May 31, 1912.

Estate of Theresa Winkler, To

Joseph Schneider.

1893 June 4th, To Board and Lodging for Theresa Winkler
to June 4th, 1911, being 18 years at \$96.00
per year..... \$1728.00

Due Theresa Winkler from me \$75.00 annuity for e
each year for 18 years,..... \$1350.00
Balance due me..... \$ 378.00

I Joseph Schneider do solemnly swear that I have received no
part thereof, and that it is a just claim against said Estate.

Joseph Schneider

Subscribed and sworn to before me this 31st, day of May, 1912.

AUG. F. TRUWE

Notary Public

(Seal)

Notary Public
Minnesota
My Commission
Expires July
12, 1914.

ORDER ALLOWING CLAIM.

State of Minnesota)

SS

In Probate Court.

In the within Entitled Matter.

STATEMENT

Amount of Claim..... \$378.00

Items Disallowed, the sum of \$21.00 per year which

claimant has charged over and above the \$75.00 due

from him annually, from the 4th. day of June 1893

to the 4th day of June 1899, being the sum of \$126.00

Final Balance against the Estate..... \$252.00

IT IS ORDERED, That the foregoing be the amounts
of allowance and disallowance on the within claim, and the Final
Balance thereon against said Estate.

Dated at Chaska, Minnesota, the 25th, day of March,
A. D. 1914.

By the Court.

John Glaeser.
Judge of Probate.

(Court Seal)

FILED
PROBATE COURT,
MAR 25 1914
CARVER COUNTY,
John Klauer
Judge of Probate.

CERTIFICATE OF TRANSCRIPT

State of Minnesota,
COUNTY OF CARVER

ss.

In Probate Court

I, John Glaeser, Judge of the Probate Court of said County

*do hereby certify that I have compared the annexed copy of Claim of Joseph Schneider
and Order allowing said claim in the matter of the Estate of Theresa Winkler,
decedent,*

*with the original records preserved in said Probate Registry, and that the same is a true copy thereof, and
of the whole of said original records.*

In Testimony Whereof, *I have hereunto set my hand and affixed the
seal of said Court at Chaska, Minn., this 2nd day of October A. D. 1914*

John Glaeser
Judge of Probate, Carver County, Minn.

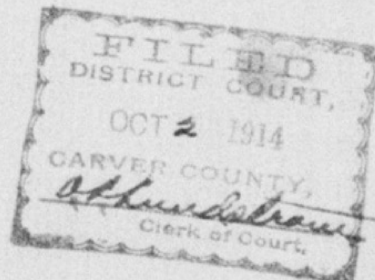
#204

In Probate Court

County of Carver

In the Matter of the Estate of
Theresa Winkler, decedent.

Certificate of Transcript



E 205

In the matter of the Allowance or Disallowance
of a claim of \$378. filed by Joseph Schneider against the
Estate of Theresa Winkler.

State of Minnesota)

In Probate Court, Carver County, Minn.
County of Carver.)

The Administrator, Peter Winkler, et al, heirs
of said Estate, comes and objects to the allowance of said
claim upon the ground that it is not valid, lawful claim,
and ought to be rejected. And alleges Statute of limitation.

Peter Winkler, Administrator.

P. R. Curran. Atty for objectors.

CERTIFICATE OF TRANSCRIPT

State of Minnesota,
COUNTY OF CARVER

} ss.

In Probate Court

I, John Glaeser, Judge of the Probate Court of said County

do hereby certify that I have compared the annexed copy of objection to claim of
Joseph Schneider, in the matter of the Estate of Theresa Winkler,
Decedent.

with the original records preserved in said Probate Registry, and that the same is a true copy thereof, and
of the whole of said original records.

In Testimony Whereof, *I have hereunto set my hand and affixed the*
seal of said Court at Chaska, Minn., this 8nd day of October A. D. 1914

John Glaeser,
Judge of Probate, Carver County, Minn.

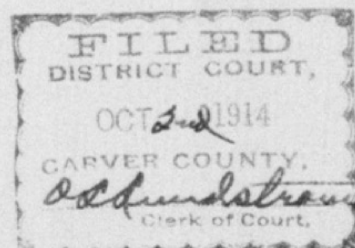
204

In Probate Court

County of Carver

In the Matter of the Estate of
Theresa Winkler, decedent.

Certificate of Transcript



E 205

State of Minnesota,

ss.

IN PROBATE COURT.

County of Carver

IN THE MATTER OF THE Estate of Theresa
Winkler, DeceasedXXXX

Peter Winkler Administrator.

Notice is hereby Given, That Peter Winkler, in his capacity of administrator
of the above named Estate.being aggrieved by the order of John Glaeser, Judge
of the County of Carver Minnesota, made on the 25th XXXday of March A. D. 1904, Allowing said Joseph Schneider,
\$252.00 on his claim filed against said Estate in the sum of \$378.00
claimed by said Joseph Schneider to be due him for board and lodging.hereby appeals therefrom to the District Court of the Eighth Judicial District, in
and for said County of Carver

Dated the 26th day of April A. D. 1904

To W. C. Odell, Atty. for
claimant Joseph Schneider.
Attorney for XXXXP. R. Curran
Attorney for Appellant.

No. 1930

IN PROBATE COURT

County of Carver

In the Matter of the Estate

OF

Theresa Winkler, Decedent.

NOTICE OF APPEAL TO DISTRICT COURT.

Due service of the within notice is

hereby admitted this

day of A. D. 190

at

Attorney for

P. R. Curran

Attorney for Appellant.

Filed this 25th day of

April A. D. 1914

John Glaeser.

Judge of Probate.

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

SEE PRESS PRINTING CO., MINNAPOLIS, MINN.

State of Minnesota,

County of Carver

} ss.

I hereby certify and return, that on the 25th

day of April 1914, at the City of Chaska County and

State aforesaid, I served the Notice of Appeal to District Court

hereto attached upon W. C. Odell the Defendant named therein,

by handing to and leaving with him personally a true and correct copy thereof.

Dated this 25th day of April 1914

G. A. Gatz,

Sheriff's Fees: Service, \$ 1.00

Sheriff of Carver County, Minn.

Travel \$ 20
\$ 1.20

By Deputy.

CERTIFICATE OF TRANSCRIPT

State of Minnesota,
COUNTY OF CARVER

} ss.

In Probate Court

I, John Glaeser, Judge of the Probate Court of said County

*do hereby certify that I have compared the annexed copy of Notice of appeal to
to District Court and proof of service, in the matter of the estate of
Theresa Winkler, decedent.*

*with the original records preserved in said Probate Registry, and that the same is a true copy thereof, and
of the whole of said original records.*

*In Testimony Whereof, I have hereunto set my hand and affixed the
seal of said Court at Chaska, Minn., this 2nd day of October A. D. 1914*

John Glaeser.
Judge of Probate, Carver County, Minn.

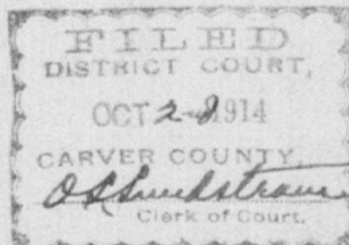
204

In Probate Court

County of Carver

In the Matter of the Estate of
Theresa Winkler, decedent.

Certificate of Transcript



E 205

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State of Minnesota

District Court

County of Carver.

Eighth Judicial District

In the matter of the appeal of Peter Winkler,
as Administrator of the Estate of Theresa Winkler,
decedent, from an Order of the Probate Court of said
County allowing a claim against said Estate.

Joseph Schnieder-----Claimant and Respondent

Peter Winkler, as Administrator, Appellant

The appellant for his answer in the above entitled appeal alleges:

(1) Denies each and every allegation therein contained.

(2) For a second defense alleges that the cause of action there-
in set forth did not accrue within six years before the commencement
of this action.

P. R. Curran

Atty for Appellant,

Young America, Minn.

No 204

District Court

Carver County.

In the Matter of the appeal of
Peter Winkler, Administrator
of the Estate of Theresa Winkler
from an Order of the Probate
Court.

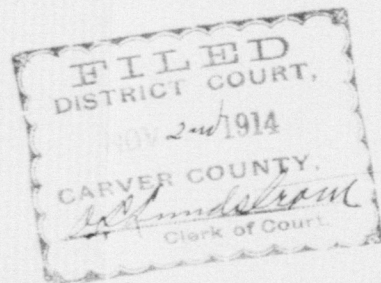
Joseph Schnider,

Claimant and Respond.

Peter Winkler,

Administrator and App

ANSWER



P. R. Curran, Atty
for Appellant.

Young America, Minn
E205

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(Light Ink)

State of Minnesota

District Court

County of Carver

Eighth Judicial District

In the Matter of the Appeal from
an Order of the Probate Court in
and for the County of Carver

Joseph Schneider

Plaintiff and Respondent

vs

Peter Winkler, Administrator of the
Estate of Theresa Winkler, Defendant

Appellant

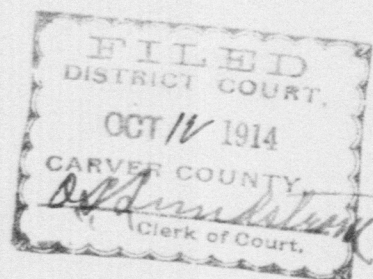
To the Honorable, The District Court:

For an official return in the above entitled proceeding
I respectfully certify and return that the Notice of said Order ap-
pealed from, and of the filing of said Order, was given by me to
and served ^{by mail} on the other party who appeared in said Probate Court for
and on behalf of the respective parties on the day of the date of
said order, to-wit, the 6th day of March, 1914.

Dated, Cheula, October 12th, 1914.

J. L. Glaeser.
of said Probate Court.

204



By E. - 205.

State of Minnesota
County of Carver

In District Court
8th Judicial District

Joseph Schneider

-VS-

Peter Winkler, Administrator
of the Estate of Theresa Winkler,
Decedent.

State of Minnesota
County of Carver } SS

P. R. Curran, being duly sworn,
says that he is the attorney of said
appellant in the above entitled matter
and was his attorney of record during
all the proceedings had in the Probate
Court of Carver County, Minnesota, in
said matter. That on the 25th day of
March, 1914, said Probate Court made
its certain order in the matter of the said
estate of the said Theresa Winkler, allowing
the claim of the said Joseph Schneider
in the sum of \$252.00. That said
affiant received no notice of said order
so made by said Probate Court either
on the 25th day of March, 1914, or on the
26th day of March, 1914, and that no
notice of said order so made by said
Probate Court ^{was served on affiant} either on the 25th day of
March, 1914, or the 26th day of March,
1914, and that affiant knows of his own know-
ledge that notice of said order so made as
aforesaid was not served on any ~~other~~

of the interested parties in said matter
either on the 25th day of March 1914
or the 26th day of March 1914

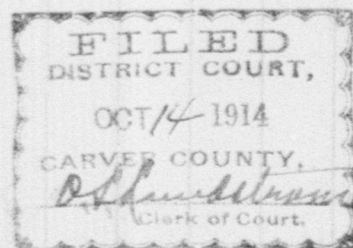
P. R. Cusack

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

O. L. Lundstrom

Clerk of the District Court
Carver County, Minn

264



Reg. E. - 205.

State of Minnesota, } ss.
COUNTY OF CARVER,

District Court,
Eighth Judicial District.

The STATE OF MINNESOTA, To *Hon. John Glaeser,*
Judge of Probate of Carver County, Minnesota

You are Hereby Commauded, To be and appear before the Judge of said Court, at the Court House in the City of Chaska in said County, all excuses and business being laid aside, ~~on the~~ *forthwith* day of _____ A. D. 191____ at _____ o'clock _____ M., to testify and give evidence in a certain action in said Court pending, and then and there to be determined between

Joseph Schneider Plaintiff, and
Peter Winkler, Administrator of the Estate of
Theresa Winkler, Decedent. Defendant, on
the part of the *Defendant*; And, also, that you bring with you and produce in evidence all records in the above entitled action.

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

Witness, The Honorable *P. W. Morrison* Judge
of said Court, and the seal thereof, at *Chaska.*

this *13th* day of *October* A. D. 191*4*

O. L. Lundstrom
Clerk.

By *N. O. Muehlberg* Deputy.

District Court

Eighth Judicial District,
County of Carver.

Joseph Schneider,
-85-

Peter Winkler, Adm.,
of the Estate of
Theresa Winkler,
Decedent.

SUBPOENA

DUCES TECUM

Hon. John Glaeser
Witness.

Filed this *13th* day of
October A. D. 191*4*
D. Schumacher
Clerk.

By _____ Deputy.

Reg E. - 205

State of Minnesota,

COUNTY OF CARVER

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

John Glaeser

by reading the same to him and delivering to him

a true copy thereof, at

in said County and State, on this

13th

day of

Oct

191*4*

SHERIFF'S FEES:

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

By

Deputy.

S. A. Galt
Sheriff of said County.

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(Light Ink)

STATE OF MINNESOTA

IN SENATE

County of Carver

Eight Judicial District

-----:-----

In the Matter of the Estate of Peter Finkler
as Administrator of the Estate of Theresa Finkler,
deceased, from an Order of the Probate Court for
said County allowing a claim against said estate.

Joseph Schneider

Respondent and Defendant

vs

Peter Finkler, as Administrator

Appellant.

-----:-----

This cause came before the Court at an adjourned term held
at the Chambers of the Court in the Village of Lonsdale in said
County on the 20th day of January, 1911, upon the objection of
said respondent to the admission of the claim.

J. H. F. Bell, appeared as counsel for said respondent
and J. E. Carver, Esq., appeared as counsel for appellant.

And it satisfactorily appearing to the Court that the record
and files in this case were correct and that the claim was
admitted and that the claimant was entitled to the same and
that the Court had no objection to the same and that the
claimant was entitled to the same and that the Court had no
objection to the same and that the claimant was entitled to the
same and that the Court had no objection to the same.

Dated, Lonsdale, Jan. 9, 1911.

H. W. Morrison

Judge of said Court.

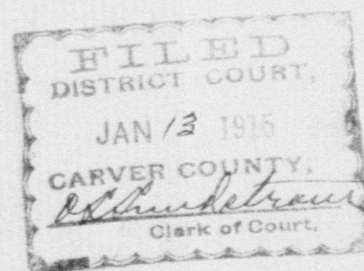
204
District Court
Carver County

In the Matter of the
Appeal from Pro-
bate Court from an
Order allowing a
claim against the
Estate of Theresa
Winkler, decedent.

Joseph Schneider
Respondent

vs.
Peter Winkler, etc.
Appellant

Order dismissing Ap-
peal.



E 205-

Original
204

District Court,
Eighth
County of Carver

Judicial District.

In re Appeal of Peter Winkler
- vs -
Joseph Schneider - Resp.

Peter Winkler, etc. - App.

Notice of Taxation of Costs and Bill of
Costs and Disbursements.

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

day of 190 , at

Attorney for

Filed this 14th day of Jan

A. D. 1905 -

O. L. Lundstrom

Clerk.

No. 13

F 206 -

13138

State of Minnesota ss.
County of Carver

W. O. Odell, being first duly sworn, says that he is the law partner of W. O. Odell, the attorney for the respondent in the within entitled proceeding; that said W. O. Odell resides at the City of Chaska in said County and State; that P. R. Curran, Esq., is the attorney for the with in named appellant, and his post office address is Young America, Minn.; that between said Chaska and said Young America there is regular daily communication by mail; that on the 14th day of January, 1905, he served the within Bill and Notice on said P. R. Curran, by depositing at the post office at said Chaska a true and correct copy of said Notice and Bill in an envelope securely sealed with the postage thereon prepaid addressed to said P. R. Curran, Esq., Young America, Minn.

W. O. Odell

Subscribed and sworn to before me this 14th day of January, 1905.

O. L. Lundstrom
Clerk of District Court,
Carver County, Minn.

NOTICE OF TAXATION OF COSTS.

State of Minnesota,

DISTRICT COURT,

County of Carver

ss.

Eighth

Judicial District.

In re Appeal of Peter Winkler, etc.

Joseph Schneider, Claimant and Respondent
vs.
Peter Winkler, as Administrator, Appellant.

Sir: Please Take Notice, That on the 19th day of January, 1905, at 10 o'clock A. M., application will be made to O. L. Lundstrom, Esq., Clerk of said Court, at his office in the 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 herein.

Dated January 14, 1905.

Yours respectfully,

W. O. Odell

To P. R. Curran, Esq.,

Attorney for Respondent.

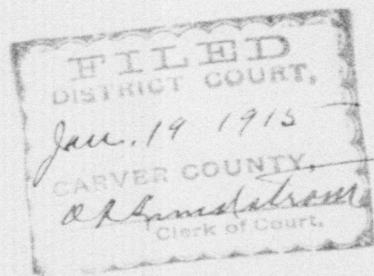
Attorney for Appellant.

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Judgment

O. L. Lindstrom

++ 204



E486

3420
No. 205

DISTRICT COURT,
CARVER COUNTY, MINN.

*In the Matter of an appeal
from an order of the Co. Board
by Julius Stier*

Plaintiff .

vs.

Defendant .

P. R. Curran

Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry

Oct. 3rd 191*4*

Register of Actions

E

Page

206

Term Tried

Oct-Nov

191*4*

Judgment for

Amount of Judgment, \$

Date of Judgment

Feb 27th 191*8*

Judgment Book

D

Page

555

Default Judgment Book

Page

Date of Docketing

191

State of Minnesota,

COUNTY OF CARVER

ss.

I HEREBY CERTIFY AND RETURN, That at the

Town of Chanhassen

County and State aforesaid, on the

19th

day of

Sept

A. D. 1914

I served the Notice of

Appeal

hereto attached upon the within named

Board of County Comm.

Chas. Buschewitzky, Chairman of said Board

by then and there handing to and leaving with

personally a true and correct copy thereof.

Dated this 19th day of Sept

1914

G. A. Gatz

Sheriff of Carver County, Minn.

Sheriff's fee service, \$ 1.00

Travel \$ 1.00

Total \$ 2.00

Paid

By Deputy

Illegible
(Light Ink)

State of Minnesota

ss

County of Carver

In the Matter of the Appeal of Julius Stier to the District Court in and for said County and State from an order of the Board of County Commissioners of said County dated the 20th day of August, 1914.

Sir:

You will please take notice, That Julius Stier, feeling himself aggrieved by the order of said Board of County Commissioners which order is dated and was filed in the office of the County Auditor of said County of Carver on the 20th day of August, 1914, by which order said Julius Stier is disallowed the alteration of a public highway, hereby appeals from said order to the District Court for said County of Carver to have said appeal heard and determined; this appeal is brought in relation to the order refusing to alter a public highway, and is taken to reverse entirely the decision of said Board; The ground upon which this appeal is brought is that Julius Stier, this appellant, has been aggrieved by the order of said County Board refusing to alter a public highway. The description of the proposed highway as contained in the road order from which this appeal is taken is as follows: Beginning at a point in the center of the Carver and Glencoe road 1443 feet east of the northwest corner of the South Half of the Northwest Quarter of Section 5, Township 115, Range 26, said County; thence west 1443 feet to the northwest corner of the South Half of the Northwest Quarter aforesaid; thence north on section line between Sections 5 and 6, said Town, a distance of 1593 feet to a point in the center of the Carver and Glencoe road aforesaid, its terminus.

To

Charles Buschkowsky Sr.,
Chairman of said County Board.

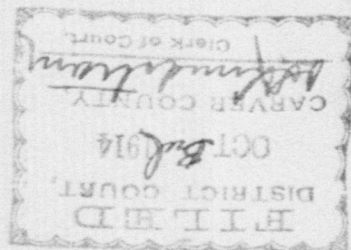
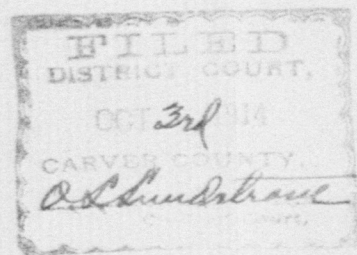
J. R. Curran

Attorney for Appellant Julius Stier.

(Original)
205

In the matter
of an appeal from
an order of the co. bond
by Julius Stier.

Notice of Appeal



E 206

Appeal Bond

In the matter of the ^{appeal} of Julius Stier to the District Court for the County of Carver, State of Minnesota, from an order of the County Commissioners of the County of Carver, in said state, dated the 20th day of Aug., 1914.

Know all men by these presents, that we, Julius Stier principal, and Ernest Stier, Wm. Zellmann as sureties, all of the County of Carver, State of Minnesota are held and firmly bound unto Chas Buschowsky, G. Mielke, Frank Grande, Wm. E. Jagers and A. J. Brown, as County Commissioners of the County of Carver, State of Minnesota, in the penal sum of Two hundred and fifty dollars to be paid to the said County Commissioners or their successors in office; for the payment of such sum well and truly to be made, we hereby bind ourselves, our heirs, executors and administrators jointly and severally by these presents.

Sealed with our seals and dated, this 18th day of Sept., 1914. Whereas, the above bounden Julius Stier has appealed from the termination of the County Commissioners aforesaid in refusing to lay out a highway, their order dated on the 20th day of Aug., 1914, and filed in the office of the County Auditor, in said County of Carver, State of Minnesota, on the 20th day of Aug., 1914; and whereas, the said Julius Stier has appealed from the order of the said County Commissioners dated on Aug. 20th 1914, refusing to lay out a highway, the condition of this obligation is such that if the termination of said County Commissioners shall be sustained and the said Julius Stier shall pay all costs arising from said appeal then this obligation shall be void, otherwise of full force and virtue.

Julius Stier seal
Ernest Stier seal
Wm. Zellmann seal

Signed sealed and delivered in the presence of:

O. R. Curran

A. F. Heithaus

State of Minnesota
County of Carver

Be it known that on this 18th day of Aug., 1914, personally appeared before me, Julius Stier, Ernest Stier, and Wm Zellmann to me well known to be the persons who executed the foregoing Bond and they severally acknowledged that they executed the same freely and voluntarily for the use and purpose therein expressed.

A. F. Heithkamp
Justice of the Peace, Carver Co.

State of Minnesota
County of Carver

Ernest Stier and Wm Zellmann being duly sworn on oath say and each for himself says that he is one of the sureties who signed the foregoing bond, that he is a resident of the County of Carver, State of Minnesota, and free holder of said State and is worth the sum of Five hundred dollars over and above his debts and liabilities and exclusive of property exempt from execution.

Ernest Stier
Wm Zellmann

Subscribed and sworn to before me this 18th day of Sept, 1914.

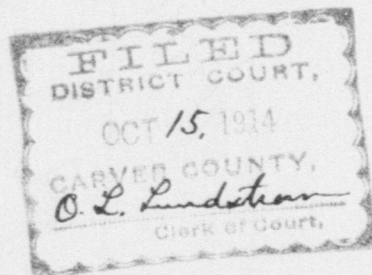
A. F. Heithkamp
Justice of the Peace, Carver Co.

State of Minnesota
County of Carver

In the matter of
the appeal by
Julius Stier from an
order of the Co. Commissioners
of Carver County

Appeal Bond

Filed Sept 19th
1914
approved thro
19th
Sept 1914
J. B. [unclear]
County Auditor



State of Minnesota,
County of Carver

IN DISTRICT COURT OF SAID COUNTY,

ss.

8th Judicial District

Oct Term, 1914.

IN THE MATTER OF

Julius Stier
appet.

vs.

Plaintiff

Board of County Commis-
sioners of Carver County,
Respondent

Defendant

We, The Jury impaneled and sworn in the above entitled action, find for the Respondent.

that the alteration of the public highway mentioned in the proceedings therein is not of public utility nor benefit and the order of the Board of County Commissioners appealed from is in all things affirmed.

Henry E. Kloss
Foreman.

Dated at Osaka this 15th day of Oct., A. D. 1914.

205

DISTRICT COURT,

8th

Judicial District

Oct

Term, 1914

State of Minnesota,

County of

Carr

ss.

VERDICT FOR DEFENDANT

IN THE MATTER OF

Julius Stier

appels.

vs.

~~Plaintiff~~

Board of County
Commissioners of
Carr County,

~~Defendant~~
Respondent

Filed in open Court the

15th

day of

October

1914

O. S. Lundstram

Clerk.

No. 864

Reg. E. - 206

State of Minnesota,

County of

Carver

ss.

District Court

Eighth

Judicial District

In the Matter of the appeal of Julius Steer from an
Order of the County Board of said County
Julius Steer

Appellant

County Board of Carver Co., Minn.

Respondent

AMOUNT OF JUDGMENT OR VERDICT

Amount of Judgment or Verdict, - - - - - \$

Interest on same from the day of 191 \$

COSTS AND DISBURSEMENTS

Statutory Costs, - - - - - \$ 10.00

Affidavits, - - - - - \$

Acknowledgments, - - - - - \$

Sheriff's Fees, - - - - - \$

Jury Fees, - - - - - \$

Clerk's Fees (to be taxed), - - - - - \$ 7.20

Expenses paid to take jury out to view locus 30.11

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	
Frank Treude	Dahlgren Town, Carver Co., Minn.	3	Oct. 13, 14 & 15, 1914	16	\$ 3.96
Chas. Buschkowsky	Chanhaman Town, said County	3	Oct. 13, 14, 15, 1914	12	\$ 3.72
Gottfried Melke	Camden Town, said County	3	Oct. 13, 14, 15, 1914	50	\$ 6.00

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

Dated February 1916

Total Amount, \$ 60.99

O. L. Lundstrom

Clerk

AFFIDAVIT OF DISBURSEMENTS

State of Minnesota,

County of

Carver

ss.

W. A. Dece

being duly sworn, says on oath, that he is the Attorney of the respondent in the above entitled action; that the foregoing is a true and correct statement of the costs and disbursements of said respondent 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 respondent; and that each of the above named witnesses was a material witness for the said respondent in said action, and was duly sworn, and testified on the trial of said action, on behalf of said respondent. 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

25th day of February, 1916.

O. L. Lundstrom
Clerk District Court

Notary Public
County, Minn.

My commission expires 19

NOTICE OF TAXATION OF COSTS

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

In the Matter of the Appeal of Julius Stier from
any Order of the County Board of said County,
Julius Stier Appellant
County Board of Carver Co., Minn. Respondent

Sir : Please Take Notice, That on the 29th day of February, 1916,
at 10 o'clock A. M., application will be made to O. L. Lundstrom, Esq.,
Clerk of said Court, at his office in the 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 Feb. 25, 1916.

Yours respectfully,

To P. R. Curran, Esq., Attorney for Appellant
W. E. Deane Attorney for Respondent.

II 205
DISTRICT COURT
Eighth Judicial District
County of Carver

In the Matter of the ap-
peal of Julius Stier
from an Order of
the County Board of
said County.

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 19th day of

Attorney for
Filed this 25th day of February
A. D. 1916
O. L. Lundstrom Clerk

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

DISTRICT COURT.

Eighth Judicial District.

Julius Steer

Appellant
vs. Plaintiff

Board of County Commissioners
of Carver County
Respondent. Defendant

JUDGMENT

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 13th day of October, 1914.

P. R. Curran Esq. appeared in behalf of the appellant, and J. J. Fahey, County Attorney, in behalf of the respondent.

The said jury, having heard the evidence, the arguments of counsel, and the instructions of the Court, on the 15th day of October, 1914, duly rendered their verdict in substance as follows:

We find for respondent, that the highway involved is not of public utility, and the Order of Board of County Commissioners appealed from is affirmed.

Now Therefore, Pursuant to said verdict and on motion of

W. F. Odell
County attorney for said Carver County

IT IS ORDERED, ADJUDGED AND DETERMINED, That the Order of said County Board from which the above entitled appeal was taken be, and the same hereby is, affirmed.

And on like motion, It is further Ordered and Adjudged that said respondent have and recover of appellant its costs and disbursements taxed and allowed in the sum \$60.99 and that it have execution therefor.

Witness the Hon.

P. W. Morrison

Judge of said Court

and the seal thereof this

29th

day of

February,

1914.

D. L. Lindstrom

Clerk.

FF

205

DISTRICT COURT,
COUNTY OF CARVER.

Julius Sturt
Appellant

AGAINST

*Board of County Commissioners
of Carver County*
Ralph Smith

JUDGMENT ROLL.

Filed *February 2nd* 1916

O. L. Smith
Clerk of the District Court.

LOUIS F. DOW CO., ST. PAUL.

8555

State of Minnesota,
County of Carver,

DISTRICT COURT,

Eighth

Judicial District

In the Matter of an Appeal from an Order
of the County Board by Julius Stier.

Plaintiff

No. 21

Against

205.

List of Jurors.

Defendant

Attorneys Mark Here	NAMES	REMARKS
1	Theodore M. Nordberg	
2	Fred Vinkelmeier	
3	George Stetel	
4	Edward Nord	
5	Nick Schindler	
6	Walter Smith	Respondent 1.
7	Anthony Jappes	
8	C. J. Smith	
9	J. R. Pierson	
10	William Mastel	
11	Tony Kirsch	
12	H. E. Kloss	
13	Adolph Krause	
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No. 21-
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STATE OF MINNESOTA,

County of Carver,
DISTRICT COURT.

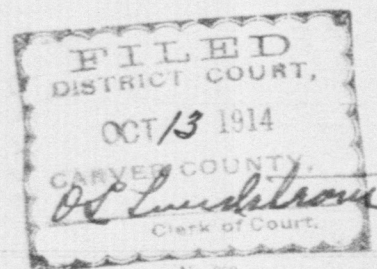
*In the Matter of
an appeal from
an Order of the County
Board by Julius Sleep*

Plaintiff

Against

Defendant

JURY LIST



No. 982

Reg. E. - 206.