



[Minnesota.](#)  
[District Court \(Carver County\).](#)  
[Civil and Criminal Case Files and Index.](#)

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No. 725

DISTRICT COURT,  
CARVER COUNTY, MINN.

Fredrick Ko Schuerin  
Plaintiff.

vs.

Henry Sauerbrei  
Defendant.

Ernest Hamilton  
Plaintiff's Attorney,

Franko W. Munnell  
Defendant's Attorney.

Date of Entry Mar 28 1873  
Court  
Register of Actions A Page 156 1/2  
Term Tried Oct 1873  
Judgment for Plaintiff  
Amount of Judgment \$ 135.69  
Date of Judgment Dec 30th 1873  
Win. Rec  
Judgment Book A Page 350  
Default Judgment Book Page  
Date of Docketing Dec 30th 1873  
180

State of Maine, In Justice Court before  
County of Lincoln } Thomas Justice Clerk  
Ford, Schoeninger,

- 15 -

Henry Sawyer

Amended Complaint

The plaintiff in the  
above entitled action for an  
amended complaint - therein respectfully  
states and shews to the court and  
alleges that he is the owner and  
at the time of the Commencement  
of this action to-wit: on the 10th day  
of February, A.D. 1873 was the owner  
and entitled to the immediate possession  
of the following described personal property  
to-wit: One yearling pair of oxen of  
Red and white color, about eight  
years old, that the same are now  
wrongly and of the value of seventy five  
dollars.

That the same are wrongfully  
and unlawfully detained from the  
possession of this plaintiff by said  
defendant, and that the same  
were not taken from said plaintiff by  
any process legally issued against  
him, but that said defendant obtained  
possession of said property by fraud and  
deceit.



and plaintiff further says that he  
now is and all the time since the  
commencement of this action has  
been entitled to the possession of  
the above described property.

And plaintiff further says and  
that by reason of the aforesaid  
wrongful and unlawful detention  
of the aforesaid property he has been  
put to great trouble and expense  
and has thereby been damaged in  
the sum of twenty five dollars.

Wherefore plaintiff demands  
judgment against said defendant  
~~and satisfaction~~ for a return of  
said property, if a return thereof  
can be had and if no return  
thereof can be had, plaintiff  
demands judgment against said  
defendant ~~and satisfaction~~ for the value of said property, to-wit  
in the sum of twenty five dollars.  
And the further sum of twenty five  
dollars damages recoverable out of  
this action.

Dated and Subscribed this  
July 2<sup>nd</sup> 1873

Ernest H. Haines  
Atty for Plaintiff



Frederick Schwen

Henry Dausbier

Complaint

amended

filed Feb 27<sup>th</sup> 1873

filed March 18<sup>th</sup> 1873.  
Gutrayenbuhl  
Clk.

State of Maine  
County of Cass

Fredrick Schwaner for  
being duly sworn says he is plaintiff  
in the above entitled action, that  
the foregoing amended complaint  
is true of his own knowledge and  
belief.

Subscribed & sworn to before me  
This 27<sup>th</sup> day of Feb'y 1873.

Fredrick Schwaner

Thomas Moore  
Justice of the peace

State of Minnesota  
County of Carver

In Justice Court before  
that Master Justice -

Fred Schorin

vs -

Henry Saurbray

The defendant  
for Amended Answer  
to the Complaint of the  
Plaintiff denies each and  
every allegation in the  
Complaint except as  
remains after Motion and  
admission.

And the defendant  
further answering the  
Complaint states and  
shows that on the  
10th day of February  
A.D. 1873 at the Town  
of Watertown in Rice  
County at the request  
of the said Plaintiff said  
defendant exchanged a  
certain (more than and  
there the property of the



Said defendant to have  
for one yoke of Oxen  
and two dollars in  
money, the property of  
the said plaintiff.

That the said  
the said defendant  
delivered to said plaintiff  
said mare and the  
plaintiff delivered to said  
defendant said yoke  
of Oxen and said two  
dollars in money  
which said Oxen are  
the same as described  
in the Complaint of  
the plaintiff and which  
was the property of this  
defendant at the time  
the same was taken from  
him upon the writ of  
Replevin in this action.

Wherefore the  
defendant demands  
judgment against said  
plaintiff for the return  
of said property to him  
or the value ~~of~~ <sup>thereof</sup> and the cost of this

State of Minnesota  
County of Carver  
ss.

Fred Schurin  
Co

Mary Sawyer

Decedent's Estate

Filed Feb 27<sup>th</sup> 1873

Tested

Filed March 18<sup>th</sup> AD 1873.  
G. H. Hagenbuhl, Clerk

Leander K. Warner  
atty for & for  
15



action  
Deane Westerton Frank Warren  
Clerk of Court Minn } atty for Deft  
Feb 27<sup>th</sup> 1893

State of Minnesota  
County of Carver } ss

Henry Sundry  
being first duly sworn  
deposes and says  
that he is the defendant  
in this action that the  
facts set forth in  
the foregoing answer  
are true to his own  
knowledge

Sworn to and  
subscribed before }  
me this 27<sup>th</sup> day }  
of February 1893 }

Henry Sundry

Thomas Moore  
Justice of the Peace



State of Minnesota  
County of Carver

In Justice Court.

Fritz Swrin  
vs.  
Henry Sawbray

The defendant  
above named, for  
answer to the Complaint  
of the Plaintiff denies  
each and every allegation  
contained in said  
Complaint.

Wherefore the  
defendant demands that  
this action be dismissed  
with costs.

Given at Watertown  
February 17<sup>th</sup> 1893

Frank Mann  
Atty for Deft.

State of Minnesota  
County of Carver

Henry Sawbray  
being first duly sworn

deponeth and says  
that he is the defendant  
in the above entitled  
action that the facts  
set forth in the foregoing  
Answer are true of  
his own knowledge  
Groom Deuces  
Subscribed before  
me this 17<sup>th</sup> day  
of February A.D. 1893

X Gaining Gaining

Thomas Moore  
Justice of the Peace

State of Minnesota  
County of Brown

Fritz Groen  
vs

Henry Saurbrey

Antoon

Filed Feb 17<sup>th</sup> 1873  
many more

Filed  
Filed March 18<sup>th</sup> 1873.  
Gethrayenbuhl  
Celak.  
11

Frank Korman  
attys for Deft



State of Minnesota }  
County of Carver }

In Justice Court before  
Moon Justice

Fredrick Schuren } Plaintiff

vs  
Henry Scurbrey } Defendant

Fritz May } Co Defendant

The defendant  
Henry Scurbrey Answering  
the Complaint of the  
plaintiff for Amended  
Answer denies each  
and every allegation  
in the Complaint of the  
plaintiff

And the defendant  
Fritz May answering as  
Co Defendant herein  
states and shows that  
on the 10<sup>th</sup> day of February  
1877 he does the order of the  
property mentioned in  
the Complaint - that on  
the day aforesaid while

this defendant was  
such owner since  
plaintiff wrongfully  
from the possession  
of this defendant since  
property and now  
wrongfully detaining  
the same & that this  
defendant is entitled  
to the immediate possession  
thereof, that since  
property is of the value  
of one hundred dollars  
& that by reason of the  
taking thereof this  
defendant has sustained  
damages therein in the  
sum of fifty dollars  
Wherefore these  
defendants demand  
judgment for the return  
of said property or the  
value thereof and for  
the sum of fifty dollars  
as damages besides the  
costs of this action

Dated & sealed  
Feb 17<sup>th</sup> 1873 } Frank Brown  
att'y for Def'ts

in justice court

Fred Scherwin  
ag<sup>t</sup>

Henry Saurbric  
and  
Fitz Moy

Amended answer  
Filed Feb 17<sup>th</sup> 1873  
amended

Answer

Filed  
Filed March 18<sup>th</sup> 1873  
E. Graymull  
clerk



State of Minnesota  
County of Carver } \$

Henry Lawry  
and Fritz May being  
Each duly sworn depose  
and say that they are  
defendants in the foregoing  
entitled action that  
the facts set forth in  
the foregoing answer  
are true of their own  
knowledge.

Sworn to and  
Subscribed before  
me this 17<sup>th</sup> day  
of February 1873

Samuel J. Jernigan,  
Notary Public

Thomas Moore  
Justice of the Peace



defendant to and  
for one yoke of Oxen  
and two dollars in  
money the property of the  
said plaintiff. There-  
upon the said defendant  
delivered to said plaintiff  
said man and the  
plaintiff delivered to  
said defendant said  
yoke of Oxen and  
said two dollars in  
money which said  
oxen are the same  
described in the Complaint  
of the plaintiff.

And the said  
Fritz May as Co. defendant  
verifies and shows  
that on the 10<sup>th</sup> day  
of February A.D. 1873  
he was the driver  
of the Oxen mentioned  
and described in the  
Complaint of the plaintiff  
that while he was  
such driver and  
in the lawful possession  
thereof said plaintiff



State of Wisconsin  
County of Cass

[illegible]

State of Minnesota  
County of Lacrosse

Fred. Schwerin  
Co  
Henry Sawyer  
Fritz May  
Co Depe-

Amended Answer

Frid Feb 17<sup>th</sup> 1873

Spitz, Amay 18<sup>th</sup> & 18<sup>th</sup> 1873,  
Guthrayentuhl Club

I rent it down  
atly for 1000

Thomas Moore  
Furber of the Peace

wrongfully took said  
property from the possession  
of this defendant since  
then Eden since  
wrongfully and  
unlawfully detained  
the same - That said  
property was of the  
value of one hundred  
dollars That by reason  
of said wrongfull and  
unlawful detention of  
said property he has  
been compelled to  
lay out and expense  
for the recovery thereof  
the sum of thirty dollars

Wherefore the  
defendant demands  
judgment for the  
return of said property  
or the value thereof  
to said Fred - May  
the defendant recover  
and for the costs  
of this action

At the Waterford  
Caron Co Minn 1873 } Grant Warner  
att for def

State of Minnesota; In Justice Court Before  
County of Cass } ss. Thomas Moore J.P.  
Frank Schwerin }  
-vs- } Complaint-  
Henry Dumbria }

The plaintiff in the  
above entitled action respectfully  
states and shows to the Court

That, <sup>he</sup> is the owner of and  
entitled to the immediate possession  
of the following described personal  
property to-wit: One pair of shoes  
of Red & white color, which are  
reasonably worth and of the value  
of One Hundred Dollars.

That the aforesaid  
property is unjustly and unlawfully  
detained from the possession of  
said plaintiff by said defendant.

That by reason of the  
aforesaid unjust and unlawful  
detentions of said property by said  
defendant as aforesaid said  
plaintiff has been damaged in  
the sum of Forty Dollars.

Wherefore plaintiff demands  
judgment for a return of the  
above described property, if a  
return thereof can be had and



if no return of said property can  
be had, plaintiffs demands  
judgment against said deft-  
for the Value of said property, to wit  
in the sum of One hundred  
Dollars, and the further sum  
of Forty Dollars damages with  
costs and disbursements of this  
action.

Ernest Hurlin  
Plffs atty  
Watson Min

State of Minnesota  
County of Cass }  
vs

Fred. Schwenke  
being duly sworn says he is  
plaintiff in the above entitled  
action, that the foregoing  
complaint is true of his  
own knowledge except as to  
those matters therein stated  
as information and belief  
and as to those matters he believes  
it to be true  
Fredrick Schwenke

Subscribed at St. Cloud, Minn. this 17th day of July 1893

In Justice Court  
Before Thos. Moore  
Justice of the peace

Fredrick Schwenke

agent

Henry Lawrence  
Jury  
Jury

Thomas Moore  
Justice of the peace  
Filed July 17, 1893  
which  
Filed August 18, 1893  
with original  
for

State of Minnesota }  
County of Hennepin } ss  
Frederick Schwenn

- vs -

Henry Saurby debt and  
Fritz-Hey Co-defendant

} Reply

The plaintiff for  
a reply to the amended answer  
of the defendants in the above  
substituted action denies each  
and every allegation and  
statement in said amended  
answer contained and alleges  
that on said 10th day of February  
1873, said plaintiff was the  
owner of the property and  
still is the owner of the  
property therein referred to, and  
that on said 10th day of February  
1873 said debts obtained possession  
of said property by fraud and deceit -

State of Minnesota }  
County of Hennepin } ss Frederick  
Schwenn being duly sworn says  
he is plaintiff in the above  
substituted action, that the

following reply is true of his  
own knowledge

Subscribed and sworn to } Frederick Schreiner  
before me this 19th day }  
of Feb'y A.D. 1873 }

Thomas Moore  
Justice of the Peace

Frederick Schreiner

Ap.

Henry Sanderson Esq.

and

John May C. Esq.

Reply

Filed Feb'y 17th 1873

Filed March 25th 1873.  
C. Grayson Clerk

11.



~~affidavit~~

~~Filed 10<sup>th</sup> February 1873~~

Frederick Schwann

Op<sup>t</sup>

Henny Laurie

Complaint

Filed March 18<sup>th</sup> 1873  
Guthrie & Co  
Bellevue

Filed Feb. 3<sup>rd</sup> 1873

State of Minnesota }  
County of Cass } ss

Fred. Schwan being  
duly sworn on oath says, that  
Saurie wrongfully detains from the  
possession of the said Fred Schwan  
one yoke or pair of oxen of Red  
and white color the property of said  
Fred. Schwan, and of the value  
of One Hundred Dollars, that said  
property is not detained from the  
possession of the said Fred Schwan  
by any process properly or legally  
issued against him, and that  
he is entitled to the immediate  
possession thereof, and prays that  
a writ of Replevin may issue for  
the recovery of said property.

Done to & subscribed before me  
This 10 day of February 1875

Friedrich Schwan  
Thomas Moon Justice  
of the Peace

Bond of Philip  
Martin & Frederick  
Schwein

Filed 10<sup>th</sup> February 1873

Filed March 28<sup>th</sup> 1873  
G. W. Weyenbühl  
Clerk

Signed and sealed in presence of and the  
witnesses above named approved by me  
this 10<sup>th</sup> day of February 1873

Thomas Weyen  
Justice of the Peace



Know all men by these presents, that  
Frederick Schwenke as principal and  
Philip Martin <sup>and Frederick Schwenke</sup> as sureties are held & firmly  
bound unto Samuels in the sum  
of \$200 the payment of which  
well and truly to be made we bind  
ourselves our heirs, executors, administrators  
and assigns firmly by these presents

Signed and sealed this 10<sup>th</sup> day  
of February 1873

The Condition of this obligation is  
such that whereas application has been  
made for a writ of Replevin issued  
out of the Court now therefore if  
said writ is issued and said Frederick Schwenke  
shall appear at the <sup>return</sup> day of said  
writ and prosecute his said action  
to judgment and return the property  
replevined if so ordered by the Court  
then this obligation to be void otherwise  
of full force & effect

In Testimony whereof we set our hands  
and seals this 10<sup>th</sup> day of February 1873

Frederick Schwenke  
Philip Martin

Carver County, Minn.

I hereby certify that  
 by virtue of the within writ I did on  
 the 10<sup>th</sup> day of February 1873 seizing the  
 property therein described and delivered  
 the same to the plaintiff also on the  
 same day. I personally served writ and  
 summoned the defendant Henry Daurbie  
 to appear before Thomas Moore one  
 of the Justices of the Peace on the 17<sup>th</sup>  
 day of February 1873 at 10 o'clock in  
 the forenoon at Kobler's hotel at  
 Watertown to answer to said complaint.

Writ of Replevin

Frederick Schwab  
 vs  
 Henry Daurbie

mileage 2 miles - 20

sums  
 50  
 70

John W. Wadsworth  
 Attorney at Law  
 Watertown, Minn.

Filed Feb 17. 1873

A. J. Tarvin  
 Constable



State of Minnesota  
County of Cass

The state of Minnesota  
the sheriff or any constable of said  
county.

Whereas Fred. Schwerin  
complains that Sauerbri  
does unjustly detain one yoke  
or pair of oxen of Red and white  
color and of the value of One  
Hundred dollars the property of  
the said Fred Schwerin. Therefore  
you are commanded that you  
cause the said goods and chattels  
to be released without delay and  
if the said Fred. Schwerin shall give  
security as required by law, that you  
cause the said goods and chattels  
to be delivered to the said Fred  
Schwerin. and also that you  
summon the said Sauerbri  
to appear before the undersigned one  
of the justices of the Peace in and for said  
said County on the 17<sup>th</sup> day of Feb'y  
1873 at 10 o'clock in the forenoon  
of that day at my office in the  
Village of Watertown in said County  
to answer to the complaint of Fred Schwerin.  
Given under my hand this 10<sup>th</sup> day of Feb'y 1873

Thomas Moon Justice of the Peace



State of Missouri  
County of Cass }  
v

The State of Missouri  
To James Houston

You are hereby  
required to appear before the  
undersigned one of the justices of  
the peace in and for the said  
County at Watertown in said  
County on the 17th day of Feb'y  
1873 at 1 o'clock in the  
noon of said day to give evidence  
in a certain cause then and  
then to be tried between Frederick  
Schwarze plaintiff and Henry  
Samsbri defendant on the part  
of the plaintiff

Given under my hand  
this 17th day of February A.D. 1873

Thomas Moore  
Justice of the Peace

Carver County Ia

I hereby certify that I  
personally served the within subpoena  
on the within named witness

A. J. Jarvis  
Constable

Fees Travel (2) Mules	20
Service	15
	<hr/> 35

~~James Grattan~~

James Grattan

Subpoena

Filed July 17. 1873

John March 1873  
Guthrie

Filed

12

State of Minnesota }  
County of Carver }

To You, <sup>the State of Minnesota</sup> <sup>and Rpt. Witzig</sup> <sup>and Rpt. Witzig</sup>  
You are hereby required to appear before  
the undersigned one of the Justices of  
the peace in and for said County  
at Waberton on the 17<sup>th</sup> day of Feb<sup>y</sup>  
1873 at 10 o'clock in the forenoon  
of said day to give Evidence in a  
certain Cause then and there between  
Saurbrie Defendant vs.  
Fred Schwerin Plaintiff and Saurbrie  
Defendant out the part of the  
Defendant

Given under my hand  
this 17<sup>th</sup> day of Feb<sup>y</sup> 1873

Thomas Moore  
Justice of the peace



Carver County 1873

I hereby certify that  
I served the within subpoena on the  
within named return.

A. J. Farwin  
Constable

Fees Travel & Miles	40
Service	80
	<hr/> 70

Robert Widgie and  
William Goff

~~Assessors~~

Subpoena,

Dated July 17<sup>th</sup> 1873

John Ward & Co. 1873,  
Superintendent

12

State of Minnesota }  
County of Carver }

To the Sheriff or any Constable  
of said County

You are hereby  
Commaneded to summon John  
Neutron Patrick Flynn Frank  
Macalrat ~~Jacob~~ ~~Zeile~~ C. Chapin  
~~Frank~~ ~~Braboe~~ to be and appear  
before the undersigned one of the  
Justices of the peace in and for said  
County on the 27<sup>th</sup> day of February  
at 4 O. Clock in the afternoon  
of said day in the town of Watertown  
to make a jury for the trial of a  
civil action Between Frederick  
Schweizer Plaintiff and Henry  
Daurbe <sup>Defendant</sup> and party May C<sup>e</sup> Defendant  
and have you there and then this  
writ

Given under my Hand this  
27<sup>th</sup> Day of February A. D. 1873

Thomas Moore

Justice of the peace

Thomas

~~John~~ Cunningham & Hermann Schlueter

were summoned and taken as Jurors

Carver County 30s

I hereby certify that by  
virtue of the within writ I have  
personally summoned as jurors the  
several persons named therein viz.  
John Newstrom Patrick Flynn Frank  
Macalister Jacob Geib E. Chapin  
Frank Krabe

Fees summoning jury \$ 1.00 } A. J. Larmin  
Mileage 12 miles 1-20 } Constable

Dated Martintown Feb 27<sup>th</sup> 1873

Jacob Geib and Frank Krabe not appear-  
ing I summoned Thomas Cunningham  
and Herman Schlender as takers

in Justice Court  
Before Thos. Moore  
Justice of the Peace

Verdict for Jury

Filed Feb 27<sup>th</sup> 1873

Given March 1<sup>st</sup> 1873.

Wm. H. H. H.

John R.



State of Minnesota }  
County of Brown }

Fred Scherwin }  
vs }  
Henry Seabury }

The defendant hereby  
moves to dismiss the  
Complaint - and the Grand  
Jury since Complaint -  
does not state facts  
sufficient to constitute  
a cause of action

Dated Feb  
17<sup>th</sup> 1873 }

Frederick Scherwin  
att. for def.

State of Minnesota  
County of [unclear]

Fred Schwin

Henry Sawbury

Objection to  
Complaint

Overruled

Filed Feb 17<sup>th</sup> 1873

Filed May 18<sup>th</sup> 1873  
W. H. [unclear]  
[unclear]

Frederick Schwerin  
Asst  
Amey Saurin } Sep  
and }  
Fitz Moy } Co. Sep

Objection to Co. Sep

Over Ruled

filed Feb 17<sup>th</sup> 1873  
Filed March 18<sup>th</sup> 1873  
G. W. Wagonbuhl Clerk  
10



1  
1  
Poff would to dismiss the  
account and on the ground  
that it is not sufficiently  
plain for him to understand  
it -

and to dismiss as to the  
co-def. T. May on the  
ground that it does not  
state facts sufficient to  
constitute a case of defense

Schwarz }  
vs } Defts Motion  
Saurbray }  
Moy }

The Defts in the above  
action move for judgment  
rescinding

Dated Watertown  
Feb 17<sup>th</sup> 1873 }

Frank Warner  
att<sup>y</sup> for Defts

Schwerin  
(15)  
Hans Sauritz  
Fritz-Moz

Motion.

Overscheldt

Filed July 17<sup>th</sup> 1873

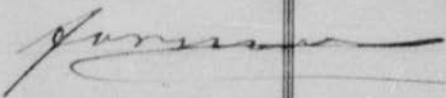
Filed March 18<sup>th</sup> 1873.  
Guttenbuhl  
Clert

filed



Verdict in favor of the plaintiff  
damages five dollars

Watertown N. H. 27 Feb. 1873.

H. Schuster  


Perdict By  
Jury

Filed July 28. 1873

Filed March  
28th 1873.  
Guthrie  
Clark,

# Ivory List -

1	<del>William Dwyer</del>	1 D
2	<del>William Dwyer</del>	4 D
3	<del>W. M. Farvin</del>	3 D
4	<del>E. Moore</del>	5 D
5	<del>Albert Kenway</del>	P 4
6	<del>John Leader</del>	P 1
7	<del>John Newstrom</del>	
8	<del>Patrick Flynn</del>	
9	<del>Peter Campbell</del>	P 2
10	<del>Christian Quaney</del>	P 3
11	<del>Joe Meltz</del>	P 5
12	<del>Frederick Dwyer</del>	4 D
13	<del>Frank Macabrate</del>	
14	<del>Jacob Geib</del>	
15	<del>Lewis Pop</del>	P 6
16	<del>O. Chapin</del>	
17	<del>Frank Brabe</del>	
18	<del>Charles Mutykora</del>	2 D



Jury list

Filed Feb 27<sup>th</sup> 1873

Filed

Filed March 18<sup>th</sup> 1873.  
Gehrayenbuhl  
Edw. S.

Know all men by these  
Presents, that We Henry  
Saurbray as Principal  
and Samuel May as Surety  
are held and firmly  
bound in the sum of  
one hundred dollars  
lawful money of the  
United States unto  
Fred Schreiner to the  
payment of which note  
and truly to be made  
unto the said Schreiner  
we bind ourselves our  
heirs and assigns  
jointly severally and  
firmly by these presents  
sealed with our seals  
and dated this 27<sup>th</sup> day  
of February A.D. 1873

The Condition of the  
above obligation is such, that  
judgment was on the  
27<sup>th</sup> day of February  
A.D. 1873 rendered before  
Thos Moore a Justice of the  
Peace in and for said  
County against the above

named Henry Saurby  
and in favor of one  
Fred Schudin above  
named and whereas  
since above named  
Henry Saurby feels  
aggrieved by said judgment  
and desires to appeal  
to the District Court  
of said County Therefore  
Now if the said  
Henry Saurby shall  
be and appear before  
the District Court on  
the first day of the  
next regular term  
thereof and prosecute  
his appeal to judgment  
and pay all costs  
and damages that shall  
be adjudged against  
him then this Bond  
to be void otherwise  
to be and remain in  
full force

Witness our hands  
and seals in presence of  
73 Frank Warner  
Robert H. H. H.



State of Minnesota  
County of Carver

Fred Schreiner

vs

Henry Sawby

Road on Appeal

Filed Feb 28. 1873

Filed March 28<sup>th</sup> A.D. 1873.  
Guthrie & Co.  
Clerk

State of Minnesota }  
County of Carver } ss

Samuel May  
being first duly sworn  
deposes and says that  
he signed the foregoing Bond  
that he is worth the  
sum of one hundred  
dollars over and above  
all his Exemptions and  
liabilities

Subscribed before me  
this 27<sup>th</sup> day  
of Feb. A.D. 1898

Thomas Moore  
Justice of the Peace

State of Minnesota  
County of Cass

Freud Schreder

vs  
Henry Lawby

Notice of Appeal

Filed March 28<sup>th</sup> A.D. 1873.  
G. H. Maynard Clerk.

Due service  
of the within  
notice is hereby  
admitted as by  
copy is hereby  
admitted this  
27<sup>th</sup> day of Feb  
1873. U.

Ernest W. Wainwright  
att'y for Plaintiff  
Filed July 28 1873



State of Minnesota  
County of Carver }

Frederick Schreiner

vs  
Henry Saurbray }

vs Ernest Hainlin atty  
for the Plaintiff above  
named.

You are  
hereby notified that  
the defendant in the  
above entitled action  
hereby appeals to the  
District in and for  
Seiice County from  
the judgment rendered  
therein before the  
Judge Justice of the Peace  
on the 29<sup>th</sup> day of  
February A.D. 1873 at  
Court room in Seiice  
and that said appeal  
is taken upon both  
questions of law and  
fact

Dated Feb 27<sup>th</sup> 1873 } Frank Warner  
att'y for the Defendant

State of Minnesota  
County of Carver } ss

Fred Scherwin  
agent  
Henry Saurbray }

Carver County } ss  
Henry Saurbray being first  
duly sworn deposes and  
says that he is the  
defendant in the above  
entitled action, that  
on the 27<sup>th</sup> day of February  
A.D. 1893 judgment was  
rendered against the  
defendant in favor of  
the plaintiff in this action  
before Hon. Moses Justice  
of the Peace at Watertown

in said County, that  
said defendant feels  
aggrieved by such judgment  
and desires to appeal  
therefrom to the District  
Court for said County.  
That said appeal  
is made in good faith  
and not for the purpose  
of delay.

Given under my hand and seal of office  
this 27th day of February 1873.

Sworn to and  
Subscribed before  
me this 27th day  
of February A.D. 1873

Thomas M. Mearns

Justice of the Peace

Filed March 18th A.D. 1873  
G. H. Graymuhl, Clerk

The Minnesota  
Society of Lawyers  
Fred. Schramm  
as  
Attorney General  
of the State

Filed July 25th  
1873



State of Minnesota } In Justice Court Before  
 County of Carver } Thomas Moore Justice  
 Frederick Schuerin } of the Peace  
 vs } Transcript of Docket  
 Henry Lambie }

July 16<sup>th</sup> 1873  
~~Justice~~  
 Veroffin

Plaintiff made and  
 filed with me an affidavit in Replevin  
 showing cause for issuing a writ of  
 Replevin against said Def<sup>t</sup> for the  
 recovery of the following Described personal  
 property to wit. One Lake or Pair of  
 Cattle even of red and white color of  
 the value of one hundred dollars  
 and filed the proper bond as required  
 by law. Whereupon a writ of Replevin  
 was issued for the recovery of said pro-  
 perty and delivered to J. L. Tavin Court  
 returnable July 17<sup>th</sup> 1873 at 10 A. M. of  
 said day at my office in Waterbury  
 in said County.

July 17<sup>th</sup> 1873

Writ of Replevin  
 returned personally served by the  
 Constable who made return as follows  
 to wit.

Carver County 100

I hereby certify that  
 by virtue of the within writ issued on  
 the 16<sup>th</sup> of July 1873 Replevin the prop-  
 erty described and delivered the

Came to the Plaintiff also on the same day I personally served said writ and summoned the defendant Henry Lambie to appear before Thomas Mow and of the Justices of the peace on the 17<sup>th</sup> day of February 1873 at 10 o'clock in the forenoon at Richlers Hall in Watertown to answer to said Complaint

Cartier appeared and Plaintiff filed Complaint in writing duly verified and alleges that Def<sup>t</sup> did unlawfully detain from him one flock of Geese of Red and White color of the value of one hundred dollars without any legal Process of law

Def<sup>t</sup> then appeared and filed his answer denied each and every allegation contained in said Complaint

Def<sup>t</sup> then filed an amended answer in writing duly verified in which party Mow was made a Co Defendant

Plaintiff then called for an adjournment and showing just cause the case was then adjourned until Feb 27<sup>th</sup> 1873 at one o'clock P. M.

Feb 27<sup>th</sup> 1873

Plaintiff and Deft. Henry Saurbric  
appeared Plaintiff filed amended  
complaint in writing duly verified  
Deft. filed amended answer

their counsel called for a <sup>trial</sup> jury of six men  
whereupon furnished the constable in  
attendance to make a list of the names  
of 18 inhabitants of said County qualified  
to serve as jurors which being done  
the parties each struck from said list  
six names whereupon named a venire  
for the following named persons to make  
a jury for the trial of said cause to wit  
John Neutron Patrick Flynn Frank  
Macanroth Jacob Gish C. Chapman  
Frank Brabee

The cause was then  
adjourned until 4 P. M. to enable  
the constable to summon the jury

4 P. M.

Parties appeared venire returned Person-  
ally served by St. J. Tavin Constable  
two of the jurors not appearing Thomas  
Cunningham and Herman Schlander  
were summoned as takers men the  
following jurors were then sworn John  
Neutron Patrick Flynn Frank Mac-  
anroth C. Chapman Thomas Cunningham  
and Herman Schlander



Deft Henry Courbin filed another amended answer

The following witnesses were sworn for the Plaintiff Frederick Schwerin William Dresden Henry Courbin Samuel May A. J. Jarvin

By counsel for Plaintiff when you asked the Deft if the mare would not work would you have made the exchange if he said she would not

Objected to by Deft counsel as irrelevant

The question sustained by the court Atty for Plaintiff did you have that mare in Watertown last October

Over Ruled

By counsel for Deft

Did you not come here to sell or trade them cattle on the morning of the 10<sup>th</sup> of July that you wanted to get rid of them

Over Ruled

By counsel for Deft

Did you not state at the time you took the mare and was going to try her you did not care what kind of a track you had made he would have to build a high fence to keep them cattle in his lot

Objected to by counsel for Plaintiff

Over Ruled  
counsel for Deft accepts the question

Manuscript of Hooker

1873 Defendant filed his affidavit for  
appeal to the district Court stating it  
was made in good faith and not for  
the purpose of delay also executed  
and filed his bond in appeal  
according to statute with sureties  
certifying in an amount sufficient  
to secure to the Plaintiff his judgment  
and costs which Bond I approved  
also filed notice of appeal with Prop  
officer upon Plaintiff stating the  
grounds of the appeal upon questions  
of law and fact

also Paid me my fees  
for making the return & appeal allowed

Thomas M. Moore  
Justice of the peace

March 15<sup>th</sup> 1873

Filed in the office of the clerk of the  
district Court of this County a transcript  
of all the entries made in my docket  
together with all the process and other  
papers relating to the action and filed  
with me in this case

Thomas M. Moore  
Justice of the peace

The following depositions were sworn on the  
part of the Deft Henry Laurbie Robert  
Wielgie William Goff and Charles Geyers.

After hearing the testimony the  
jury were under charge of J. P. Harvin  
constable sworn for that purpose.

July 28<sup>th</sup> 1873

Two o'clock in the morning the jury  
return to the Court and say they find  
for the Plaintiff and assess his damages  
in the sum of five dollars.

Whereupon  
I immediately rendered judgment in  
favor of said Plaintiff Frederick Schweng  
and against said Deft Henry Laurbie  
for a return of the property described in  
the complaint in this action and the  
further sum of five dollar damages and  
costs & sent in this action. Whereupon  
costs were taxed as follows viz.

Juries fee	\$ 6.45
Constables fee	6.10
Witness fees	
James G. Gorton 1 - 00	
	<u>\$ 13.55</u>

Thomas Moore  
Justice of the Peace  
I hereby certify that the foregoing is a true  
and correct transcript of my docket in the  
above entitled action.  
Thomas Moore  
Justice of the Peace



Justice fees	
Verifying affidavit in Replevin	15
Acknowledging Bond	50
Issuing writ Replevin	25
" venire for Jury	25
" 2 subpoenas	50
Swearing Jury	25
" officer to take charge Jury	15
Administering 18 oaths	2.70
Filing 20 papers	1.00
Two adjournments	.30
Entering Judgment	25
Taxing Costs	15
	<u>\$6.45</u>

Constables fees	
Serving writ of Replevin & mileage	70 Paid
" 3 Subpoenas & mileage	1.25
Writing list of Jurors	.15
Summoning Jury & mileage	2.20
Attending Court 2 days	2.00
" Jury	50
	<u>\$6.10</u>

Witness fees	
James Gratten	\$1.00

State of Minnesota  
County of Carver.

List of

Friedrich Schwenen

vs  
Henry Maubrey,

Plaintiff of Record  
of the above justice.

John A. Adams,  
Guthrieville  
Clerk.

**SUBPENA.**

State of Minnesota, the District Court, } ss.  
FOR THE EIGHTH DISTRICT, CARVER COUNTY. }

To

*A. J. Durvin*

Greeting:

In the Name of the State of Minnesota: You are hereby commanded, that laying aside all and singular your business and excuses, you be and appear before the Judge of the District Court, for the Eighth Judicial District, and County of Carver, at the Court House in said County, on the *21st* day of *October*, *AD 1878*, at *three* o'clock in the *after* noon, then and there to give evidence in a cause to be tried between

*Fredrick Schuerin*

Plaintiff,

and *Henry Sauerknecht*

Defendant on the part of the *Plaintiff*

Hereof fail not, on pain of the penalty that will fall thereon.

Witness, The Honorable A. G. Chatfield, Judge of the District Court  
aforesaid, at Ekaska, in said County, this *21st*  
day of *October* in the year 187*8*,

*G. H. Sauerbuhl*

Clerk.



Served Oct. 6<sup>th</sup>

# SUBPOENA.

## DISTRICT COURT, CARVER COUNTY.

IN THE MATTER OF

*Wm. A. Schwenen*

vs.

*Henry Sauerbrei*

Subpoena on the part of

*Plaintiff*

State of Minnesota, }  
Carver County. }

*Oct. 6<sup>th</sup>*

*1873*

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

*A. J. Tarvin*

as I am therein commanded.

*J. H. Heklin* Sheriff.

FEES--Service,.....	\$	<i>5.00</i>
Mileage,.....	\$	<i>2.00</i>
Return,.....	\$	<i>1.50</i>

Filed in said Court this *8<sup>th</sup>*  
day of *October* A. D. 187*3*

*Edw. A. Heklin* Clerk.  
*Attorney.*

State of Minnesota  
District Court  
County of Carver,

---

Friedrich Schwerin  
vs  
Henry Sauerbrey,

---

Judgment Roll.

Judgment	\$ 75.00
Damages	" " 25
Costs	" 60.44

---

Total \$ 135.69.

---

Filed December 31<sup>st</sup> 1873.  
Gethrayenbuhl  
Clerk.

\$ 54.14.

156 1/2

---

Ernest Heinlin, Attorney  
for plaintiff. Watertown, Minn.

State of Minnesota  
District Court <sup>1st</sup> District  
County of Carver,

Frederick Schuerin  
against  
Henry Sauerbrei.

Judgment.

This case came on for trial at a Regular Term of said Court, held in Chaska, in said County, on the seventh day of October, A.D. 1873, with a jury duly impannelled and sworn to try said cause, after due consideration said jury returned a Verdict in favor of the Plaintiff for the property described in the Complaint, and assessed by said jury, at the sum of Seventy five dollars, and Twenty five cents, damages for the wrongful detention of said property by defendant.

Now therefore, on Motion of Ernest Hainlin Attorney for said Plaintiff, It is hereby adjudged and determined, that said Plaintiff do recover of said Defendant, the sum of Seventy five dollars, or the property claimed, with Twenty five cents, damages, together with the sum of Sixty dollars and forty four cents, costs and disbursements taxed in said action, amounting in all to the sum of One hundred thirty five dollars Sixty nine cents, and that said Plaintiff have this sum paid therefor.



Judgment  
Damages

\$ 75.00  
" .25  

---

\$ 75.25

Costs.

Statute Costs

\$ 10.00

Costs in Justice Court

" 13.75

County Fee

" 3.00

Witnesses Fees

" 20.84

Deputies Fees

" 12.85

60.44

Total

\$ 135.69

Dated December 30<sup>th</sup> 1873.

By the Court:

Eschraunbach

Deputy

State of Minnesota } In Dist Court  
County of Cass } 8th Ind Dist.

Fred. Schurman Jr

-vs-

Young Samson

} Stipulation to tax costs

It is hereby stipulated and agreed by and agreed by and between the Plaintiffs and defendant in the above entitled action (by their attorneys) that the costs in said action be taxed by the Clerk of the aforesaid Court without notice - and notice of taxation of costs is hereby waived by each of the parties to said action - Dated Dec 3 1873

Ernest Mancini

Atty for Plaintiffs

Frank Warner

Atty for Deft

State Costs	\$10.00	
Copy fee	" 3.00	3.00
Costs in Justice Court	" 13.45	
Witness A. J. Pargson 9 days	9.00	
Mileage 126 miles	17.36	
" do Jones, attendance 4 days	14.00	3.00
Mileage 8 miles	4.48	
Chattel fees	12.85	6.00
Total	\$60.44	

\$54.44

Paid by my hco: Jan 18 73.  
Gibrayard  
Clerk

State of Minnesota  
District Court  
County of Carver,

Frederick Gehmerin  
vs  
Henry Sauerbrei,

Stipulation for  
Payment of Costs,

Filed, December 13<sup>th</sup> 1873  
Gehrayenbuhl  
Clerk.

—156—

13 Dec / 73.

Plf's costs for witness A. J. Tamm  
9. days attendance  
126 miles travel  
or more 4 days attendance & mileage

Plf's costs \$10.00

gr. fees 3.00



District Court, 8<sup>th</sup> Dist.

County of Carver.

Frederick Schwerm

vs  
ag to

Henry Sauerbrei

We the jury duly empan-  
nelled and sworn in the above entitled action  
upon our oaths do say that the Plaintiff is  
the owner and entitled to the possession of the  
oxen or cattle mentioned in the Complaint  
in said action, & that the same was wrongfully detained  
from him by the Defendant

That we upon our oaths aforesaid do assess  
the value of the said oxen or cattle at the  
sum of Seventy five Dollars

And that the damages sustained by the  
Plaintiff by reason of the wrongful detention  
of said property from the Plaintiff by the  
Defendant, are by us, upon our oaths aforesaid  
assessed at the sum of. Twenty five Cent

By J. L. L. Foreman

State of Minnesota  
District Court  
County of Carver,

---

Friedrich Schererin

vs  
Henry Saubrey

---

Verdict for Plff.

---

Verdict for Plff.

Später betragen 85.00  
Gehragentbuhl  
Admstr.

Oct 7<sup>th</sup>, 1873

Frank Warner  
att'y for Deft

State of Minnesota  
County of Carver } ss

Henry Hardin  
being first duly sworn, deposes  
and says that he is the  
defendant in the above  
entitled action that the  
facts set forth in the  
 foregoing answer are true  
of his own knowledge

Doan to me  
Subscribed before  
me this 7<sup>th</sup> day  
of October A.D. 1873

Gerrit S. S. S.

G. W. W.

John W. W.  
Minneapolis



Dist Court  
8<sup>th</sup> Dist  
\_\_\_\_\_

Fred<sup>r</sup> Schorn

vs

Mary Saurbrey

Answer  
to  
Amended Complaint

Filed October 15<sup>th</sup> 1893.  
Gibbs & Co. Clerk,  
186

Frank Warner  
atty for Def<sup>r</sup>

State of Minnesota In District Court  
County of Carver 8<sup>th</sup> Judicial District  
Frederick Schwinn }  
vs } Amended Complaint  
Henry Samsbrie }

The plaintiff in the above entitled action for an amended Complaint therein alleges,

That he is the owner, and at the time of the commencement of this action, to-wit: on the 10<sup>th</sup> day of February A.D. 1873 was the owner and entitled to the immediate possession of all the following described personal property, to-wit: One or yoke or pair of Oxen of Red and white color about eight years of age - That he is now entitled to the possession of said property - That the same are reasonably worth and of the value of Seventy five dollars,

That said property is wrongfully and unlawfully detained from the possession of this plaintiff by said Defendant, and that the same was not taken from said Plaintiff by virtue of any process legally issued against him, but that said Defendant obtained possession

of said property solely by fraud and  
deceit as hereinafter stated. That is  
to say - Said defendant did on  
the 10th day of February A.D. 1873 at  
Watrous Leaven County Missouri  
represent to this plaintiff that he  
was the owner of a certain horse  
that he then and there desired to  
exchange with this Plaintiff  
for the above described horse or  
pair of oxen - that the property  
of this plaintiff - and that  
said defendant then and  
there stated to said Plaintiff  
and expressly warranted said  
horse to be true and kind to work,  
and that said horse would work  
either "single or double".

And Plaintiff further says  
that relying solely on the aforesaid  
statements, warranty, and representations  
so made by said defendant as  
aforesaid and not otherwise  
he did exchange said oxen  
for said horse, with said defendant  
as aforesaid. That said statement  
warranty, and representations so  
made by said defendant, and  
relied upon by said Plaintiff



\* after having seen Plaintiff's return said  
how to said Defendant and claiming the sum  
of \$1000

as aforesaid were false and  
fraudulent - and that said  
house was vicious nature and  
not likely to work all of which  
said defendant knew at the  
time of said exchange

That by reason of the wrongful  
and unlawful detention of the  
aforesaid property by said Defendant  
as aforesaid this Plaintiff has been  
put to great trouble, and expense  
and has thereby been damaged  
in the sum of Twenty five Dollars  
that is to say the amount of the property lost and the Plaintiff's damages  
and costs of this action

Therefore Plaintiff demands  
judgment against said Defendant  
for a return of the above described  
property if a return thereof can  
be had - and if no return  
thereof can be had Plaintiff  
demands judgment against  
said Defendant for the value  
thereof to-wit: in the sum of Twenty  
five Dollars. with the further  
sum of Twenty five dollars damages  
and costs and disbursements of this  
action.

Dated Oct 6<sup>th</sup> 1873

Ernest Hamilton

Atty for Plaintiff

Waterbury Minn

and entered the same to his own use

State of Maine  
County of Carver

Frederick Schaeffer

He, being duly sworn says  
he is the Plaintiff in the above  
entitled action. That the for-  
going Complaint is true of his  
own knowledge except as to those  
matters therein stated on information  
and belief. and as to those  
matters he believes it to be true

Subscribed & Sworn to before

Frederick Schaeffer

me this 7th day of October 1873

G. W. Weymouth

John W. Weymouth.

District Court  
State Judicial Dist  
Carver County

Frederick Schaeffer

-75-

Henry Sauerbrin

Accused

John W. Weymouth  
G. W. Weymouth

1873

Emos Mainin  
Atty for P. & D.

W. Weymouth



State of Minnesota } In District Court  
County of Carver } The Judicial District

Fredrick Schorin }  
                                  Agst-  
Henry Saurbrie }

The defendant  
for answer to the Amended  
Complaint of the Plaintiff  
denies each and every  
allegation in the Complaint  
of the Plaintiff not heretofore  
expressly admitted or  
qualified.

And the defendant  
further answering the  
Complaint of the Plaintiff  
admits that he was the  
owner of the horse mentioned  
in the Complaint - on the  
10<sup>th</sup> day of February A.D.  
1873 and that the Plaintiff  
was the owner of one  
pair of Oxen as mentioned  
in the Complaint - on  
the day aforesaid, that  
while each were the owners  
of the property as aforesaid  
on the same day, they



Each Entered into a  
Contract with <sup>the other</sup> to Exchange  
said property in the manner  
following, To wit: The said  
defendant agreed to Exchange  
his said horse for the  
Plaintiffs said Cattle provided  
the plaintiff would give  
him two dollars in addition  
to said Cattle which was  
fully agreed to by said  
plaintiff and the said  
plaintiff then and there  
delivered to said defendant  
his said Cattle and the  
sum of two dollars in  
money and the defendant  
then and there delivered  
to said plaintiff his said  
horse, which said Contract  
as above stated was fully  
understood and agreed  
upon by the said parties  
and was all the Contract

Ever made between them  
Wherefore the defendant  
demands judgment that this  
action be dismissed with Costs  
Dated Chapter

No.

725

DISTRICT COURT,  
CARVER COUNTY, MINN.

Fredrick Scherier  
Plaintiff.

vs.

Henry Sauerbri  
Defendant.

Ernest Hamlin  
Plaintiff's Attorney,

Franko Wanner  
Defendant's Attorney.

Date of Entry Mar. 28 1873

Register of Actions A Page 156 1/2

Term Tried Oct. 1873

Judgment for Plaintiff

Amount of Judgment \$ 135.69

Date of Judgment Dec. 30th 1873

Min. Rec. A Page 350

Default Judgment Book Page

Date of Docketing Dec 30th 1873

180

No. 726

DISTRICT COURT,  
CARVER COUNTY, MINN.

*The State of Minnesota*  
Plaintiff.

vs.

*C. Alexis Semmon*  
Defendant.

*Jos. Heinemann*  
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry *Apr. 1st 1873*  
*Couch*  
Register of Actions *A* Page *157*

Term Tried 19

Judgement for *County*

Amount of Judgement \$ *✓*

Date of Judgement *Apr 10 1873*

*Min. Rec.*  
Judgement Book *A* Page *315*

Default Judgement Book Page

Date of Docketing 19



District Court.  
Cass County

The State of Minnesota  
against  
C. A. Johnson

The following is a schedule of all of the property of the above named defendant, and of all of his money and effects whether exempt from execution or not to wit- One Suit of Clothes of the value not to exceed twenty five dollars and one extra pair of pants of the value of not more than five dollars.

State of Minnesota  
County of LeSueur C A Dannon  
being duly sworn on oath says that  
he is the defendant above named, that  
the foregoing Schedule and the Statements  
therein contained are true of his own knowledge  
and that the same contains a full exhibit  
of all property money and effects, whether  
except from execution or seizure, owned  
or possessed by this defendant

District Court  
County of Cass

The State of Minnesota  
vs

C. A. Dammore  
Petitioner

Filed, August 9th, A.D. 1873.  
J. H. Hagenbach  
Clerk

154-

Subscribed and sworn to before me this 18th day of July 1873  
H. A. Simpson  
Notary for the Peace  
C. A. Dammore

State of Minnesota  
County of Carver, My ss.

I Gustave Wenzelbuhl, Clerk of the  
District Court of said Judicial District in and for said  
County of Carver and State of Minnesota, do hereby certify  
that the foregoing is a true and correct copy of the  
Judgment in the Within Entitled Action; that I have  
carefully compared the Same with the original  
Judgment on file of record in my Office and that the  
Same is a true and correct transcript therefrom.

In Testimony Whereof, I have hereunto set my name  
and affixed the Seal of said Court, at Charles in said  
County, this 19th day of July A.D. 1873.

G. Wenzelbuhl

Clerk



State of Minnesota  
District Court  
County of Carver,

---

The State of Minnesota  
vs  
C. A. Hemmon.

---

Judgment rendered of  
Court.

---

Certified Copy.

Filed Aug 1st 1893  
Wm. H. H. H. H.  
Clerk

State of Minnesota  
County of Carver  
Subdistrict Court  
3rd Judicial District.

The State of Minnesota  
Against  
C. A. Kemmon  
Bastardy.  
Order.

Upon reading and filing the return of J. A. Sargent Esq. one of the Justices of the Peace in and for said County of Carver, before whom the foregoing entitled action was tried, and proofs and papers in the case, whereby it appears that the defendant pleaded guilty to the charge against him and upon motion of Joseph Weinmann County Atty in and for said County, it is hereby adjudged that C. A. Kemmon, the defendant above named, is the father of the Bastard child mentioned and described in the Complaint of Jane Goodbridge the complainant therein, and it is therefore ordered that he, the said C. A. Kemmon, he and he is hereby charged with the maintenance thereof in the sum of five dollars per month together with the costs of this prosecution. — Ordered further, that the said C. A. Kemmon enter into a good and sufficient bond in the sum of one thousand dollars to the County Commissioners in and for the County of Carver aforesaid with sufficient sureties to be approved by the Court for the performance of the aforesaid judgment and orders, and also for the payment of all expenses incurred by the County for trying on,

Support of, and attendance upon the mother of such child during her sickness and also for the care and support of such child prior to the giving of said Bond.

Ordered further, that in case the said M. A. ~~Reman~~ neglect <sup>or</sup> refuses to give such Bond and pay the costs of Prosecution, he shall be committed to the jail of the said County of Carver there to remain until he complies with the foregoing orders of this Court, or is discharged therefrom as provided by law.

Dated at Chaska in the County of Carver, this  
11th day of April. A.D. 1873.

By the Court.

A. G. Chatfield  
Judge P.



State of Minnesota  
District Court Eighth Judicial District  
County of Carver

The State of Minnesota }  
                                  } against  
C A Dammou }

To the above entitled  
Court and to Hon A G Chaffee the judge  
thereof

Your petitioner C A  
Dammou the defendant above named  
respectfully represents and states that on  
the day of April 1878 in the said  
district court in and for the county of  
Carver in the State aforesaid, a judgment  
in the above entitled action against  
your petitioner defendant aforesaid  
was rendered and entered, a copy of  
which said judgment is hereto attached marked  
C A and made a part of this petition.

And your petitioner further states that  
he said petitioner is a man without any  
property real or personal except his wearing  
apparel and a few trifling articles carried  
about his person. Not amounting in all  
in value to the sum of fifty dollars.

That your petitioner has already been im-  
prisoned ninety days for having failed  
to comply ~~in~~ comply with the judgment

And order of said district Court. made  
and entered in said action as aforesaid  
And that he has no way, and is totally  
unable to procure the means or assist-  
ance necessary to enable him to comply  
with said judgment and order.

A Schedule of all of the property, money  
and effects of said petitioner whither ex-empted  
from execution or otherwise, and referred  
by said petition is hereto attached marked  
Exhibit "B" -

Your Petitioner therefore  
prays that he may be discharged from  
his said imprisonment, and allowed  
to go without day -

C. A. Dammou

State of Minnesota  
County of Cass. C. A. Dammou  
being duly sworn on oath says that he  
is the petitioner in the foregoing petition  
named, that he has read the same petition  
and knows the contents thereof, and  
that the same is true of his own  
knowledge, and further this affidavit  
sworn to -

Subscribed and sworn  
to before me this 18<sup>th</sup> day of July  
1873 C. A. Dammou  
of a Sergeant  
Master of the Peace

State of Minnesota  
District Court Eighth Judicial District  
County of Carver

The State of Minnesota }  
August }  
C. A. Dunnington }

On reading and filing  
<sup>in the above entitled action</sup>  
the petition, and papers thereto referred  
to and thereto attached Ordered  
that Saturday the 9<sup>th</sup> day of August  
A.D. 1873 at Eleven o'clock in the forenoon  
at the Court House in Charles  
in the County of Carver in the State  
of Minnesota ~~at~~ <sup>at</sup> ~~eleven o'clock in the~~  
<sup>and the same hereby are</sup>  
~~made of record~~ <sup>the time & place of</sup> ~~being~~ <sup>filed</sup>  
for the hearing of said petition  
and application. And that fifteen  
days notice of such hearing be  
<sup>in writing</sup> given to the complainant in  
the above entitled action and  
to the board of County Commissioners  
of said County of Carver, the mode  
of which said notice in said County Commissioners  
may be made by delivering to and filing with  
the County Auditor of said Carver County  
a copy of such notice.  
Dated July 21<sup>st</sup> 1873.

A. G. Chatfield  
Judge of Dist. Court.



2.  
Order of Court for  
hearing of Petition.

Filed, Aug 14<sup>th</sup> 1883,  
H. H. Wagonbuhl  
Clerk

State of Minnesota  
District Court Eighth Judicial District  
County of Carver

The State of Minnesota }  
agent  
C. A. Dammann }

To James Goodridge the complainant  
in the above written action, and to the Board of County Com=  
missioners of the County of Carver in the State aforesaid

Whereas the above named defendant has been imprisoned under  
the judgment and order rendered and entered in the above en=  
titled action - in the common jail in force for said county  
for more than ninety days, and whereas he has been and  
is unable to meet his jailer to comply with the order  
and judgment aforesaid, and has applied to said court  
praying to be discharged from such imprisonment, and the  
said court has fixed the 9th day of July A.D. 1873 at eleven  
o'clock in its forenoon of that day at the Court House  
in Chaska in the County of Carver aforesaid for the hearing  
of such application - You will therefore take  
notice that the said application will be heard before said  
court at the time and place fixed by said court as  
above specified

Dated Chaska July 28<sup>th</sup> 1873

C. A. Dammann  
Defendant & Petitioner



State of Minnesota  
County of Curran

Matthias Logelin being duly sworn  
an oath says that on the twenty fourth day of  
July 1884 in said County of Curran he  
served on the within named Jane Grollinger  
a notice of which the within is a true copy and  
duplicate by delivering to her in person such  
written instrument. And this Affiant further says that on  
the day of service he served a notice of which  
the within is a copy and duplicate upon the  
Council of County Commissioners of the said  
County of Curran by delivering personally to  
Leonard Steubner County Auditor of said  
County such notice at the Office of said County  
Auditor in said County - that this Affiant  
knows the persons to be as aforesaid served  
with said notice to be the persons in the  
within notice named further and well  
Subscribed and sworn  
to before me this 24<sup>th</sup> day of  
July 1884

Matthias Logelin

Nature Public  
Curran County  
Minnesota

Subscribed \$4.00 - (Monthly)  
Served 2.00  
Total 6.00

District Court  
Curran County

State of Minnesota

C. A. Bauman  
Notary

Filed, August 1st 1884  
W. H. May in book  
Vol. 2

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

The State of Minnesota  
ag't,

C. Alexis Demmon

Carver County vs. C. Alexis Demmon being duly  
sworn says, that he is the defendant in the  
above entitled action, - that he has not in his  
own name any estate real or personal, and has not  
any such estate conveyed or concealed or in any  
manner disposed of, with design to secure the same  
to his use or to avoid in any manner, compliance  
with the judgment and order in said action.

Subscribed & sworn this 9<sup>th</sup>  
day of Aug. 1873 before me

Wm. Maymühl      C. A. Demmon  
Clerk of Court  
Carver County

State of Minnesota  
District Court  
County of Carver,  

---

The State of Minnesota  
vs.  
C. Lewis Kemmer,  

---

Affidavit of Debt.

Filed August 9th A.D. 1873.  
Edw. Maymühl  
Clerk.

State of Minnesota  
District Court  
County of Carver,

The State of Minnesota  
by  
C. A. Gummow,  
  
Attorney at Law,

Filed, April 10<sup>th</sup> A.D. 1873.  
Guthrie & Co.  
Clerk,



1  
State of Minnesota  
County of Carver  
In District Court & Judicial  
District

The State of Minnesota  
against  
C. A. Damon

Bastardy

Order

2  
Upon reading and filing the return of J. A.  
Largent Esq. one of the Justices of the Peace in and  
for said County of Carver, before whom the foregoing  
entitled action was tried, and briefs and papers  
in the case, whereby it appears that the Dist. is found  
guilty to the charge against him and a plea motion  
of Joseph Weinmann County Attorney in and  
for said County it is hereby adjudged that C. A.  
Damon, the Defendant above named, is the  
father of the Bastard Child mentioned and described  
in the Complaint of Jane Goodridge, the Complain-  
ant herein, and it is therefore ordered that he, the  
said C. A. Damon, he and he is hereby charged  
with the maintenance thereof in the sum of five  
dollars per month together with the costs of this  
action prosecution, Ordered further that the said  
C. A. Damon enter into a good and suffi-  
cient bond in the sum of One thousand dollars  
to the County Commissioners in and for the County  
of Carver aforesaid, with sufficient sureties to be  
approved by the Court for the performance of  
the aforesaid Judgement and orders and also

for the payment of all expenses incurred by the County for lying in, support of, and attendance upon the Mother of such Child during her sickness, and also for the care and support of such Child prior to the giving of said Bond.

Ordered further that in case the said C. D. Deenan neglects or refuses to give such Bond and pay the costs of Prosecution, he shall be committed to the Jail of the said County of Cass, there to remain until he complies with the foregoing orders of this Court, or is discharged therefrom as provided by Law.

Dated at Chaska in the County of Cass this 10<sup>th</sup> day of April A. D. 1872.

By the Court

A. G. Chatfield  
Judge &c.

State of Minnesota  
apt-

L. A. Demmon

Complaint for basket  
dy

Filed July 27 1873  
J. A. Sargent  
District Clerk

Filed April 4<sup>th</sup> 1873  
G. A. Sargent  
District Clerk

-15/-



State of Minnesota } ss  
County of Larn

Larn

personally before me ~~Jesse Goodridge~~  
a Justice of the Peace in and for  
said County of Larn, Jane Goodridge  
was being first duly sworn on  
oath says and complains that  
on ~~the~~ on about the ~~10th~~ <sup>4th</sup> day of ~~March~~ <sup>December</sup>  
A D 1872 she resided in said  
Larn and had so resided for  
~~over~~ <sup>three</sup> years prior thereto. That  
on or about said ~~10th~~ <sup>4th</sup> day of ~~March~~ <sup>December</sup>  
1872 she the said complainant was  
delivered of a bastard child which  
said child is now living and which  
said child is likely to become a charge  
upon said County of Larn. And she  
further makes oath accuses, com-  
plains and charges that L A Demmon  
is the father of said bastard child and  
she prays that the said L A Demmon may  
be arrested and brought before J A Sargent  
a Justice of the Peace of said County  
to answer this complaint & be dealt with  
according to law. Jane Goodridge

Sworn Subscribed to }  
before me this 27<sup>th</sup> day }  
1873 J A Sargent }  
Justice Peace }

State of Minnesota } The State of Minnes  
County of Carver } -ota

To the Sheriff or any Constable of said  
County -

Whereas. Jane Goodridge  
has this day complained in writing to  
me on oath. that on or about the 4<sup>th</sup> day  
of December 1872 she resided in Carver County  
in said State and had so resided therein  
for over ten years prior thereto - that on  
or about said 4<sup>th</sup> day of December afore  
said she the said Complainant was  
delivered of a bastard child which said  
child is now living, and which said child  
is likely to become a charge upon said  
County of Carver - and said complain-  
ant further makes oath, accuses, com-  
plains and charges that C. A. Demmon  
is the father of said bastard child, and  
prayed that the said C. A. Demmon might  
be arrested and dealt with according  
to law - Now therefore you are hereby  
commanded forthwith to apprehend the said  
C. A. Demmon and bring him before me, to  
be dealt with according to law -

Given under my hand this 27<sup>th</sup>  
day of February A D 1873. J. A. Sargent  
Justice of the Peace

State of Minnesota, ss. I hereby certify and  
County of Burn. 3  
return that I am by virtue of the within  
warrant arrest  
G. A. Amos and his  
lawyer

James, et al.

Sherrill

State of Minn.

G. A. Amos

Attorney

Let it be  
G. A. Amos



initiated action of bastardy, and  
that the papers hereto attached were  
used and filed in said action -

Given under my hand  
this 31<sup>st</sup> day of March 1873

J. A. Sargent  
Justice of the Peace

State of Minnesota  
County of Leavenworth

In Justice Court  
before J. A. Sargent

State of Minnesota  
against  
L. A. Memon

1873

Feb 27- Vath and Complaint of Jane Goodridge  
that she was delivered of a Bastard child  
in said County on or about Dec 4<sup>th</sup> 1872 and  
that L. A. Memon is the father of said bastard  
child, & prayed that said L. A. Memon might  
be arrested and dealt with according to law

Vath and Complaint - on file.

Warrant issued & delivered to Sheriff P  
Weeklin for arrest of said Memon

March 13- Prisoner in Court - Prisoner waives  
reading the Complaint, and pleads guilty  
to the charges as alleged in said Complaint

Whereupon it  
is ordered that the said L. A. Memon  
give bond to the Commissioners of said County  
of Leavenworth, <sup>in sum of \$300-</sup> conditional to secure & indemnify  
said County of Leavenworth from all charges for the  
maintenance of said bastard child and  
to pay the costs of prosecution -

Prisoner

refused to give such security or pay the  
costs of prosecution—

Whereupon it is  
ordered that the said defendant enter  
in recognizance in the sum of Three  
hundred dollars to appear before the Dist  
Court next to be holden in and for  
said County to answer the said  
Complaint, and which the order of  
the Court thereon, and in default  
of his entering into such recognizance  
to be committed to the County Jail  
of said County— Prisoner refused  
to comply with last mentioned order

Whereupon Warrant issued directed to  
P. Hecklin to commit the said defendant  
to the Common Jail of said Co

J. A. Sargent  
Justice of the Peace

Justice fees

Compell-25- W 25- fil 15-  
Mailing Compell-25- Indg 25- } \$3-55  
Filing 15- Committion 25-  
Transcript of Docket- 200

State of Minnesota }  
County of Leam } ss

I hereby certify

that the above is a true Transcript  
of my docket in the above



State of Minnesota  
District Court  
County of Carver,  

---

The State of Minnesota  
vs  
C. Alexis Demmon,  

---

Warrant for the  
discharge of defendant,  

---

Given, August 4th 1873,  
J. G. Mayentall  
Clerk.

State of Minnesota  
District Court, Eighth Judicial District,  
County of Carver

The State of Minnesota  
ag. it.  
L. Alexis Demmon

The Defendant in the above entitled action having this day been examined on oath as to the facts set forth in his petition praying to be discharged from imprisonment upon the judgment and order in said action, and it appearing that he is unable to comply with said judgment and order, and he having been imprisoned thereon for ninety days & more and having taken the oath required by the provisions of the statute in such case made. On motion of A. A. Brown of Counsel for Defendant, S. S. Baxter appearing on the part of the State, - it is ordered that the said Defendant, B. Alexis Demmon, be and he hereby is discharged from his said imprisonment and from the custody of the Sheriff of said County of Carver under and by virtue of said judgment and order. - Dated August 9<sup>th</sup> 1873.

By the Court.

A. G. Chaffield  
Judge of Dist. Court.

No. 726

DISTRICT COURT,  
CARVER COUNTY, MINN.

The State of Minnesota  
Plaintiff.

vs.

C. Alexis Demmon  
Defendant.

J. H. Himmelman  
Plaintiff's Attorney.

Defendant's Attorney

Date of Entry

Apr. 1st 1873

Court

Register of Actions

A

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Term Tried

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Judgement for

County

Amount of Judgement \$

Date of Judgement

Apr 20 1873

Min. Rec.

Judgement Book

A

Page

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Default Judgement Book

Page

Date of Docketing

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