



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

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3427

U. S. DEPT. OF JUSTICE

L. B. Jones

Dependent

CRIME:

Swing check without
funds or credit

Date of Entry Oct. 12th 1914

Grand Jury 212-13 1914

Arrested Oct. 12th 1914

Placed in Jail Oct. 12th 1914

Arrived at Hospital 1914

Completed 1914

Discharged 1914

Returned to Hospital 1914

Final 1914

MINNESOTA STATE REFORMATORY

St. Cloud, Minn.,

October 20 1914

Received of

Wm G. Ganyah

Dep. Sheriff
Sheriff

of

Carver

County

H. B. Heins

sentenced to this institution.

Guard:

None

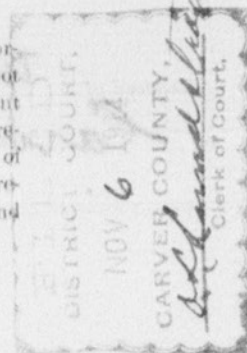
H. W. Scott

General Superintendent

Per

A. Schaenfeldt

• • This receipt is given in compliance with orders of the State Board of Control, and it is not designed that the sheriff shall obtain warrant for expenses from the State Auditor on this receipt. When a properly verified statement of costs and disbursements is received from him, receipt for prisoners shall be made thereon, and forwarded to State Auditor.



State of Minnesota,

County of Carver

DISTRICT COURT

Eighth

Judicial District,

The State of Minnesota,

vs.

G. B. Heins,

Defendant

G. B. Heins is
accused by the Grand Jury of the County of Carver
by this indictment, of the crime of giving check without
funds or credit

committed as follows:

The said G. B. Heins
on the 5th day of October 1914, at the
Village of Bologne ^{said} in this County,
did with intent to defraud one P. Mohrbach,
did make and draw a certain check for
the payment of money upon the State
Bank of Bologne, Bologne, Minn., in letters
and figures following: No - Bologne,
Minn. Oct. 5, 1914 State Bank of
Bologne, Bologne, Minn. Pay to the
order of Bearer \$3⁰⁰ Three and ⁰⁰/₁₀₀
Dollars H. B. Heins, and the endorsement
on the back of said check as follows, B. G.
Muller, and that said G. B. Heins knew
at the time of the making and drawing
of said check that he had not sufficient
funds in or credit with said State Bank
of Bologne for the payment of said check
in full upon its presentation to said
State Bank of Bologne

contrary to the

form of the Statute

in such case made and provided

and against the peace and dignity of the State of Minnesota.

Dated at Chaska, in the County of Carver, State of Minnesota, the

12th

day of

Oct.

1914

Robert V. Malmgren,
Foreman of the Grand Jury.

DISTRICT COURT

8th Judicial District

County of Carver.

THE STATE OF MINNESOTA

AGAINST

G. B. Heins,
Defendant

INDICTMENT FOR

giving check without
funds or credit

A TRUE BILL

Robert W. Malmgren,
Foreman of the Grand Jury.

Presented to the Court, in open Court,
by the Foreman of the Grand Jury, in
the presence of the Grand Jury, and
filed with the Clerk of Court this

12th day of

October A. D. 1914

O. Sundstrom
Clerk.

John J. Fahy
County Attorney.

Carver County, State of Minnesota.

The following are the names of the witnesses duly sworn and examined before the Grand Jury upon
the findings of the above indictment: J. J. Dole.

State of Minnesota,

County of Carver

IN DISTRICT COURT

Judicial District.

3

Clerk of the District Court, in and for
said County, State of Minnesota, do hereby certify that I have carefully compared the foregoing with the
original indictment presented by the Grand Jury of said County against

and find that the same is a true and correct copy of said original and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said District Court at

this

J. D. 191

Clerk of the District Court, Carver County, Minnesota.

State of Minnesota,

County of Carver

DISTRICT COURT

Eighth

Judicial District,

The State of Minnesota,

vs.

G. B. Heins,

Defendant

G. B. Heins is

accused by the Grand Jury of the County of

Carver

by this indictment, of the crime of

Giving check without
funds or credit

committed as follows:

The said

G. B. Heins

on the

5th

day of

October

1914, at the

Village

of

Cologne

said
in this County,

with intent to defraud one John Tholen, did make and draw a certain check for the payment of money upon the Farmers State Bank of Cologne, Minnesota, in letters and figures following:
 No— Cologne, Minn. Oct 15 1914
 Pay to the order of Bearer \$3⁰⁰ Three and ¹⁰/₁₀₀ Dollars To the Farmers State Bank Cologne, Minn. G. B. Heins and the endorsement on the back of said check as follows, G. H. Muller, and that said G. B. Heins knew at the time of the making and drawing of said check that he had not sufficient funds in or credit with said Farmers State Bank of Cologne, Minnesota for the payment of said check in full upon its presentation to said Farmers State Bank of Cologne, Minnesota,

contrary to the

form of the Statute

in such case made and provided

and against the peace and dignity of the State of Minnesota.

Dated at Chaska, in the County of Carver, State of Minnesota, the

12th

day of

October

1914

Robert W. Malmgren,
Foreman of the Grand Jury.

DISTRICT COURT

8th

Judicial District.

County of Carver.

THE STATE OF MINNESOTA

AGAINST

G. B. Heins

Defendant.

INDICTMENT FOR

Giving Check without
funds or credit

A TRUE BILL

Robert O. Malmgren
Foreman of the Grand Jury.

Presented to the Court, in open Court,
by the Foreman of the Grand Jury, in
the presence of the Grand Jury, and
filed with the Clerk of Court this

12th

day of

Oct.

A. D. 1914

O. L. Sundstrane
Clerk.

John J. Faher
County Attorney.

Carver County, State of Minnesota.

The following are the names of the witnesses duly sworn and examined before the Grand Jury upon
the findings of the above indictment: *W. J. Dale*

State of Minnesota,

County of Carver

IN DISTRICT COURT

Judicial District.

I

Clerk of the District Court, in and for

said County, State of Minnesota, do hereby certify that I have carefully compared the foregoing with the
original indictment presented by the Grand Jury of said County against

and find that the same is a true and correct copy of said original and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said District Court at

this

A. D. 191

Clerk of the District Court, Carver County, Minnesota.

State of Minnesota

District Court

County of Carver.

Eighth Judicial District.

-----0-----

The State of Minnesota)

vs.

(

SENTENCE.

James Heins, Defendant)

-----0-----

James Heins entered a plea of guilty to the charge of giving a check, without funds or credit, upon the Farmers' State Bank of Cologne, Minnesota, and the County Attorney moved for sentence, whereupon the defendant was duly sworn, examined and testified as follows: My true name is James Heins, and I am twenty years of age. My occupation is farming and common labor. I have no trade of any kind. My home is in Wisconsin, and I came to Minnesota about four months ago. I have worked in Minnesota at farming and harvesting, at different places, different machines, one place in the vicinity of Cologne, this county, I don't know the name, a small farm. My folks lived in the suburbs of Superior. They died when I was small, I really never had any folks. My nationality is German-~~AMERICAN~~ descent. I was born in the State of Maine. I have never been convicted of any crime.

By the Court: You have been indicted by the Grand Jury of this county for the crime of giving a check upon a bank in which you had no funds; have you anything to say now why sentence should not be pronounced upon you? A. No, sir.

By the Court: It is adjudged and determined that James Heins is guilty of the crime of giving a check upon a bank without funds or credit, as charged in the indictment returned against him by the Grand Jury of Carver county, and, as a punishment for such offense he be committed to and confined in the State Reformatory at St. Cloud, Minnesota, for a period of time to be determined by the Board of Control, and said James Heins is now remanded to the custody of the sheriff, who will execute the sentence so imposed.

342-8
No. 214

DISTRICT COURT,
CARVER COUNTY, MINN.

Mary Ennick, as Admin.
Plaintiff

vs.

O. S. Pousford
Defendant

Francis Muekel
Plaintiff's Attorney

Defendant's Attorney

Date of Entry Oct. 15th 1914

Register of Actions 6. Page 214

Term Tried 191

Judgment for

Amount of Judgment, \$

Date of Judgment 191

Judgment Book Page

Default Judgment Book Page

Date of Docketing 191

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(Light Ink)

State of Minnesota
County of Carver,

ss.

In District Court,

Eighth Judicial District.

---0---

Mary Emick, as Administratrix of the
Estate of Jacob Emick, Deceased,
Plaintiff,

vs.

S U M M O N S

O. D. Ponsford,

Defendant.

THE STATE OF MINNESOTA, TO, THE ABOVE NAMED DEFENDANT.

You are hereby required and summoned to answer the Complaint in the above entitled action, of which a copy is hereto annexed and herewith served on you, and to serve a copy of your Answer thereto upon the Subscriber at his office in the City of Chaska, within twenty days after the service of this Summons on you, exclusive of the day of such service.

If you fail to answer said Complaint within such time the plaintiff will apply to the Court for the relief demanded therein.

Francis Muehl
Attorney for Plaintiff.

Dated this 14th day of Oct. 1914,

Old Postoffice Bldg.

Chaska, Minn.,

State of Minnesota,

In District Court,

ss.

County of Carver,

Eighth Judicial District.

--0--

Mary Emick, as Administratrix of the
Estate of Jacob Emick, Deceased.
Plaintiff.

vs.

C O M P L A I N T .

O. D. Pensford, Defendant.

The plaintiff in the above entitled action, complains of the above named defendant, and alleges,

Par. I,

That on August 12th, A. D. 1914, Jacob Emick, husband of the plaintiff in the above entitled action, departed this life, leaving property and debts in the County of Carver, Minn. and State of Minnesota.

Par II,

That the plaintiff now is and has, ever since Sept, 21st, 1914, been, the duly appointed, qualified and acting Special Administratrix of the estate of said Jacob Emick, Deceased. ; she having been appointed by the Judge of Probate within and for the County of Carver and State of Minnesota.

Par. III,

That at the time of the death of said Jacob Emick, to-wit August 12th, ¹⁹¹⁴ he was the unqualified owner of of certain personal property in the County of Carver and State of Minnesota, including a certain promissory note, a copy of which promissory note is hereto attached, made a part hereof and marked "Exhibit A". Said note having indorsements on the back ~~whereof~~ ^{whereof} which plaintiff cannot describe.

Par IV.

That said promissory note now is, and has been continuously, from a time prior to the death of said Jacob Emick, Deceased, to the date hereof, in the possession of O. D. Pensford, who is the Cashier of the "State Bank of Mayer" of Mayer, Carver County, Minn.,

Par. V.

That since the plaintiff was appointed Administratrix of the estate of said Jacob Emick, as of resaid, and after she duly qualified in such capacity, she, in her capacity as administratrix of the estate of Jacob Emick, Deceased,

on the 22nd. day of September, A. D. 1914, orally demanded the possession of said promissory note from the defendant O. D. Ponsford, at Mayer, in the County of Carver and State of Minnesota,

Par. VI,

That the defendant O. D. Ponsford refused to deliver to this plaintiff the said promissory note and that said note is wrongfully detained from plaintiff by the defendant O. D. Ponsford,

Par. VII,

That this plaintiff is entitled to the immediate possession of said promissory note by virtue of being the Special Administrator of the estate of Jacob Emick, Deceased.

Par. VIII,

That said promissory note was not taken for a tax, assessment or fine, nor seized under execution or attachment against this plaintiff or against plaintiff's decedent, Jacob Emick.

Par. IX.

That the actual value of said promissory note is about One Hundred Dollars.

WHEREFORE, the plaintiff demands immediate possession of said promissory note,

Second, For Judgment for the recovery of the possession of said promissory note, or in the sum of Five Hundred Dollars, in case a recovery of possession thereof cannot be had.

Third, For the costs and disbursements of this action.

Francis Muekel
Attorney for Plaintiff.

State of Minnesota,
ss.
County of Carver,

I, Francis Muekel, on oath depose and say that I am the attorney for the plaintiff in the above entitled action, that I am familiar with the statements and allegations set forth in the foregoing Complaint, that I have discussed the matters and things alleged therein, with plaintiff and defendant and say on oath that the allegations therein contained are true, excepting as to matters stated on information and belief, and as to those matters I believe them to be true, the plaintiff being absent from Carver County, Minn, hence my verification of the foregoing Complaint.

Francis Muekel

Sworn to before me this 14 day of October, 1914.

John H. Hesser.
Notary Judge.
Carver Co. Minn.

\$500.00

Mayer, Minn., Nov, 20- 1908.

Two years after date I promise to pay to the Order of

Jacob Emick, Five Hundred Dollars, at Mayer
Minn.,

Value received with interest before and after maturity at the rate
of 6 per cent per annum, until paid.

No _____ Due _____

H. Terwedo,

"Exhibit A".

214
District Court
5th Judicial Dist

Mary Emick (Plaintiff)
Plaintiff

O. D. Bonford
Defendant

Complaint & Summons

Filed
Carver County

Oct. 15, 1914

O. L. Lundstrom,

By H. O. Muehlberg, Clerk
(214) Deputy

Francis Muekel
Atty for Plaintiff

State of Minnesota

ss.

County of Carver,

In District Court,

Eighth Judicial District.

---o---

Eary Maick, as Administratrix of the
Estate of Jacob Maick, Deceased,
Plaintiff,

vs.

S U M M O N S

O. D. Pongford,

Defendant.

THE STATE OF MINNESOTA, TO, THE ABOVE NAMED DEFENDANT.

You are hereby required and summoned to answer the Complaint in the above
entitled action, of which a copy is hereto annexed and herewith served on you,
and to serve a copy of your Answer thereto upon the subscriber at his
office in the City of Chaska, within twenty days after the service of this
Summons on you, exclusive of the day of such service.

If you fail to answer said Complaint within such time the plaintiff will
apply to the Court for the relief demanded therein.

Francis Muekel
Attorney for Plaintiff.

Dated this 14th day of Oct. 1914,

Old Postoffice Bldg.

Chaska, Minn.,

State of Minnesota,

In District Court,

ss.

County of Carver,

Eighth Judicial District.

---o---

Mary Emick, as Administratrix of the
Estate of Jacob Emick, Deceased.
Plaintiff.

vs.

C O M P L A I N T .

O. D. Ponsford, Defendant.

The plaintiff in the above entitled action, complains of the above named defendant, and alleges,

Par. I,

That on August 12th, A. D. 1914, Jacob Emick, husband of the plaintiff in the above entitled action, departed this life, leaving property and debts in the County of Carver and State of Minnesota.

Par II,

That the plaintiff now is and has, ever since Sept, 21st, 1914, been, the duly appointed, qualified and acting Special Administratrix of the estate of said Jacob Emick, Deceased. ; she having been appointed by the Judge of Probate within and for the County of Carver and State of Minnesota.

Par. III,

That at the time of the death of said Jacob Emick, to-wit August 12th, ¹⁹¹⁴ he was the unqualified owner of of certain personal property in the County of Carver and State of Minnesota, including a certain promissory note, a copy of which promissory note is hereto attached, made a part hereof and marked "Exhibit A". Said note having indorsements on the back thereof which plaintiff cannot describe.

Par IV.

That said promissory note now is, and has been continuously, from a time prior to the death of said Jacob Emick, Deceased, to the date hereof, in the possession of O. D. Ponsford, who is the Cashier of the "State Bank of Mayer" of Mayer, Carver County, Minn.,

Par. V.

That since the plaintiff was appointed Administratrix of the estate of said Jacob Emick, as aforesaid, and after she duly qualified in such capacity, in her capacity as administratrix of the estate of Jacob Emick, Deceased,

on the 22nd. dayx of September, A. D. 1914, orally demanded the possession of said promissory note from the defendant O. D. Pensford, at Mayer, in the County of Carver and State of Minnesota,

Par. VI,

That the defendant O. D. Pensford refused to deliver to this plaintiff the said promissory note and that said note is wrongfully detained from plaintiff by the defendant O. D. Pensford,

Par. VII,

That this plaintiff is entitled to the immediate possession of said promissory note by virtue of being the Special Administrator of the estate of Jacob Whick, Deceased.

Par. VIII,

That said promissory note was not taken for a tax, assessment or fine, nor seized under execution or attachment against this plaintiff or against plaintiff's decedent, Jacob Whick.

Par. IX.

That the actual value of said promissory note is about One Hundred Dollars.

WHEREFORE, the plaintiff demands immediate possession of said promissory note,

Second, For Judgment for the recovery of the possession of said promissory note, or in the sum of Five Hundred Dollars, in case a recovery of possession thereof cannot be had.

Third, For the costs and disbursements of this action.

Francis Muekel
Attorney for Plaintiff.

State of Minnesota,
ss.
County of Carver,

I, Francis Muekel, on oath depose and say that I am the attorney for the plaintiff in the above entitled action, that I am familiar with the statements and allegations set forth in the foregoing ~~Ex~~ Complaint, that I have discussed the matters and things alleged therein, with plaintiff and defendant and say on oath that the allegations therein contained are true, excepting as to matters stated on information and belief, and as to those matters I believe them to be true, the plaintiff being absent from Carver County, Minn, hence my verification of the foregoing Complaint.

Francis Muekel

Sworn to before me this 14 day of October, 1914.

John H. Klosser
Judge of Probate

\$500.00

Mayer, Minn., Nov, 20- 1908.

Two years after date I promise to pay to the Order of
Jacob Enick, Five Hundred Dollars, at Mayer
Minn.,

Value received with interest before and after maturity at the rate
of 6 per cent per annum, until paid.

No

due

E. Terwedo,

"Exhibit A".

Wm. Eric Alden
Plaintiff

vs
O. D. Boneford

Complaint & Summons

Cops

No. ³⁴²⁹
~~215~~

DISTRICT COURT,
CARVER COUNTY, MINN.

Doctor Howard Laukster
Plaintiff

vs.

Isaac Fines

Defendant

Herold A. Welch

Plaintiff's Attorney

Francis Muekel

Defendant's Attorney

Date of Entry *Oct. 15th* 191*4*

Register of Actions *E.* Page *215*

Term Tried 191

Judgment for

Amount of Judgment, \$

Date of Judgment 191

Judgment Book Page

Default Judgment Book Page

Date of Docketing 191

3430
No. 216

DISTRICT COURT,
CARVER COUNTY, MINN.

School Dist # 12
Plaintiff

vs.

Wilhelmina Hauke et al
Defendant

Francis Muekel
Plaintiff's Attorney

John J. Fisher
Defendant's Attorney

Date of Entry Nov 7th 1914

Register of Actions F Page 216

Term Tried 191

Judgment for

Amount of Judgment, \$

Date of Judgment 191

Judgment Book Page

Default Judgment Book Page

Date of Docketing 191

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IN THE MATTER OF CHANGING THE
SCHOOL SITE OF COMMON SCHOOL DISTRICT }
NO. 73, CARVER COUNTY, MINNESOTA. }

In Chambers, at the Village of Norwood, Carver County, Minnesota, the above entitled proceeding was brought before the Court; and, at the hearing thereof, the court was asked to appoint commissioners to appraise damages for the taking of private ~~man~~ property for public use, to wit: a School House site for said District.

Francis Muekel Esq; appeared as Counsel for the petitioners.

J.J. Fahey Esq; appeared for the owner of the lands described in the proceedings.

After hearing the evidence adduced at the trial, reading all of the papers introduced in evidence and considering all of the objections made to the introduction thereof, the Court finds:

- 1, That there is no law in the State of Minnesota authorizing such proceeding as were instituted in this case.
- 2, In no particular do the proceedings comply with Chapter 41, Laws of 1913, and the motion of the land owner to dismiss the proceedings must be granted.

IT IS THEREFORE ORDERED: That the proceedings in the above entitled matter be, and the same hereby are dismissed.

Dated at Norwood, this 12th day of January, a.d. 1915.

Judge of said Court.

Memorandum:

The Notice and petition is unwarranted in law. It does not comply with Chapter 41, Sec. 5399, Laws of 1913. There is no petition at all for the appointment of commissioners to award damages in compliance with the law above cited. The petition under consideration is all right for the purpose of finding out the sentiment of voters of the District but the School Board has the inherent right right to purchase a School Site. According to the Notice of Special Meeting, the meeting was held for the purpose of "appointing a committee an available tract of land in or adjoining the Village of Mayer, Carver County, Minnesota as a School site within and for said District".

If the land sought for a School Site cannot be acquired by the Board, petition should be made for the appointment of commissioners to appraise the damages in accordance with said section 5399. I find no such petition. I am unable to find any notice of meeting for the purpose of changing the School site. Nothing but "Ex." B" the contents of which is hereinbefore recited and ^{no} record in the minutes of the proceedings of any votes on the question in compliance with sec, 2715, laws of 1913. ^{^ of changing title}

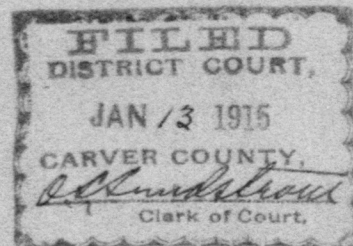
When the law of Eminent Domain is invoked the Statute must be strictly complied with.

J. W. Morrison
Judge.

#216
State of Minnesota
County of Carver

In the Matter
of changing
Title of School
District No 73
Carver County Minn

Order on passing
proceedings



E 216

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State of Minnesota,

County of Carver

ss.

In District Court,

Tenth Judicial District.

School District #73, of Carver County, Minn.,

Fred Scheidegger, Ferdinand Schmidt & Adolph Stark,
School Board thereof, Petitioner,

vs

Wilhelmine Haueter, et, al. Defendants.

State of Minnesota,

County of Carver

ss.

Francis Muekel,

being duly sworn, says that

He is the attorney for the above named petitioner, that the above petitioner has a good and meritorious cause of action against the above named defendants. which action is instituted by the Petitioner to acquire title in fee simple to a certain tract of land in Carver County, Minn., in which the above named defendants have an interest. That I believe that James M. Haueter is a non-resident of the State of Minnesota, that I believe that personal service of Summons cannot be had on the said James Haueter within the State of Minnesota and that I do not know of the post-office address of the said James Haueter, he being one of the above designated defendants.

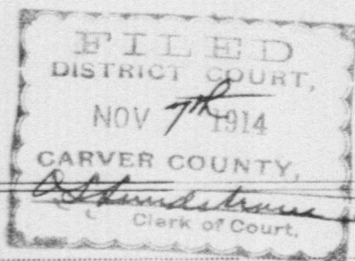
2/6

In Dist Court
5th Judicial Dist.

School Dist. #73.
Corner Co. Minn

vs.
Wilhelmine Horster
et al.

AFFIDAVIT,
GENERAL FORM.



No. 1169.

Subscribed and sworn to before me this

7th day of

NOV.

A. D. 19

14.

W. L. Lindstrom
Clerk District Court
Stark, Minn.

Foster Muefel

E 2/6

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

I HEREBY CERTIFY AND RETURN, That at the town
Camden County and State aforesaid, on the 17th, day of November, A.D. 1914;
I served the Petition and Notice hereto attached upon the within named
Herman Granzow, and Wilhelmine Haueter, by then and there handing to and
leaving with them and each of them personally a true and correct copy
thereof.

I further certify that on the same day and date at the town of
Watertown in County and State aforesaid, I served the Petition and Notice
hereto attached upon Charles Haueter, as Guardian of the person and estate
of Wilhelmine Haueter, (Incompetent) also a copy of the Petition & Notice
hereto attached upon Charles Haueter, as Guardian of the estate of James
Haueter (Minor), by then and there handing to and leaving with him per-
sonally two true and correct copies thereof.

Sheriff's fee service, \$4.00

Travel, ----- \$4.60

\$8.60

G. A. Gatz

Sheriff Carver County, Minn.

#600
1000
#5-60

Z-SUMMONS RETURN, OF NO SERVICE, TO ATTACH.

FREE PRESS BLANK

MANUFACTURED

ST. CROIX, MINN.

Class 6.

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 defendant James Haueter within my said County and the defendant aforesaid cannot be found within said Carr County.

Dated this

7th

day of

November 1914

Sheriff's fees, return, \$ 1.00

Mileage

\$

Sheriff of

G. A. Gatz
Carr

County, Minn.

By

Deputy.

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State of Minnesota,
ss.
County of Carver,

In District Court,
Eighth Judicial District.

-0-

School District #73, of Carver
County, Minn; Fred Scheidegger
Ferdinand Schmidt & Adolph
Stark, School Board thereof,
Petitioner.

versus.

N O T I C E .

Wilhelmine Haueter, (Incompetent)
Charles Haueter, as Guardian of the
person and estate of Wilhelmine Hau-
eter, Incompetent, Herman Granzow;
James Haueter, Minor and to Charles
Haueter as Guardian of the estate of
James Haueter, (Minor) Defendants.

THE STATE OF MINNESOTA;

To the above named defendants;

You and each of you are hereby notified that the Hon. P. W. Morrison, Judge of the Eighth Judicial District of Minnesota, will at his law-office in Norwood, Carver County, Minn., beginning at ten O'clock in the morning of December 1st. 1914, hold a Special Term of the above named Court, and that the above named Petitioner will present to the above named Court, at the hour of Ten O'clock in the morning of December 1st. 1914, (or as soon thereafter as the Court in its wisdom will hear the same) in the law-office of the Hon. P. W. Morrison, in Norwood, Carver County, Minn., at such Special Term of said Court; its Petition for the purpose of taking the following described tract of land; to-wit: Beginning at a point Thirty-three feet directly west of the Northwest Corner of Lot 7 in Block 3, in Haueter's 2nd. Addition to the Village of Mayer, 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.; thence South 300 feet, thence West 290 & 4/10 feet thence North 300 feet and thence back to the place of beginning; under the right of Eminent Domain, to acquire title in and to said described tract as and for a School-site, within and for said School District #73 of Carver County, Minn; said School District #73 to acquire title in and to said described tract and to use the same for public and school use as a school-site within and for said School District; To have the Court appoint three disinterested Commissioners, residents of Carver County, Minn., who shall ascertain and report the amount of damages sustained by the several owners of said described tract of land, on account of such taking; To have the Court fix the time of the first meeting of such Commissioners and to fix their compensation, to have the Court decree that such taking of said described tract by the Petitioner is necessary and the use and purpose thereof public and proper and for such other and further relief as is proper and will grant the Petitioner the title in fee in and to said described tract of land, all of which will more fully appear in said Petition, a copy of which is hereto attached and herewith served on you.

You will therefore govern yourself accordingly,

Dated this 9th day of November 1914.

Francis Mueller
Attorney for Petitioner.

Old Postoffice Bldg.
Chaska, Minn.,

State of Minnesota,
County of Carver ss.

In District Court,
Eighth Judicial District.

-0-

School District #73, of Carver County,
Minn, Fred Scheidegger, Ferdinand Schmidt
and Adolph Stark, School Board thereof,
Petitioner.

vs.

P E T I T I O N .

Wilhelmine Haueter, (Incompetent)
Charles Haueter, as Guardian of the
person and estate of Wilhelmine Hau-
eter, Incompetent, Herman Granzow,
James Haueter, (Minor) and Charles
Haueter, as Guardian of the Estate
of James Haueter, Minor. Defendants.

Comes now the above named Petitioner, ~~xxx~~ School District #73, of
Carver County, Minn, through its School Board, Fred Scheidegger, (Chairman)
Ferdinand Schmidt, (Clerk) and Adolph Stark, (Treasurer) and respectfully
represents to the Court.

1,

That Wilhelmine Haueter and James Haueter, above named are all of
the record owners and all the known owners of the following desc ibed tract
of land towit- lying in Carver County, Minn., Beginning at a point 33 feet
directly west of the N.W. Corner of Lot 7, in Block 3, in Haueter's 2nd. Ad-
dition to the Village of Mayer, Carver County, Minn., according to the re-
corded plat thereof, which plat is filed and duly recorded in the Office of
the Register of Deeds, within and for the County of Carver, Minn; at Chaska
Minn., thence South 300 feet, thence West 290 & 4/10 feet, thence North 300
feet and thence back to, place of beginning, their interest therein being as
follows: Said Wilhelmine Haueter is the absolute owner in fee of an un-
divided seven-eighths and is the owner and has a life estate in the entire
tract during her natural life. That said James Haueter is the owner of
an undivided one-eighth of said tract subject however to a life estate
therein, of the said Wilhelmine Haueter during her natural life.

11,

That the defendant Herman Granzow is the occupant of said tract
described in paragraph One (1) hereof and is in possession thereof.

111,

That the defendant Charles Haueter is the Guardian of the Estate
of James Haueter, above named, who is a Minor.

1V,

That the defen ant Charles Haueter, is the Guardian of the person
and estate of Wilhelmine Haueter, whox is adjudged incompetent.

V.

That School District #73 of Carver County, Minn., embraces the
following territory in Carver County, Minn., to-wit: All of Section 1,,
all of Section 12, except U. S. Lot #6 thereof, East 1/2 of S. E. Quarter
of Section 2, East 1/2 S. E. Quarter of Section 36,, all of which is in
Township 117, North of Range 26, West, Also the following described land,
also in the County of Carver, Minn., West 1/2 of Section 6, West 1/2 of N.E.
Quarter of Section 6, S. W. Quarter Section 31, West 1/2 of N. W. Quarter
of Section 31, West 1/2 of S. W. of Section 30, S. W. Quarter Section 32,
except the West 1/2 of the N.W. quarter S.W. Quarter of said section 32, all

in Township 117, North of Range 25, West. and that the incorporated Village of Mayer, is located in almost the geographical center of said School District #73, of Carver County, Minn.,

VI,

That the tract of land described in paragraph 1, hereof, does not exceed two acres in area, is not within the limits of any incorporated City or Village; is just outside the corporate limits of the ~~incorporated~~ Incorporated Village of Mayer, Carver County, Minn., said tract is almost centrally located in said School District #73 and is the most desirable and suitable tract as and for a School-site within and for said School District.

VII,

That said School District #73 of Carver County, Minn, has not a suitable school site within said District, that is to say said School District does not own or control a suitable and satisfactory School-site within said District.

VIII,

That said School-board of said School District #73 was duly authorized to purchase said tract described in paragraph 1, hereof, for the sum of One Thousand Dollars, such authority having been conferred on said School Board before Wilhelmine Haueter was adjudged incompetent and said Charles Haueter appointed Guardian of the person and estate of said Wilhelmine Haueter, that said Board approached said Wilhelmine Haueter regarding the sale of said tract prior such adjudication, but said Wilhelmine Haueter refused to sell said tract for such price.

IX,

That the School Board of said School District is duly authorized by the legal voters of said School District #73, to take and acquire title in and to said ~~xxx~~ tract described in paragraph 1, hereof, under the power of Eminent Domain, the same to be used as a school-site within and for said School District #73, on which to erect a school-house and use the same for public and school use only.

X.

That said tract described in paragraph 1, hereof is a high, dry, suitable and satisfactory tract for a school-site in said District and that it is necessary that said tract be so taken in order that said School District have a satisfactory School-site.

XI,

That the taking of said tract described in paragraph 1, hereof is solely for the purpose of obtaining for said School District, a school-site on which to erect a school house and to be used for school-purposes only.

XII,

That said School District and its School Board do elect to exercise its right to take said tract described in paragraph 1, hereof, under the right of Eminent Domain, to acquire fee-simple title in and to said tract as and for a school-site within said School District solely for school purposes.

Wherefore the Petitioner prays the Court to hear Competent evidence touching the allegations of the foregoing Petition, and decree that such taking of said tract described in paragraph 1, hereof to be necessary and the ~~proposed~~ proposed use thereof to be public, also, appoint three disinterested Commissioners, residents of Carver County, Minn., to ascertain and report the damages that will be sustained by the several owners and the occupant of said tract described in paragraph 1, hereof, also fix a time and place for the first meeting of said Commissioners and fix their compensation and for such other and further relief as may be necessary to assist said School District #73 of Carver County, Minn to acquire title in fee in and to said tract described in paragraph one hereof.

Louise Michel
Attorney for Petitioners

State of Minnesota,
County of Carver,

ss.

I, Fred Scheidegger, being first duly sworn on oath, depose and say that I am Chairman of the School District Board of School District #73, of Carver County, Minnesota, that I have read the foregoing Petition and that the statements therein contained are true of my own knowledge, except as to matters stated on information and belief and as to those matters I believe them to be true.

Fred Scheidegger

Sworn to before me by Fred Scheidegger, this 6 of Nov. 1914.

Q. Ponsford
Notary Public in and for
Carver County, Minn.,
My Commission Expires May 1st 1921

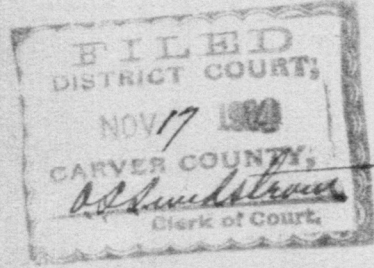
#216
In District Court
of the Judicial Dist.

School District
#73. Coover County
Minnesota
Petitioner

Wilhelmine Harster
et al. Defendant

Petition &
Notice.
Original E266

Francis Muecke
Atty for Petitioner



STATE OF ILLINOIS
COUNTY OF DILLON

I have duly served the within writ by reading the same to the

within named *James Harster*

(Other defendants not

found in my county)

him copies thereof,

and at the same time advised

this 11... day of Nov. 1904 A. A. Kuhn, Sheriff.

By John A. Kuhn, Deputy

Sherriff's fees \$4.00