



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

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No. 7.3104

DISTRICT COURT

CARVER COUNTY, MINNESOTA

Rosina Schmidt.
Plaintiff

vs.
Gerhard H. Schroer.
Defendant

Thos. F. Cravin
Plaintiff's Atty.

H. C. Odell.
Defendant's Atty.

Date of Entry Nov. 5, 1907

Register of Actions. D. Page 521.

Term Tried March Term 1908

Judgment for

Amount of Judgment, \$

Date of Judgment 190

Judgment Book Page

Default Judgment Book Page

Date of Docketing 190

No. _____

DISTRICT COURT,

8 Judicial District,

County of Barre

Rosina Schmidt

AGAINST

Erhard Schorn, Defendant

NOTE OF ISSUE

Last Pleading Served,

Jan 2nd 1908

Fact

Case.

Shas H. Crover

Attorney for Plaintiff.

W. C. Adelle

Attorney for Defendant.

Will the Clerk please file this Note
of Issue, and enter the cause on the
Calendar for the March
A. D. 1909 Term of this Court.

Yours, etc.

Shas H. Crover

Attorney for Plaintiff.

Filed Feb 24th 1908

H. O. Muehlberg

Clerk.

By _____

Deputy.

The \$3.00 deposit required by Sec. 2, Chap. 48,
General Laws of 1886, must be paid before any action
will be entered in Clerk's Office.

3-2-96. 1M

Brown, Treacy & Co., St. Paul.

(321)

State of Minnesota, } ss.
 County of Carver
5th day of November 1907, at the City of Chaska
 in the County of Carver in said State, I served the within Summons
and Complaint upon the within named defendant, Gerhard H. Schmitt
 by then and there handing to and leaving with him, a true
 copy of said Summons & Complaint
 Dated this 5th day of November 1907
 Sheriff's Fees, Return, \$ 1.00
 Mileage \$.20
Total \$ 1.20
 Sheriff Carver County, Minn.
 By G. A. Gatz Deputy.

STATE OF MINNESOTA
County of Carver.

DISTRICT COURT
Eighth Judicial District.

Resina Schmidt,

Plaintiff

- VS. -

Gerhard H. Schreers,

Defendant.

THE STATE OF MINNESOTA TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to serve your answer to the Complaint of the plaintiff in the above entitled action, which complaint is hereto attached and herewith served upon you, by copy, upon the subscriber at his office in the City of Chaska in the County of Carver and State of Minnesota, within twenty days after the service of this summons upon you, exclusive of the day of such service; and if you fail to so serve your answer within the time aforesaid the plaintiff in this action will take judgment against you for the sum of one hundred eighty five dollars with interest thereon at the rate of six per cent per annum from the first day of November A.D. 1907 together with the costs and disbursements of this action.

Dated this 5th day of November 1907.

Thos H. Graven
Plaintiff's attorney, Chaska Minn.

STATE OF MINNESOTA

DISTRICT COURT

County of Carver.

Eighth Judicial District.

Resina Schmidt,

Plaintiff

- VS. -

Gerhard H. Schreers,

Defendant.

Said plaintiff for her complaint in the above entitled action respectfully states and alleges:

- I. That heretofore and on the 10th day of October A.D. 1905, by a certain written lease bearing said date and duly made and executed by said plaintiff and said defendant, said plaintiff leased and let unto the said defendant, and said defendant hired and took from said plaintiff, the East Half of the North-west Quarter of Section Six Township 115 North of Range 23 West, for the full term of two years from and after the first day of November A.D. 1905, at the yearly rent of two hundred and fifty five dollars, which said sum the said defendant, by the terms of said lease, agreed to pay each year of said term to this plaintiff, that the last of said payments provided by the terms of said lease to be paid this plaintiff fell due on November 1st 1907 and is the sum of \$175.00 which said sum has never been paid, that the second last of said payments provided by the terms of said lease to be paid this plaintiff fell due on June 1st 1907 and is the sum of \$50 no part of which has been paid except the sum of \$40.
- II. That thereafter the said defendant entered and occupied said premises but has not paid the rent for the same so falling due on said dates in the sum of one hundred eighty five dollars; which said sum of \$185 is now due and owing this plaintiff from said defendant and defendant has neglected and refused to pay.
- III. That said plaintiff has duly performed all the conditions of said contract of leasing aforesaid on her part.

WHEREFORE, Plaintiff demands judgment against said defendant in the one hundred eighty five dollars and interest thereon from November 1st 1907 together with her costs and disbursements of this action.

Thos. F. Crowe
Plaintiff's Attorney
Chaska, Minn.

State of Minnesota,
County of Carver } ss.

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

Subscribed and sworn to before me this 5th day of Nov, 1907

(NOTARIAL
SEAL.)

H. O. Muehlberg
Notary Public, Clerk Dist. Court Minnesota

State of Minnesota,

COURT,

County.

JUDICIAL DISTRICT.

AGAINST

Plaintiff

SUMMONS.

Defendant.

THE STATE OF MINNESOTA TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to answer the complaint
of the Plaintiff in the above entitled action, which complaint—is hereto annexed and herewith served upon
you—has been filed in the office of the Clerk of said Court,
at the County of and State of
Minnesota, and to serve a copy of your answer to the said complaint on the subscriber, at
office, in the of, in the said County of
within twenty 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—have the
amount Plaintiff entitled to recover, ascertained by the Court or under its direction,
and take judgment for the amount so ascertained—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 the Plaintiff's costs and disbursements herein.

Dated A. D. 19

Plaintiff's Attorney, Minn

Original

STATE OF MINNESOTA,

County of

Carver

District COURT.

Rosina Schmidt
Plaintiff.

vs.
Erhard Schreier
Defendant.

Summons & Complaint

Due and personal service of the within

CARVER COUNTY hereby admitted
this FILED day of

A. D. 1907 NOV 16 1907

H. O. Mullberg

Attorney for

Thos. T. Gaven

Attorney for

Plaintiff
Thos. T. Gaven Minn.

C. F. GREENWOOD, MANKATO, MINN

(521)

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 19 day of he served the
within upon
the therein named, personally, by leaving
with said at the house of the usual abode of said
with a person of suitable
age and discretion, then resident therein, a true and correct copy of said
that said is to affiant well known to be the same.

State of Minnesota, } ss.
County of Carver

DISTRICT COURT,
Eighth Judicial District.

Rosina Schmidt, Plaintiff
AGAINST
Erhard & Schroers, Defendant
The Carver County Sugar Company
(A Corporation) Garnishee
Garnishee Summons.

The State of Minnesota,
To The Carver County Sugar Company
the above named Garnishee:

Whereas, The affidavit of Rosina Schmidt
the above named Plaintiff-, has been made and filed with the Clerk of this Court,
in an action pending in the said Court, wherein the said

Rosina Schmidt is
Plaintiff and the said Erhard & Schroers is

Defendant-, stating that he believes that said
The Carver County Sugar Company said
Garnishee has property, money and effects in its hands and under its
control belonging to the Defendant; and that the value of such property or the amount of such money
exceeds 25 twenty-five dollars in value, and that The Carver County Sugar Company
is indebted to said Defendant Erhard & Schroers
in an amount exceeding the sum of twenty-five dollars.

Now Therefore, You are hereby summoned and required to appear
before H. Q. Muehlberg Esq The Clerk of said Court at
The Office of said Clerk of Court in the Court House in the City
of Chaska in the County of Carver and State
aforesaid, on Friday the twenty-ninth day of November
A. D. 1907 at two o'clock in the afternoon of that day, and answer under
oath such questions as may be put to you touching your
indebtedness to the said Defendant Erhard & Schroers
and any property, money or effects of the said Defendant
in your possession or under your control.

November 5th A. D. 1907

Thos H Crover
Plaintiff's Attorney.
Chaska Minn.

NOTICE TO DEFENDANT.

State of Minnesota, } ss. DISTRICT COURT,
County of Carr } Eighth Judicial District.
To Gerhard H. Schorr Defendant :

SIR:-

Take Notice, That a Garnishee Summons, of which the within is a true copy, and which is herewith served upon you, was personally served upon the Carr County Sugar Company the garnishee named therein, by reading the same and delivering a copy thereof at his request to the said garnishee, at the Office of the Carr County Sugar Company in said County, on the 5th day of November 1907, and that at said time and place the said garnishee was paid in advance the sum of \$ 1.12 his fees for one day's attendance and mileage.

Now, Therefore, You are hereby required to appear and take part in the said examination, to take place at the time and place as specified in the within summons.

G. A. Gatz
Sheriff of Carr County Minn.

State of Minnesota, } ss.
County of Carr }
I Hereby Certify, That on the 5th day of November 1907, at the City of Chaska in said County, I served the within summons upon the within named garnishee, by reading the same and delivering a copy thereof, at his request, to the said garnishee, and paid him in advance the sum of \$ 1.12 his fees for one day's attendance and mileage. And I further certify, that on the 15th day of November 1907, at the City of Chaska in said County, I served upon the within named defendant a copy of the within summons, together with a notice to said defendant, of which the foregoing is a copy, stating the time, place and manner of service of said summons upon said garnishee, signed by G. A. Gatz Sheriff of Carr County Minn. and requiring the said defendant to appear and take part in the examination.

G. A. Gatz
Sheriff of Carr County Minn.

| | | | | | |
|-------------------------------|-------------|------------|-------------|----|---------------|
| FEES - Service of Summons, \$ | <u>1.00</u> | Notice, \$ | <u>1.00</u> | \$ | <u>2.00</u> |
| Copy " | <u>30</u> | Notice, \$ | <u>45</u> | \$ | <u>75</u> |
| Mileage " | <u>20</u> | Notice, \$ | <u>20</u> | \$ | <u>40</u> |
| | | | | \$ | <u>\$3.15</u> |

original

STATE OF MINNESOTA.

County of *Carver*

IN DISTRICT COURT,

Eighth Judicial District.

Rosina Schmidt
Plaintiff

AGAINST

Erhard H. Schrons
Defendant

AND

Carver County Sugar Co.
(a corporation) Garnishee.

GARNISHEE SUMMONS AND NOTICE
TO DEFENDANT.

CARVER COUNTY,

FILED

NOV 18 1907

H. O. Muehlberg

Thos. L. Carver
Plaintiff's Attorney

Minn.

No. 124.—Pioneer Press Co., St. Paul, Minn.

(521)

State of Minnesota,
County of Carver } ss.

DISTRICT COURT,
8th Judicial District.

Rosina Schmidt }
Plaintiff
Erhard A. Schroers }
AGAINST
Defendant

State of Minnesota,
County of Carver }

Rosina Schmidt

being first duly sworn, doth depose and say, that she is

the plaintiff in the above entitled action;

which said action is brought for the recovery of \$485 and interest at 6% on said sum since Nov. 1st 1907 and is based on a contract duly made and executed wherein and whereby defendant so promised and agreed to pay said sum and deponent further says that he believes The Carver County Sugar Company (a Corporation)

has property and ~~effects~~ ^{money} in its hands and under its control, belonging

to the defendant. ^{and} That said Carver County Sugar Company is indebted to the defendant in this action, ^{and} that the value of such property, ^{the} amount of such money ^{in the hands of} exceeds twenty-five dollars in value, and that said Carver County

Sugar Company is indebted to said defendant in an amount exceeding the sum of twenty-five dollars.

Subscribed and Sworn to before me,
on this 5th day of

November A. D. 1907.

H. O. Muehlberg

Clara Dist. Court

Rosina Schmidt

State of Minnesota,
County of *Carver*

DISTRICT COURT,
Eighth Judicial District.

Rosina Schmidt

AGAINST

Lehard H. Schreier

AFFIDAVIT FOR GARNISHMENT.

Filed *Nov. 5th* A. D. 190*7*
H. O. Muehlberg, Clerk
Thos. J. Gower
Plaintiff's Attorney

No. 33.—FISHER PRESS, St. Paul, Minn.

(521)

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

Rosina Schmidt, Plaintiff.
against
Gerhard H. Schreier, Defendants.
and
The Carver County Sugar Company,
(a corporation) Garnishee.

The above entitled matter came on for disclosure by the above named Garnishee on the 29th day of November A.D. 1907, at 2 o'clock P. M. pursuant to the Summons in Garnishment issued therein. The plaintiff appearing by Thos. J. Craven, her Attorney, presented and filed due proof of personal service of the Summons in Garnishment upon said above named Garnishee, and of personal service of a copy of said Summons, together with the notice prescribed by Statute, upon the Defendant Gerhard H. Schroer more than ten days before the time fixed therein for this said hearing.

Said Garnishee appeared by J. C. Hicks, is Treasurer, and officers of said corporation, authorized by said Garnishee to make disclosure herein for said Garnishee.

Defendant appeared in person and by W. C. Odell
his attorney.

2. - Mr. Hicks you are the secretary and treasurer of the Carter County Sugar Company

A. - Yes, sir.

2. - From the 5th day of November 1907 what
property or money ^{due or owing} said Carver County Sugar
Company have in its possession belonging
to the defendant.

A. - The amount of money due Mr. Schroe on
November 5th was \$110.63.

2. -

F. E. Hicks, Secy.

The above examination taken before me

H. O. Muehlberg

Clerk District Court.

Rosina Schmidt, *Plff.*
against
Gerhard H. Schrouer, *Def.*
and
Carver County Sugar Co.
Garnisher

Testimony of
J. C. Kicks, secretary
and Treasurer of the Carver
County Sugar Company
Garnisher

CARVER COUNTY,
FILED

NOV 29 1907

H. O. Muehlberg

No. *3106*
1.

DISTRICT COURT

CARVER COUNTY, MINNESOTA

State of Minnesota
Plaintiff

vs.

Chas. Kahle
Defendant

Plaintiff's Atty.

Defendant's Atty.

Date of Entry *Dec 31* 190*7*

Register of Actions *D.* Page *524*

Term Tried *Nolle entered Oct 20th* 190*9*

Judgment for

Amount of Judgment, \$

Date of Judgment 190

Judgment Book Page

Default Judgment Book Page

Date of Docketing 190

THE DISTRICT COURT FOR THE EIGHTH JUDICIAL DISTRICT FOR THE COUNTY
OF CARVER AND STATE OF MINNESOTA.

THE STATE OF MINNESOTA

against

INDICTMENT.

Charles Kahle

Charles Kahle is accused by the grand jury of the County of Carver and State of Minnesota, by this indictment, of the crime of petit larceny committed as follows: That said Charles Kahle on the 22nd day of December A.D. 1907, at the township of Hancock in the County of Carver and State of Minnesota, willfully, wrongfully, knowingly and designedly, and with intent to cheat and defraud one Peter Relf there being, did then and there pretend and represent to said Peter Relf that a certain printed paper, then and there produced by him the said Charles Kahle and by him the said Charles Kahle offered and given to said Peter Relf in payment of a certain forty cents indebtedness and claim owing by said Charles Kahle to said Peter

a more particular description of said printed paper being to this jury unknown, was a genuine good and valid Ten Dollar bank bill which usually circulate as money in the United States and then and there was of the current value of ten dollars; and the said Peter Relf, then and ^{and} believed the said false pretenses ^{and} representations so made and presented as aforesaid by said Charles Kahle and being deceived thereby was, then and there, induced, solely by reason of said false pretenses and representation so made as aforesaid, to deliver and did deliver, then and there, to the said Charles Kahle the sum of Nine Dollars and Sixty Cents genuine ^{all} and current money of the United States of America, of the value of \$9.60, a more particular description of said money being to said grand jury unknown, said money being then and there the property of and in the lawful possession of said Peter Relf, and said Charles Kahle wrongfully and unlaw

did then and there receive and obtain said sum of \$9.60 from said Peter Relf by means of the false pretenses and representation aforesaid, with intent, ^{and} wrongfully and unlawfully, to defraud, cheat and deprive the said Peter Relf, the true owner of said money, of his said property and to appropriate the said money to the use of him the said Charles Kahle; that in truth and fact the pretenses and representations, and each and all of them, so made as aforesaid by said Charles Kahle to said Peter Relf were then and there in all respects utterly false and untrue, and the said

printed paper then and there produced by said Charles Kahle and passed offered and given by said Charles Kahle to said Peter Relf as aforesaid was then and there utterly false spurious and worthless and said printed paper was not a genuine good and valid ten dollar bank bill which usually, or at all, circulates as money in the said United States, and the said printed paper so passed by said Charles Kahle as aforesaid was utterly spurious and of no value whatsoever; and that he the said Charles Kahle then and there well knew the said pretenses and representations, and each one of said pretenses and representations, so made as aforesaid by him, to be utterly false and untrue at the time of making the same; and that he the said Charles Kahle then and there well knew that said printed paper, then and there produced and passed by him to said Peter Relf as aforesaid, was utterly worthless false and spurious, and that said printed paper aforesaid was not a ten dollar bank bill which usually circulate as money in the United States and that the said printed paper was not then and there of the current value of ten dollars

contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Minnesota

done at Chaska in the County of Carver said State this 3rd day of March A.D. 1908.

H. A. Stapfke
Foreman of the Grand Jury.

The following are the names of the witnesses duly sworn and examined before the Grand Jury upon the finding of the above indictment:

Peter Relf

State of Minnesota,

In District Court,

County of Carver,

Eighth Judicial District.

It being made to appear to the satisfaction of the Judge of said Court that one Chas. Kahle, Jr., is confined in the County Jail of Carver County, Minnesota, on a charge of passing counterfeit money and that he has duly made application to this Court for bail.

ORDERED that at a Special Term of the District Court to be held in and for the County of ~~Carver~~ Scott on the 30th day of December, 1907, at the Court House in the City of Shakopee, Scott County, Minnesota, for the hearing of said application and for the transaction of such other business as may properly come before the Court.

Dated at Shakopee this 30th day of December, 1907.

Osmer
Judge of said Dist. Court.

The Defendant, Chas. Kahle, Jr., on this 30th day of December, A. D. 1907, at a Special Term of the Dist. Court duly held in and for the County of Scott appeared in Court and made application for bail, he being confined in Jail on a charge of passing counterfeit money.

Such application was heard and the amount of bail was fixed at the sum of One Thousand & 200/100 Dollars.

The Defendant offered Carl Kahle and Ernest Bughmann as sureties who justified in open Court for the full amount of said bond and duly executed the same.

ORDERED that said Chas. Kahle, Jr., be released from custody under the conditions stated in said bond.

Dated at Shakopee this 30th day of December, 1907.

W. Morrison
Judge of said Court.

40-10-100
JAN 5 1908
FILED
CLERK OF DISTRICT COURT

Original
District Court
Carver County

State of Minnesota

-15-
Chas. Kahle

Order admitting De-
fendant to Bail

CARVER COUNTY,
FILED

JAN 2 1908

H.O. Muehlberg *clerk*

(524)

TO ALL WHOM THESE PRESENTS SHALL COME, I, the Clerk of the District Court of Carver County, Minnesota, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of said court.

Witness my hand and seal of office at the City of Carver, Minnesota, this 2nd day of January, 1908.

H. O. Muehlberg, Clerk.

STATE OF MINNESOTA,
County of Carver,

IN DISTRICT COURT,
Eighth Judicial District.

State of Minnesota,

Plaintiff.

-vs-

Chas. Kahle, Jr.

Defendant.

State of Minnesota, :
County of Carver. :ss

We ~~xxx~~ Chas. Kahle, Jr., as principal and Carl Kahle and Ernest Bushmann as sureties jointly and severally acknowledge ourselves to owe and be indebted unto the State of Minnesota in the sum of One Thousand & No/100 Dollars lawful money of the United States of America, to be levied of our, ^{several} respective goods and chattels, lands and tenements, to the use of said State if default be made in the conditions of the following, to-wit:

The conditions of this obligation are such, That, Whereas the said Chas. Kahle, Jr., has been arrested by virtue of a warrant issued by Lambert J. Dols, Esq., a Justice of the Peace, in and for said County of Carver, charging the said Chas. Kahle, Jr., with having on the 22nd day of December, 1907, at Hancock in said Carver County, committed the crime of passing counterfeit money which said warrant and complaint therein is hereby referred to and made a part of this recognition; and whereas the said Chas. Kahle, Jr., on the 23d day of December, 1907, before the said Justice, expressly waived all preliminary examination in said Justice Court and asked to be committed to the jail of said County on said charge there to await the further action of this Honorable Court; and whereas on the 23d day of December, 1907, before the said ~~Justice~~ ^{magistrate} and upon said charge of having committed the crime as aforesaid he, the said Chas. Kahle, Jr., was duly committed to the County Jail of said Carver County there to remain until he shall thence be discharged by due course of law; and whereas thereafter the said Chas. Kahle, Jr., duly made application for bail before the Honorable P. W. Morrison, Esq., Judge of the District Court of said

County and thereafter such steps were duly and legally taken where by the said Judge of said District Court duly and legally fixed the amount of and accepted the recognizance and bond.

Now Therefore, If the above bounden Chas. Kahle, Jr., shall personally be and appear before the next General Term of the District Court aforesaid to be held in and for said County of Carver, appointed by law to be held at the Court House in the City of Chaska, Minnesota, on the 2nd day of March, 1908, and if the said Chas. Kahle, Jr. shall personally be and appear before said Court at the opening of said Term of Court on the said 2nd day of March, 1908, and shall remain in attendance from day to day of said term, and from term to term and from day to day of each term of said Court thereafter, then and there to answer to an indictment to be preferred against him for the above mentioned offense, and to do further and receive what shall by the said Court be then and there enjoined upon him, and shall not depart the said Court without leave duly granted, then this obligation shall be void; otherwise to remain in full force and effect.

Signed, sealed and delivered in :
presence of :

W. F. Duffe
John J. Wahey

: Chas Kahle Jr. (Seal)
: Carl Hall (Seal)
: Ernest Burzman (Seal)

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

Be it known that on this 30th day of December, @. D. 1907, came before me personally in Court Chas. Kahle, Jr., Carl Kahle and Ernest Buschmann to me well known to be the same persons who executed the foregoing bond, and each severally acknowledged the same to be his free act and deed.

W. F. Duffy
Judge of 8th Judicial District.
Clerk Dist. Court Scott Co. Minn.

State of Minnesota, :
:ss
County of Scott Carver. :

Carl Kahle and Ernest Buschmann upon oath doth say, each for himself that he is one of the sureties above named; that he is a resident and freeholder of and in the State of Minnesota, and worth the sum of One Thousand Dollars, specified in the foregoing bond above his debts and liabilities and exclusive of his property which is exempt from execution.

Carl Kahle
Ernest Buschmann
Subscribed and sworn to before me

this 30th day of December, A. D. 1907.

W. F. Duffy
of Scott Co. Minn.
Judge, 8th Judicial District.

The foregoing and hereto annexed recognizance and the sureties thereon are approved by me this 30th day of December, A. D. 1907.
Done in open Court.

R. M. Morrison
Judge of District Court,
Eighth Judicial District,
Minnesota.

1224

Black Hills

NO 76-111

(52)

44-38861-100

Ex A

State of Minnesota,
County of Carver } ss.

The Complaint of Peter Rolf.
Lambert Wols Esq., one of the Justices of the Peace, in and for said
County, who being duly sworn, on his oath, says, that Chas. Kahle
did, on the 22nd day of Dec 1897, at Hancock in said County
Commit the crime of passing counterfeit money
to an amount of ten Dollars said counterfeit
being known as Confederate scrip said money
being given in exchange for legal scrip of
the United States to said Peter Rolf.
with the intention to defraud the said
Peter Rolf out of ten Dollars

against the form of the statute in such case made and provided, and against the peace and dignity of the State
of Minnesota, and prays that the said Chas. Kahle
may be arrested and dealt with according to law.

Subscribed and sworn to before me, this

23rd

day of

Dec

A. D.

1907

Peter Rolf.
Lambert J. Wols

Justice of the Peace.

IN JUSTICE'S COURT

County of Sarver

THE STATE OF MINNESOTA
against

Chas Kahle

CRIMINAL COMPLAINT

Filed this 23rd day of Dec.

A. D. 1897
Robert J. Dole
Justice of the Peace.

6-24-'96-9000

SARVER COUNTY
FILED

DEC 31 1897
H. O. Muehlberg

(524)

State of Minnesota, } ss.
County of Carver

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

WHEREAS, Peter Rolf has this day complained in writing to me,
on oath, that Chas Kahle did, on the
22nd day of December A. D. 1907, at Hancock in said County,
Commit the Crime of passing counterfeit money to an
amount of ten dollars, said counterfeit being
known as Confederate scrip said money being given
in exchange for legal coin of the United States to said
Peter Rolf with the intention to defraud the said
Peter Rolf out of ten dollars
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 Chas Kahle

might be arrested and dealt with according to law;

NOW, THEREFORE, You are commanded forthwith to apprehend the said

Chas Kahle
and bring him before me, to be dealt with according to law. And you are also commanded to summon
Ernest Hermann and Fred Falthoester

material witness in said complaint, to appear and testify concerning the same.

Given under my hand, this 23rd day of December A. D. 1907
Lambert J. Dols Justice of the Peace.

State of Minnesota,

County of

Levee

ss.

I hereby certify that by virtue of the within warrant, I have arrested the within named Defendant and have him now before the Court in custody.

Dated this

23rd

day of

December

A. D. 1907

FEES—Mileage, 22 Miles, \$ 220

Service,

25

245

M. A. Gold

Constable.

IN JUSTICE'S COURT

County of *Carver*

THE STATE OF MINNESOTA
against

Chas Kahle

CRIMINAL WARRANT

Filed this *23rd* day of *Dec*
i. D. *1897*
Lawrence J. Dole
Justice of the Peace.

6-24-'96-9000

CARVER COUNTY,
FILED

DEC 31 1907

H.O. Muehlberg

(524)

State of Minnesota,
County of Larvas } ss.

The STATE OF MINNESOTA, To the Sheriff or any Constable, and to the Keeper of the Common Jail of said County:

WHEREAS, Chas. Kahle
was, on the 23rd day of Dec A. D. 1907, brought before
Lambert Wols one of the Justices of the Peace in and for
said County, charged on the oath of Peter Rolf
with having on the 22nd day of Dec. A. D. 1907, at
Fanrock in the said County,

Committed the crime of passing counter-
feit money to an amount of ten Dollars
upon the said Peter Rolf in exchange
for legal coin of the United States
of America with the intention to defraud
the said Peter Rolf out of Ten Dollars

NOW, THEREFORE, You, the said Constable, are commanded forthwith
to convey and deliver into the custody of the said Keeper, the body of the said

Chas Kahle
And you, the said Keeper, are hereby commanded to receive the said

Chas Kahle into your custody
in the said jail, and him there safely keep until the next
General term of the Dist. Court for
Larvas Co. and until he shall be thence discharged by due course of law.

Given under my hand, this 23rd day of Dec. A. D. 1907

Lambert Wols
Justice of the Peace.

Ex C

State of Minnesota, } ss.
 County of Cannon

I hereby certify that I have this day received into my custody the within named
Chas. Kahle and have lodged him
 in the common jail of the said County, as within commanded.

Dated at Chaska this 23^d day of December 1907

G. A. Gatz Sheriff.
 By _____ Deputy.

♦♦♦

State of Minnesota, } ss.
 County of _____

I hereby certify that by virtue of the within warrant I have delivered the within named
 _____ to the keeper of the common
 jail of the said County, as appears by his receipt indorsed hereon.

Dated at _____ this _____ day of _____ 189 _____

FEES---Mileage _____ Miles, \$ _____

Committing to prison, - _____ .50

Total, \$ _____

Constable

IN JUSTICE'S COURT

County of *Carver*

THE STATE OF MINNESOTA,

AGAINST

Chas Kahle

COMMITMENT
GENERAL FORM

Filed this *23rd* day of *Dec.*

A. D. *1907*

Hamber Dols
Justice of the Peace.

4-98-1000

CARVER COUNTY,
FILED

DEC 31 1907

H.O. Muehlberg Clerk

(524)

(After the following return is fully made out, fasten all the papers in the case together, securely here, and fold and place them in an envelope to be filed with the Clerk of the District Court.)

State of Minnesota, } ss. In Justice's Court,
County of Carver } Before Lambert J. Dols
Justice of the Peace.

State of Minnesota
vs
Chas. Kahle

To the District Court of Carver County, Minnesota:

a Preliminary hearing. ~~Having been~~ ~~from the judgment rendered~~ by me in said action, I hereby make return of the proceedings had before me therein, pursuant to the statute, as appears from my docket, viz:

(Then entitle the action and copy from the docket carefully everything pertaining to it, and then fill out the certificate on the opposite page.)

Dec. 23 - 1907 Peter Rolf appeared before me and made complaint against Chas Kahle for passing counterfeit money. Having administered an oath to the said Peter Rolf. I took his examination and reduced the same to writing and caused it to be subscribed by him it appearing from said complaint that the said Chas. Kahle did on the 22nd Day of Dec. 1907 in Hancock town Carver Co. Minn. pass upon the said Peter Rolf. a counterfeit ten dollars in Confederate currency accepting in return nine & 60/100 dollars in legal coin & currency of the United States of America & thereupon issued a warrant for the arrest of the said Chas Kahle and placed it in the hands of Martin Dols Constable for service. Dec 23rd 1907 Warrant returned with defendant in custody. Constable fees & mileage \$2.45 - Defendant pleads guilty to passing the said counterfeit ten dollars in currency upon said Peter Rolf. Waives Preliminary hearing and is bound over to await the action of the Grand Jury at the next general term of the Dist. Court for Carver County Minn. and in default of bail is committed to the County Jail for on being searched by the Constable \$20.00 Confederate currency being found upon person of said Chas Kahle attached hereto
L. D.

State of Minnesota } ss.
County of Carver

I hereby certify that I have compared the foregoing with the original entries in my docket, and that the same is a full and correct transcript therefrom, and of all the proceedings had before me in said action:

~~that the affidavit, bond and notice of appeal, together with~~ all the process and other papers relating to the action and filed with me, or had before me therein, are herewith returned and attached, and numbered from 9 to 10 inclusive; and that, together with the foregoing transcript, they contain

a correct and complete statement of all the proceedings had before me in said action.

Given under my hand, this 28th day of Dec. A. D. 1 907

Lambert Dols Justice of the Peace.

IN JUSTICE'S COURT

County of Carver

State of Minnesota
vs.
Chas Mahle

Transcript and Return to District Court

Filed in the office of Clerk of District
Court, Carver County, Minn.,

this 31st day of December

A. D. 1907.

H. O. Muehlberg
Clerk.

12-98-1000

(524)

No. 3107

DISTRICT COURT,
CARVER COUNTY, MINN.

State of Minnesota
~~Petitioner~~ Plaintiff.

vs.

Frederick Knisk et al
Defendant.

Young & Jelley
Plaintiff's Attorney.

J. F. Craven
Defendant's Attorney.

Date of Entry Jan 1908

Register of Actions D Page 525

Term Tried.....1

Judgment for.....

Amount of Judgment \$.....

Date of Judgment.....1

Judgment Book.....Page

Default Judgment Book.....Page

Date of Bookeling.....1

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5 STATE OF MINNESOTA
6 COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

7
8 -----X
9 State of Minnesota,

Petitioner,

10 -vs-

P E T I T I O N .

11 Frederick Fink and Emma Fink, his wife,
12 and Helena Fink, unmarried,
13 Respondents.
14 -----X
15

16 The undersigned in behalf of the aforesaid petitioner
17 herein represents and shows to the Court:

18 -I-

19 That he is the duly elected, qualified and acting
20 Attorney General of the State of Minnesota, and has been such
21 Attorney General for more than one year last past. That the
22 respondents Frederick Fink and Emma Fink are husband and wife,
23 and the respondent Helena Fink is unmarried.

24 -II-

25 That the respondent Frederick Fink is the record owner
26 of, and he and his wife, the respondent Emma Fink, are in the
27 possession of and occupying the East twenty (20) acres of the
28 Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of
29 Section Seventeen (17) in Township One hundred sixteen (116) North
30 of Range Twenty-three (23) West, according to the government survey
31 thereof; and the respondent Helena Fink claims to have some right,
32 title and interest in and to said land, which is claimed to be a
33 lien thereon, under and by virtue of a contract given to her by the
34 respondent Frederick Fink.
35

-III-

That the Board of Regents of the University of Minnesota is in charge of and has the supervision, management and control of the University of Minnesota, which is situated at Minneapolis, Hennepin County, said State, and said Board of Regents has determined that it is necessary for the uses of said University, and particularly for the use of an experimental fruit-breeding farm to be conducted and carried on in connection with said University, to acquire for and the State to own for said University, the said real estate heretofore described.

-IV-

That said Board of Regents having failed to acquire from the respondents by agreement, said real estate, for the uses and purposes aforesaid, has requested the undersigned to apply in behalf of the State of Minnesota to this Court, and he does in accordance with such request, and in pursuance of the statutes and laws of the State of Minnesota, and in particular in accordance with Chapter 41 of the Revised Laws of 1905 and Chapter 43 of the General Laws of 1905, hereby apply to and ask of the Court for an Order of the Court appointing three dis-interested Commissioners, residents of said County and State, to appraise, ascertain and report to the Court, the amount of damages that will be sustained by the respondents, and each of them, on account of the taking of said real estate proposed to be taken by the petitioner, for the uses and purposes hereinbefore mentioned.

-V-

That the respondents are all of the persons appearing of record, or known to the petitioner to be the owners of said real estate, or interested therein in any way, including all whom the petitioner has been able, by investigation and inquiry, to discover

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5 and the nature of the ownership and interest of each, as nearly
6 as can be ascertained, are as follows:

7 The said respondent Frederick Fink is the record
8 owner in fee simple of said land, free and unencumbered.
9 And the respondent Helena Fink claims a lien upon said land, under
10 and by virtue of a contract made with her by Frederick Fink,
11 designated as a "contract for annuity," dated October 11th, 1895
12 and recorded October 11th, 1895 at three o'clock PM of said day,
13 in Book "E" of Miscellaneous Records on Page 94 thereof, in the
14 office of the Register of Deeds in and for said County of Carver.

-VI-

15 And your petitioner further asks that said Order when
16 made shall fix the time and place of the first meeting of said
17 Commissioners and designate their compensation for their duties
18 to be performed as such.

19 STATE OF MINNESOTA

20 By

21 Edward J. Levy
22 Attorney General of the
State of Minnesota

23 C. S. Selley
Asst. Attorney General

24 Attorney for Petitioner.

25 Dated: St. Paul, Minnesota, January 11th, 1908

ORIGINAL

STATE OF MINNESOTA

COUNTY OF CARVER

DISTRICT COURT

EIGHTH JUDICIAL DISTRICT

State of Minnesota,
Petitioner,

-vs-

Frederick Fink, et al ,
Respondents.

P E T I T I O N .

CARVER COUNTY,
FILED

JAN 4 1908

H.O. Muehlberg Clerk

(525)

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

-----X
State of Minnesota,
Petitioner,

-vs-

Frederick Fink and Emma Fink, his wife,
and Helena Fink, unmarried,
Respondents.
-----X

P E T I T I O N .

The undersigned in behalf of the aforesaid petitioner
herein represents and shows to the Court:-

-I-

That he is the duly elected, qualified and acting
Attorney General of the State of Minnesota, and has been such
Attorney General for more than one year last past. That the
respondents Frederick Fink and Emma Fink, are husband and wife,
and the respondent Helena Fink is unmarried.

-II-

That the respondent Frederick Fink is the record
owner of, and he and his wife, the respondent Emma Fink, are in
the possession of and occupying the East twenty (20) acres of
the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of
Section Seven (7) in Township One hundred sixteen (116) North
of Range Twenty-three (23) West, according to the government survey
thereof; and the respondent Helena Fink claims to have some right,
title and interest in and to said land, which is claimed to be a
lien thereon, under and by virtue of a contract given to her by the
respondent Frederick Fink.

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5 -III-

6 That the Board of Regents of the University of Minnesota
7 is in charge of and has the supervision, management and control
8 of the University of Minnesota, which is situated at Minneapolis,
9 Hennepin County, said State, and said Board of Regents has
10 determined that it is necessary for the uses of said University,
11 and particularly for the use of an experimental fruit-breeding
12 farm to be conducted and carried on in connection with said Uni-
13 versity, to acquire for and the State to own for said University,
14 the said real estate heretofore described.

-IV-

17 That said Board of Regents having failed to acquire
18 from the respondents by agreement, said real estate for the uses
19 and purposes aforesaid, has requested the undersigned to apply in
20 behalf of the State of Minnesota to this Court, and he does in
21 accordance with such request, and in pursuance of the statutes and
22 laws of the State of Minnesota, and in particular in accordance
23 with Chapter 41 of the Revised Laws of 1905 and Chapter 43 of the
24 General Laws of 1905, hereby apply to and ask of the Court for an
25 Order of the Court appointing three dis-interested Commissioners,
26 residents of said County and State, to appraise, ascertain and
27 report to the Court, the amount of damages that will be sustained
28 by the respondents, and each of them, on account of the taking of
29 said real estate proposed to be taken by the petitioner, for the
30 uses and purposes hereinbefore mentioned.

31 -V-

32 That the respondents are all of the persons appearing of
33 record, or known to the petitioner to be the owners of said real
34 estate, or interested therein in any way, including all whom the
35 petitioner has been able, by investigation and inquiry, to discover

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5 and the nature of the ownership and interest of each, as nearly
6 as can be ascertained, are as follows:

7 The said respondent Frederick Fink is the record
8 owner in fee simple of said land, free and unencumbered.
9 And the respondent Helena Fink claims a lien upon said land, under
10 and by virtue of a contract made with her by Frederick Fink,
11 Designated as a "contract for annuity," dated October 11th, 1895,
12 and recorded October 11th, 1895, at three o'clock P M of said day,
13 in Book "E" of Miscellaneous Records on Page 94 thereof, in the
14 office of the Register of Deeds in and for said County of Carver.

15 -VI-

16 And your petitioner further asks that said Order when
17 made shall fix the time and place of the first meeting of said
18 Commissioners and designate their compensation for their duties
19 to be performed as such.

STATE OF MINNESOTA

By

20
21 C. S. Colley
22 Assistant Attorney General

Edward J. Young
Attorney General of the
State of Minnesota

23 Attorney for Petitioner.

24 Dated: St. Paul, Minnesota, January 10th, 1908
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ORIGINAL

STATE OF MINNESOTA
COUNTY OF CARVER
DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

State of Minnesota,
Petitioner,

-vs-

Frederick Fink et al.,
Respondents.

P E T I T I O N .

CARVER COUNTY,
FILED

JAN 11 1908.

H.O. Muehlberg, Clerk.

(525)

DISTRICT COURT:

EIGHTH JUDICIAL DISTRICT:

petitioner,

-VS-

Respondents.:

You, and each of you, are hereby notified that the undersigned Commissioners having been by order of said Court on the 21st day of January, 1908 appointed Commissioners to appraise the real estate proposed to be taken by said petitioner and described in said petition and to ascertain and report the damages for taking the same, and as such Commissioners having taken the required oath,

You are now hereby notified that at the residence of Frederick Fink, in the County of Carver and State of Minnesota, at 1 o'clock P. M. on Monday, January 27th, 1908, as such Commissioners we will meet for the purpose of appraising the real estate and for ascertaining and assessing the damages, if any, which may be sustained by you on account of and by reason of the said petitioner taking and acquiring title to the real estate proposed to be taken for the purposes and uses mentioned and described in said petition, which real estate is situate in the County of Carver and State of Minnesota and described as follows: The East Twenty (20) Acres of the Northwest Quarter (N.W. $\frac{1}{4}$) of the Southwest Quarter (S.W. $\frac{1}{4}$) of Section Seven (7), in

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4 Township One Hundred and Sixteen (116), North of Range Twenty-three
5 (23), according to the government survey thereof, at which time
6 and place you can attend and be heard as to all questions which
7 may come up for determination in regard to the taking of said
8 real estate by said petitioner as aforesaid.
9

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11 Dated, January 24th, 1908.

F. E. DuToit
Edwin Aldritt
Aug. D. D. D.
Commissioners.

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16
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18 We, Frederick Fink and Emma Fink, his wife, and Helena
19 Fink, unmarried, the respondents named in the above entitled pro-
20 ceeding, hereby acknowledge service of the above and foregoing
21 notice by the receipt of a true and correct copy of the same
22 by each of us, and we do hereby expressly waive any more extended
23 or longer time of the meeting of said commissioners and appraisers
24 than that given us by the service of said notice as aforesaid, and
25 consent that said commissioners may meet at the time and place
26 designated in said notice and that they may without further notice
27 to us, or either of us, proceed to appraise the real estate and
28 ascertain and assess the damages, ~~if any~~ which may be sustained
29 by us, or either of us, for the taking of and the acquiring of
30 title to the same by the petitioner for the uses and purposes
31 mentioned in said petition.

32
33
34 Dated, January 24th, 1908.

Frederick Fink
Emma Fink
Helena Fink

STATE OF MINNESOTA:
COUNTY OF CARVER:

DISTRICT COURT:
EIGHTH JUDICIAL DISTRICT:

⋮ ⋮ ⋮ ⋮ ⋮ ⋮ ⋮ ⋮ ⋮ ⋮ ⋮ ⋮ ⋮ ⋮ ⋮

STATE OF MINNESOTA, -
 -vs-
 FREDERICK FINK, et al,
 Respondents.

: : : : : : : : : : : : : :

NOTICE TO RESPONDENTS.

: : : : : : : : : : :

CARVER COUNTY,
FILED

JAN 27 1908

JAN 27 1908
K.O. Muehlberg, Clerk

(525)

State of Minnesota,
County of Carver, ss.

I hereby certify and return, that on the 11th day of January 1908, at the town of ~~Lake Park~~ in the County of Carver in said State, I served the within Notice of Application for Appointment of Commissioners, upon the within named Respondents Frederick Fink and Emma Fink, his wife, and Helena Fink, unmarried, by then and there handing to and leaving with them and each of them personally a true copy of said Notice of Application for appointment of Commissioners.

Dated this 11th day of January 1908.

G. A. Gatz
Sheriff Carver County, Minn.

| | |
|------------------------|--------|
| Sheriff's Fee, Return, | \$3.00 |
| Mileage | \$1.60 |
| total | \$4.60 |

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5 STATE OF MINNESOTA
6 COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

7
8 -----X
9 State of Minnesota,

Petitioner,

10 -vs-

11 Frederick Fink and Emma Fink, his wife,
12 and Helena Fink, unmarried,
13 Respondents.
14 -----X

NOTICE OF APPLICATION
FOR APPOINTMENT OF
COMMISSIONERS.

15
16 Notice is hereby given that a petition has been filed
17 by the State of Minnesota in the office of the Clerk of the Dis-
18 trict Court above named, against the respondents above named,
setting forth:-

19 -I-

20
21 That the persons named as husband and wife in the
22 foregoing title, are in fact husband and wife.

23 -II-

24 That in pursuance of the statutes and laws of the
25 State of Minnesota, and particularly Chapter 41 of the Revised
26 Laws of 1905 and Chapter 43 of the General Laws of 1905, the
27 Board of Regents of the University of Minnesota has determined
28 that it is necessary to take, and it is in fact necessary to
29 take, the lands in said petition described for the uses of said
30 University, and particularly for the use of an experimental
31 fruit breeding farm to be conducted and carried on in connection
32 with said University, and for the State of Minnesota to own
33 for said University said land for said purposes.
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6 That said Board of Regents having failed to acquire from
7 the respondents by agreement said real estate for the uses and
8 purposes aforesaid, has requested and directed the Attorney Gener-
9 al of the State of Minnesota to institute and prosecute proceed-
10 ings for the acquisition of said lands under the right of eminent
11 domain and in pursuance of the statutes aforesaid. The lands
12 so designated and proposed to be taken are described as follows:

13 The East Twenty (20) acres of the Northwest quarter
14 (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section seven (7), in
Township one hundred sixteen (116), north of Range twenty-
three (23) West, Carver County, State of Minnesota, according to
17 the government survey thereof.

18 -IV-

19 That the names of all persons appearing of record or
20 known to the petitioner to be the owners of said tract or parcel,
21 or interested therein, including all whom the petitioner has been
22 able, by investigation and inquiry, to discover, are, together
23 with the nature of the ownership and interest of each, as nearly
as can be ascertained, as follows:-

24 The said respondent Frederick Fink is the record
25 owner in fee simple of said land, free and unencumbered; and
26 the respondent Helena Fink claims a lien upon said land under
27 and by virtue of a contract made with her by Frederick Fink,
designated as a "contract for annuity," dated October 11th,
28 1895 and recorded October 11th, 1895, at three o'clock PM of
29 said day, in Book "E" of Miscellaneous Records on Page 94
30 thereof, in the office of the Register of Deeds in and for said
31 County of Carver,.

-V-

Said petition has been filed for the purpose of securing an Order of the Court appointing three disinterested Commissioners residents of said County, to appraise, ^{said real estate, and} ascertain and report to the Court the amount of damages that will be sustained by the owner of said real estate and persons interested therein, on account of the taking of said land, and fixing the time and place of the first meeting of such Commissioners and prescribing their compensation. Said petition will be presented to the Judge of said Court for the purpose above stated, at a Special Term of the Court of said District, to be held at the Court House in the City of Shakopee, Scott County, Minnesota, on Tuesday the 21st day of January, 1908, at 11 o'clock AM on said day, or as soon thereafter as the petitioner can be heard.

-VI-

And you are further hereby notified that the proceedings theretofore commenced by the petitioner herein named against the respondents herein named, notice of which was served upon you on the 4th day of January 1908 by the sheriff of said county, has been dismissed.

STATE OF MINNESOTA

C. J. Kelley.
Assistant Attorney General

By Edward J. Gray
Attorney General of the
State of Minnesota

Attorney for Petitioner.

Dated: St. Paul, January 10th, 1908

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9 State of Minnesota,) s
10 County of Carver) ss
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12 I, G. A. Gatz, Sheriff of the County of Carver,
13 State of Minnesota, hereby certify and return, that on the 11th
14 day of January, 1908, at the said County and State, I served the
15 Notice hereto attached upon the persons named as respondents
16 in the title of the action in said Notice, by handing to and
17 leaving with Frederick Fink, Emma Fink and Helena Fink,
18 personally, and with each of them, a true and correct copy of
19 said Notice, and I know the persons so served to be the said Fred-
20 erick Fink, Emma Fink and Helena Fink.
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Sheriff Carver County, Minn

ORIGINAL

STATE OF MINNESOTA
COUNTY OF CARVER
DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

State of Minnesota,
Petitioner,

-vs-

Frederick Fink, et al.,
Respondents.

NOTICE OF APPLICATION
FOR APPOINTMENT OF
COMMISSIONERS.

CARVER COUNTY,
FILED

JAN 22 1908.

H. O. Muehlberg, Clerk.

(525)

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

-----X
State of Minnesota,)
 Petitioner,)
)
 -vs-)
)
Frederick Fink and Emma Fink, his wife,)
and Helena Fink, unmarried,)
 Respondents.)
-----X

ORDER .

In the above entitled matter, the petitioner having heretofore filed its petition in the office of said District Court, asking for an Order of said Court appointing three Commissioners, residents of said County and State, to appraise the real estate, and to ascertain and report to the Court the amount of damages that will be sustained by the respondents on account of the taking of the real estate described in said petition, for the purposes therein mentioned, and said matter having come regularly before the Court upon a hearing of said petition on Tuesday, the 21st day of January, 1908, at eleven o'clock A.M., at a Special Term of the Court of said District, held at the Court House in the City of Shakopee, Scott County, Minnesota; and it appearing that the respondents have been duly served with a notice of said hearing ten days prior thereto; and C.S. Jelley, Assistant Attorney General of the State of Minnesota appearing in behalf of said petitioner,

and *J. H. Granger* appearing in behalf of the respondents;
The respondents' assistant and Helena Fink appearing in person and
NOW, THEREFORE, after hearing the respective parties,
It Is Ordered by the Court, that *J. E. Dutoit, Edward Aldrich Jr and August F. Truett*

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5 residents of the County of Carver and State of Minnesota, be, and
6 they are hereby, appointed, in accordance with the prayer of said
7 petition, as Commissioners to appraise the real estate, and
8 ascertain and report to the Court, the amount of damages that will
9 be sustained by the respondents on account of the taking of the
10 same for the uses and purposes in said petition mentioned, said
11 real estate being situated in the County of Carver and State of
12 Minnesota, and described as follows, to-wit:-

13 The East Twenty (20) acres of the Northwest quarter
14 (NW $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section Seven (7) in
15 Township One hundred sixteen (116), North of Range Twenty-three
(23), according to the government survey thereof;

16 And It is further Ordered that the said Commissioners
17 have their first meeting in regard to said matter at *the residence of*
18 *Fredrick Fink*....., in said County and State, on the *27th* day of
19 *January*....., A.D. 1908; *at one o'clock P.M. of said day.*

20 And it is further Ordered, that each of said Commissioners
21 be, and he shall be, allowed the sum of *Five* Dollars
22 per day for each day's actual service performed by him in and
23 about said matter.

24 *R. M. Morrison*
25 Judge of District Court

26 Dated: Shakopee, Minn., January 21, 1908
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ORIGINAL

STATE OF MINNESOTA
COUNTY OF CARVER
DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

State of Minnesota,
Petitioner,

-vs-

Frederick Fink, et al.,
Respondents.

ORDER
APPOINTING COMMISSIONERS.

CARVER COUNTY,
FILED

JAN 22 1908.

H. O. Muehlberg
(525)

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

STATE OF MINNESOTA,

Petitioner,

-vs-

FREDERICK FINK and EMMA FINK, his
wife, and HELENA FINK, unmarried,
Respondents.

STIPULATION.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above entitled action, through their respective counsel, that said proceedings may be, and the same are hereby discontinued and dismissed, the petitioner paying the fees of witnesses who appeared before said Commissioners in behalf of the respondents, amounting to the sum of Seven Dollars (\$7.00), and also the sum of Fifty Dollars (\$50.00), as and for an attorney fee to the attorney for the respondents; and said proceedings may be and are discontinued and dismissed, as aforesaid, without costs being taxed to either party.

E. J. King
Attorney General

C. S. Kelley
Assistant Attorney General
Attorneys for petitioner

Wm. H. Gaven
Attorney for respondents.

Dated: February 24th, 1908.

ORIGINAL

STATE OF MINNESOTA
COUNTY OF CARVER
DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

State of Minnesota,
Petitioner,

-vs-

Frederick Fink, et al.,
Respondents.

STIPULATION.

CARVER COUNTY,
FILED

FEB 25 1908.

H.O. Muehlberg Clerk.

(525)

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

State of Minnesota,
Petitioner,
-vs-
Frederick Fink and Emma Fink, his wife,
and Helena Fink, unmarried,
Respondents.

OATH OF COMMISSIONERS.

State of Minnesota,)
County of Carver.) ss

F. E. DuToit, Edwin Aldritt and Aug. P. Bruce

residents of the County of Carver and State of Minnesota,
having been on the 21st day of January, 1908, duly appointed by
said Court as Commissioners to appraise the real estate, and as-
certain and report to the Court the amount of damages that will
be sustained by the respondents on account of the taking of the
same, and which real estate is mentioned and described in the pe-
tition on file in said matter, for the uses and purposes therein
set forth, being duly sworn, each for himself says, that he will
support the Constitution of the United States and of the State of
Minnesota, and that he will faithfully perform his duties as
such Commissioner, and Appraiser, without partiality and to the best of his
knowledge and ability.

Subscribed and sworn to before me
this 24th day of January, 1908

Notary Public, Carver County,
Minnesota.

My Commission Expires - July 15th 1908

F. E. DuToit
Edwin Aldritt
Aug. P. Bruce

ORIGINAL

STATE OF MINNESOTA
COUNTY OF CARVER
DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

State of Minnesota,
Petitioner,

-vs-

Frederick Fink, et al.,
Respondents.

OATH OF COMMISSIONERS.

CARVER COUNTY,
FILED

JAN 27 1908
H.O. Muehlberg Clerk.
(525)

DISTRICT COURT:
EIGHTH JUDICIAL DISTRICT

Petitioner,

-VS-

REPORT OF

COMMISSIONERS.

Respondents.:

NOW THEREFORE as such commissioners and appraisers we report that in accordance with the order of our appointment we met at the residence of Frederick Fink in said County of Carver, at 1 o'clock P. M. on Monday , January 27th, 1908, all being present at said meeting, and previous thereto having given written notice of the time and place of said meeting to the said Frederick Fink and Emma Fink, his wife, and Helena Fink, unmarried, and they having acknowledged service of said notice and waived a more

1
2
3 extended time of said meeting, and as such Commissioners we then
4 went upon the real estate proposed to be taken by the petitioner
5 in said proceeding for the ~~permanence~~ purpose of examining and
6 appraising the value of the same and ascertaining the damage which
7 the respondents would sustain by reason of the taking of the same
8 by said petitioner for the uses and purposes mentioned in said peti-
9 tion, and after having made a thorough examination of said premises
10 and their surroundings and being sufficiently advised ,

11 We do hereby report that we have made an appraisement of
12 the land to be taken to-wit:- The East Twenty (20) Acres of the
13 Northwest Quarter (N.W. $\frac{1}{4}$) of the Southwest Quarter (S.W. $\frac{1}{4}$) of
14 Section Seven (7) in Township One Hundred and Sixteen (116) North
15 of Range Twenty-three (23), according to the government survey
16 thereof, situate in the County of Carver and State of Minnesota, and

17 We do further report that we have ascertained and report
18 the value of said land to be as follows: \$4000⁰⁰, and

19 We do further report that by the taking of said real estate
20 for the uses and purposes for which it is sought to be taken, in
21 our opinion the respondents will be damaged in the sum of \$5200⁰⁰
22 and we accordingly make that sum as our award of damages, and

23 We do further report that in making the examination of said
24 premises and in the services connected with such examination and
25 the making of our award aforesaid, as such commissioners and appra-
26 isers, we were engaged Two days, and have actually paid
27 out for transportation and expenses \$75⁰⁰.

J. E. DeWitt
Edwin Aldrich

August B. Moore
Commissioners.

28
29
30
31 Dated, January 27th, 1908.

ORIGINAL

STATE OF MINNESOTA:
COUNTY OF CARVER:

DISTRICT COURT:
EIGHTH JUDICIAL DISTRICT:

: : : : : : : : : : : : : : : :

STATE OF MINNESOTA,
Petitioner,
-vs-
FREDERICK FINK, et al,
Respondents.

: : : : : : : : : : : : : : : :

REPORT OF COMMISSIONERS.

: : : : : : : : : : : : : : : :

CARVER COUNTY,
FILED

JAN 27 1908

H.O. Muehlberg Clerk.

(525)

and copy to Atty Genl

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT

State of Minnesota,

Petitioner,

-vs-

Frederick Fink and Emma Fink, his wife,
and Helena Fink, unmarried,
Respondents.

NOTICE OF DISMISSAL

To The Clerk of said Court:-

You are hereby notified that the above entitled proceeding in which the petition is on file in your office, is hereby dismissed, and you are requested to make an entry of such dismissal upon the proper register.

Edward J. Young & Co. Attorneys
Attorneys for Petitioner

Dated: St. Paul, January 10th, 1908

ORIGINAL

STATE OF MINNESOTA
DISTRICT COURT
COUNTY OF CARVER
EIGHTH JUDICIAL DISTRICT.

State of Minnesota,
Petitioner,

-vs-

Frederick Fink, et al.,
Respondents.

NOTICE OF DISMISSAL.

CARVER COUNTY,
FILED

JAN 11 1908.

H. O. Muhlberg Clerk
(525)

No. 3110

DISTRICT COURT,
CARVER COUNTY, MINN.

Henry Simons
Plaintiff.

vs.

Elizabeth Hooks
Defendant.

W. C. Mullen
Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry Feb. 13, 1908

Register of Actions 29 Page 528

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

State of Minnesota.

District Court.

County of Carver.

Eighth Judicial District.

Henry Simons.

Plaintiff.

-vs-

Elisabeth Kocks.

Defendant.

Said plaintiff for his cause of action against said defendant respectfully states and shows to the Court:

(1) That heretofore to-wit, at all the times mentioned and referred to herein, said ~~plaintiff~~ ^{defendant} was the owner seized in fee of a tract of land situated in said County of Carver and described as follows, viz: commencing at a point on the center line from north to south of Section 8 of Township 115, Range 22, 12.96 chains south of the center post of said Section; thence running north 42° east 4.50 chains; thence south 1.32 chains to the north side of the right of way of the M & St. L Ry. Co; thence along said right of way south 35° west 5.50 chains to center line of said Section; thence north along said center line 2.35 chains to place of beginning situated in the Northwest quarter of the Southeast quarter of said Section 8, Township and Range aforesaid.

(2) That during all the time that said defendant was so the owner of said premises she was a married woman and the wife of one John Kocks.

(3) That at divers times between the 14th day of February 1906 and the 14th day of February 1907 said plaintiff with the knowledge and consent of said defendant and at the instance of said John Kocks the husband of said defendant and her agent, furnished material for the construction and erection upon said premises of a dwelling house and barn; that said materials consisted in part of lumber, lath, shingles, lime and building paper, and an itemized statement thereof, duly verified, is hereto attached and made part of this complaint.

(4) That the material so furnished by said plaintiff and so specified in

6170-4-165
COUNTY OF CARVER
STATE OF MINNESOTA
SHERIFF'S OFFICE
DIVISION OF CORRECTIONS
said itemized statement were actually used, with the full knowledge and consent of said defendant and at her special instance and request, in the constructing and erecting of said dwelling house and barn upon said premises, and the same was reasonably worth and of the value of \$751.17 and defendant on to-wit the 17th day of February 1907 paid to said plaintiff on account thereof the sum of \$464.98, and no other or greater sum whatever has been paid to plaintiff for or on account of the materials so furnished by him as aforesaid.

(5) That the first item of material so furnished by said plaintiff to and for said defendant was so furnished on the 14th day of February 1906 and the last item of such material was so furnished on the 13th day of February 1907, and thereafter and on to-wit the 17th day of February 1907 said plaintiff and said defendant accounted and settled of and concerning the material so by said plaintiff furnished to and for said defendant and so used in the constructing and erecting of the dwelling house and barn on said premises, and upon such accounting and settlement it was found and agreed that said defendant was justly indebted to said plaintiff in the sum of \$751.17 as the value of said materials, and thereupon defendant paid to said plaintiff said sum of \$464.98 as hereinbefore stated.

(6) That on to-wit the 13th day of May 1907 said plaintiff made a statement in writing of a claim for lien upon the premises aforesaid setting forth therein a notice of intention to claim and hold a lien, and the amount thereof, that such amount was due and owing for materials furnished and specifying for what improvements such materials were furnished, the name of the claimant and of the person for and to whom such materials were furnished, the dates when the first and last item of claimant's contribution to said improvements were made, a description of the premises to be charged and the name of the owner thereof at the time of making such statement, and filed the same for record in the office of the Register of Deeds in and for said County of Carver and said Lien Statement was on the 13th day of May 1907 duly recorded in the office of said Register of Deeds in Book A of Liens upon pages 82 and 83 and

now remains of record therein. That attached hereto and made a part hereof and marked Exhibit A is a copy of said Lien Statement.

Wherefore plaintiff demands the judgment of this Court determining that there is due and owing to said plaintiff from said defendant for and on account of the materials so furnished by said plaintiff as aforesaid the sum of \$286.19 and that plaintiff has a lien therefor upon the premises mentioned and described in the summons herein; that said lien be closed by sale of said premises to satisfy said lien and the costs and disbursements of this action under and pursuant to the statute in such case made and provided, and that plaintiff have such other and further relief in the premises as to the Court may seem meet and proper.

W. C. Hall

Attorney for Plaintiff.

Chaska, Minn.

State of Minnesota. SS.

County of Carver.

Henry Simons being first duly sworn says that he is the plaintiff named in the foregoing complaint; that he has heard said complaint read and knows the contents thereof, and that the same is true to his own knowledge, except to matters therein stated upon information and belief, and as to such matters he believes it to be true.

Subscribed and sworn to before me

this 13th day of February 1908.

Albert Meyer
Register of Deeds
Carver, Minn.

Henry Simons

Henry Simons Lumber Company
Lumber, Wood, Lime and Cement

Chaska, Minn., May 13 1907

John Cox
Chaska

TERMS: Net Cash

Phone: T. C. 58

#1

8 per cent interest charged after past due accounts.

Feb 14 2x6x16-26
 3x6x16-14
 2x6x16-16
 68x2x6-14
 90x2x4-12
 90x2x4-10
 40x2x4-16
 1350 ft #2 Daid
 800 ft 1x6 #3 pine
 8 m sly 4x4 Ax
 200 ft 1x12-16
 14p 1x6-16
 30x1x4-16
 3 m Laths
 10 m 12x24-4
 2 Daid 2x6 2 1/2
 4 " " " "
 2 09 Daid
 4 08 Daid
 as per contract / 299.30

Schedule I

Albert Meyer
 Register of Deeds
 Carver Co Minn

dict Court.

cial District.

is the plaintiff in the
 schedules 1 to 8 in-
 the above entitled action;
 ial therein specified was
 s set out in plaintiff's
 referred to in said
 e value charged therefor
 and indebted to
 t thereon since the 17th

Simons

Henry Simons Lumber Company

Lumber, Wood, Lime and Cement

Chaska, Minn., 190.....

TERMS: Net Cash *A2*
Phone: T. C. 58

8 per cent interest charged after past due accounts.

| | | |
|--------------|--------------------------------|---------------|
| <i>MA 14</i> | <i>42 ft 10 x 18-4</i> | <i>5</i> |
| <i>H "</i> | <i>frames</i> | <i>5</i> |
| <i>252</i> | <i>12 x 8 1/2 x 12 x 8 1/2</i> | <i>756</i> |
| <i>20</i> | <i>2 x 8-12</i> | <i>86</i> |
| <i>21</i> | <i>2 x 6-16</i> | <i>86</i> |
| <i>1730</i> | <i>2 x 4-16</i> | <i>828</i> |
| <i>116</i> | <i>1 x 8-14</i> | <i>8073</i> |
| <i>193</i> | <i>1 x 8-12</i> | <i>514</i> |
| <i>33</i> | <i>1 x 8-16</i> | <i>418</i> |
| <i>2</i> | <i>1 x 8-8</i> | <i>42</i> |
| <i>198</i> | <i>frames</i> | <i>285</i> |
| <i>5</i> | <i>boards</i> | <i>35</i> |
| <i>20</i> | <i>2 x 6-14</i> | <i>375</i> |
| <i>20</i> | <i>4 x 4-8</i> | <i>200</i> |
| <i>2</i> | <i>Kalf</i> | <i>426.20</i> |
| <i>10</i> | <i>2 x 4-18</i> | |
| <i>3</i> | <i>boards 2 x 6-12</i> | |
| <i>2</i> | <i>boards 16 x 18-2</i> | |

Schedule II

riest Court.
dicial District.

is the plaintiff in the
schedules 1 to 8 in-
the above entitled action;
dial therein specified was
is set out in plaintiff's
referred to in said
e value charged therefor
and indebted to
at thereon since the 17th

Simons

Albert Meyer
Register of Deeds
Carver Co Minn

John Simons Lumber Company **Lumber, Wood, Lime and Cement**

Chaska, Minn.

190

John Cox

TERMS: Net Cash

Phone: T. C. 58

#4

8 per cent interest charged after past due accounts.

| | | |
|---------|----------------------|--------|
| Apr 16 | 4 B Linn 2 | 449.58 |
| | 1 " | 540 |
| Jun 2 | 3 1/2 in 2 in | 135 |
| 6 | 1500 ft coid | 245 |
| | 241 lbs Turpentine | 45 |
| | 10 lbs Lath | 582 |
| 16 | 3 " 2 in | 250 |
| | 40 ft 1/2 x 6-6 coid | 244 |
| 9 | 70 ft 2 x 4-8 | 120 |
| | 10 " 2 x 4-14 | 970 |
| 30 | 7 " 1 x 6-14 1/2 | 257 |
| July 12 | 10 Blue Linn | 196 |
| | 10 " | 6 |
| | 2 ft 1 x 6-15 | 6 |
| | 10 Blue Linn | 47 |
| | 3 1/2 sack cement | 6 |
| | | 350 |
| | | 537.88 |

Schedule IV

Hard

is the plaintiff in the
schedules 1 to 8 in-
the above entitled action;
rial therein specified was
as set out in plaintiff's
referred to in said
e value charged therefor
ing and indebted to
st thereon since the 17th

Simons

Albert Meyer
Register of Deeds
Carver Co Minn

Simons Lumber Company **Lumber, Wood, Lime and Cement**

Chaska, Minn.

190

John Cox

TERMS: Net Cash
 Phone: T. C. 58

#5

8 per cent interest charged after past due accounts.

557 88

Apr 3 2p 4x6-18
3 4x6-14
26 2x4-10
2 2x4-18
14 2x6-14
18 2x4-14
800 ft Dragsid
777 2x4 6x8
Apr Bill
24 8 p 1x4-12 SIP
7 1x3-16
1 2x6-18
2 2x8-12

Schedule V

66

3 30

67 18

riest Court.

icial District.

is the plaintiff in the
 schedules 1 to 8 in-
 the above entitled action;
 rial therein specified was
 as set out in plaintiff's
 referred to in said
 e value charged therefor
 and indebted to
 st thereon since the 17th

Simons

Albert Meyer
Register of Deeds
Carver Co Minn

Lumber, Wood, Lime and Cement

Chaska, Minn.

190

John C. ...

TERMS: Net Cash

Phone: T. C. 58

1906

#6

8 per cent interest charged after past due accounts.

| | |
|----------------------|-------|
| MW 10 1 cellu sty | |
| 15 30p 1x4-10 1/2 | 50 |
| 78 11 1x4-14 | |
| 60 11 1x4-16 | |
| 1 2x 2x 6 1/2 1/4 | 36 |
| 17 1p 1x12-16 1/2 | 250 |
| 32 ft Para sap | 64 |
| 1 2x 2x 6 1/2 1/4 | 32 |
| 34 ft Blk casing | 175 |
| 6p 5 1/2 x 12 - " | 170 |
| 2 ft 2x 6 1/2 1/4 | 360 |
| 19 14p 1x5-16 casing | 160 |
| 6p 1x5-14 | 1120 |
| 1 1x5-10 | 420 |
| 2 2x 2x 6 1/2 1/4 | 1 |
| 1 " " " 4p | 450 |
| 21 80p cap med. | 375 |
| 12 80 " med. | 160 |
| 23 140p martid | 180 |
| 1 2x 6x8-12 | 190 |
| | 120 |
| | 70074 |

Schedule VI

is the plaintiff in the
schedules 1 to 8 in-
the above entitled action;
rial therein specified was
as set out in plaintiff's
referred to in said
he value charged therefor
ind and indebted to
est thereon since the 17th

Simmons

Albert Meyer
Register of Deeds
Carver Co Minn

Lumber, Wood, Lime and Cement

Chaska, Minn.

190

John Cox

TERMS: Net Cash

Phone: T. C. 58

7

8 per cent interest charged after past due accounts.

| | | |
|----------|---------------------|--------|
| Dec 10 9 | Thursold 3 1/2 | 700 74 |
| 12 1/2 | 1/4 - 16 1/2 1/2 | 135 |
| 10 | 1/8 - 16 | 256 |
| 4 | 1/8 - 16 | 348 |
| 4 | 1/8 - 16 | 1 |
| 4 | 1/8 - 16 | 128 |
| 4 | 1/8 - 16 | 128 |
| 1 1/2 | 1/8 - 16 | 100 |
| 187 24 | 1/2 1/2 1/2 1/2 1/2 | 50 |
| Jan 17 | 3 1/2 1/2 1/2 | 3 |
| | 2 1/2 1/2 | 105 |
| | 6 1/2 1/2 1/2 1/2 | 750 |
| | 6 1/2 1/2 1/2 | 168 |
| | 8 1/2 1/2 1/2 1/2 | 258 |
| | 2 1/2 1/2 1/2 1/2 | 64 |
| | 12 1/2 1/2 1/2 | 70 |
| | 1 1/2 1/2 1/2 | 225 |
| | 28 1/2 1/2 1/2 | 125 |
| | | 734.12 |

Schedule VII

is the plaintiff in the
schedules 1 to 8 in-
the above entitled action;
rial therein specified was
as set out in plaintiff's
referred to in said
he value charged therefor
ing and indebted to
est thereon since the 17th

Simmons

Albert Meyer
Register of Deeds
Carver Co Minn

Simmons Lumber Company **Lumber, Wood, Lime and Cement**

Chaska, Minn.

190

John C. ...

TERMS: Net Cash

Phone: T. C. 58

8

8 per cent interest charged after past due accounts.

Feb 14 20' 1x4-16s4s
 4" 1x4-16s2s
 70" 2x2 4x4
 44" 2x2 4x4
 Laying

Credit Bill

Feb 17 1907

imposed on ...

Schedule ...

280
 1377
 751.17
 464.98
 286.19

strict Court.

judicial District.

is the plaintiff in the
 and schedules 1 to 8 in-
 in the above entitled action;
 erial therein specified was
 as set out in plaintiff's
 d referred to in said
 the value charged therefor
 win2 and indebted to
 est thereon since the 17th

by Simmons

THIS 10th day

Albert Meyer
 Register of Deeds
 Carver Co Minn

State of Minnesota.

District Court.

County of Carver.

Eighth Judicial District.

Henry Simons,

Plaintiff.

-VS-

Elisabeth Kocks,

Defendant.

State of Minnesota.

SS.

County of Carver.

Henry Simons being first duly sworn says that he is the plaintiff in the above entitled action; that attached hereto and marked schedules 1 to 8 inclusive is a bill of the items of plaintiff's claim in the above entitled action; that said bill of items is just and true and the material therein specified was actually furnished by plaintiff to and for defendant as set out in plaintiff's complaint herein upon the several dates mentioned and referred to in said schedules; that the materials so furnished were of the value charged therefor in said bill of items and defendant is now justly owing and indebted to plaintiff therefor in the sum of \$286.19 with interest thereon since the 17th day of February 1907.

Subscribed and sworn to before me
this 13th day of February 1908.

Henry Simons

Albert Meyer
Register of Deeds
Carver Co Minn

State of Minnesota. SS.
County of Carver.

In the matter of the claim of lien of
Henry Simons.

Exhibit A.

NOTICE IS HEREBY GIVEN. That Henry Simons of the City of Chaska in the County and State aforesaid, claiming Lien under the act entitled "An Act giving Liens for the better security of Mechanics, Materialmen, Laborers and others, approved April 24th, 1899," and wishing to avail himself of the benefits thereof, and to continue such Lien, makes the following statement in writing, setting forth:

1. The amount actually due and owing him after allowing all just credits and offsets, is the sum of Three Hundred and Sixty 72/100 Dollars.

2. That such amount is due and owing for material furnished for the building and erection of a Dwelling House and Barn by reason of the following facts, to-wit: That on or about February 14th 1906, Henry Simons the claimant herein entered into an agreement with one John Kocks to sell and deliver to him upon the premises hereinafter described, such material as he should order,

and to be used in the erection and completion of a Dwelling House, Barn and other out buildings on said premises and said John Kocks agreed to pay Claimant for all materials so ordered and delivered. That pursuant to said Agreement said Henry Simons the Claimant herein at divers times thereafter sold and delivered to said John Kocks certain Materials to be used in the erection of said Buildings, all of the reasonable value and agreed price of \$725.70 on which the amount of \$464.98 has been paid, leaving a Balance of \$260.72 and that the same is past due and unpaid.

3. The time when the first item of such Materials was furnished is January 14th 1906. The time when the last item of such Building Material was furnished, is February 13th 1907.

4. The following is a description of the property to be charged with the Lien: Commencing at a point on Center line from North to South of Section 8, Township 115, Range 28, 12.96 chains South from the Center post of said Section; thence

IN THE COURT OF THE STATE OF MINN.
(COUNTY OF CARVER)
STATE OF MINNESOTA.

running North 42° East 4.50 chains to a post, thence South 1.32 chains to the North side of the right of way of M & St. L Ry. Co; thence along said right of way South 85° West 5.50 chains to center line of said Section; thence North along said center line 2.35 chains to place of beginning, situated in N. W. 1/4 of S. E. 1/4 Section 8, Township 115, Range 23, containing 90/100 acre, more or less.

5. The name of the owner or reputed owner of the property charged with the Lien at the time of making this statement is Elisabeth Kocks according to the best information then had.

6. Notice is hereby given of the intention of said Henry Simons to claim and hold such Lien.

Dated May 13th 1907.

Henry Simons.

State of Minnesota. SS.
County of Carver.

Henry Simons of said County, being duly sworn says he is the person named as Claimant in the foregoing Claim of Lien; that he has knowledge of the facts therein stated, and that the same are true.

Subscribed and sworn to before me, this
13th day of May 1907.

Henry Simons.

Albert Meyer.

Register of Deeds.

Witness my hand and seal as follows.

Elisabeth Kocks to Henry Simons.

Office of Register of Deeds.

County of Carver, Minn.

I hereby certify that the within Instrument was filed in this office for record on the 13th day of May A. D. 1907, at 4 o'clock P. M., and was duly recorded in Book A of Liens on pages 82 and 83.

Albert Meyer.

Register of Deeds.

District Court
County of Carver.

Henry Sirois
Plaintiff

v.

Elizabeth Kocks
Defendant

Complaint.

CARVER COUNTY,
FILED

FEB 13 1908

H. O. Muehlberg, Clerk

(528)

W. C. Odell

Attorney for Plaintiff
Charles

No. *9.* *3111*

DISTRICT COURT

CARVER COUNTY, MINNESOTA

Anna Bathen
Plaintiff

vs.
Anna Kersten
Defendant

P. R. Curran
Plaintiff's Atty.

John J. Fahey
Defendant's Atty.

Date of Entry *Feb 15th* 190*8*

Register of Actions, *D.* Page *529.*

Term Tried 190

Judgment for *0*

Amount of Judgment, \$

Date of Judgment 190

Judgment Book Page

Default Judgment Book Page

Date of Docketing 190

Case dismissed by Plaintiff.

STATE OF MINNESOTA,
County of Carver,

IN DISTRICT COURT,
Eighth Judicial District.

Anna Bathen,

Plaintiff.

-vs-

Anna Kersten,

Defendant.

NOTE OF ISSUE.

1. Issues of fact for trial by jury.
2. Last Pleading served Jany 30th, 1908.

P. R. Curran,

Attorney for Plaintiff.

John J. Fahey,

Attorney for Defendant.

The clerk will please file this Note of Issue and enter the cause on the Calender for the next General Term of the Court to be held March 2nd, 1908.

P. R. Curran
Attorney for Plaintiff,

Norwood, Minnesota.

Norman, Minnesota.

Affirmed for Plaintiff.

March 2nd, 1908.

on the Calendar for the next General Term of the Court to be held

The clerk will please file this Note of Issue and enter the cause

Affirmed for Defendant.

John J. Eshen,

Attorney for Plaintiff.

E. S. Christen,

S. Last Pleading served Jan. 20th, 1908.

I. Issues of Fact for trial by jury.

NOTE ON ISSUE.

Wm. Kotschen,

-vs-

Wm. Eshen,

CAVER COUNTY

FILED

FEB 15 1908

J. O. Marshall, Clerk.

(529)

COURT OF CARVER,

STATE OF MINNESOTA.

Eight Judicial District.

IN DISTRICT COURT.

STATE OF MINNESOTA,
County of Carver,

IN DISTRICT COURT,
Eighth Judicial District.

Anna Bathen,

Plaintiff.

-vs-

Anna Kerston,

Defendant.

Sir:

You will please take notice that the issues in the above entitled action will be brought on for trial at the next General Term of the District Court to be held in and for the County of Carver at the Court House in the City of Chaska in said County on the 2nd day of March A. D. 1908, at the opening of said Court on that day, or as soon thereafter as counsel can be heard.

Dated Feb. 1st, 1908.

Yours Respectfully,

P. B. Curran

Attorney for Plaintiff,

Norwood, Minn.

To

John J. Fahey, Esq.,

Attorney for Defendant.

Original

District Court
Carver County

Anna Bathen

vs

Anna Kersten

Notice of Trial

True and personal
service of the within
notice of trial by copy
hereby admitted this
1st day of Feb 1908

John P. Fabry
Dist. Atty.

CARVER COUNTY,
FILED

FEB 15 1908

H. O. Muehlberg, Clerk

(529)

Anna Kersten

-48-

Plaintiff.

Sir:

Dated Feb. 1st, 1908.
Whereafter as counsel can be heard.
March A. D. 1908, at the opening of said Court on that day, or as soon
Court House in the City of Omaha in said County on the 2nd day of
District Court to be held in and for the County of Carver at the
action will be brought on for trial at the next General Term of the
You will please take notice that the issues in the above entitled
Sirs:

Anna Kersten

Defendant.

Yours Respectfully,

Attorney for Plaintiff.

3112
No. 6.

DISTRICT COURT

CARVER COUNTY, MINNESOTA

M. G. Martin
Plaintiff

vs.

Mayer Canning Company
Defendant

W. A. McDowell
Plaintiff's Atty.

P. M. Burns
Defendant's Atty.

Date of Entry..... 190

Register of Actions, *2* Page *530*

Term Tried *March 3^d* 190*8*

Judgment for *Case dismissed upon*

motion of Defendant.
Amount of Judgment, \$.....

Date of Judgment..... 190

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

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

Date of Docketing..... 190

STATE OF MINNESOTA)
COUNTY OF CARVER)

DISTRICT COURT
EIGHTH JUDICIAL DISTRICT.

=====

| | |
|--------------------|---|
| M. G. Martin, | " |
| Plaintiff, | " |
| vs | " |
| Mayer Canning Co., | " |
| a corporation, | " |
| Defendant. | " |

=====

A N S W E R.

For its answer to the complaint of plaintiff in the above entitled action defendant admits its corporate existence as alleged in folio 1 of plaintiffs complaint herein.

Except as is hereinbefore admitted the defendant denies generally and specifically each and every allegation, matter and thing in said complaint contained and each and every part and portion thereof.

W H E R E F O R E, defendant prays that said action be dismissed and for its costs and disbursements herein.

Dated Nov. 9th 1907.

R. M. Burns,
Attorney for defendant,
819-21 New York Life Bldg.
Minneapolis, Minn.

R. F. MARVIN.

NO. 3.

State of Minnesota,
County of *Carver*

District Court.

M. G. Martin
Plaintiff

vs.

Mayer Canning Co.,
Defendant

Answer

Due and personal service of the within
Answer is hereby admitted
this *11th* day of *November*
A. D. 19*07*

Wm. D. Dorel
Attorney for *plaintiff*

CARVER COUNTY,

FILED

FEB 26 1908

H. O. Mueller Clerk
Attorney for

(530.)

STATE OF MINNESOTA,

DISTRICT COURT,

County of Carver

Eighth

Judicial District.

M. J. Martin

Plaintiff

No.

Against

List of Jurors.

Mayer Canning Company

Defendant

| Attorneys Mark Here | | NAMES | REMARKS |
|---------------------|----|-------------------------|------------------------|
| | 1 | C. J. Smith | East Union |
| | 2 | Adam Schaefer | Chaska, Farmer |
| Ply 1 | 3 | C. J. Fogle | Watertown, Minn |
| | 4 | Fred Hebrisen | Carver, Minn, Farmer |
| | 5 | Chas. Zimmerman | Chanhassen, Farming |
| | 6 | Edward Nord | Hallgren, Minn. Farmer |
| | 7 | Fred Abel | Chanhassen, Farmer |
| | 8 | Peter Halgren | Hennepin - Farmer |
| | 9 | Wm. Merriam | absent |
| | 10 | Martin Bergman | Watertown, Minn |
| | 11 | Chris Kams | East Union, Farmer |
| 2 | 12 | J. C. Mielke | Farmer Cander Town |
| | 13 | John Melchert | Farmer Laketon |
| | 14 | Wm. Stahlke | Wacimay, Butcher |
| | 15 | C. M. Peterson | Watertown Farmer |
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No.

STATE OF MINNESOTA,

County of *Carver*

DISTRICT COURT.

M. J. Martin

Plaintiff

Against

Mayer Canning Co.

Defendant

JURY LIST.

CARVER COUNTY,
FILED

MAR 3 1908

J. O. Muehlberg ... Clerk.

PIONEER PRESS CO., ST. PAUL, MINN.

(530)

STATE OF MINNESOTA {
COUNTY OF CARVER { ss.

Fred Harloff, being first duly sworn
deposes and says: That at the Village of Mayer, Minnesota,
in said County on the 28 day of October, 1907, he served
the annexed Summons and Complaint on the Defendant, Mayer Canning
Company, a Corporation, by handing to and leaving with Fred
Schuidogger, who was then and there the Treasurer
of the said Corporation, a true and correct copy thereof, and
Affiant further says that he knows the person above named to be
the officer of said corporation, as above stated.

Fred. Harloff

Subscribed and sworn to before
me this 28 day of October
1907.

O. P. Pensford
Notary Public, Carver County, Minn.

My Commission expires
May 1st 1914, 1907.

STATE OF MINNESOTA (
COUNTY OF HENNEPIN (

DISTRICT COURT,
FOURTH JUDICIAL DISTRICT.

M. G. Martin,
vs
Mayer Canning Co.,
a Corporation,
Defendant.

SUMMONS.

THE STATE OF MINNESOTA, To the above named Defendant:

You are hereby summoned and required to answer the
complaint is hereto annexed and herewith served upon you, and
to serve a copy of your answer to said Complaint on the subscri-
er at his office, 650 Temple Court, Minneapolis, Minnesota, in
the said County of Hennepin with twenty(20) days after service of
this Summons upon you, exclusive of the day of such service; and
if you fail so to serve your answer to the said Complaint within
the time aforesaid, the Plaintiff in this action will take judgment
against you for the sum of eight hundred dollars (\$800.00)
with interest fromn date, together with the costs and disburse-
ments of this action.

Dated this 28 day of October,
1907.

W. A. Mc Dowell,
Attorney for Plaintiff,
Office, 650 Temple Court,
Residence, 2429 Nicollet,
Minneapolis, Minn.

July 1

STATE OF MINNESOTA {
COUNTY OF HENNEPIN {

DISTRICT COURT
FOURTH JUDICIAL DISTRICT.

M. G. Martin, "
Plaintiff, "
vs "
Mayer Canning Co., "
a Corporation, "
Defendant. "

COMPLAINT.

For a cause of action, Plaintiff alleges:

That the Defendant is now and during all times herein stated has been a corporation duly organized and created and doing business as such under the terms and provisions of the laws of the state of Minnesota.

2

That heretofore, to-wit: On or about May 1st, 1907, the Plaintiff and the Defendant entered into a contract by the terms of which in consideration of one hundred dollars (\$100.00) per month to be thereafter paid by Defendant, Plaintiff agreed to enter into the employ of the Defendant company at Mayer, Minnesota, and to continue in such employ until November 1st, 1907, for a compensation of one hundred dollars (\$100.00) for each and every month; and the Defendant then and there in consideration of the aforesaid promises of Plaintiff, promised and agreed to pay him the sum of one hundred dollars (\$100.00) per month from May 1st, 1907, to November 1st, 1907, if he would enter its employ.

That on or about said date, this Plaintiff entered upon the performance of said contract and entered into the employ of Defendant and continued in its employ under the aforesaid contract from May 1st, 1907, until on or about May 20th, 1907, a period of two-thirds (2/3) of a month, the salary of said period being two-thirds (2/3) of the said salary for one month.

103

That on or about said date, the Defendant wrongfully

and without just cause or any cause, discharged this Plaintiff and refused to allow him to further remain in the employ of the Defendant or to continue in the performance of the said contract of service and hire and ever after, it refused wrongfully to allow this Plaintiff to comply with the terms and conditions of the said contract of hiring.

That Plaintiff on May 1st, 1907, and at all times thereafter was ready, willing, and able, to carry out the terms of and perform the conditions of the said contract of hiring and on said May 20th, 1907, and on divers and sundry other occasions subsequent to May 20th, 1907, Plaintiff offered to perform said contract on his part, and continue in the employ of the Defendant.

That the conduct of the Defendant in ^{So} said discharging Plaintiff this Defendant and refusing to permit him to carry out the terms of hiring was without cause.

That the Plaintiff earned as actual wages while employed by Defendant, the sum of seventy-five dollars (\$75.00) and that by reason of the wrongful acts of the Defendant in discharging him as aforesaid, and in refusing to allow him to perform the terms and conditions of the aforesaid contract, of hiring, he has been damaged in the sum of seven hundred twenty-five dollars (\$725.00) and that by reason of all the aforesaid facts, this Plaintiff has been damaged in the sum of eight hundred dollars (\$800.00).

WHEREFORE, Plaintiff demands judgment against the Defendant for the sum of eight hundred dollars (\$800.00) with interest from date ~~XXXXXXXXXX~~ together with the costs and disbursements of this action.

W. A. McDevell
W. A. McDevell,
Attorney for Plaintiff,
650 Temple Court,
Minneapolis, Minn.

Dated this 28 day of October,
1907.

original 49
State of Minnesota,
County of Hennepin,
District Court,
Fourth Judicial District,

M. G. Martin, Plaintiff,
vs
Mayer Canning Co.,
a Corporation, Defendant.

SUMMONS and COMPLAINT.

W. A. McDowell,
Attorney for Plaintiff,
Office, 650 Temple Court,
Residence, 2429 Nicollet Avenue,
Minneapolis, Minn.

CARVER COUNTY,
FILED

FEB 21 1908

H. O. Muehlberg Clerk

STATE OF MINNESOTA (
 COUNTY OF HENNEPIN (
 (Venue changed to (
 Carver County) (

DISTRICT COURT
FOURTH JUDICIAL DISTRICT.

M. G. Martin,

Plaintiff,

vs

NOTICE OF TRIAL.

Mayer Canning Company,
a Corporation,

Defendant.

YOU WILL PLEASE TAKE NOTICE, that the issues of
law and fact will be brought on for trial at the next regular
and general term of the District Court in and for said County
of Carver, appointed to be held at the Court House ^{at Chaska} in said
County on Monday, March 2nd, 1908, at the opening of said
Court on said day or as soon thereafter as Counsel can be heard.

Dated this Feb. 17th, 1908.

W. A. Mc Powell,
Attorney for Plaintiff,
650 Temple Court,
Minneapolis, Minn.

2019
STATE OF MINNESOTA
COUNTY OF HENNEPIN
Venue changed to
Carver County).
District Court
Fourth Judicial District

M. G. Martin, Plaintiff,
vs
Mayer Canning Company,
a Corporation, Defendant.

NOTICE OF TRIAL.

DUE SERVICE OF THE WITHIN
ADMITTED THIS DAY OF
FEBRUARY, 1908.

P. M. Burns

W. A. Mc Dowell,
Attorney for Plaintiff,
650 Temple Court,
Minneapolis, Minn.

(530)

879
P. M. Burns
my file

CARVER COUNTY,
FILED

FEB 21 1908

H. O. Muehlberg Clerk.

Form No. 62

2M-3-30-07

any
COURT

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

No.

District Court
Cover
KENNERLY, COUNTY

M. G. Martin

AGAINST

Weyerhaeuser Co.

NOTE OF ISSUE

Wm. D. Ford

Attorney for Plaintiff

R. M. Burns

Attorney for Defendant

Will the clerk please file this note of issue
and enter the cause on the *Jan* Term
Calendar of said Court for the *2* day
of *Jan* 190*8*

Yours, etc.,

Wm. D. Ford

Attorney for

LAST PLEADING SERVED

Nov. 9 - 1906

(530)

CARVER COUNTY,
FILED

FEB 21 1908

H.O. Muehlberg Clerk.

(530)

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)

DISTRICT COURT
FOURTH JUDICIAL DISTRICT.

M. G. Martin,

Plaintiff,

Vs.

Mayer Canning Co.,
a corporation,

Defendant.

DEMAND FOR CHANGE OF VENUE.

Now comes defendant in above entitled action and on the affidavit hereto annexed demands that the venue and place of trial of said action be changed and removed from the District Court in and for the County of Hennepin to the District Court in and for the County of Carver, ~~and~~ in said state of Minnesota.

Dated November 5th 1907.

P. M. Burns
Attorney for Defendant,
819-21 New York Life Bldg,
Minneapolis, Minn.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)

DISTRICT COURT
FOURTH JUDICIAL DISTRICT.

M. G. Martin,

Plaintiff,

VS.

Mayer Canning Co.,
a corporation,

Defendant.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)

H. P. Kusske being first duly sworn upon his oath deposes and says that he is the President of the Mayer Canning Co., the above named Corporation, that said corporation is defendant in the above entitled action, that at the time of the commencement thereof the said defendant was and ever since has been and now is resident of Carver County State of Minnesota, having its main office and place of business and factory at Mayer, Minnesota; that the time to answer in said action has not expired, and that this affidavit is made for the purpose of demanding that the place of trial of the above entitled action be changed from the District Court of the Fourth Judicial District, County of Hennepin, to the District Court of the Eighth Judicial District in and for the County of Carver in said State of Minnesota.

H. P. Kusske

Subscribed and sworn to before me this 4th day of November, 1907.

Peter M. Burns

Notary Public, Hennepin County, Minn.
My commission expires Dec. 4, 1912

R. F. MARVIN.

NO. 3.

State of Minnesota,

County of Hennepin

District Court.

M. G. Martin,
Plaintiff

vs.

Mayer Cuning Co.,
Defendant

Affidavit & Demand for change of venue.

Due and personal service of the within
Affidavit & Demand is hereby admitted
this 8 day of Nov

A. D. 1907

W. F. Allen
Attorney for Plaintiff

NOV 8 1907

A. E. ALLEN, Clerk;

By A. E. Allen
Deputy

P. M. Barnes
Attorney for Defendant

CARVER COUNTY,
FILED

NOV 9 1907

J. O. Muhlberg