



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

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3432

CRIMINAL COURT

NEW YORK, N. Y.

THE PEOPLE OF THE STATE OF NEW YORK

Thos. Devine

Defendant

CRIME:

Reckless Driving

July 1st 1914

James H. Devine, Jr.

19

1914

19

19

19

19



State of Minnesota,  
County of Carver } ss.

DISTRICT COURT,  
Eighth Judicial District.

## STATE OF MINNESOTA.

AGAINST

Thos. Devine, Defendant

I, John J. Fahey County Attorney

for said County, hereby inform the Court that on the 11th day of

November

in the year A. D. 1914, at said County,

Thos. Devine did commit the crime of assault in the second degree at the Village of Watertown in said County and State by then and there wilfully and wrongfully assaulting one Ed. Swanson with a weapon, to wit, a revolver, the same being an instrument likely to produce bodily harm.

against the peace and dignity of the State of Minnesota.

Dated November 18th 1914

John J. Fahey

County Attorney.

# District Court,

*8th* Judicial District.

County of *Carver*

State of Minnesota,

AGAINST

*Thos. Devine*  
*Defendant*

## INFORMATION

for

Presented to the Court and filed in the  
office of the Clerk of the District Court  
in and for the County of

*Carver*  
Minnesota, this *18th*

day of *November* 191*4*

*O. R. Lundstram*  
Clerk.



State of Minnesota,  
County of Carver

DISTRICT COURT.

Eighth Judicial District.

To the District Court of the County of Carver, State of Minnesota.

I, Thos. Devine respectfully represent and  
allege that I did on the 11th day of November, 1914,  
commit the crime of assault in the second degree at  
the Village of Watertown in said County and  
State by then and there wilfully and wrong-  
fully assaulting one Ed. Swanson with  
a weapon, to wit, a revolver, the same  
being an instrument likely to produce  
grievous bodily harm.

That a complaint was made and filed in Justice Court before  
A. G. W. Anderson, Esq., one of the Justices of the  
Peace in and for said County on the  
17th day of November, 1914.

That a warrant was duly issued from said Court in pursuance of said complaint and I was arrested by virtue  
of said warrant and brought before said Court on the 17th day of  
November, 1914.

That I was by said Court then held for trial at the next General Term of the District Court of  
Carver County, State of Minnesota, and am now  
in actual confinement in the county  
jail of said County.

That I now desire to plead guilty of the charge so made against me by said complaint.

That no information or indictment has been made or filed against me.

I therefore, hereby request that the District Court of Carver County,  
State of Minnesota, will direct J. J. Fahey, Esq. County Attorney  
of Carver County, Minnesota, to file an information in the said District  
Court, charging me with the crime of

assault in the second degree,  
so set forth in said complaint in accordance with the statutes in such case made and provided.

Dated this 18th day of November, 1914.

Thos Devine

# 218

State of Minnesota,

County of Carver

DISTRICT COURT.

THE STATE OF MINNESOTA

VS.

Thos. Devine

Defendants Request to  
Plead Guilty.

Filed this 18th day of

November 1914

O. C. Lundstram  
Clerk of District Court.

E 218

MILLER-DAVIS PRINTING CO., MINNEAPOLIS



3433

Gustav Frank

CRIME

Disruption of the peace

Disruption of the peace

Disruption of the peace

Disruption of the peace

Disruption of the peace

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Disruption of the peace

State of Minnesota, } DISTRICT COURT.  
 County of Carver } Eighth Judicial District.

To the District Court of the County of Carver State of Minnesota.

I, Gustav Frank respectfully represent and  
 allege that I did on the 20th day of November 1914,  
 commit the crime of Assault in the second degree  
committed as follows, being then and  
 there armed with a 'deadly weapon' to  
 wit - a sharp pointed piece of steel iron,  
 known as a corn husking pin, I  
 wilfully and wrongfully and feloniously  
 assaulted the person of August Lenz  
 in the Village of Mayer, Carver County, Minnesota

That a complaint was made and filed in Justice Court before  
A. Young, Justice of Peace of said County  
 of Carver, charging me with said assault.

That a warrant was duly issued from said Court in pursuance of said complaint and I was arrested by virtue  
 of said warrant and brought before said Court on the 21st day of  
November 1914.

That I was by said Court then held for trial at the next General Term of the District Court of  
Carver County, State of Minnesota,  
 to be held on the second Monday in  
March, 1915, and placed under a Bond  
of \$500.00 to insure my appearance at said  
 term of Court and in lieu of furnishing said Bond  
 be confined in the County Jail of said Carver County  
 until said time of court to remove shall arrive.

That I now desire to plead guilty of the charge so made against me by said complaint.

That no information or indictment has been made or filed against me.

I therefore, hereby request that the District Court of Carver County,  
 State of Minnesota, will direct John J. Fahy County Attorney  
 of Carver County, Minnesota, to file an information in the said District  
 Court, charging me with the crime of Assault in the Second Degree

so set forth in said complaint in accordance with the statutes in such case made and provided.

Dated this 21st day of November 1914.

Gustav Frank



# 519

State of Minnesota,

County of Carver

DISTRICT COURT.

THE STATE OF MINNESOTA

VS.

Gustav Frank

Defendants Request to  
Plead Guilty.

Filed this 21st day of

November 1918

D. J. Sundström  
Clerk of District Court.

State of Minnesota,  
County of Carver

DISTRICT COURT,  
Eighth Judicial District.

STATE OF MINNESOTA,  
AGAINST

*Gustav Frank. Defendant*

I, *John J. Fahey*

County Attorney

for said County, hereby inform the Court that on the *20th* day of

*November*

in the year A. D. 19*14*, at said County,

*Said Gustav Frank* did, under circumstances not amounting to assault in the first degree commit the crime of assault in the second degree committed as follows, the said *Gustav Frank*, on said *20th* day of *Nov. 1914*, at said village of *Mayer*, being then and there armed with a deadly and dangerous weapon, to-wit: an iron corn husking pin, a more particular description of said weapon being to this complainant unknown, did wilfully, wrongfully, unlawfully, and feloniously assault, strike, beat, bruise and injure him, the said *Jug. Lorey* with said husking pin aforesaid, said weapon being then and there a weapon likely to produce grievous bodily harm

against the peace and dignity of the State of Minnesota.

Dated

*Nov. 21st,*

19*14*

*John J. Fahey*

County Attorney.



#219

# District Court,

Eighth Judicial District,

County of Carver.

State of Minnesota,

AGAINST

*Gustav Frank*  
*Defendant*

## INFORMATION

for

Presented to the Court and filed in the  
office of the Clerk of the District Court in  
and for the County of Carver, Minnesota,

this *21st* day of *November*

19 *14*

*O. J. Gustafson*  
Clerk.

E219



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

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

Whereas, *Aug. Lorenz*  
has this day complained in writing to me, on oath, that on the *20th* day of  
*Nov.*, 191*4*, at the Village of *Mayer*  
in said County, *Gustaf Frank*, did,  
under circumstances not amount-  
ing to assault in the first degree,  
commit the crime of assault in the  
second degree committed as follows,  
the said *Gustaf Frank* on said *20th*  
day of *Nov.*, 191*4*, at said village  
of *Mayer*, being then and there  
armed with a deadly and dangerous  
weapon, to wit, an iron corn husk-  
ing pin, a more particular description  
of said weapon being to the com-  
plainant unknown, did wilfully,  
wrongfully, unlawfully and fel-  
oniously assault, strike, beat, bruise  
and injure him, the said *Aug. Lorenz*  
with said husking pin aforesaid, &  
said weapon being then and there  
a weapon likely to produce grievous  
bodily harm

against the form of the statute in such case made and provided, and against  
the peace and dignity of the State of Minnesota, and prayed that the said

*Gustaf Frank*  
might be arrested and dealt with according to law.

Now, Therefore, You are commanded forthwith to apprehend the said  
*Gustaf Frank*  
and bring him before me, to be dealt with according to law.

Given under my hand this *21st* day of *Nov.*, A. D. 191*4*

*W. H. Young*  
Justice of the Peace

# IN JUSTICE'S COURT

County of \_\_\_\_\_

THE STATE OF MINNESOTA

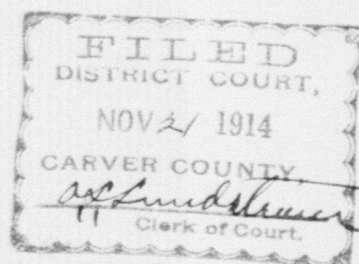
—AGAINST—

## CRIMINAL WARRANT

Filed this 21st day of Nov.  
A. D. 1914

Justice of the Peace

913 1000



State of Minnesota,  
County of \_\_\_\_\_ } ss.

I hereby certify and return, that by virtue of the within Warrant, I have arrested the within named Defendant, and have \_\_\_\_\_ now before the Court in custody.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 191

FEES—Mileage, \_\_\_\_\_ Miles, \$ \_\_\_\_\_

Service, \_\_\_\_\_ \$ \_\_\_\_\_

Total, \$ \_\_\_\_\_

Constable



No. 3431  
221

**DISTRICT COURT,**  
**CARVER COUNTY, MINN.**

*In the matter of laying  
out a Judicial Road  
in Carver & Wright  
Counties* vs.

Defendant

*A. A. Helch*

Petitioner's Plaintiff's Attorney

Defendant's Attorney

Date of Entry *Dec. 5th* 191*4*

Register of Actions *E* Page *220*

Term Tried 191*4*

Judgment for

Amount of Judgment, \$

Date of Judgment 191

Judgment Book Page

Default Judgment Book Page

Date of Docketing 191



Illegible  
(Light Ink)

EIGHTH JUDICIAL DISTRICT  
HON. P. W. MORRISON, JUDGE  
NORWOOD, MINN.

**O. L. LUNDSTROM**  
CLERK OF COURT  
Chaska, Minnesota

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

April 6th, 1915.

County Auditor of Wright County,  
Buffalo, Minn.

Dear Sir:-

I am herewith sending you certified copy of the Report of  
of the Commissioners with Order of the Court in the establishment  
of the Judicial road running into and through the Counties of Carver  
and Wright. Kindly acknowledge receipt.

Respectfully yours,

Receipt of papers described  
herein acknowledged this 8th  
day of April, 1915.

*John A. Berg*  
County Auditor.

*O. L. Lundstrom*  
Clerk District Court.



Chaska, Minn., April 4 1915

**County of Carver, Minnesota,**

To J. E. Van Krivelev Dr.

April 6 <sup>th</sup>	To trip to Chaska, making copies of Wright <del>and</del> Carver County road,	\$8.00
"	" Mileage <sup>32 miles</sup> <del>conveyance</del> return to Chaska	4.00
		\$12.00

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

I, J. E. Van Krivelev being duly sworn, do depose and say that the annexed bill is just and true; that the property, goods, merchandise, labor or services therein charged was actually delivered or rendered to Carver County, and of the value charged, and that no part thereof has yet been paid.

Subscribed and sworn to before me this 6<sup>th</sup> day of April 1915

J. E. Van Krivelev  
O. L. Lundstrom  
clerk Dist. Court, County Auditor, Carver Co., Minn.

*J. C. Van Hook*  
Account Against  
**County of Carver,**  
**Minnesota**

Amount of Claim, - \$ *12.00*

Amount Allowed, - \$

*not* **APR 14 1915**  
Allowed 191

Within bill is — in form

*Odell*

County Attorney.

*can give oral opinion*  
*Agreed*  
*Chas. Buchkowsky Sr.*  
Chairman Board of County Commissioners.



STATE OF MINNESOTA  
COUNTY OF CARVER

DISTRICT COURT  
EIGHTEEN JUDICIAL DISTRICT

In the matter of laying out  
and establishing a Judicial  
Road running into and through  
the Counties of Carver and Wright.

SUPPLEMENTAL  
ORDER

\*\*\*\*\*

Whereas the above entitled matter has been before  
this Court and the petition for the granting of said road  
and the payment of damages and expenses incurred thereunder  
has been ordered paid by an order by this Court.

Whereas it now appears that through mistake and  
excusable neglect the original plat of the Engineer in  
said proceeding was made a part of the Court files by the  
Chairman of the County Commissioners of Carver County, who  
reported said matter to the Court at the hearing on same held  
on the first or opening day of said Court in March 1915, before  
necessary copies were made from said plat, which copies are  
required by law and were ordered made by the Court at said  
hearing. That by reason of such mistake and neglect the said  
engineer was obliged to make a special trip from his home  
at Watertown, Carver County, Minnesota to the Office of the  
Clerk of the District Court above named to prepare said copies.

Now on motion of Harold A. Welch, attorney for said  
petitioners in said matter it is hereby ordered; that the  
County of Carver, Minnesota pay the hereto attached verified  
bill of said engineer, J. C. Van Krevelan, amounting to the  
sum of Twelve Dollars. That the Clerk of this Court deliver  
a certified copy of this order to the County Auditor of said  
County. That the bill be allowed and paid by said County without  
further delay.

Dated June 28th.

By the Court.

*H. Morrison*  
Judge

LAW OFFICE  
**HAROLD A. WELCH**  
CAMERON, WIS.  
CHASKA, MINN.



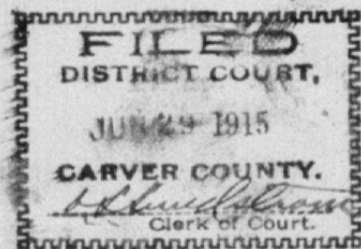
# 220

State of Minnesota  
County of Carver

District Court  
8th Judicial Dist.

In the matter of laying  
out and establishing a  
Judicial Road running  
into and thru the  
Counties of Carver & Wright.

Supplemental Order



Harold A. Welch  
Attorney for Petitioners  
E 220.

STATE OF MINNESOTA

COUNTIES OF CARVER AND WRIGHT

IN THE DISTRICT COURTS OF

CARVER AND WRIGHT COUNTIES

\*\*\*\*\*

In the matter of laying out and establishing a Judicial Road  
running into and through Carver and Wright Counties, Minnesota.  
\*\*\*\*\*

STATE OF MINNESOTA ( )  
COUNTY OF Wright )SS

FA Peterson being duly sworn says  
that he is a resident of Wright County, Minnesota and is more  
than 25 years of age; that he served the within Notice of  
Presentation of Petition on EW Ferrell, Chairman of the County  
Commissioners of Wright County, Minnesota, on the 8<sup>th</sup> day of  
December 1914, by handing to and leaving with him a true copy thereof.  
That he served said Notice on JS Johnson, the Town Clerk of  
Woodland Town, Wright County, Minnesota, on the 8<sup>th</sup> day of December  
1914, by handing to and leaving with him a true copy thereof.

That on the 8<sup>th</sup> day of December 1914 he posted said Notice at  
The Town Hall, and Carter Creamery and  
Whipple Creamery, which are three conspicuous and usual  
places of posting Notices in Woodland Town, Wright County, Minnesota.

That on the 8<sup>th</sup> day of December 1914 he served said Notice on  
MA Gothard, the Town Clerk of Hollywood Town, Carver County,  
Minnesota, by handing to and leaving with him a true copy thereof.

That on the 9<sup>th</sup> day of December 1914 he posted said Notice at  
The German cemetery, and Kelly corner and  
at Suptons corner, which are three conspicuous and usual  
places of posting Notices in Hollywood Town, Carver County, Minnesota.

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

FA Peterson

J S Johnson  
Town clerk

Woodland Town Wright co Minn



#220

# Affidavit of person serving Notices.

FILED  
DISTRICT COURT,  
DEC 14 1914  
CARVER COUNTY  
Clerk of Court.

F 220

# State of Minnesota,

County of Wright

ss.

ver County

L. Roos

Thomas O'Gara

James Blewitt

John Blewitt

van

en

id

Came personally before me, James P. McDonnell and being 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 Petition hereto attached, cut from the columns of said newspaper, was inserted, printed and published in said newspaper once in each week for three 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 10 day of December, 1914, and was printed and published therein on each and every Thursday thereafter until and including Thursday the 24 day of December 1914, 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 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 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 28 day

December, 1914

Gilbert A. McGrath.

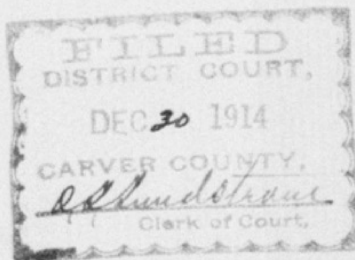
Notary Public, Wright County, Minn.

My commission expires Jan. 10th. 1920

James P. McDonnell



# 220



# Defective Document



# Notice of Presentation of Petition

Notice is hereby given that a petition for the laying out and establishing of a Judicial Road running into and through the Counties of Carver and Wright, in the State of Minnesota, a true copy of which petition is hereto attached, will be presented to the Honorable P. W. Morrison, Judge of the District Court in and for the Eighth Judicial District of the State of Minnesota, at a Special Term of said Court appointed to be held in the city of Shakopee, in the County of Scott, in the Eighth Judicial District, State of Minnesota, on Tuesday, the 19th. day of January 1915, at the opening of Court on that day or as soon thereafter as counsel can be heard for the hearing of said petition, the appointment of Commissioners thereunder and for such other further proceedings as in such cases is provided by law. Dated at Chaska, Minnesota this 4th. day of December 1914.

Harold A. Welch  
Attorney for Petitioners  
Chaska, Minnesota

## STATE OF MINNESOTA Counties of Carver and Wright IN THE DISTRICT COURTS OF CARVER AND WRIGHT COUNTIES

In the matter of laying out and establishing a Judicial Road running into and through the Counties of Carver and Wright.

To the Honorable P. W. Morrison, Judge of the Eighth Judicial District, Carver county, Minnesota

The undersigned, legal voters, freeholders and tax payers, residing in the counties of carver and Wright, in the State of Minnesota, do hereby respectfully petition said Court to lay out and establish a judicial road, four rods wide, running into and through the Counties of Carver and Wright, in said State of Minnesota. Said Judicial road as proposed is described as follows, to wit: Beginning at a point on the Section line running North and South, between Sections 15 and 16, said point being the South West Cor-

ner of the North West Quarter of section 15, township 117, north of Range 26 west, said point being in the public highway known as the Hutchinson road. Thense running due north along said Section lines through, Carver County to the Quarter Section Corner of the Section line between Section 33 and 34, Township 118, North of Range 26 west, there to terminate in a public road.

That the owners of land over which said proposed Judicial Road will pass are as follow; Theodore Brach, Ed. Murphy, Joe Campbell, Jim Murphy, Fred Luek, John Lynch, John Murphy, James Egan, J. B. Connolly, F. A. Peterson and William McNaughton residing in Carver County, Minnesota. Peter Eklund, William Goede. A. P. Hogland and J. P. Edner residing in Wright County, Minnesota.

WHEREFORE, we r petitioners pray that you will proceed to lay out, establish and cause to be opened to travel, said proposed Judicial Road as above described.

Dated november 30th. 1914

Petitioners in Ca  
P. Strandquist  
P. Eklund  
J F Murphy  
John Lynch  
H C Luke  
Jas. Murphy  
C Baurmann  
Peter L Beckman  
E L Lundstrom  
Henry Hecksel  
A F Asmus  
F A Lange

Martin M. S.  
P.  
O Eckert  
Theo. Hecksel  
Paul Cambell  
Wm Farber  
O M Olson

### Petitioners in wright County.

C Burgland.	Wm. Lutter
J P Halstrom	P Holmquist
P J Edner	J S Johnson
Wm Goede	Jos stackhart
J M Kuka	A G Edner
Lawrence Janikula	Joe Filipek
Wm Eagan	J B Larson
E D McDonald	Chas Lutter
Frank McClellan	Louis Bloomquist
George McClellan	E L Eustis
Peter Newman	John P Newman
Fred Schmidt	John Lindgre

rub Dec 10 17 24

# Notice of Presentation of Petition

Notice is hereby given that a petition for the laying out and establishing of a Judicial Road running into and through the counties of Carver and Wright, in the State of Minnesota, a true copy of which petition is hereto attached, will be presented to the Honorable P. W. Morrison, Judge of the District Court of and for the Eighth Judicial District of the State of Minnesota, at a special term of said court appointed to be held in the city of Shakopee, in the county of Scott, in the Eighth Judicial District, state of Minnesota, on Tuesday, the 19th day of January, 1914, at the opening of court on that day or as soon thereafter as counsel can be heard for the hearing of said petition, the appointment of commissioners thereunder and for such other further proceedings as in such cases is provided by law.

Dated at Chaska, Minnesota, this 4th day of December, 1913.  
Harold A. Welch  
Attorney for Petitioners  
Chaska, Minnesota

State of Minnesota  
counties of Carver and Wright  
In the district courts of Carver and Wright Counties.

In the matter of laying out and establishing a Judicial Road running into and through the counties of Carver and Wright.

To the Honorable P. W. Morrison, Judge of the Eighth Judicial District, Carver county, Minnesota.

The undersigned, legal voters, freeholders and tax payers, residing in the counties of Carver and Wright, in the state of Minnesota, do hereby respectfully petition said court to lay out and establish a judicial road, four rods wide, running into and through the counties of Carver and Wright, in said state of Minnesota. Said Judicial road as proposed is described as follows, to-wit: Beginning at a point on the section line running North and South, between sections 15 and 16, said point being the South West corner of the North West quarter of Section 15, township 117, North of Range 26 West, said point being in the public highway known as the Hutchinson road. Thence running due North along said section line through Carver county to the quarter section corner of the Section line between sections 33 and 34, township 118, North of range 26 West, there to terminate in a public road.

That the owners of land over which said proposed judicial road will pass are as follows: Theodore Brach, Ed. Murphy, Joe Campbell, Jim Murphy, Fred Luck, John Lynch, John Murphy, James Egan, J. B. Connolly, F. A. Peterson and William McNaughton residing in Carver county, Minnesota. Peter Eklund, William Goede, A. P. Hogland and J. P. Edner residing in Wright county, Minnesota.

WHEREFORE, your petitioners pray that you will proceed to lay out, establish and cause to be opened to travel, said proposed judicial road as above described.

Dated November 30th, 1914

Petitioners in Carver county

P. Strandquist	L. Roos
P. Eklund	Thomas O'Gara
J. F. Murphy	Thomas O'Gara
John Lynch	James Blewitt

When pop dies and I inherit his mil-  
The Freshman - Waste of time.  
harder and try to take a degree.  
the Professor - You should study

Wiggins - A one-piece  
Wheel - Chicago News.

## PRINTER'S AFFIDAVIT.

State of Minnesota } ss  
COUNTY OF CARVER

C. C. Treas

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 Carver Co. Pet.

hereto attached

and made a part hereof, was cut from the columns of said newspaper and was published in said newspaper for . . . 3 . . . successive weeks, once in each week; that said notice was first published in said newspaper on Thursday, the . . . 10 . . . day of . . . December . . . A. D. 1914 and was thereafter published in said newspaper on each and every Thursday until and including Thursday the . . . 24 . . . day of . . . December . . . A. D. 1914 (. . . 3 . . . insertions) and that during all of said period said newspaper was published on Thursday of each week.

C. C. Treas

Subscribed and sworn to before me this 28 . . . day of

December . . . A. D. 1914

Chas. A. Nelson

Notary Public, Carver County, Minn.





# Notice of Presentation of Petition

Notice is hereby given that a petition for the laying out and establishing of a Judicial Road running into and through the counties of Carver and Wright, in the State of Minnesota, a true copy of which petition is hereto attached, will be presented to the Honorable P. W. Morrison, Judge of the District Court and for the Eighth Judicial District of the State of Minnesota, at a special term of said court appointed to be held in the city of Shakopee, in the county of Scott, in the Eighth Judicial District, state of Minnesota, on Tuesday, the 19th day of January, 1915, at the opening of court on that day or as soon thereafter as counsel can be heard for the hearing of said petition, the appointment of commissioners thereunder and for such other further proceedings as in such cases is provided by law.

Dated at Chicago, Minnesota, this 4th day of December, 1914.  
Harold A. Welch  
Attorney for Petitioners

State of Minnesota  
counties of Carver and Wright  
In the District courts of Carver and Wright Counties.

In the matter of laying out and establishing a Judicial Road running into and through the counties of Carver and Wright.  
To the Honorable P. W. Morrison, Judge of the Eighth Judicial District, Carver county, Minnesota.

The undersigned, legal voters, freeholders and tax-payers, residing in the counties of Carver and Wright, in the state of Minnesota, do hereby respectfully petition said court to lay out and establish a judicial road, four rods wide, running into and through the counties of Carver and Wright, in said state of Minnesota. Said Judicial Road as proposed is within the running line beginning at a point on the section 15 and 16, said North and South, between sections 15 and 16, said point being the South West corner of the North West quarter of Section 15, township 117, Range 26 West, said point being in the public highway known as the Hutchinson road. Thence running due North along said section lines through Carver county to the quarter section corner of the Section line between sections 33 and 34, township 118, North of range 25 West, there to terminate in a public road.

That the owners of land over which said proposed judicial road will pass are as follows: Theodore Brach, Ed. Murphy, Joe Campbell, Jim Murphy, Fred Luck, John Lynch, John Murphy, James Egan, J. B. Connolly, F. A. Peterson and William McNaughton residing in Carver county, Minnesota. Peter Ekland, William Goede, A. P. Hogland and J. P. Edner residing in Wright county, Minnesota.

WHEREFORE, your petitioners pray that you will proceed to lay out, establish and cause to be opened to travel, said proposed judicial road as above described.

Dated November 20th, 1914

Petitioners in Carver county

P. Strandquist  
P. Ekland  
J. P. Murphy  
John Lynch  
H. C. Luke  
Jas. Murphy  
C. Baurmann  
Peter L. Beckman  
E. L. Lundstrom  
Henry Hecksel  
A. F. Asmus  
F. A. Lange

Petitioners in Wright county

C. Burgland  
J. P. Halstrom  
P. J. Edner  
Wm. Goede  
J. M. Kuka  
Lawrence Janikula  
Wm. Easran  
E. D. McDonald  
Frank McClellan  
George McClellan  
Peter Newman  
Fred Schmidt

Wm. Lutter  
P. Holmquist  
J. S. Johnson  
Joe Stackhart  
A. G. Edner  
Jos. Filipek  
J. B. Larson  
Chas. Lutter  
Louis Bloomquist  
E. L. Eustis  
John P. Newman  
John Lindgren

## PRINTER'S AFFIDAVIT.

State of Minnesota } ss  
COUNTY OF CARVER

C. C. Welch

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 Presentation of Petition

hereto attached and made a part hereof, was cut from the columns of said newspaper and was published in said newspaper for... 3... successive weeks, once in each week; that said notice was first published in said newspaper on Thursday, the 1st day of... A. D. 1914 and was thereafter published in said newspaper on each and every Thursday until and including Thursday the 24th day of... A. D. 1914 (3 insertions) and that during all of said period said newspaper was published on Thursday of each week.

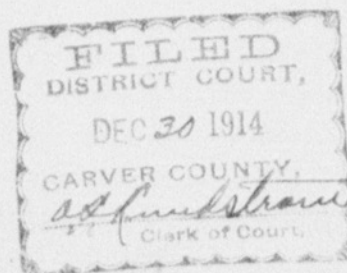
Subscribed and sworn to before me this 28th day of

December, A. D. 1914

Notary Public, Carver County, Minn.



220





# 220

## DISTRICT COURT,

Eighth Judicial District,  
County of Carver

In the matter of laying out  
and establishing a right of way  
running into and through  
Carver and Wright Counties.

## NOTE OF ISSUE

Issue of  
LAST PLEADING SERVED

190

Harold A. Welch  
Attorney for Plaintiff

Attorney for Defendant

Will the Clerk please file this Note of  
Issue, and enter the cause on the Calen-  
dar for the March Term,  
A. D. 1905 - General Term  
of this Court.

Yours respectfully,

Harold A. Welch  
Attorney for PetitionersFiled February 27<sup>th</sup> 1905E 220  
MILLER-DAVIS PRINTING CO., MINNEAPOLIS

# NOTICE OF PRESENTATION OF PETITION

Notice is hereby given that a petition for the laying out and establishing of a Judicial Road running into and through the Counties of Carver and Wright, in the State of Minnesota, a true copy of which petition is hereto attached, will be presented to the Honorable P. W. Morrison, Judge of the District Court in and for the Eighth Judicial District of the State of Minnesota, at a Special Term of said Court appointed to be held in the city of Shakopee, in the County of Scott, in the Eighth Judicial District, State of Minnesota, on Tuesday, the 19th. day of January 1915, at the opening of Court on that day or as soon thereafter as counsel can be heard for the hearing of said petition, the appointment of Commissioners thereunder and for such further proceedings therein as in such cases is provided by law.

Dated at Chaska, Minnesota this 4th. day  
of December 1914.

Harold A. Welch

Attorney for Petitioners

Chaska, Minnesota



STATE OF MINNESOTA  
Counties  
of  
CARVER & WRIGHT

IN THE DISTRICT COURTS OF CARVER AND WRIGHT COUNTIES

\*\*\*\*\*

In the matter of laying out and establishing a  
Judicial Road running into and through said counties of Carver  
and Wright.

To the Honorable P. W. Morrison, Judge of the Eighth  
Judicial District, Carver County Minnesota.

The undersigned, legal voters and free holders and tax  
payers, residing in the Counties of Carver and Wright, in the State  
of Minnesota, do hereby respectfully petition said Court to lay out  
and establish a judicial road, four rods wide, running into and  
through the Counties of Carver and Wright in said State of Minnesota.  
Said Judicial road as proposed is described as follows:- to wit.

Beginning at a point on the Section line running North  
and South, between sections 15 and 16, said point being the South  
West Corner of the North West Quarter of Section 15, Township 117  
North of Range 26 West, said point being in the Public Highway  
known as the Hutchinson Road. Thence running due North along said  
Section lines thru Carver County to the Quarter Section Corner of  
the Section line between Sections 33 and 34, Township 118, <sup>North of</sup> Range 26  
~~North~~, Wright County, in said State of Minnesota, there to terminate  
in a public road.

That the owners of land over which said proposed Judicial  
Road will pass, are as follows: Theodore Brach, Ed Murphy,  
Joe Campbell, Jim Murphy, Fred Luek, John Lynch, John Murphy, James  
Egan, J. B. Connolly, <sup>Ed Peterson</sup> and William McNaughton, residing in Carver  
County, Minnesota. Peter Eklund, William Goede, A. P. Hogland and  
J. P. Edner, residing in Wright County, Minnesota.

WHEREFORE, Your petitioners pray that you will proceed  
to lay out, establish and cause to be opened to travel, said  
proposed Judicial Road as above described.

Dated November 30th. 1914

Petitioners in Carver County.

I	<u>P. Strandquist</u>	II	<u>L. Riis</u>
2	<u>P. Edlund</u>	12	<u>Thomas Ahara</u>
3	<u>J. J. Murphy</u>	13	<u>James A. Smith</u>
4	<u>John Lybeck</u>	14	<u>John R. Blomquist</u>
5	<u>Ed. Luke</u>	15	<u>Martin O. Thompson</u>
6	<u>J. J. Murphy</u>	16	<u>P. Ekstrom</u>
7	<u>C. B. Anderson</u>	17	<u>V. Edlund</u>
8	<u>Peter Beckman</u>	18	<u>Theo. Beckman</u>
9	<u>E. J. Lundstrom</u>	19	<u>Orvil Humphreys</u>
10	<u>Henry Beckman</u>	20	<u>Wm. Forsberg</u>
	<u>A. J. Arnesen</u>		<u>P. M. Olson</u>
	<u>H. A. Lange</u>		

Petitioners in Wright County.

I	<u>G. Berglund</u>	II	<u>Wm. Lutter</u>
2	<u>J. J. Edlund</u>	12	<u>P. Holmquist</u>
3	<u>P. J. Edlund</u>	13	<u>J. S. Johnson</u>
4	<u>Wm. Gassle</u>	14	<u>John Blackhart</u>
5	<u>John. Kunka</u>	15	<u>A. E. Edner</u>
6	<u>L. J. Edlund</u>	16	<u>J. J. Edlund</u>
7	<u>Wm. Edlund</u>	17	<u>W. B. Lasson</u>
8	<u>E. J. Edlund</u>	18	<u>Wm. Lutter</u>
9	<u>Frank McCallum</u>	19	<u>Louis Bloomquist</u>
10	<u>Quora McCallum</u>	20	<u>E. L. Eustice</u>
	<u>John. Kunka</u>		<u>John P. Newman</u>
	<u>Fred. Schmidt</u>		<u>John. Lundgren</u>



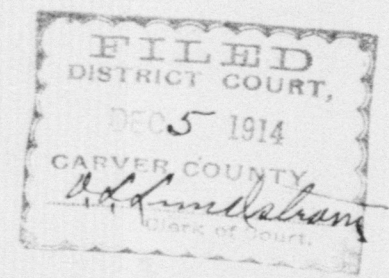
#220 Original

State of Minnesota  
Counties - Carver & Wright

District Court  
8th Judicial Dist.

In the matter of laying  
out a Judicial Road  
in Carver<sup>and</sup> Wright  
Counties.

---



Harold A. Welch  
Attorney for Petitioners  
Chaska, Minn.  
E220

STATE OF MINNESOTA  
Counties  
of  
Carver & Wright

IN THE DISTRICT COURTS OF Carver and Wright Counties.

\*\*\*\*\*

In the matter of laying out and establishing  
a Judicial Road running into and through the said Counties  
of Carver and Wright.

\*\*\*\*\*

STATE OF MINNESOTA {  
COUNTY OF CARVER } SS

Harold A. Welch being first duly  
sworn deposes and says that he is a resident of Carver County,  
Minnesota, that he is more than 25 years of age, that he  
served the within notice of Presentation of Petition on  
Charles Buskowsky Sr., chairman of the County Commissioners  
of Carver County, Minnesota, by handing to and leaving with  
him a true and correct copy thereof. on December 5th. 1914

Harold A. Welch

Subscribed and sworn to

before me this 5th day of December 1914

O. Lindstrom  
Clerk Dist. Court  
Chaska, Minn.



# 220

*Charles H. Miller  
Attorney at Law  
St. Paul, Minn.*

*Wm. H. S. Miller*

FILED  
DISTRICT COURT,  
DEC 5 1914  
CARVER COUNTY  
*O. J. Sundstrom*  
Clerk of Court.

E 220



## STATE OF MINNESOTA

## IN THE DISTRICT COURTS OF

COUNTIES OF CARVER AND WRIGHT

CARVER AND WRIGHT COUNTIES

\*\*\*\*\*

In the matter of laying  
out and establishing a Judicial Road  
running into and through Carver and  
Wright Counties.

\*  
\*  
\*  
\*

ORDER

APPOINTING COMMISSIONERS

\*\*\*\*\*

\*\*\*\*\*

The above entitled matter came on for hearing at the Special Term of Court, held in and for the County of Scott, State of Minnesota, Eighth Judicial District, at the City of Shakopee, Minnesota, the Honorable P. W. Morrison presiding, on the 19th. day of January, 1915 at 11-45 o'clock in the fore noon of said day.

Harold A. Welch, Esq. appeared for and in behalf of said petitioners and no one appeared in opposition.

Said petition prayed for the laying out and establishing of a Judicial Road running into and through the Counties of Carver and Wright, in said State of Minnesota, which said road is described as follows, to wit:

Beginning at a point on the Section line running North and South, between Sections 15 and 16, said point being the South West Corner of the North West Quarter of Section 15, Township 117, North of Range 26 West, said point being in the Public Highway known as the Hutchinson Road: Thence running due North along said Section lines through Carver County to the Quarter Section Corner on the Section line between Sections 33 and 34, Township 118, North of Range 26 West, there to terminate in a public road.

That the owners of land over which proposed Judicial Road will pass are Theodore Brach, Ed Murphy, Joe Campbell, Jim Murphy, Fred Luek, John Lynch, John Murphy, James Egan, J? B? Connolly, F. A. Peterson and William McNaughton, residing in Carver County, Minnesota. Peter Eklund, William Goede, A. P. Hogland and J. P. Edner residing in Wright County, Minnesota.

It appeared that said petition had the requisite number of legal voters, freeholders and tax payers residing in Counties of Carver and Wright as signers thereof, and it further appeared that Notice of Presentation of Petition had been duly and legally printed and published in the Carver County News, a Newspaper printed and published at Watertown, Carver County, Minnesota and in the Waverly Tribune, a Newspaper printed and published at Waverly, Wright County, Minnesota. That said copies of said Notice had been duly posted in the Town of Hollywood, Carver County, Minnesota and the Town of Woodland, Wright County, Minnesota and that the respective clerks of said Towns of Hollywood and Woodland had been personally served as provided by law, said Towns of Hollywood and Woodland being the towns affected by said Proposed Judicial Road. And it further appearing that the County Chairman of the County Commissioners of the respective Counties, Carver and Wright had been personally served with said Notice as provided by law and all the proceedings herein were done according to the Statutes of this State governing said matters.

NOW THEREFORE IT IS ORDERED, that J. S. Johnson residing at Waverly Village, Wright County, Minnesota, Charles Buskowsky, residing at Chaska, Carver County, Minnesota and John Kelly, residing at Watertown, Carver County, Minnesota be and are hereby appointed Commissioners for the purpose of inspecting and laying out said proposed Judicial Road, and determining the advisability thereof, and to do such other and further things in said matter as they shall deem necessary.



IT IS FURTHER ORDERED, that said above named Commissioners meet at New Germany Village, Carver Co. Minnesota, there to take the oath of office required by law and thereafter to proceed to inspect said proposed Road, that the date of said meeting at said New Germany Village shall be the 15th day of February 1915 at 10 o'clock in the pm noon of said day.

IT IS FURTHER ORDERED, that J. C. Van Krevelan a civil engineer be and is hereby appointed to assist said Commissioners in their determination, and that said J. C. Van Krevelan shall meet with said Commissioners at said New Germany Village on said 1st day of February 1915 at 10 o'clock in the pm noon of said day to then and there take the oath of office required by law.

IT IS FURTHER ORDERED, that said Commissioners shall prepare and reduce to writing their report of their doings with reference to said Proposed Judicial Road and present the same to the Court, at Chaska, Carver County, Minnesota on the 1st day of March 1915.

Dated at Shakopee, Minnesota  
this 19th. day of January 1915.

By the Court.

H. W. Morrison  
Judge.

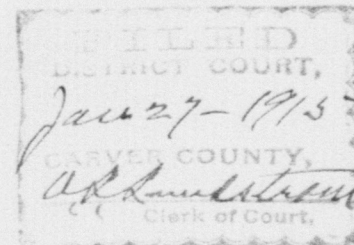
State of Minnesota  
Counties Carver & Wright

In the Dist. Courts

Carver & Wright Counties

In the matter of laying  
out a Judicial Road

Order  
appointing Commissioners  
&  
Surveyor



J 220

Harold A. Welch  
attorney for Petitioners  
Chaska, Minn.



STATEMENT

Watertown, Minn.,

Mar 10 1915

M Carver County

In Account With . . . . .

THE CARVER COUNTY NEWS

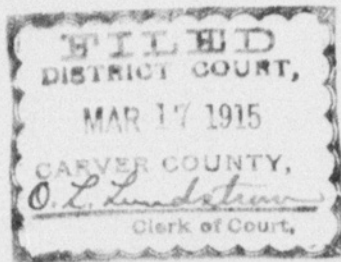
One Dollar Per Year In Advance

C. C. Teas, Editor and Proprietor

1915

Dec 10 7 Pub. notice  
of Pres. of Ret.  
Judicial road

12 96



E.220



STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

EIGHTH JUDICIAL DISTRICT

\*\*\*\*\*

In the matter of laying out and \*  
establishing a Judicial Road \*  
running into and through the \*  
Counties of Carver and Wright. \*

"O R D E R"

\*\*\*\*\*

The above entitled matter being on the  
Calender for hearing at the March, A. D. 1915 General Term  
of the above Court, in and for the County of Carver, Minnesota  
and the same having come on to be heard in its order. The  
report of the Commissioners duly appointed by this Court for  
the purpose of inspecting and laying out the proposed  
Judicial Road and determining the advisability thereof being  
presented to this Court for an order confirming the same.  
Said Commissioners being appointed by an order of the Court  
bearing the date, the 19th. day of January A. D. 1915, naming  
J. S. Johnson of the County of Wright, said State, John Kelly  
and Charles Buskowsky, both of the County of Carver, said State  
as Commissioners and J. C. Van Krevelen as Civil Engineer to  
assist said Commissioners. And it further appearing that the  
said Commissioners and Engineer duly met in accordance with  
the order of this Court at the Village of New Germany, Carver  
County, Minnesota on the 15th. day of February A. D. 1915  
at ten o'clock in the fore noon of said day and there took  
the oath of office as required by law; that they then  
proceeded to the place described in petition praying for said  
Judicial Road and did cause a survey to be made of the  
proposed Judicial Road and interviewed the owners of lands  
over which said road must pass, assessing damages and benefits  
to said owners as seemed just and reasonable to Commissioners.  
It further appearing the report of said commissioners and  
engineer and the plat of the proposed Judicial Road was  
presented to this Court in writing in pursuance of said Court's  
order to said Commissioners and then filed with the Clerk of  
said Court together with a duplicate plat.

It appearing to the Court that the Commissioners have in all things performed and fulfilled the requirements of the law and having fully discharged their duties as Commissioners, have assessed the damages and expenses to the best of their ability and having recommended that the prayer of the petitioners be granted and on motion of Harold A. Welch, attorney for said petitioners herein, it is HEREBY ORDERED; that the report of said commissioners in the above entitled matter, now on file in the office of the clerk of said Court at Chaska, Carver County, Minnesota, be and the same is hereby confirmed and the said Proposed Judicial Road be and the same is hereby ordered to be established and laid out in accordance with the plat of the engineer now on file in the said Clerk's office, and said road when laid out shall be four rods wide and be described as follows, to wit:-

"Beginning at a point on the Section line running North and South, between Sections 15 and 16, said point being the South West Corner of the North West Quarter of Section 15, Township 117, North of Range 26 West, said point being in the Public Highway known as the Hutchinson Road. Thence running due North along said Section lines through Carver County, Minnesota to the Quarter Section Corner on the Section line between Sections 33 and 34, Township 118, North of Range 26 West, there to terminate in a public road."

It is further Ordered, that the schedule of damages and expenses incurred and as assessed and determined by the said Commissioners as in their report set forth, be and the same is hereby allowed and confirmed as follows: to wit:-  
To Theodore Brach, damages \$175.00, to Fred Luek, damages \$87.50 to John Lynch, damages \$175.00, to Edward Murphy, damages \$87.50 Joseph Campbell, damages \$87.50, to J. F. Murphy, damages \$78.13 to James Egan Estate, damages \$109.37, to James Murphy, damages \$175.00, to Electric Short Line, damages \$24.37, benefits \$24.37 to S. B. Kokler, damages \$100.00, to J. B. Connelly, damages \$250.00, to L. P. Connelly, damages \$200.00, benefits \$100.00 to Mary Naughton, damages \$200.00, benefits \$200.00



to Alfred Peterson, damages \$100.00 benefits \$50.00, to William Goede, damages \$100.00, to Peter Eklund, damages \$150.00 to John Edner, damages \$125.00, to A. P. Hogland, damages \$200.00

That the total damages assessed in Wright County, Minnesota is \$ 575.00 and the total damages assessed in Carver County, Minnesota is \$ 1475.00

That the total expenses reported by Commissioners and engineer are as follows, to wit:-

J. S. Johnson, 38 miles and 2 days services \$9.04

John Kelly, 30 miles and 2 days services \$8.40

Charles Buskowsky, 80 miles and 4 days services, \$18.40

J. C. Van Krevelen, 152 miles and 3 days services \$48.16

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

It is further ordered that the bill of James P. McConnell, publisher of the Waverly Star and Tribune, a weekly paper published in Wright County, Minnesota, amounting to \$ 12.45 for printing notice of presentation of petition in this matter be and the same is hereby allowed as part of the expenses herein and also the bill of Claude Teas, publisher of the Carver County News, a weekly newspaper published in the County of Carver, Minnesota, amounting to \$ 12.96 for printing notice of presentation of petition in this matter be and the same is hereby allowed as part of the expenses herein.

It is further ordered that Carver County, Minnesota shall pay \$1475.00 damages assessed and determined by said Commissioners in the matter of establishing said Judicial Road in Carver County, Minnesota and that said Carver County pay the following items of expenses incurred in said matter, to wit:- to Claude Teas for publishing notices the sum of \$ 12.96 and the fees and expenses of the three commissioners amounting to \$35.84 and also the fees of the Clerk of Court of Carver County and the Register of deeds of Carver County if any.

That the County of Wright, Minnesota pay the following items of expense and damages, to wit:- To James P. McDonnell for publishing notices the sum of \$12.45 to J. C. Van Krevelen the sum of \$42.16 for the engineering services in the laying out and establishing said proposed Judicial Road, and the fees of the Clerk of Court and Register of Deeds and Auditor of the County of Wright, if any. That said Wright County pay the sum of \$575.00 damages awarded and determined by said Commissioners in establishing said Judicial Road in Wright County, Minnesota.

It is further Ordered, that the Clerk of the District Court of Carver County furnish the Auditors of the Counties of Carver and Wright in said State, certified copies of the report of the Commissioners herein with plat attached together with attached report of J. C. VanKrevelen, engineer in said matter and a certified copy of this Order confirming the same and attached thereto, within thirty days after the filing thereof with said Clerk.

It is further Ordered, that the County Boards of said Counties pay without delay, at the next meeting after the filing of the certified copies with the respective Auditors, each of the parties entitled thereto and as herein directed, the expenses and awards incurred in said matter and as shown by this order and said report and as allotted to each of said Counties.

It is further Ordered, that the said Judicial Road as herein described be and the same is hereby declared established as a public highway and that the same shall be opened for public use by the Counties through which said road shall pass, as provided by the Statutes of this State, within ninety days after the filing of the certified copies of this order with the respective Auditors of said Counties.

Dated March 8th 1915

By the Court.

W. M. Morrison  
Judge.



State of Minnesota  
County of Carver.

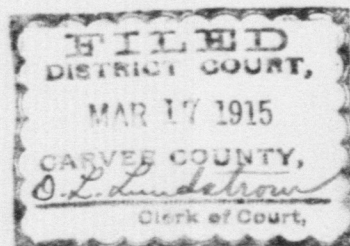
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In the matter of laying  
out and establishing a  
judicial Road running  
into and through the  
Counties of Carver and  
Wright.

---

Order

---



E. 220

STATE OF MINNESOTA  
COUNTIES OF CARVER AND WRIGHT

IN THE DISTRICT COURTS OF  
CARVER AND WRIGHT COUNTIES

\*\*\*\*\*

In the matter of laying out and establishing a Judicial Road  
running into and through the Counties of Carver and Wright.

\*\*\*\*\*

STATE OF MINNESOTA ( )  
COUNTY OF Carver ) SS

Chas Busch Kowsky, Jr., John Kelly,  
J. S. Johnson ? being each duly sworn, doth say each for  
himself, that I will support the Constitution of the United States  
and that of the State of Minnesota, that I will perform all  
duties imposed upon me as a Commissioner appointed by the Court  
in the matter of laying out and establishing said Judicial Road  
running into and through the Counties of Carver and Wright, to the  
best of my knowledge and ability. So help me God.

Chas. Busch Kowsky, Jr.  
J. H. Kelly  
J. S. Johnson

Subscribed and sworn to before me this 15<sup>th</sup> day of Feb 1915

A. Mattison  
Justice of the Peace

\*\*\*\*\*

STATE OF MINNESOTA ( )  
COUNTY OF Carver ) SS

I, J. C. Van Krevelen being duly sworn  
do declare that I will support the Constitution of the United  
States and that of the State of Minnesota, that I will perform  
all the duties imposed on me as Engineer appointed by the Court,  
in the matter of laying out and establishing said Judicial Road  
running into and through the Counties of Carver and Wright, to  
the best of my ability, knowledge and belief. So help me God.

J. C. Van Krevelen

Subscribed and sworn to before me this 15<sup>th</sup> day of Feb 1915

A. Mattison  
Justice of the Peace



LAW OFFICE  
HAROLD A. WELCH  
CAMERON, WIS.  
CHASKA, MINN.

State of Minnesota  
Counties, Carver & Wright

In the Dist. Courts  
Carver & Wright Counties

In the matter of laying  
out a Judicial Road

Oaths of  
Commissioners and  
Surveyors

Harold A. Welch  
Attorney for Petitioners  
Chaska, Minn.

Illegible  
(Light Ink)



State of Minnesota  
Counties of Carver and Wright

District Court of  
Carver and Wright Counties.

In the matter of laying out and establishing  
a Judicial Road running to and through  
Carver and Wright Counties.

Pursuant to an order made by the Honorable P.W. Merrisen, Judge of the  
District Court, Eight Judicial District on the 14<sup>th</sup> day of January,  
1915, I the undersigned Civil Engineer appointed in said order, did  
meet with the Commissioners appointed in said order at the time and  
place designated, and proceeded to make a survey of the route described  
in the partition of said Judicial Road, and have hereto attached a Plat  
of the survey showing the damages awarded by said commission.

Time spent on said work Feb. 13, 15 and 17 @ \$10.00 per day \$30.00

Mileage St Cloud to New Germany and return 152 miles @ 8¢  $\frac{12.16}{42.16}$

Dated Feb. 17th 1915.

Watertown, Minn.

J. H. Van Kleeven  
Civil Engineer.

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

EIGHTH JUDICIAL DISTRICT

In the matter of laying out and  
establishing a Judicial Road running  
into and through Carver and Wright Counties.

R E P O R T

TO THE HONORABLE P. W. MORRISON, Judge of said Court.

We, J. S. Johnson, John Kelly and Charles Euskowsky, the commissioners appointed by the Court in the above entitled matter, under and by virtue of the appointment therein, bearing date, the 19th. day of January 1915 for the purpose of inspecting and laying out said proposed road and determining the advisability thereof, do hereby beg leave to report as follows.

1st. That we met, pursuant to the Courts order, at the Village of New Germany, Carver County, Minnesota on the 15th. day of February 1915, at the hour of ten O'clock in the fore noon, at which place and time we took the oath of office required by law, which oath is herewith returned into Court.

2nd. That in company with J. C. Van Krevelan, the civil engineer appointed by the Court to assist the commissioners in the determination, we proceeded to the place described in petition praying for said road and did cause a survey thereof to be made by said engineer. The report of said engineer states fully the laying out of said proposed road.

3rd. That we conferred with the land owners over whose land the proposed road runs and did award damages as follows:

To <u>Thos Brach</u>	Damages \$	<u>175<sup>00</sup></u>	Benefits \$	<u>      </u>
To <u>Fred Luch</u>	"	<u>87<sup>50</sup></u>	"	<u>      </u>
To <u>John Lynch</u>	"	<u>175<sup>00</sup></u>	"	<u>      </u>
To <u>Edw Murphy</u>	"	<u>87<sup>50</sup></u>	"	<u>      </u>
To <u>Joseph Campbell</u>	"	<u>87<sup>50</sup></u>	"	<u>      </u>
To <u>J. F. Murphy</u>	"	<u>78<sup>13</sup>/<sub>100</sub></u>	"	<u>      </u>
To <u>Gas Eagan, Est.</u>	"	<u>109<sup>37</sup>/<sub>100</sub></u>	"	<u>      </u>
To <u>James Murphy</u>	"	<u>175<sup>00</sup></u>	"	<u>      </u>
To <u>Electric Short Line</u>	"	<u>24<sup>37</sup>/<sub>100</sub></u>	"	<u>24<sup>37</sup>/<sub>100</sub></u>
To <u>S. B. Kohler</u>	"	<u>100<sup>00</sup></u>	"	<u>      </u>
To <u>J. B. Connelly</u>	"	<u>250<sup>00</sup></u>	"	<u>      </u>
To <u>L. P. Connelly</u>	"	<u>200<sup>00</sup></u>	"	<u>100<sup>00</sup></u>
To <u>Mary Naughton</u>	"	<u>200<sup>40</sup></u>	"	<u>200<sup>00</sup></u>
To <u>Alfred Peterson</u>	"	<u>100<sup>00</sup></u>	"	<u>50<sup>00</sup></u>
To <u>Wm. Goede</u>	"	<u>100<sup>00</sup></u>	"	<u>      </u>
To <u>Peter Ekland</u>	"	<u>150<sup>00</sup></u>	"	<u>      </u>
To <u>John Edner</u>	"	<u>125<sup>00</sup></u>	"	<u>      </u>
To <u>A. P. Hoglund</u>	"	<u>200<sup>00</sup></u>	"	<u>      </u>



4th. That we find the establishing of said proposed road will     be a public benefit, utility and a reasonable demand and in our opinion ought to     be granted and established. *Plot showing survey of Proposed road is here to attached and made part of this report.*  
 Fees

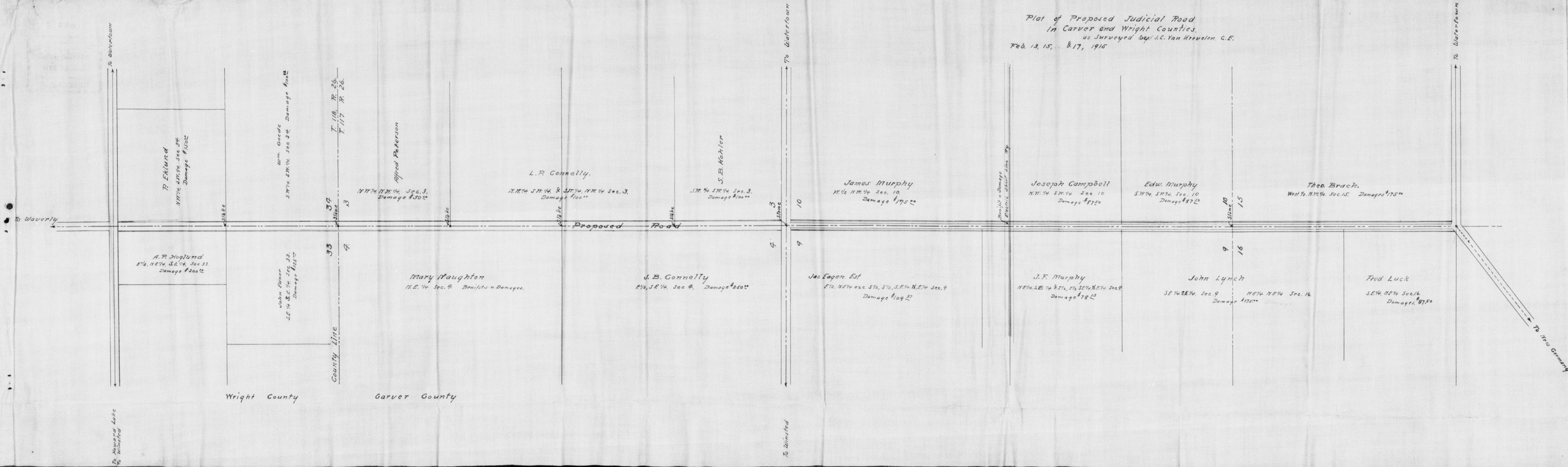
J. S. Johnson,	<u>38</u>	miles and	<u>2</u>	days service,	\$ <u>9<sup>04</sup><sub>100</sub></u>
John Kelly	<u>80</u>	"	"	<u>2</u> " "	\$ <u>8<sup>40</sup><sub>100</sub></u>
Charles Buskowsky,	<u>80</u>	"	"	<u>4</u> " "	\$ <u>18<sup>40</sup><sub>100</sub></u>

Made this 17<sup>th</sup> day of February 1915.

Chas. Buskowsky  
J. R. Kelly  
J. S. Johnson



Plat of Proposed Judicial Road  
in Carver and Wright Counties.  
as Surveyed by J.C. Van Krevelen, C.E.  
Feb. 13, 15, & 17, 1915





FILED  
DISTRICT COURT  
MAR 17 1915  
CARVER COUNTY  
*O. E. Lindstrom*  
Clerk of Court

E. 220



3436  
No. 222

**DISTRICT COURT.**  
**CARVER COUNTY, MINN.**

*Phoenix Building & Lumber Co.*  
Plaintiff

vs.

*Albert J. Dobbins et al.*  
Defendant

Plaintiff's Attorney

Defendant's Attorney

Date of Entry *Dec. 19* 191*1*

Register of Actions *E* Page *222*

Term Tried *Dismissed* 191*5*  
*Oct 11th.*

Judgment for

Amount of Judgment, \$

Date of Judgment 191

Judgment Book Page

Default Judgment Book Page

Date of Docketing 191



SETH LUNDQUIST  
LAWYER  
743 PLYMOUTH BLDG.  
MINNEAPOLIS

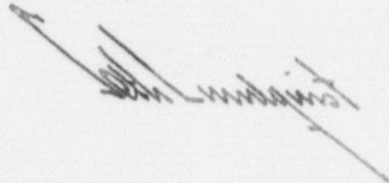
October 9, 1915.

Clerk of District Court,  
Chaska,  
Minn.

Sir:

Please file the enclosed stipulation in the case of Phoenix Building and Investment Company against Dobbin et al., which disposes of the matter at the call of the calendar on the eleventh inst.

Respectfully,

A handwritten signature in dark ink, appearing to read "Seth Lundquist", written in a cursive style with a long horizontal flourish extending to the right.

STATE OF MINNESOTA,  
COUNTY OF CARVER.

DISTRICT COURT,  
EIGHTH JUDICIAL DISTRICT.

Phoenix Building and Investment  
Company, a corporation,

Plaintiff,

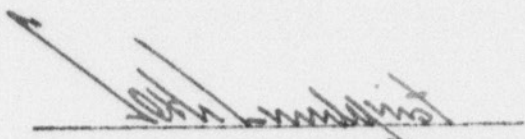
vs.

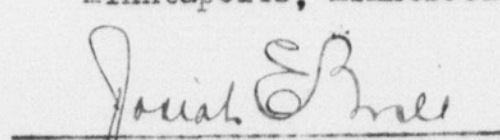
Albert J. Dobbin, Verona Dobbin, his  
wife, Charles M. Drew, Helen A. Raymond,  
J. E. Hennessey & Co., a corporation,  
and Hicks & Co., a corporation,

Defendants.

It is hereby stipulated and agreed by and between the plaintiff and the defendants, by their respective attorneys, that the foregoing entitled action may be, and the same hereby is, dismissed, with prejudice, and without costs to either party.

Dated October 9, 1915.

  
Plaintiff's Attorney,  
743 Plymouth Bldg.,  
Minneapolis, Minnesota.

  
Attorney for defendants  
Dobbin, Drew, Raymond, and  
Hicks & Co.,  
Plymouth Bldg.,  
Minneapolis, Minnesota.



ORIG.

NO. *E 222*

STATE OF MINNESOTA  
CARVER  
COUNTY OF HENNEPIN

DISTRICT COURT  
8th  
FOURTH JUDICIAL DISTRICT

PHOENIX BLDG. & INV. CO.,

Plaintiff

AGAINST

ALBERT J. DOBBIN, ET AL.,

Defendants

STIPULATION OF  
DISMISSAL.

Due and personal service of the within

admitted this

day of

OCT 11 1915

191

CARVER COUNTY.

*Seth Lundquist*  
Clerk of Court.

Attorney for

SETH LUNDQUIST

ATTORNEY FOR PLTF.

743 Plymouth

SECURITY BANK BUILDING

MINNEAPOLIS, MINNESOTA.

*E 222*

STATE OF MINNESOTA,  
COUNTY OF CARVER.

DISTRICT COURT,  
EIGHTH JUDICIAL DISTRICT.

Phoenix Building and Investment  
Company, a corporation,

Plaintiff,

vs.

Albert J. Dobbin, Verona Dobbin, his  
wife, Charles M. Drew, Helen A. Raymond,  
J. E. Hennessey & Co., a corporation,  
and Hicks & Co., a corporation,

Defendants.

Plaintiff alleges:

I. That at all times herein mentioned the defendants Albert J. Dobbin and Verona Dobbin, his wife, were and they still are the owners in fee simple of those premises lying in Carver County, Minnesota, known and described as Lot D, Bardwell Acres, Lake Minnetonka, according to the recorded plat thereof on file in the registry of deeds of said county.

II. That on March 27, 1913 plaintiff and defendant Albert J. Dobbin entered into an agreement in writing, of which a copy, marked Exhibit "A", is hereto attached and made a part hereof, in pursuance whereof, on and between April 10, 1913 and December 21, 1913, the plaintiff performed and furnished labor and material in, upon, and for the erection and improvement, upon said premises, of the dwelling house referred to in said agreement, all of and for the reasonable value thirty-three hundred eighty-five dollars (\$3385), which sum said defendant in and by said contract promised to pay.

III. That during the performance of plaintiff's said work, at the instance and request of said defendant Albert J. Dobbin, the plaintiff performed and rendered extra and further service, skill,



supervision and superintendence and furnished additional and extra material for use in the alteration of the design, and modification and enlargement of, said dwelling house and for the general improvement of the quality, class and style thereof, in accordance with the directions and orders of said defendant Albert J. Dobbin, all of the actual and reasonable value twenty-three hundred dollars (\$2300).

IV. That plaintiff's bill of particulars of the claims aforesaid is hereto attached, marked Exhibit "B", and made a part hereof.

V. That payment in full of plaintiff's claim under paragraph II. is acknowledged to have been made; that no part of plaintiff's claim under paragraph III. has been paid.

VI. That on March 20, 1914, and within ninety days after performing and furnishing the last item of labor and material upon said premises as aforesaid, plaintiff filed for record in the registry of deeds of said county a statement of its claim of lien upon said premises on account of its contribution to the improvement thereof as aforesaid, a copy whereof, marked Exhibit "C", is hereto attached and made a part hereof.

VII. That under date June 20, 1913, and on or about said date, after the actual and visible beginning of said improvement, the defendants Dobbin gave a mortgage of \$3000 on said premises to defendant Charles M. Drew, who thereafter assigned the same to defendant Helen A. Raymond, the present holder thereof, to the best of plaintiff's knowledge and belief; that under date January 31, 1914, and on or about said date, the said defendants Dobbin gave a second mortgage on said premises for \$730.15 to defendant J. E. Hennessey & Co., who thereafter assigned the same to defendant Hicks & Co., the present holder thereof, to the best of plaintiff's knowledge and belief.

Further complaining, and for a second cause of action arising

from the aforesaid transactions, plaintiff re-avers and again alleges the first five paragraphs of the complaint as fully as if specifically repeated, and alleges further:

I. That in and by the agreement between plaintiff and said defendant Albert J. Dobbin the latter was to provide and furnish, among other things to be provided, furnished, and done by him thereunder, the complete basement and foundation for said dwelling prior to the time of the signing of said contract; that he was to provide and furnish the tile and building material therefor; that he was to furnish all the framing lumber for the said dwelling, which, by consent of plaintiff, might consist of old, used material on condition that all nails were pulled and extracted therefrom; that, contrary to said agreement, said defendant neglected and failed to have said basement and foundation completed as agreed aforesaid, and failed to furnish in due season tile and other building material therefor, and neglected and failed to furnish such framing lumber free and rid of nails, in consequence whereof plaintiff and its workmen were greatly and seriously delayed in the execution of their part of said contract and were unable to proceed as pre-arranged and outlined in order to complete said dwelling in due time; that from the beginning, throughout the progress of the work, both as to plaintiff's original undertaking and as to the extra and additional work aforesaid done and to be done at said defendant's request, the said defendant neglected and failed to move and push his own work over which he retained exclusive control, by reason whereof plaintiff was constantly delayed to its damage; that at all times during the construction of said dwelling said defendant ordered work done by plaintiff under and in accordance with the original plans and specifications constituting the original agreement between the parties done, undone, and redone, to suit his fancy and notions, and said defendant at all said times unwarrantably and recklessly annoyed,



hampered, harrassed, and pestered plaintiff, its sub-contractors, laborers, mechanics, and servants, engaged on said work, and interfered with and delayed their prompt and timely performance of the work in hand, by assuming unlawfully to direct, order, boss and control the doing thereof, and by so directing, ordering, bossing and exercising control over the same, to plaintiff's extreme discomfiture and great loss of time; that by reason of said defendant's acts in the premises, contrary to his rights under the agreement between the parties, the plaintiff's program for the due and timely execution of its part of the construction was entirely upset and so disarranged, that plaintiff has suffered damage through such failure and breach on the part of said defendant and through his causeless and unlawful interference aforesaid in the sum five hundred dollars.


II. That no part thereof has been paid.

Wherefore plaintiff demands judgment:

(a) Against defendant Albert J. Dobbin for the sum twenty-eight hundred dollars, with interest on twenty-three hundred dollars thereof from December 21, 1913, and foreclosure costs and disbursements, and adjudging said sum twenty-three hundred dollars and interest and such costs and disbursements a lien upon said premises.

(b) Adjudging each of the mortgage interests aforesaid subsequent and subject to plaintiff's claim of lien herein.

(c) Adjudging and directing a sale of said premises and the application of the proceeds thereof to payment of plaintiff's claim adjudged a lien thereon.



Plaintiff's Attorney,  
338 Security Bank Bldg.,  
Minneapolis, Minnesota.

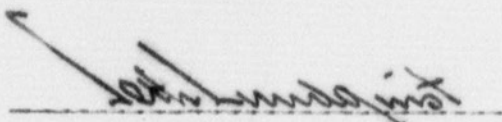
State of Minnesota,  
County of Hennepin.

A. N. Arvold, being duly sworn, says that he is the president of Phoenix Building and Investment Company, the corporation plaintiff in the foregoing entitled action; that he has read the foregoing complaint and knows the contents thereof; that the averments thereof are true of his own knowledge, save as to such as are therein stated on information and belief, and that as to those he believes them to be true.

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



---



---

Notary Public, Hennepin Co., Minn.  
My commission expires Aug. 25, 1920.



Exhibit "A"

This Agreement and Contract, Made and entered into this 27th day of March, 1913, by and between A. J. Dobbin of the County of Hennepin and State of Minnesota party of the first part, and Phoenix Bldg & Investment Co a corporation, of the County of Hennepin and State of Minnesota, party of the second part, builder and contractor,

Witnesseth, That the party of the second part covenants and agrees to and with the said party of the first part, to make, erect, build and finish in a good, substantial and workmanlike, manner, a Dwelling as per plans #91 by E. J. Hodgson, excluding basement, framing lumber, plumbing, heat and wiring, sidewalk and grading, for the sum of \$3385.00 Thirty three hundred eighty five dollars, upon the following described premises, viz: at Excelsior Minn. 6 acres. Said Dwelling to be built agreeably to the draught, plans, explanations and specifications furnished or to be furnished to said party of the second part by the said party of the first part, of good and substantial materials, and to be finished complete on or before the 15th day of June 1913. And the said party of the first part covenants and agrees to pay to said party of the second part for the same as follows:

Two hundred sixty dollars on signing contract.

Six hundred fifty dollars when roof is on.

Five hundred when inside plastering is done.

Five hundred when outside plaster is done.

Balance when building is complete according to this contract. Any balance up to the amount of \$600.00 may be a second mortgage and payable \$50.00 or more per month, with interest until paid. And it is hereby agreed by and between the parties hereto that the foregoing contract shall be binding upon the parties hereto, their heirs, executors, administrators and assigns.

In testimony whereof, The parties hereto have hereunto set their hand the day and year first above written.

Mrs. A. J. Dobbin

A. J. Dobbin  
Phoenix Building & Investment Co.  
by A. N. Arvold

## S p e c i f i c a t i o n s

of the labor and material to be furnished by Contractor in the erection of dwelling for Mr. A. J. Dobbins of Exodsiar as per plans No. 91 and these specifications by E. J. Hodgson, Architect.

The contractor shall build the house in agreeable accordance with the plans and specifications as far as his part of the work extends and also be responsible for it.

The contractor shall furnish all labor required for the construction, except in the building of the foundation. Basement floor, the plumbing, the heating, the wiring and the sidewalk and grading work.

The contractor shall furnish the following material and labor. All the windows, doors, base molds, stairs, sideboards, cupboards, all casings, jambs and trim for same. He shall furnish tile for construction of outside walls (see plans for style). All roofing required to the amount of \$4.50 per square, kinds as selected by owner. All stucco work and material for outside, all plastering and material for inside work.

The contractor shall furnish all tin work including labor and material, also all painting labor and material the painting to consist of two coat work on outside trimmings and three coat work on the inside. One coat stain or filler and two coat varnish as selected.

The contractor shall furnish all labor whatsoever, excepting as before mentioned. He shall do all carpenter work, cement work, roof work, tin work, painting and plastering. Shall furnish all hardware required, which includes finish hardware. Front Door lock to be solid bronze, costing \$5.00. Balance to be plated brass or copper, cost \$6.50 per dozen.

Contractor shall furnish all material specified on plans as to finish, oak, birch or pine. He shall build two mantels instead of three, same to be of plain brick construction.

The owner is to furnish the following materials:

He is to furnish basement complete, including walls and cellar floor. The contractor to put in footings for posts and bearing partitions, the owner also to furnish all lumber required for building the house proper including outside walls, inside partitions, floor joists, cutting joists, rafters, sheathing, floor lining, roof boards, stair horses, porch constructions, cellar partitions and finish floors.

He shall furnish all labor and material for the plumbing, heating, wiring, grading, basement work and sidewalks. He shall also furnish all the common brick for fireplace mantels and chimneys. The contractor shall furnish facing brick for outside chimney and \$40.00 is allowed for inside mantel brick shelves.



Exhibit "B"

Bill of particulars of labor and material performed and furnished by plaintiff at request of defendant Albert J. Dobbin as alleged in the foregoing complaint:

To labor and material performed and furnished under contract made March 27th, 1913, as alleged in the complaint, contract price: \$3385. Paid.

To extra labor and material:

Completing basement and foundation walls.  
Furnishing and fitting the sash, windows, doors, frames, storm sash and screens, for basement, per plans.

One extra dormer on west side, complete.  
Enlarging ornate dormer on east side, and providing extra window therefor.

Coat closet on main floor, complete.  
Built-in oak window seat in living room.  
Medicine cabinet, complete.  
Two oak book cases and columns, in living room.

Balustrading top of stairway.  
Roof-supporting pillar in studio.  
One extra cornice bracket.

Wainscoting three rooms.  
Linen closet main floor.  
Extra window in closet second floor.  
Extra window in rear hall.  
Extra cost of \$49 on roofing material.  
Extra cost of \$28.68 on face brick for mantels.  
Plastering two sleeping porches.  
Changing half-timbers on south gable.  
Extra labor applying roofing selected.

Grading, filling, and moving dirt around the building and premises, in connection with the masonry work.

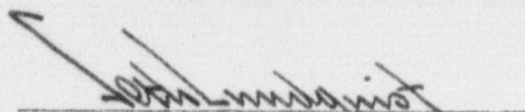
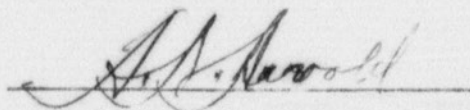
To extra labor, services, skill, supervision, and superintendence in and about the general modification and alteration of the plans, to suit defendant Albert J. Dobbin, and modification, alteration, and improvement of said dwelling house to conform to said defendant's orders and directions from time to time, during the construction thereof, and extra miscellaneous materials to be furnished by owner.

Total extras:	\$2300.
Total contract and extras:	\$5685.
Credit payment on contract:	3385.
Due (entire extra bill):	\$2300.

State of Minnesota,  
County of Hennepin.

A. N. Arvold, being duly sworn, says that he is the president of the plaintiff corporation: that the foregoing Exhibit "B", so marked, is a true bill of particulars of the claim of plaintiff for labor and material performed and furnished as alleged in the foregoing complaint.

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



Notary Public, Hennepin County, Minnesota.  
My commission expires August 25th, 1920.



## Exhibit "C"

Phoenix Building and Investment Company, a corporation of Minneapolis, Minnesota, claiming a <sup>mechanic's and</sup> materialman's lien, states:

That it intends to claim and hold a lien upon the premises hereinafter described to the amount of Twenty-three hundred Dollars and 0 Cents with interest from December 21, 1913.

That such amount is due and owing to the claimant for labor and material furnished for the construction of a dwelling building upon the premises hereinafter described.

That said corporation is the claimant and A. J. Dobbin the person for and to whom said labor and material were furnished.

That the first and the last items of the claimant's contribution to the improvement aforesaid were furnished on April 10, 1913 and December 21, 1913, respectively.

That the premises to be charged with the lien are: Lot D, Bardwell Acres, Lake Minnetonka,

Addition to Minneapolis, according to the recorded plat thereof on file in the Registry of Deeds of <sup>Carver</sup> ~~Hennepin~~ County, Minnesota.

That A. J. Dobbin is the owner thereof at the time of making this statement, according to the best information now had.

Dated March 18, 1914.

Phoenix Bldg. & Inv. Co.

by A. N. Arvold

Pres.

STATE OF MINNESOTA,  
COUNTY OF HENNEPIN.

A. N. Arvold, of said County, being duly sworn, says that he is the president of the corporation claimant named in the foregoing statement of claim for lien; that he has knowledge of the facts stated therein and that the averments thereof are true of his own knowledge, save as to such as are therein stated on information and belief, and that as to those he believes them to be true.

Subscribed and sworn to before me )

A.N. Arvold

March 18, 1914. )

Seth Lundquist

Notary Public, Hennepin County, Minnesota.

My commission expires Aug. 25, 1920.

(NOTARIAL SEAL)

AGAINST

---

STATEMENT  
OF  
CLAIM OF LIEN

---

OFFICE OF REGISTER OF DEEDS  
STATE OF MINNESOTA,  
COUNTY OF HENNEPIN.

*I hereby Certify that the within instrument  
was filed for record in this office on the  
day of \_\_\_\_\_ A. D. 19\_\_\_\_, at  
\_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded  
in Book \_\_\_\_\_ of \_\_\_\_\_  
Page \_\_\_\_\_*

\_\_\_\_\_  
*Register of Deeds*

By \_\_\_\_\_  
*Deputy Register of Deeds*

---

BOX 325

---

*Lundquist & Anderson*  
...LAWYERS...

721 SECURITY BANK BUILDING  
MINNEAPOLIS, - MINNESOTA.



NO: 222

STATE OF MINNESOTA  
CARVER  
COUNTY OF ~~MINNESOTA~~

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

Phoenix Bldg. & Invest. Co.,  
Plaintiff

AGAINST

Albert J. Dobbin, et al.,  
Defendants

Complaint.

Due and personal service of the within

admitted this \_\_\_\_\_ day of \_\_\_\_\_

191 \_\_\_\_\_

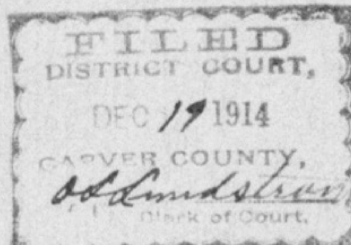
Attorney for \_\_\_\_\_

✓ SETH LUNDQUIST

ATTORNEY FOR \_\_\_\_\_ plaintiff.

338 SECURITY BANK BUILDING  
MINNEAPOLIS, MINNESOTA.

E 222



STATE OF MINNESOTA)  
(SS  
COUNTY OF CARVER )

DISTRICT COURT  
EIGHTH JUDICIAL DISTRICT.

Phoenix BUILDING & Investment  
Company, a corporation,

Plaintiff,

vs

Albert J. Dobbin, Verona Dobbin,  
his wife, Charles M. Drew, Helen  
A. Raymond, J. E. Hennessey & Co.,  
a corporation and Hicks & Co., a  
corporation,

Defendants.

Now come the Defendants Charles M. Drew, Helen A. Raymond and  
Hicks & Company, a corporation, and for their answer to the Complaint  
of the Plaintiff herein,

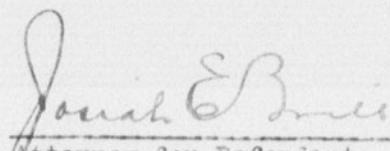
1. Admit Paragraph one of said Complaint.
2. Allege that they have not sufficient information to form a  
belief as to the remainder of the allegations of said Complaint except  
as hereinafter specified and admitted, and therefore deny the same.
3. Specifically deny that the Plaintiff filed its lien within  
*much* ~~any~~ days from the date of the last item of labor or material furnished  
for the improvement of the said premises, *or that the action to foreclose  
the same was commenced within the year allowed by law.*
4. Allege the Defendants Dobbin for a good and valuable consideration  
made and executed their mortgage to the said Charles M. Drew in the  
amount of \$3000 on the said premises on the date of June 20th, 1913, and  
that the said mortgage thereafter was duly assigned to the Defendant Helen  
A. Raymond who is the present holder thereof.
5. Allege that under date of *January 31<sup>st</sup>* 1914, Defendants  
Dobbin for a good and valuable consideration, made, executed and delivered



their mortgage to the Defendant J. E. Hennessey & Company, in the sum of \$730.15, which mortgage was thereafter assigned to the Defendants Hicks & Company, which corporation is the present owner and holder thereof:

6. That the amount unpaid on the said first mortgage is the sum of \$ 3000 <sup>and interest thereon from January 1<sup>st</sup> 1915</sup> and that the sum unpaid on the second mortgage is \$ 730 <sup>15 and interest thereon from July 31-1914</sup> both of which mortgages are hereby claimed and alleged to be prior and superior to the rights or claims of the Plaintiff against the said premises.

WHEREFORE, These Defendants pray that Plaintiff take nothing by its pretended cause of action as against them or their interests in the said premises, or for their costs or disbursements herein.

  
Attorney for Defendants.  
512 Plymouth Building.  
Minneapolis, Minnesota.

Dated January 15, 1915.

State of Minnesota, }  
County of CARVER } ss

Charles M. Drew being first duly sworn,  
upon oath says that he is one of the Defendants in the  
foregoing within entitled action; that he has heard read the foregoing Answer  
that the same is true of his own knowledge, ~~except as to those matters therein stated on information~~  
~~and belief, and as to such matters he believes it to be true to the best of his knowledge, information~~  
~~and belief, and that the reason why this certification is not made by the~~ *except as to those*  
*matters therein stated on information & belief that as to those*  
*matters he believes it to be true.* ~~wherein resides this affiant, his attorney~~ *is absent from this County*

Subscribed and sworn to before me this 19<sup>th</sup> day of January A. D. 19 15

{ NOTARIAL }  
{ SEAL }

*Charles M. Drew*  
*Helen Ellis*  
Notary Public, Hennepin County, Minn.  
My Commission expires May 28-1916  
~~April 21, 1916~~

State of Minnesota, }  
County. } Court,

against

Plaintiff

SUMMONS.

Defendant

The State of Minnesota to the above named Defendant:

You are hereby summoned and required to answer the  
complaint of the Plaintiff in the above entitled action, which complaint---is hereto annexed and here-  
with served upon you---has been filed in the office of the clerk of said  
Court, at the \_\_\_\_\_ and State of Minnesota,  
and to serve a copy of your answer to the said complaint on the subscriber at \_\_\_\_\_ office,  
in \_\_\_\_\_ in the said  
County of \_\_\_\_\_ within \_\_\_\_\_ days after service of this  
summons upon you, exclusive of the day of such service; and if you fail to answer the said complaint  
within the time aforesaid, the Plaintiff in this action will---apply to the Court for the relief de-  
manded in said complaint---take judgment against you for the sum of \_\_\_\_\_

Dollars (\$ \_\_\_\_\_), with interest at the rate  
of \_\_\_\_\_ per cent per annum since the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

together with Plaintiff's costs and disbursements herein.

Dated \_\_\_\_\_ A. D. 191 \_\_\_\_\_

Plaintiff's Attorney.



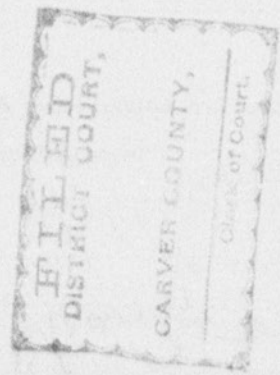
State of Minnesota, }  
County of \_\_\_\_\_ } ss.

\_\_\_\_\_ being  
first duly sworn, upon oath deposes and says, that at the  
in said county and state, on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ he  
served the within \_\_\_\_\_ upon \_\_\_\_\_  
the \_\_\_\_\_ therein named, personally, by \_\_\_\_\_  
leaving with said \_\_\_\_\_ at the house of the usual abode  
of said \_\_\_\_\_ with \_\_\_\_\_ a person of  
suitable age and discretion, then resident therein, a true and correct copy of said \_\_\_\_\_  
that said \_\_\_\_\_ is to affiant well known to be the same  
as the within named \_\_\_\_\_

Subscribed and sworn to before me this }  
day of \_\_\_\_\_ 19 \_\_\_\_\_ }

Notary Public, \_\_\_\_\_ County, Minn.  
My Commission expires \_\_\_\_\_

F 222



F 222

ORIGINAL

State of Minnesota,

County of CARVER

DISTRICT Court.

Phoenix Building & Investment  
Company, a corporation

Plaintiff

vs.

Albert J. Dobbin, et als.

Defendant

ANSWER of Chas M. Drew.  
Allen A. Raymond & Hicks P.C.

Due and personal service of the within

is hereby admitted

this \_\_\_\_\_ day of \_\_\_\_\_

A. D. 19 \_\_\_\_\_

Attorney for

JOSIAH E. BRILL

512 PLYMOUTH BLDG.  
MINNEAPOLIS, MINN.

Attorney for DEFENDANT'S

Allen A. Raymond & Hicks

STATE OF MINNESOTA)  
(SS  
COUNTY OF CARVER )

DISTRICT COURT  
EIGHTH JUDICIAL DISTRICT

Phoenix Building and Investment  
Company, a corporation,

Plaintiff, :

vs

ANSWER OF VERONA DOBBIN.

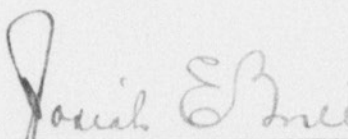
Albert J. Dobbin, Verona Dobbin, his  
wife, Charles M. Drew, Helen A. Raymond,  
J. E. Hennessey & Co., a corporation,  
and Hicks & Co., a corporation,

Defendant. :  
-----

Now comes the Defendant Verona Dobbin and for her answer to the  
Complaint of the Plaintiff herein,

1. Admits paragraph one of Plaintiff's Complaint.
2. Has no knowledge or information sufficient to form a belief  
as to the remainder of said allegations in said Complaint and there-  
fore denies the same.

WHEREFORE, this Defendant prays that Plaintiff take nothing as  
to her by its pretended cause of action, and for her costs and dis-  
bursements herein.



Attorney for Defendant, Verona Dobbin,  
112 Plymouth Building.  
Minneapolis, Minnesota.

January 16, 1915.



State of Minnesota,  
County of CARVER Hennepin } ss  
Jonah E. Bnei

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

Subscribed and sworn to before me this 16th day of January, A. D. 1915

{ NOTARIAL  
SEAL }

Ernest L. Grallup  
Notary Public, Hennepin County, Minn.

My Commission expires July 20, 1918

State of Minnesota,  
County }  
County }

Court,

against

Plaintiff

SUMMONS.

Defendant

The State of Minnesota to the above named Defendant:

You Verona Dobbin are hereby summoned and required to answer the complaint of the Plaintiff in the above entitled action, which complaint--is hereto annexed and herewith served upon you--has been filed in the office of the clerk of said Court, at the County of Carver and State of Minnesota, and to serve a copy of your answer to the said complaint on the subscriber at Verona Dobbin office, in Verona Dobbin in the said County of Carver within 10 days after service of this summons upon you, exclusive of the day of such service; and if you fail to answer the said complaint within the time aforesaid, the Plaintiff in this action will--apply to the Court for the relief demanded in said complaint--take judgment against you for the sum of

00 Dollars (\$ 00), with interest at the rate of 00 per cent per annum since the 00 day of 00 1915

together with Plaintiff's costs and disbursements herein.

Dated 00 A. D. 1915

Plaintiff's Attorney.



# 222

Original

State of Minnesota,

County of CARVER

DISTRICT Court.

Phoenix Building & Investment  
Company, a corporation

Plaintiff

vs.

Albert J. Dobbin, et als.

Defendant

ANSWER of Verona Dobbin

Due and personal service of the within

is hereby admitted

this day of

A. D. 19

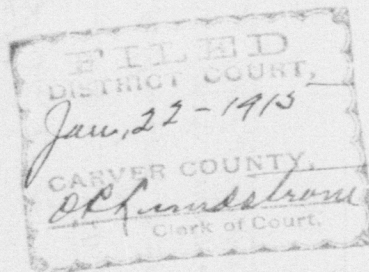
Attorney for

JOSIAH E. BRILL

512 PLYMOUTH BLDG.

MINNEAPOLIS, MINN.

Attorney for DEFENDANT



E 222

State of Minnesota,

County of

ss.

being

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

in said county and state, on the

day of

19

he

served the within

upon

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therein named, personally, by

leaving with said

at the house of the usual abode

of said

with

a person of

suitable age and discretion, then resident therein, a true and correct copy of said

, that said

is to affiant well known to be the same

as the within named

Subscribed and sworn to before me this

day of

19

Notary Public,

My Commission expires

County, Minn.



STATE OF MINNESOTA)  
(ss  
COUNTY OF CARVER)

DISTRICT COURT  
EIGHTH JUDICIAL DISTRICT.

Phoenix Building and Investment  
Company, a corporation,

Plaintiff, :

vs

ANSWER OF

ALBERT J. DOBBIN.

Albert J. Dobbin, Verona Dobbin,  
his wife, Charles M. Drew, Helen  
A. Raymond, J.E. Hennessey & Co.,  
a corporation, and Hicks & Co.,  
a corporation,

Defendants.:

Now comes the Defendant Albert J. Dobbin and for his Answer to the Complaint of the Plaintiff herein, herewith denies each and every allegation, matter and thing in said Complaint contained, and each and every part thereof except insofar as the same is hereinafter admitted, qualified or otherwise denied.

2. Admits paragraphs one and two of said Complaint, except that this defendant alleges that the said contract referred to in said Complaint in paragraph two thereof, is incomplete, in that the plans therein referred and made a part thereof are not made a part of said exhibit.

3. Specifically denies that the Plaintiff filed its notice of lien <sup>claim</sup> within ninety days after the furnishing by it of the last item of labor or material for the improvement of the said premises, or that the action to foreclose the same was commenced within the period allowed by law.

4. Admits paragraphs five and seven of said complaint and admits that the Plaintiff furnished to this defendant extra labor in connection with the said contract, but denies that the same was of the value or agreed price of more than \$400.00.

For a further and separate defense herein, this Defendant alleges:

1. That he commenced an action in the District Court of Hennepin County, Fourth Judicial District, State of Minnesota, against the Plaintiff on or about the 13th day of April, 1914, which action was tried before the Court with a Jury on or about the 14th, 15th and 16th days of December, 1914, and in which action the Jury returned a verdict and judgment was entered as hereinafter more particularly set out:

2. That in said action, the Plaintiff claimed damages from the Defendant by reason of the alleged failure on the part of the Plaintiff herein to comply with his obligations under the same contract concerned in this case, and that the issues in said case were the same as the issues which arise by reason of the second cause of action alleged in Plaintiff's Complaint, and that said issues were fully determined in said action, and that the second cause of action in Plaintiff's complaint is now res judicata, for the reason hereinbefore stated, and that judgment was entered as hereinbefore set out in said issues, and in said case in favor of this defendant and against this Plaintiff, and that said judgment has never been satisfied or paid, and that no appeal therefrom has ever been taken.

As and for his counter claim herein this Defendant alleges:

1. That this Defendant commenced an action in the District Court of Hennepin County, Fourth Judicial District, State of Minnesota, against the Plaintiff on or about the 13th day of April, 1914 at which action the Plaintiff duly appeared, and the said action was tried before the Court with a Jury, on or about the 15th and 16th days of December, 1914;

2. That in said action Plaintiff claimed damages from the Defendant for failure on the part of the Plaintiff herein, to carry out its obligations under the terms of said contract, and claimed damages for breach thereof, and that as result of said action, this Defendant obtained a judgment against the Plaintiff for the sum of \$2150, together with interest and costs thereof, which



judgment was entered in the total amount of (2199<sup>24</sup>) Twenty one Hundred Ninety  
nine & 24/100  
Dollars, in said Court on the eleventh day of January, A. D.  
1915, and that no appeal has been taken therefrom, and the same has been wholly  
unpaid and unsatisfied at the date hereof.

This Defendant now offers to the Plaintiff herein, that the Plaintiff  
have and be given an offset against the said judgment in full satisfaction of  
its claims and damages as alleged herein, in the sum of Four Hundred Dollars  
and this Defendant offers to reduce its said judgment in writing accordingly.

WHEREFORE, this Defendant prays that Plaintiff take nothing by  
its pretended cause of action, except as herein offered, and for its costs  
and disbursements herein.

Joseph E. Brier  
Attorney for Defendant Albert J. Dobbin,  
312 Plymouth Building,  
Minneapolis, Minnesota.

Dated January 15, 1915.

COVER NO. 5

State of Minnesota,  
County of CARVER

ss

Albert J. Dobbin,

being first duly sworn,

upon oath says that he is one of the Defendants in the  
foregoing within entitled action; that he has heard read the foregoing Answer

that the same is true of his own knowledge, except as to those matters therein stated on information  
and belief, and as to such matters he believes it to be true. ~~By the oath of his Attorney, information~~  
~~and belief, and that the reason why this certification is not made by him~~

herein, is that said ~~is absent from this County.~~  
~~wherein resides this affiant, his attorney.~~

~~Subscribed and sworn to before me this~~ day of ~~January~~ A. D. 1917

NOTARIAL  
SEAL

~~Subscribed and sworn to~~  
~~before me this 16th day of~~  
~~January 1917~~

~~Albert J. Dobbin~~  
Notary Public, Hemlock County, Minn.  
My Commission expires April 21, 1917

State of Minnesota,  
County.

Court,

against

Plaintiff

SUMMONS.

Defendant

The State of Minnesota to the above named Defendant:

You are hereby summoned and required to answer the  
complaint of the Plaintiff in the above entitled action, which complaint--is hereto annexed and here-  
with served upon you--has been filed in the office of the clerk of said

Court, at the and State of Minnesota,

and to serve a copy of your answer to the said complaint on the subscriber at office,  
in in the said

County of within days after service of this  
summons upon you, exclusive of the day of such service; and if you fail to answer the said complaint  
within the time aforesaid, the Plaintiff in this action will--apply to the Court for the relief de-  
manded in said complaint--take judgment against you for the sum of

Dollars (\$ ), with interest at the rate  
of per cent per annum since the day of 19

together with Plaintiff's costs and disbursements herein.

Dated A. D. 1917

Plaintiff's Attorney.



# 222

Original

State of Minnesota,

County of CARVER

DISTRICT Court.

Phoenix Building and Investment Company, a corporation.

Plaintiff

vs.

Albert J. Dobbin, et als

Defendant

ANSWER of Albert J. Dobbin

Due and personal service of the within

is hereby admitted

this day of

A. D. 19

Attorney for

JOSIAH E. BRILL

512 PLYMOUTH BLDG.

MINNEAPOLIS, MINN.

Attorney for Defendant

Albert J. Dobbin

State of Minnesota,  
County of

ss.

being

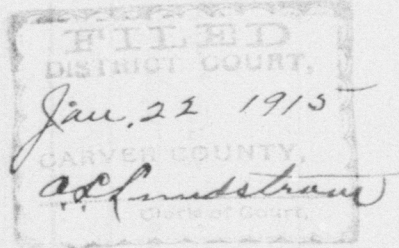
first duly sworn, upon oath deposes and says, that at the  
in said county and state, on the day of 19 he  
served the within upon  
therein named, personally, by  
leaving with said at the house of the usual abode  
of said with a person of  
suitable age and discretion, then resident therein, a true and correct copy of said  
, that said is to affiant well known to be the same  
as the within named

Subscribed and sworn to before me this  
day of 19

Notary Public,

My Commission expires

County, Minn.



E 222

No.

3437  
223

**DISTRICT COURT,**  
**CARVER COUNTY, MINN.**

*Ruby Hilda Fitzwilliams*  
Plaintiff

vs.

*Robert H. Fitzwilliams*  
Defendant

*Joe J. Moriarity*  
Plaintiff's Attorney

Defendant's Attorney

Date of Entry

*Dec. 30th* 191*4*

Register of Actions

*F* Page *223*

Term Tried

*Le Sueur County* *Nov 4th* 191*4*

Judgment for

*Plaintiff*

Amount of Judgment, \$

Date of Judgment

*Mar. 19th* 191*5*

Judgment Book

*D.* Page *495*

Default Judgment Book

Page

Date of Docketing

191



State of Minnesota,  
County of Carver } ss.

IN DISTRICT COURT  
Eighth Judicial District

Ruby Hilda Fitzwilliams

Plaintiff

—AGAINST—  
Robert Graham Fitzwilliams

Defendant

State of Minnesota,  
County of Scott } ss.

Jes. J. Moriarty

being duly sworn deposes and says that he is the

attorney for said Plaintiff  
Ruby Hilda Fitzwilliams

Judgment Creditor in the above entitled action; that to the best of affiant's information and belief the full

name of the Judgment Debtor is Robert Graham Fitzwilliams.

; that his occupation is that of Miner

; that his place of residence is Town, Village, City of

unknown

County of

State of

; that his postoffice address is

State of

Jes. J. Moriarty

Subscribed and sworn to before me this 15<sup>th</sup>

day of April A. D. 1916

W. Hazel Kopp  
notary public.

Scott

County, Minnesota

My Commission Expires Aug. 11th, 1921

#223

State of Minnesota,

County of Carver

**DISTRICT COURT**

Eighth Judicial District

Ruby Hilda Fitz Williams

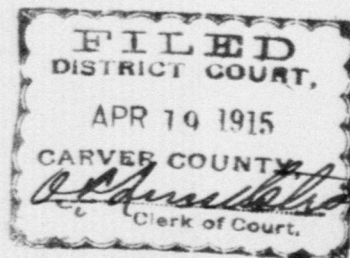
Plaintiff.....

—AGAINST—

Robert Graham Fitz Williams

Defendant.....

Affidavit as to Occupation, Etc., of the  
Judgment Debtor



F 223



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

FREE PRESS BLANK BOOK MANUFACTORY, MANKATO, MINN. Class 6.

State of Minnesota,

County of

*Carver*

} ss.

I hereby certify and return, that after due and diligent search, I have been unable to find the within defendant *Robert Graham Fitzwilliams* within my said County and the defendant aforesaid cannot be found within said *Carver* County.

Dated this

*26<sup>th</sup>*

day of

*Dec.*

*1914*

Sheriff's fees, return, \$ *1.00*

Mileage

\$

Sheriff of

*Carver*

County, Minn.

By

Deputy.

*Paid*

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State of Minnesota )  
County of Carver } ss

District Court  
Eighth Judicial District

Ruby Hilda Fitzwilliams,

Plaintiff,

-vs-

Robert Graham Fitzwilliams,

Defendant.

State of Minnesota, to the above named Defendant.

You are hereby summoned and required to answer the complaint or the plaintiff in the above entitled action, which said ~~summons~~ *complaint* is on file in the office of the Clerk of the District Court in the City of Chaska in said County and State, and serve a copy of your answer to said complaint upon the subscriber at his office in the City of Shakopee, Scott County, Minnesota within Thirty (30) days from the service of this summons upon you, exclusive of the day of such service, and if you fail to answer such complaint within the time aforesaid, the plaintiff in said action will apply to the court for the relief demanded in said complaint.

*J. L. Moore*  
Attorney for Plaintiff,  
Shakopee Scott Co., Minn.

State of Minnesota )  
County of Carver    } ss

District Court,  
Eighth Judicial District.

---

Ruby Hilda Fitzwilliams,

Plaintiff,

-vs-

Robert Graham Fitzwilliams,

Defendant.

---

Plaintiff for her complaint against said defendant herein alleges and shows to the Court:

First. Said plaintiff is now and for more than one year last past has been a resident and citizen of the County of Carver and State of Minnesota, and that said defendant when last heard of was residing at Salmo, British Colombia, and that the place of residence of said defendant at this time, is unknown to said plaintiff.

Second. That said plaintiff was born at Spokane, Washington on the 25th day of November, 1891, and that said defendant was born in Central City, South Dakota, about thirty-four years ago.

Third. That said plaintiff and defendant were duly married in the city of Spokane, Washington on the 4th day of November, 1908, and that ever since said time they have been and now are husband and wife.

Fourth. That the issue of said marriage was two children, one boy whose name is Roger Raymond Fitzwilliams who is now of the age of three years, and the other a boy whose name is Robert G. Fitzwilliams, who is now of the age of about five years, and that said defendant has the care and custody of said children.

Fifth. That there is no real estate or personal property of any nature whatsoever owned by or in possession of said plaintiff or defendant, nor any of the children of said plaintiff and defendant, and said defendant has no occupation trade, nor profession.

Sixth. That ever since the said marriage of the said



*Plaintiff*  
plaintiff and defendant said ~~defendant~~ has been compelled to labor and work and support herself and her children and said defendant who was an able-bodied man would refuse to work and sit idly by while said plaintiff with the exercise of her own labor earn sufficient means to sustain herself and her family.

Seventh. That for more than one year last past said defendant has not furnished said plaintiff with any of the necessities of life, or provided any home or residence wherein said plaintiff and defendant could reside.

*That said defendant has wilfully abandoned and deserted plaintiff for more than one year*  
Eighth. That for more than one year last past said plaintiff and defendant did not live or cohabit together.

WHEREFORE, Plaintiff demands judgment for the judgment and decree of said court, dissolving the bands of matrimony now and heretofore existing between said plaintiff and defendant, and that said defendant have the care and custody of the two children, and be compelled to support and maintain said children and for such other and further as the court may deem proper in the premises.

Dated at Shakopee, Minn., this  
24th, day of December, 1914.

*J. J. [Signature]*  
Attorney for Plaintiff,  
Shakopee, Scott Co., Minn.

*Original  
Filed in  
Shakopee  
Minn.*

State of Minnesota)  
County of Carver, } ss

District Court  
Eighth Judicial District

---

Ruby Hilda Fitzwilliams, Plaintiff

-vs-

Robert Graham Fitzwilliams, Defendant.

---

State of Minnesota)  
County of Scott } ss

Jos. J. Moriarty being first duly sworn says: That he is the attorney for the above named plaintiff, that said action was instituted for the purpose of procuring a divorce, that the sheriff of Carver County returned the defendant not found and that said affiant believes that said defendant is not a resident of said state, and can not be found therein, and that has mailed a copy of the summons in said action to the defendant at his last known place of residence, and that this affidavit is made for the purpose of procuring the service of the summons in said action to be made by publication.

J. J. Moriarty

Subscribed and sworn to before me  
this 24th day of December, 1914.

Magdalena E. Stunk  
Notary Public Itasca County, Minn.,  
My Commission expires Jan. 13th, 1921.

Itasca.



State of Minnesota)  
County of Carver ) ss

District Court  
Eighth Judicial District

Ruby Hilda Fitzwilliams,

Plaintiff

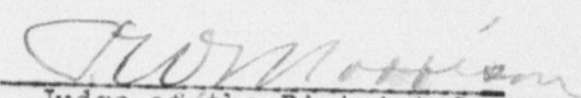
-vs-

Robert Graham Fitzwilliams,

Defendant.

The above entitled action came on for hearing before the Court at Court Chambers in the City of Norwood in said County and State on the 28 day of December, 1914 upon Motion of Jos. J. Moriarty, attorney for said plaintiff, to procure an order from said Court to have the summons in said action served by publication, and after due consideration all matters it appeared that the defendant in said action was not a resident of said State, nor could be found therein, and that said action was for the purpose of procuring a divorce,

NOW, THEREFORE, It is hereby ordered that the service of the summons in said action be made by publication in accordance with law.

  
Judge of the District Court.

Dated at Norwood, Minnesota this  
28 day of December, 1914.

# 223

State of Minnesota,

County of Carver

DISTRICT COURT,

82

Judicial District

Ruby Hilde Tulgwallers

Plaintiff

VS.

Robert G. Tulgwallers

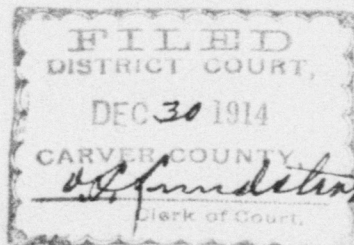
Defendant

Jos. J. Moriarty,

Shakopee, Minnesota.

Attorney for

Plaintiff



E 223



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State of Minnesota

District Court

County of Carver

Eighth Judicial District

-----  
Ruby Hilda Fitzwilliams,

Plaintiff,

--vs--

Robert Graham Fitzwilliams,

Defendant,  
-----

The above entitled action came duly on for hearing before the court at the Court House in the Village of Le Sueur Center County of Le Sueur and State of Minnesota on the 4th day of March A.D. 1915. Jos. J. Moriarty appeared as attorney for said plaintiff and there was no appearance on the part of said defendant and after due consideration of all the records and files in said action and after hearing the evidence produced on the part of said plaintiff and the argument of counsel said court finds as findings of fact.

1. That said plaintiff is a resident and citizen of the County of Carver and State of Minnesota and that said plaintiff is of the age of twenty four years and said defendant is of the age of thirty four years and that said plaintiff and defendant were duly married in the City of Spokane Washington on the 4th day of November 1908 and have been ever since said time husband and wife.

2. That the issue of said marriage is two children one boy whose name is Roger Raymond Fitzwilliams who is now of the age of three years, and the other boy whose name is Robert G. Fitzwilliams who is now of the age of about five years, and that said defendant now holds custody of said children.

3. That ever since the marriage of said plaintiff and defendant said plaintiff was compelled to labor and work and support herself and her children and said defendant refused and failed to furnish said plaintiff with the necessities of life peculiar to their station in life, and that said defendant was indolent and lazy and refused to work, and prevailed upon said plaintiff to support herself and her children and also said defendant. *and for more than one year prior to the institution of this action said defendant has abandoned deserted and refused to live with said plaintiff.*



4. That for more than one year last past said defendant has not furnished said plaintiff with any of the necessities of life and has failed and refused to furnish any home or shelter for said plaintiff and for the children of said marriage.

5. That said defendant is not a competent person to have care and custody of said two children.

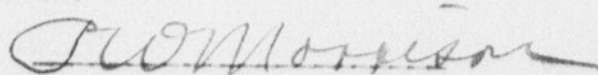
6. That said defendant is an able bodied man and able to contribute to the support of said plaintiff and of said two children in the sum of \$20.00 per month, and that said defendant is able to pay said plaintiff the sum of \$100.00 as attorney's fees in said action.

7. Said plaintiff is a suitable and competent person to have the care, custody and control of said children.

As conclusions of Law, said court finds:-

1. That said plaintiff is entitled to an absolute decree of divorce from said defendant from the bonds of matrimony heretofore existing, and that said plaintiff shall have the care, custody and absolute control of said children Robert G. Fitzwilliams, and Roger Raymond Fitzwilliams, and that said plaintiff recover as alimony the sum of \$20.00 per month payable monthly in advance beginning with the 4th day of March of each year, and that said plaintiff have judgement from said defendant for the sum of \$100.00 attorney's fees in said action.

Let judgement be entered accordingly.

  
Judge of District Court.

State of Minnesota,

County of Carver

DISTRICT COURT,

8<sup>th</sup> Judicial District

Ruby Hilda Fitzwilliams

Plaintiff

VS.

Robert Graham Fitzwilliams

Defendant

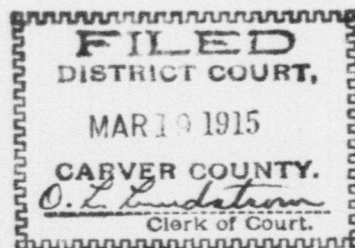
Jos. J. Moriarty,

Shakopee, Minnesota.



Attorney for \_\_\_\_\_

*Indigo of postcard  
conclusions of fore.*



E 223



**Summons.**

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

Ruby Hilda Fitzwilliams,

Plaintiff

vs.

Robert Graham Fitzwilliams,

Defendant.

State of Minnesota to the Above Named  
Defendant:

You are hereby summoned and required to answer the complaint of the plaintiff in the above entitled action, which said complaint is on file in the office of the Clerk of the District Court in the City of Chaska in said County and State, and serve a copy of your answer to said complaint upon the subscriber at his office in the City of Shakopee, Scott County, Minnesota, within thirty (30) days from the service of this summons upon you, exclusive of the day of such service, and if you fail to answer such complaint within the time aforesaid, the plaintiff in said action will apply to the Court for the relief demanded in said complaint.

JOS. J. MORIARTY,

Attorney for Plaintiff,

39-45 1st St. Shakopee, Scott Co., Minn.

State of Minnesota, }

COUNTY OF CARVER }

ss.

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

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

Summons

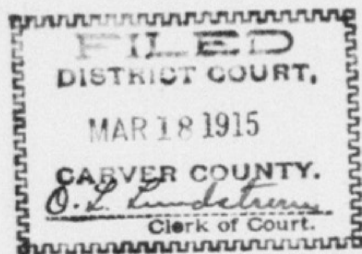
hereto attached, cut from the columns of said newspaper, was inserted, printed and published in said newspaper once in each week for ..... 6 ..... successive weeks, and that all of said publications were made in the English language. That said notice was first inserted, printed and published in said newspaper on Friday, the .... 1 ..... day of January, 1915 and was printed and published therein on each and every Friday thereafter until and including Friday, the .... 12 ..... day of February, 1915; that during all the time aforesaid, said newspaper was a collection of general and local news, comments and miscellaneous literary items, and regularly issued and published on Friday of each week from a known office of publication, said office being equipped with the necessary materials: presses, etc., and skilled workmen for producing same, and has consisted of not less than four pages, of five columns or more to each page, each column not less than seventeen and three-fourths inches in length, and never made up wholly of patents, plates and 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 by Section 2 of Chapter 33, of the Laws of the State of Minnesota for the year 1893, and amendments thereto.

Subscribed and sworn to before me this .... 12 ..... day of Feb., 1915.

A. J. Kehrer  
Notary Public, Carver County, Minn.

My Commission expires July 8, 1915



E 223.



Illegible  
(Light Ink)

State of Minnesota)  
County of Carver } ss

District Court  
Eighth Judicial District

Ruby Hilda Fitzwilliams,

Plaintiff

-vs-

Robert Graham Fitzwilliams,

Defendant

State of Minnesota)  
County of Scott. } ss

Jos. J. Moriarty being first duly sworn says that he is the attorney for plaintiff in the above entitled action, that there has been no appearance on the part of the said defendant, either by answer or otherwise, and that more than thirty (30) days have elapsed since the service of the summons in said action.

Subscribed and sworn to before me  
this 3d day of May 1915

M. Hazel Hopp  
Notary Public Scott Co., Minn.

My Commission expires Aug. 11th, 1921.



My Commission expires \_\_\_\_\_  
Notary Public \_\_\_\_\_ Co. Minn.  
Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_ 1915

have signed since the service of the summons in said action.

either by answer or otherwise, and that more than thirty days before the return of the writ in the above entitled matter the attorney for Plaintiff in the above entitled matter  
Jas. J. Mortenson being first duly sworn say:

County of Scott. }  
State of Minnesota } ss

Robert Graham Williamson, Defendant

vs  
Wm. H. Hays Williamson, Plaintiff

County of Carver }  
State of Minnesota } ss  
Nights Judicial District  
District Court

FILED  
DISTRICT COURT,  
MAR 18 1915  
CARVER COUNTY.  
O. C. Lundstrom  
Clerk of Court.

State of Minnesota

District Court

County of Carver

Eighth Judicial District

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Ruby Hilda Fitzwilliams,

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Plaintiff,

--vs--

Robert Graham Fitzwilliams,

Defendant,  
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The above entitled action came duly on for trial before the court at the court house in the Village of Le Sueur Center in the County of Le Sueur and State of Minnesota on the 4th day of March A.D. 1915. Jos. J. Moriarty appeared as attorney for plaintiff and there was no appearance on the part of said defendant. After due consideration of said matter and examination of the records and files in said case and after hearing all the testimony produced on the plaintiff court made findings of fact and conclusions of law wherein the court found as conclusions of law that said plaintiff is entitled to an absolute decree of divorce from said defendant from the bonds of matrimony heretofore existing, and that said plaintiff shall have the care, custody, and absolute control of said children Robert G. Fitzwilliams, and Roger Raymond Fitzwilliams, and that said plaintiff recover as alimony the sum of \$20.00 per month payable monthly in advance beginning with the 4th day of March of each year, and that said plaintiff have judgement from said defendant for the sum of \$100.00 attorney's fees in said action, and ordered judgement to be entered accordingly.

Now, therefore motion of Jos.J.Moriarty attorney for said plaintiff it is hereby ordered, adjudged, determined and decreed and the order, judgement and decree of this court is that said plaintiff Ruby Hilda Fitzwilliams be and hereby is granted an absolute decree of divorce from said defendant Robert Graham Fitzwilliams, and that said plaintiff have the absolute care, custody and control of both of said children Robert G. Fitzwilliams and Roger Raymond Fitzwilliams and that



said defendant be bound and required to pay to said plaintiff as  
alimony the sum of \$20.00 per month to be paid on the 4th day of  
each month in advance beginning on the 4th day of March A.D. 1915, and  
the further sum of \$100.00 as attorney's fees in said action.

Dated at Chaska Minnesota

this 1<sup>st</sup> day of March A.D. 1915

By the Court,  
O. L. Lundstrom

Clerk of District Court

By N. O. Muehlberg,  
Deputy

State of Minnesota,

County of Carver

DISTRICT COURT,

8<sup>th</sup> Judicial District

Ruby Hilda Fitzwilliams

Plaintiff

VS.

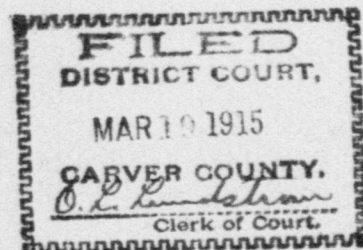
Robert Graham Fitzwilliams

Defendant

Jos. J. Moriarty,  
Shakopee, Minnesota.

Attorney for \_\_\_\_\_

Judge



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