



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

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

No. 748

DISTRICT COURT,
CARVER COUNTY, MINN.

John P. Plegue
Plaintiff.

vs.

Frederick Heiklin
Defendant.

Warner & Fowler
Plaintiff's Attorney.

J. L. McDonald
Defendant's Attorney.

Date of Entry *May 28 1873*

Register of Actions *A* Page *175*

Term Tried *19*

Judgment for *19*

Amount of Judgment \$ *19*

Date of Judgment *19*

Judgment Book *19* Page *175*

Default Judgment Book *19* Page *175*

Date of Docketing *19*

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

John Pflieger came
before me personally, and being duly sworn, doth say that 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 on
his information and belief, and as to those matters, that he believes
it to be true.

Subscribed and Sworn to before me,

On this *27th* day of *May*
A. D. 18*73*

Frank Warner

Justice of the Peace

John Pflieger

State of Minnesota
Dist. Court 8th Dist.
County of ~~Scott~~ ^{Cass}
John Pflieger

vs.
Frederick Hecklin

Know all men by these presents
that we Frederick Hecklin as principal
and E. Holmes & W^m A. Griffin as surety
are held and firmly bound unto John
Pflieger plaintiff in the above entitled
action, in the sum of one thousand
dollars lawful money of the United
States to be paid unto the John Pflieger
his heirs executors, administrators and
assigns, for which payment well and
truly to be made we jointly and severally
bind ourselves ^{our heirs and administrators} by these presents.

Sealed with our seals and dated this 27th day
of May A.D. 1873.

The condition of this obligation is such
that whereas a writ of replevin has been
issued in this action, and certain personal
property therein described and alleged to be
of the value of four hundred and ninety
dollars seized by virtue of said writ
and said defendant desires a return of
such property to him, according to
the statute in such case provided.

Now therefore if said property shall
be delivered to said plaintiff if a delivery
thereof is adjudged, and said plaintiff
paid such sum as for any cause may
be recovered against the defendant
this this obligation to be void otherwise
of force.

In testimony whereof we have hereunto set
our hands and seals on this 27th day
of May A.D. 1873.

Signed sealed and delivered in presence
of J. L. Macdonald
J. J. Williamson

J. H. Harkin
E. Holmes
Wm. A. Griffin

State of Minnesota }
County of Carver } Bel it known that on
this 27th day of May A.D. 1873, came before
me personally J. H. Harkin and
E. Holmes & Wm. A. Griffin and to me well known
to be the same persons who executed the
foregoing bond, and each severally
acknowledged the same to be his own free
act and deed.

J. J. Williamson
Notary Public
Carver Co. Minn.

State of Minnesota }
County of Carver } E. Holmes and
Wm. A. Griffin 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 amount of one thousand
dollars specified in the foregoing bond,
above his debts and liabilities, and
exclusive of his property exempt
by law.

Subscribed & sworn to before
me this 27th day of May
A.D. 1873

J. J. Williamson

E. Holmes
Wm. A. Griffin

Notary Public
Carver Co. Minn.

State of Minnesota }
Carver County }

I hereby certify that upon the service upon me
of the within bond the property therein mentioned
was by me returned to said defendant.

Dated May 28th 1893.

Wm. Magnus Walk
Coroner Carver Co. Minn.

District Court
County of ~~Carver~~
~~Carver~~

John Pleser
vs.

Fredrick Becklin

Def'ts Bond in Replevin

The def't. hereby re-
quires an immediate
return of the property
seized on the writ under
in this action, D. 7th 1893
dated May 27th 1893

To ~~the~~ Magnus Walk
Coroner of Carver Co.

Minnesota
Filed June 3rd 1893
Wm. Magnus Walk, Clerk.

J. L. MacDonald
Defendant's Attorney

Wherefore said Plaintiff demands judgment against said Defendant for the immediate return and possession of the property above described, or the sum of Four hundred and ninety $\frac{88}{100}$ Dollars, the value thereof, in case a delivery thereof cannot be had, and one hundred Dollars, damages for the detention thereof, besides the costs and disbursements of this action.

Dated Carver May 26th 1873

Mason & Fowler
Plaintiff's Attorney

Carver County.
District Court.
John F. Hedges

U.S.
Frederick Heekin

Complaint in Replevin.

John, Mary, & George Hedges,
Defendants.

Mason & Fowler
Plaintiff's Attorney

ST. PAUL PRESS PRINT.

145

State of Minnesota,
County of Carver

District Court,
8th Judicial Dist.

John Pfluger

AGAINST

COMPLAINT.

Frederick Becklin

The complaint of the Plaintiff in this action shows to this Court, and states:

That said Plaintiff is the owner and entitled to the immediate possession of that certain personal property which is described as follows, that is to say:

Four hundred and seventy two bushels
of Spring Wheat

That the same, all and singular, and the possession thereof, are wrongfully and unlawfully detained from said Plaintiff by said Defendant at the County of Carver in the State aforesaid. That said Plaintiff has demanded and caused to be demanded of said Defendant the delivery and possession thereof before the commencement of this action; but said Defendant has refused and still refuses and neglects to deliver the same, or any part of the same to the Plaintiff And that the same is worth, and of the actual value of

Four hundred and ninety $\frac{88}{100}$ dollars.

in this action will apply
to the Court for the relief
demanded in the Complaint
Dated May
27th 1893 } Warren G. Fowler
att'y for Plffs
Carson
Min

Dist Court
8th Dist.
" " " "
John Pflieger
or

Fred. Jackson
Nov. 11. 1888

(Signed) Anne C. A. M. D.

~~James E. Sprickman~~
and Gordon
attys. for Plaintiff
Carmichael

State of Minnesota District Court
County of Carver } S & C Seal.

John Pflieger }
 ^{vs} }
Frederick Becklin }

Summons

- The State of Minnesota -
To the above named Defendant
You Frederick Becklin
are hereby summoned
and required to answer
the Complaint in the above
Entitled action which is
filed in the Office of the
Clerk of the District Court
at Chaska in said County
and to serve a copy of
your said Answer ^{to the Complaint} on the
Subscribers at their Office
at Carver in said
County within twenty days
after the service hereof
upon you exclusive of the
day of such service and
if you fail to answer
the Complaint within the
time aforesaid the Plaintiff

State of Minnesota }
County of Carver }

F. H. Hecklin
Sheriff Carver
County Minn

John R. Heger being
first duly sworn deposes
and says, that he is
the owner of and entitled
to the possession of ~~thirteen~~
hundred and seventy
two Bushels of Spring
Wheat of the value of
four hundred and
ninety dollars and
Eighty Eight Cents now
stored in the Warehouse
of John Dunn of the Town
of Carver in the County
of Carver and taken by
F. Hecklin Sheriff by
virtue of a writ of
Replevin at the suit
of one Patrick Kelly
that this deponent raised
the said Wheat and deposited
the same in the said
Warehouse for the purpose
of keeping the same safely
kept and took receipts
from said John
Dunn for the safe keeping

of the same that this
deponent has not the
said Cohent or any part
thereof.

Subscribed and
sworn to before
me this 26th day
of May A.D. 1873

John P. Meyer

Frank Warner
Justice of the Peace

Affidavit
of
John P. Meyer

Filed, June 3, A.D. 1873.
C. H. Raynolds
Clerk.

State of Minnesota,
County of *Carver*

District Court

8th

District.

John Phleger

AGAINST

AFFIDAVIT IN REPLEVIN.

Frederick Hecklin Sheriff of the County of Carver

State of Minnesota,
County of *Carver*

ss.

John Phleger

came

before me personally, and being first duly sworn doth say, that he is:

John Phleger the

said Plaintiff in the above entitled cause; that said Plaintiff *is* the owner, and lawfully entitled to the immediate possession of that certain personal property to recover possession of which this suit is brought, and which is described as follows, that is to say:

*Four hundred and seventy two bushels
of Spring wheat*

that the same is wrongfully detained from said Plaintiff by said Defendant at the County of *Carver* and State aforesaid; that the same has not been taken for a tax, assessment or fine, pursuant to a statute, or seized under an execution or attachment against the property of said Plaintiff

and that the actual value of the aforesaid property is

*Four hundred
and ninety*

Dollars,

and further saith not.

Subscribed and Sworn to before me,

On this *26th* day of *May* A.D. 18*73*

John Phleger

Frank M. Mearns

Justice of the Peace

State of Minnesota
County of Carver

Gas
Carriage Luminous
Bells
necessary expenses
to secure & safely keep
the property
serving affidavit
in Replevin
serving Bond
in Replevin

The undersigned, being in and for the said County of Carver,
do hereby certify and return that I have taken the property de-
scribed, in the ~~affidavit~~ annexed affidavit in Replevin in the
\$1.00
40
3.00
50
30
\$3.40
sum to the order addressed thereon and that I have received
The annexed Luminous, Bonds in Replevin, of plaintiff
in Replevin on the within named def. Frederick
Hecklin on the 27th day of May A.D. 1873
in the Town of Carver in said County by reading
and explaining the same to him and by then and
there delivering to him and leaving in his
hands a true and correct copy thereof
and of each of them, and
that upon the giving of Counter
Bonds the property was returned
to the Defendant

Given under my hands this 28th day of May A.D. 1873
Magistrate Walk
Carver Carver Co. Minn

District Court,

County of Carver

John. Walker

AGAINST

Frederick Hecklin

Affidavit in Replevin.

L. Magnus Walk
Carver Co. Minn

Sir:

You are hereby required to issue a writ
directed to the Sheriff, commanding him to take
the property described in the within affidavit,
from the within named Defendant, and the
same, safely kept until disposed of according
to law.

Dated May 26th A.D. 1873

Yours &c.,

Warner & Fowler

Plaintiff's Attorneys

To the Clerk of the District Court of the

County of Carver Minnesota.

Warner & Fowler

Plaintiff's Attorneys

ST. PAUL PRESS PRINT.

Filed June 8th A.D. 1873.
W. H. Maynard, Clerk.

to me well known to be the same persons who executed the foregoing bond, and each severally acknowledged the same to be his own free act and deed.

State of Minnesota,

County of Carver

ss.

Frank Warner
Justice of the Peace
Diedrich Lansen

being first duly sworn 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 amount of Nine hundred and eighty Dollars, specified in the foregoing bond, above his debts and liabilities, and exclusive of his property which is exempt from execution.

Subscribed and Sworn to before me,

On this 26th day of May A.D. 1873

Surreck Lenz

Frank Warner
Justice of the Peace

DISTRICT COURT,

County of Carver

John Phleger
vs

Fredrick Hecklin

BOND IN REPLEVIN.

I hereby approve the within bond and the sureties thereon.

Dated May 27th A. D. 1873

Wagnus Wall
Sheriff of

Carver County, Minn.

John J. H. H. H.
Cottreay & Co.,
Attorneys

Wagner & Fowler

Plaintiff Attorney

State of Minnesota,
County of Carver }

DISTRICT COURT,

Judicial District.

John Pleyer

against
Frederick Hecklin

Bond in Replevin.

Know all men by these presents, That we John Pleyer
as Principal and Diedrich Landen as
surety

are held and firmly bound unto

Frederick Hecklin

The defendant

in the above entitled action, in the sum of Nine hundred and eighty Dollars,
lawful money of the United States, to be paid unto the said

Frederick Hecklin his

heirs, executors, administrators or assigns, for which payment well and truly to be made,
we jointly and severally bind ourselves, our heirs, executors and administrators, firmly
by these presents.

Sealed with our seals and dated this

26th day of May

A. D. 1873

The condition of this obligation is such that WHEREAS, an affidavit has been duly
made in this action, that the said defendant wrongfully detains from said plaintiff
certain personal property therein described, of the value of Four hundred
and ninety Dollars, and said plaintiff
claims the immediate delivery of such property to him, according to the statute in such case
provided.

NOW THEREFORE, if the said plaintiff shall prosecute said action with effect, and
return said property to said defendant if a return is adjudged, and shall pay to him such
sum as for any cause may be recovered against the plaintiff, then this obligation shall be
void, otherwise of force.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals, on this

26th day of May

A. D. 1873

Signed, Sealed and Delivered in presence of

Frank Warner
John Sundine

John Pleyer

[SEAL.]

Diedrich Landen

[SEAL.]

[SEAL.]

State of Minnesota,

County of Carver }

ss.

BE IT KNOWN, that on this

26th day of May

A. D.

1873 came before me personally
Landen

John Pleyer and Diedrich

No.

748

DISTRICT COURT,
CARVER COUNTY, MINN.

John Pflieger
Plaintiff.

vs.

Fredrick Heikkin
Defendant.

Warner & Fowler
Plaintiff's Attorney.

J. L. McDonald
Defendant's Attorney.

Date of Entry *May 28 1873*

Register of Actions *A* Page *175*

Term Tried *19*

Judgment for

Amount of Judgment \$

Date of Judgment *19*

Judgment Book Page

Default Judgment Book Page

Date of Docketing *19*

No.

749

DISTRICT COURT,
CARVER COUNTY, MINN.

Patrick H. Kelly
Plaintiff.

vs.

*John Dunst + Mrs. John Dunst +
H. Lanner*
Defendants.

J. L. MacDonald
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry *May 31st* 1873

Register of Actions *"A"* Page 176

Term Tried 19

Judgment for *Plaintiff*

Amount of Judgment \$ *1879.10*

Date of Judgment *June 26th* 1873

Minute Record "A"
Judgment Book Page 310

Default Judgment Book Page

Date of Docketing *June 26th* 1873

Judgment Record "A" Page 168

State of Minnesota }
County of Carver }

I hereby certify and return that on the 24th
day of May A.D. 1873 at Carver in said County, I
served the within summons and complaint on
each of the within named defendants ^{they and there} by delivering
to the within named H. Turner and Mrs John Dunn
personally a true and correct copy thereof and
upon the within named John Dunn on said day by them and there
leaving a true and correct copy thereof at
the house of the usual abode in said Carver
with a person of ^{and discretion} suitable age ^{them} resident therein.
My fees ^{service} 2.00
interage 40
\$ 3.40

J. H. Hunklin
Sherriff Carver Co. Min.

STATE OF MINNESOTA,

County of

DISTRICT COURT,

Judicial District.

Summons for Relief.

Plaintiff's Attorney.

PIONEER PRINT, ST. PAUL.

State of Minnesota,
County of Carver

DISTRICT COURT.

5th Judicial District.

Patrick H. Kelly
vs

SUMMONS.

John Dunn and
H. Tanner & Mrs
John Dunn.

The State of Minnesota,

TO THE ABOVE NAMED DEFENDANT:

You ~~and each of you~~ are hereby summoned and required to answer the complaint in the above entitled action, a copy of which is herewith served upon you, and to serve a copy of your answer to the said complaint on the subscriber at his office in Shakopee in the county of Scott and State aforesaid, within twenty days after the service of this summons on you, exclusive of the day of such service; and if you fail to answer the complaint within the time aforesaid, the plaintiff will apply to the court for the relief demanded in said complaint.

Dated,

A. D. 187

John C. Macdonald
Plaintiff's Attorney, Shakopee Minn.

Wherefore said Plaintiff demand judgment against said Defendant for the immediate return and possession of the property above described, or the sum of Eight thousand Dollars, the value thereof, in case a delivery thereof cannot be had, and one hundred Dollars, Damages for the detention thereof, besides the costs and disbursements of this action.

Dated.....187

John L. MacDonald
Plaintiff Attorney.

Carver County.

District Court.

J. H. Kelly

vs.

John Quinn
et al

and Summons
Complaint in Replevin.

Filed May 11, 1873
W. H. Wagoner
clerk

John L. MacDonald
Plaintiff Attorney.
W. H. Wagoner
Printed and for Sale at the St. Paul Pioneer Office.

1461

5061
5625
2206

State of Minnesota,)
County of Carver)

In Justice Court.

Patrick H. Kelley

Against

COMPLAINT.

John Dunn and
H. Lamer & Mrs John Dunn

The Complaint of the Plaintiff in this action shows to this Court, and states:
That said Plaintiff is the owner and entitled to the immediate possession
of that certain personal property which is described as follows, that is to say:

Seven thousand bushels of
wheat now in the warehouse
of E. Holmes and heretofore
used by said defendant at
Carver in said County.

That the same, all and singular, and the possession thereof, are wrongfully
and unlawfully detained from said Plaintiff by said Defendant at the County of
Carver in the State aforesaid. That said Plaintiff has demanded
and caused to be demanded of said Defendant the delivery and possession there-
of before the commencement of this action; but said Defendant have refused and
still refuse and neglects to deliver the same, or any part of the same to the
Plaintiff. And that the same is worth, and of the actual value of

Eight thousand

Dollars.

State of Minnesota } ss.
County of Carver }

I hereby certify and return that by virtue of the within Affidavit and the command thereon endorsed I did on the 24th day of May A.D. 1873 at Carver in said County Replevin and take into my possession all of the within wheat that was in said warehouse, and described in the within affidavit, to-wit: ^{about} five thousand & one hundred bushels, which I held in my possession for three days and on the 27th day of May A.D. 1873 delivered the same to the within named Plaintiff, no exception having been made to said Plaintiff's securities by either of said Defendants; and I further certify that did on the 24th day of May A.D. 1874 deliver a copy of the within affidavit and bond herein to the within named Defendants H. Dunn and Mrs John Dunn personally, and upon the within named John Dunn by leaving a copy ^{of said affidavit and bond} at the place of his usual abode in said Carver with a person of proper age and discretion who claimed to be his agent, to-wit: Mrs John Dunn.

My Fee for service & service 5.00
Taking care of wheat 40.00

J. H. Harkin
Sheriff Carver Co. Minn

District Court.

County of Carver

J. H. Kelly

AGAINST

John Dunn et al

AFFIDAVIT IN REPLEVIN.

Sir:

You are hereby required to ~~return~~ ^{directed to the Sheriff, commanding him to take} the property described in the within affidavit, from the within named Defendant, and the same safely keep until disposed of according to law.

Dated May 24th 18

Yours &c.,

John L. MacDonald

Plaintiff Attorney.

To the Clerk of the District Court of the

County of Carver Minnesota.

John L. MacDonald

Plaintiff Attorney.

RAMALEY & HALL, Law Printers, Minnesota St., Saint Paul.

Filed May 31st 1873
J. H. Harkin

State of Minnesota,

DISTRICT COURT.

County of Carnver

8th

District.

Patrick H. Kelly

AGAINST

Affidavit in Replevin.

John Dunn, & Lamer
& Mrs John Dunn.

State of Minnesota,

County of Carnver

ss.

John L. Macdonald came
before me personally, and being first duly sworn doth say, that he is the attorney
of
said Plaintiff in the above entitled cause; that said Plaintiff is the owner, and
lawfully entitled to the immediate possession of that certain personal property to recover
possession of which this suit is brought, and which is described as follows, that is to say:

seven thousand bushels of
wheat in the warehouse of E.
Holmes heretofore used by
said Defendants, in Carnver
in said County.

that the same is wrongfully detained from said Plaintiff by said Defendants at the
County of Carnver and State aforesaid; that the same has not been
taken for a tax, assessment or fine, pursuant to a Statute, or seized under an execution
or attachment against the property of said Plaintiff

and that the actual value of the aforesaid property is eight thousand
Dollars,
and further saith not.

Subscribed and Sworn to before me.

On this 24th day of May 1893

John L. Macdonald

Geo. A. DuToit

Notary Public
Carnver Co.
Min.

State of Minnesota, }
County of Ramsey } ss.

BE IT KNOWN, that on this 24 day of May A. D. 1873 came before me personally Patrick H. Kelly and Conrad Gohman

to me well known to be the same persons who executed the foregoing bond, and each severally acknowledged the same to be his own free act and deed.

State of Minnesota, }
County of Ramsey } ss.

W P Warme
Nolan Rublie
Conrad Gohman Minn

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 amount of Sixteen thousand Dollars, specified in the foregoing bond, above his debts and liabilities, and exclusive of his property which is exempt from execution.

Subscribed and Sworn to before me

On this 24 day of May A. D. 1873 } C. Gatzert

W P Warme
Nolan Rublie
Minn

DISTRICT COURT,

County of Carver

J. H. Kelly

John Dume
et al

BOND IN REPLEVIN.

I hereby approve the within bond and the sureties thereon.

Dated May 24th A. D. 1873

J. H. H. Sheriff of
Carver County, Minn.

John A. MacFarland
Plaintiff Attorney.

John A. MacFarland
May 24th 1873
J. H. H. Sheriff of
Carver County, Minn.

State of Minnesota,

DISTRICT COURT,

County of *Carver*

ss.

8

Judicial District.

*Patrick H. Kelly**John Dunn + H. Samner*
& Mrs John Dunn

Bond in Replevin.

Know all men by these presents, That *Patrick H. Kelly*
as principal and *Conrad Gatzian* as
surety both of the State of Minnesota
are held and firmly bound unto *John Dunn and H.*
Samner and Mrs John Dunn
defendant

in the above entitled action, in the sum of *eight thousand* Dollars,
lawful money of the United States, to be paid unto the said *John Dunn*
+ H. Samner and Mrs John Dunn their
heirs, executors, administrators or assigns, for which payment well and truly to be made,
we jointly and severally bind ourselves, our heirs, executors and administrators, firmly
by these presents.

Sealed with our seals and dated this *24* day of *May*
A. D. 18*73*

The condition of this obligation is such that WHEREAS, an affidavit has been duly
made in this action, that the said defendant wrongfully detains from said plaintiff
certain personal property therein described, of the value of *eight thousand*
Dollars, and said plaintiff
claims the immediate delivery of such property to him, according to the statute in such
case provided.

NOW THEREFORE, if said plaintiff shall prosecute said action with effect, and
return said property to said defendant if a return is adjudged, and shall pay to ~~him~~
such sum as for any cause may be recovered against the plaintiff, then this obligation
shall be void, otherwise of force.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals on this
24 day of *May* A. D. 18*73*

Signed, Sealed and Delivered in presence of

W. Samner

Patrick H. Kelly [SEAL.]
C. Gatzian [SEAL.]
[SEAL.]

State of Minnesota
Dist. Court 8th Dist
County of Carver

Patrick H. Kelly

v.

John Dunn, Mrs John
Dunn & H. Lamer

County of Scott vs. John L.
MacDonald being duly sworn says
that he is the attorney for the
above named Plaintiff in the
above entitled action, and has
been such attorney since the
commencement thereof.

That the summons in said action
was served upon said defendants
and each of them in due form
of law, as appears by the return
of said Sheriff endorsed
thereon, together with the complaint
herein on the 24th day of May A.D.
1873 at Carver in said County
of Carver; and that at said time
and place the said Sheriff took
into his possession, and thereafter
and heretofore delivered into the
possession of said Plaintiff, as
a part of the property described
in said Complaint, and the

affidavit herein by which he was directed to take the same, about five thousand bushels of Wheat.

That no demurrer or answer to said complaint has been in any manner served upon ~~said~~ this deponent, and that said defendants or either of them, have not in any manner appeared in said action, or attempted to appear therein for any purpose whatever.

Wherefore Plaintiff asks that a referee ^{and report} be appointed to ascertain ^{the facts as to the ownership and right to the possession, and} the precise amount and value of the wheat so delivered to this Plaintiff as aforesaid and report the same to this court together with the value of the property which said Plaintiff is entitled to and has not received, and that said Plaintiff have judgment accordingly.

Subscribed & sworn to
before me this 20th day
of June A.D. 1873

A. G. Chatfield

Judge of Dist. Court.

John L. MacDonald

State of Minnesota
Dist. Court 8th Dist.
County of Carver.
Patrick H. Kelly

vs.
John Dunn, Mrs John
Dunn & H. Tanner

On reading the foregoing
affidavit it is hereby ordered
that James F. Salisbury Esq of St. Paul
be and he is hereby appointed,
and said action is referred to him,
to report to said Court the
amount and value of the
property which has been re=
plevined in said action, and
delivered to said Plaintiff, ^{and who is the owner and who is entitled to the possession of the same}
and also ^{the amount} and value of that
portion of the property described
~~herein~~ in the complaint herein
which has not been recovered
or replevined, and to which the
said Plaintiff was entitled, and
also the amount of the damages
which said Plaintiff has sustained
in accordance with the allegations
in said Complaint.

And it is further ordered

Dist. Court
8th Dist
County of Carver

P. H. Kelly
vs.

John Dunn et al

Affidavit of Default
& Order of Reference

J. L. MacDonald
Atty for Plff.

that upon the filing of said report
by said referee, that said
Plaintiff have judgment in
accordance therewith, together
with his costs and charges
=ments herein.
Dated June 20th 1878.

A. G. Whitfield
Judge 8th Jud. Dist.

Henry Munster
Learn. Council In answer

Patrick Hehelly

John Hehelly {

To said Court

I James Hauley
and Refere appointed by said Court
to hear the proofs and report the facts
in this suit do report as follows.
That after taking the oath prescribed
by law which is hereto attached
I did take the proofs in said cause
which are herewith returned into
said Court and that upon such
proofs I do find as facts that at
the time of the commencement
of this action and for a long period
before that time said Plaintiff
was the owner and entitled to the
immediate possession of all
the wheat and property described
in the complaint in this suit.
and that the defendant John
Hehelly wrongfully was detaining
the same from said Plaintiff
then at Caron in said State: and

such wheat was then reasonably
worth 95 cents per bushel and
that in this suit only 5095 bushels
of such wheat was replevied and
that only that much was received
by said plaintiff and that there
is still belonging to said plaintiff
from said John Deere and in his
hands 1905 bushels of the wheat
described in the complaint: that
the value of the amount unreplev-
ied was and is the sum of
\$1809⁷⁵/₁₀₀: that possession of such
wheat was duly demanded
by said plaintiff ^{there} and was
brought therefor

And as conclusions of law
I find that said plaintiff is
entitled to judgment for the possession
of 5095 bushels of wheat, and also
for the possession of 1905 bushels
of wheat or the value thereof viz \$1809⁷⁵/₁₀₀
in case ^{a delivery of} the latter amount can
not be had, and let judgment
be entered accordingly with cost of suit

James F. Salisbury
Referee

u 1
in this suit. I brought this suit as
plaintiffs attorney. The possession
of the wheat described in the complaint
was demanded by me for the plaintiffs
and as his agent before this suit
was brought: I attended to the receiving
of the wheat & delivered myself: only
5095 bushels were received: that was
the amount received from the shuff
and turned over to the plaintiffs. There
was no more in John Deans Warehouse
and that was all that the shuff
could find. It was quite dirty and
in bad condition and not nearly
worth the usual market price of
the grade named in the receipts.
and further state not

subscribed + sworn to before John L. MacDonald
on June 25th 1873
James F. Salby
Referee

I never got. It cannot be found
 at the time this wheat was replanted
 it was worth at Corvallis ninety five
 cents per bushel but was the
 market price of such wheat at Cor-
 vallis at that time. It was the combine
 of James Wambach and very dirty
 as I have ascertained since. That
 part of the wheat which was not replanted
 and which I did not get. was worth the
 same amount per bushel. There
 is still due me on these Wambach
 months 1905 bushels of wheat. John
 Dineen or either of the other defendants
 have no defense in this action -
 when this suit was brought I under-
 stood that John Dineen's wife and the
 James man in charge of John Dineen
 Wambach at Corvallis were the wheat
 then was - and for that reason joined
 them as co defendants and further
 with not.

subscribed & sworn to
 before me June 25-1873
 James F. S. Clerk
 Polk County

Patrick H. Kelly

E. Nelson Esq. Esq. says. I know
all the parties to this suit. I
did the business out of which the
various receipts below mentioned
sprang. at the date of such receipts
I was dealing in wheat at Cairns
in said State. a large portion
of the wheat for which such receipts
were given I bought directly from
the farmers. stored it in John Deane
warehouse at said Cairns and the
rest I bought directly from said
John Deane ^{and paid him for the same in full} and for the wheat
so bought of the farmer and stored
with him and for the wheat so
bought of him said John Deane ex-
cepted and delivered to me said
four warehouse receipts. at the date
herein respectively. I obtained
endorsed transfers and delivered
such warehouse receipts to said John
Till Kelly. that all such business was
transacted as below stated and in
good faith.

E. Nelson

Subscribed & sworn to before me

June 21st 1873 James F. Salisbury

John T. MacDonald J. Kelly duly
sworn says. I know all the parties

which his producers found
bankable receipts of which
the others are hand-written
marked "A" "B" "C" "D" and copy
of Kuan John Duns signature - it is
his signature to each of the four
receipts. I know E. Holmes copy
of Cassin Minnema - names in said
receipts. During the spring last past
I furnished said E. Holmes money with
which to buy wheat for me - and after
wards from time to time he informed
to me that he had bought wheat for me
with such money. and that it was
deposited in the bank of said John
Duns at Cassin in said State. and
afterwards and before the execution
of this action said E. Holmes said
some handwriting and delivered said
four bankable receipts to me - since
when they have been my property
I know E. Holmes signature and
it is his signature endorsed upon
each of the four receipts. I bought
this suit to recover the possession of
the wheat described in said receipts
there was only 5095 bushels of such
wheat involved in this suit - the rest

State of Minnesota } Dist Court
County of Carver } Eight Dist

Patrick H. Kelly

John ^{vs} Dunn, Mrs
John Dunn & H. Tanner

In pursuance of the order of
Reference in the above entitled
action made attached by it
known that on this 25th day of June
AD 1873 at my Office in St Paul Minn
at 12th St personally appeared before
me James F. Sullivan Referee.
Patrick H. Kelly as witness on part
of plaintiff who being first duly
sworn deposes and says - I am
plaintiff in this suit - I
know defendant John Dunn
and H. Tanner but do not know
Mrs Dunn. I live at St Paul - De-
posed John Dunn was engaged in
the northern business ^{and} buying and
selling wheat at Carver in this state
during the six months last past &
over - and during the same time
I was engaged in buying and selling
wheat at St Paul in said state

State of Minnesota } Dist Court
County of Cass } Eighth Dist

Patrick Kelly

^{vs}
John Dunn - Mrs
John Dunn & Wm Dunn

Running Comptroller James F.
Salisbury being first duly sworn
deposes and says that he will
faithfully and fairly hear and
examine this action, wherein
Patrick K Kelly is plaintiff and
John Dunn - Mrs John Dunn and
Wm Dunn defendants and make
a just and true report there ac-
cording to the best of his understanding
and ability. So help him God -

Subscribed & Sworn to
before me this 25th day
of June A.D. 1873 } James F. Salisbury
W.R. Warner }
Notary Public
Ransom Co
Minn

Exhibit "D"

1000 Bushels

Wampanoag Receipt

Given April 7th 1873

Endorsed
E. Holmes

Received in store from E. Holmes
One thousand Bushels wheat which
I agree to deliver on the Cars free
of charge in the winter of this receipt
being ~~entirely~~ endorsed. No 2 wheat

John Dineen

Exhibit "A"

Waukegan Receipt

Carrington May 5th 1873

Received in store from E. Holmes
Three Thousand Bushels No 2 Wheat
which I agree to deliver on the Cars
at Carrington free of charge on the return
of this receipt properly endorsed
John Dunn

Endorsed
E. Holmes

Exhibit "B"

Carrington May 6th 1873

Received in store from E. Holmes
One Thousand Bushels No 2 Wheat
1000. which I agree to deliver on
board the Cars at Carrington free of
charge on the return of this receipt
properly endorsed

John Dunn

Endorsed
E. Holmes

Exhibit "C"

Waukegan Receipt

Received in store from E. Holmes
Two Thousand Bushels No 2 Wheat
which I agree to deliver on board the
Cars at the Minneapolis + St. Louis RR
free of charge. on the return of this
Receipt properly endorsed

John Dunn

Endorsed
E. Holmes

Carrington May 22nd 1873

2000

Carroll County
Dist Court

Patrick H Kelly

vs

John Dunn et al

Refers Refers

Refers fees #10 $\frac{88}{100}$

Carroll Refs

Refers

John Dunn Wrongfully Was Detaining The Same From
Said Plaintiff, as Owner in Said County of Carver and
that Said Wheat Was then Reasonably Worth Ninety Five cents
per Bushel, and that in this Suit only Five Thousand
and ninety five bushels of such Wheat was replenished
and that only that much was received by said Plaintiff,
and that there is Still belonging to said Plaintiff from
said John Dunn and in his hands Nineteen Hundred
and five bushels of the wheat described in Said Complaint,
and that the value of the amount unreplenished was
and is the Sum of Eighteen Hundred and nine dollars
and seventy five cents; and that Possession of Said
Wheat was duly demanded by said Plaintiff before
this action was brought therefor; And found also,
as conclusions of Law, that said Plaintiff is entitled to
Judgment to have and retain the possession of the said
Five thousand and ninety five bushels of wheat, and also
for the recovery and possession of said Nineteen Hundred
and five bushels of wheat, and the value thereof, to-wit: -
Eighteen Hundred and nine dollars and seventy five cents,
in case a delivery of the latter amount can not be had,
and for costs of Suit.

Now therefore, It is adjudged and
determined that said Plaintiff Patrick H. Kelly is the
owner and entitled to the possession of all of the Said
Seven thousand bushels of wheat described in the Complaint
herein and referred to in Said report of the Said Referee,
and that the said Plaintiff have and retain the

State of Minnesota
District Court for District
County of Carver.

Patrick H. Kelly

against

John Dunn, Mrs John Dunn
vs H. Turner.

Judgment.

This action having been commenced by due service of the summons herein upon each of said defendants in said County on the 24th day of May AD 1873. and it having been made to appear by due proof that no appearance has been in any manner made in said action by either of said defendants, and that no answer or demurrer had been served, or attempted to be served, upon the said Plaintiff's attorney, herein, within the time allowed by law and stated in said summons, or at any other time; and said action having been referred by the proper order of said Court to James P. Salisbury Esqr of St Paul in the County of Ramsey in said State and a citizen of said State, to take and hear the proofs herein and report to said Court. And said Referee having made and filed his report in said action whereby he finds as matters of fact, that at the time of the commencement of this action and for a long period prior thereto said Plaintiff was the owner and entitled to the immediate possession of all of the seven thousand bushels of wheat and property described in the complaint in this suit, and that the said defendant

State of Minnesota
District Court
County of Carver,

Patrick H. Kelly
vs
John Quinn, Mrs John Quinn
and H. Finner.

Judgment Roll.

| | |
|----------|-------------------|
| Judgment | \$ 1809.75 |
| Costs | 69.35 |
| Total | <u>\$ 1879.10</u> |

Filed June 26th A.D. 1873.
W. H. Hagenbach
Clerk.

John L. Mac Donald
Attorney for Plaintiff
Shakopee, Minn.

possession of the said five thousand and ninety five bushels
of said wheat, and that said Plaintiff recover of said
defendant John Dunn the possession of the said nineteen
hundred and five bushels of wheat which has not been
replevined herein as aforesaid, on the sum of eighteen
hundred and nine dollars and seventy five cents,
(\$ 1809. ⁷⁵/₁₀₀) the value thereof, in case a delivery thereof
can not be had, and also that he recover of said defendant
John Dunn his costs and disbursements in this action
taxed at fifty nine ³³/₁₀₀ dollars — amounting in the
whole to the sum of eighteen hundred and seventy nine ¹⁰/₁₀₀ dollars
and that he have lawful process therefor.

Dated June 26th A.D. 1873. By the Court:

Grayenbuhl
 Clerk.

| | |
|--------------------------|---------|
| Statute Costs | \$ 5.00 |
| Referees Fees | " 10.00 |
| Sheriff's fees, Summons | " 3.40 |
| Sheriff's fees, Replevin | " 15.00 |
| Deputies | " 5.95 |

Total \$ 69.35

No. 749

DISTRICT COURT,
CARVER COUNTY, MINN.

Patrick H. Kelly
Plaintiff.

vs.

John Durnov & Mrs. John Durnov
H. Lanner
Defendants.

J. L. MacDonald
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry May 31st, 1873

Register of Actions "A" Page 176

Term Tried 19

Judgment for Plaintiff

Amount of Judgment \$ 1879.10

Date of Judgment June 26th, 1873

Minute Record "A" Page 310

Default Judgment Book Page

Date of Docketing June 26th, 1873

Judgment Record "A" page 168

No. 750

DISTRICT COURT,
CARVER COUNTY, MINN.

William Schmidtke
Plaintiff.

vs.
Ferdinand Strache
Defendant.

Jas. Heinemann
Plaintiff's Attorney,

vs.
Defendant's Attorney.

Date of Entry May 18 1873
Court Cent
Register of Actions A Page 152

Term Tried 1

Judgment for

Amount of Judgment \$82.95

Date of Judgment June 2nd 1873

Judgment Book Page 308

Default Judgment Book Page

Date of Docketing 1

State of Minnesota
County of Cass

In Justice's Court
before Frank Warner Esq
Justice of the Peace

William Schmidt, & Frederick Richter,
doing business under the firm name of
Schmidt & Richter at St Paul Minn.
Plaintiffs

Complain

against

Ferdinand Strache. Defendants

The complaint
of the above Plaintiffs respectfully states and
shows to this Court, that the said Defendant
is indebted to these Plaintiffs in the sum of
Seventeen ^{and} 50/100 dollars (\$17⁵⁰), as per account
rendered ^{unto} and settlement ^{had} by the Plaintiffs ~~with~~
~~and~~ with said Defendant, on the 2^d day of
March, 1870, that the said amount of Seven-
teen & 50/100 dollars, has not been paid or any
part thereof, and that the same is due, and
that although often requested so to do, the
Defendant has neglected and refused, and
still refuses to pay the same or any part thereof.

And the complaint of said Plaintiffs for
a second and further cause of action, respect-
fully states and shows to this Court, that the
said Plaintiffs sold and delivered to the
Defendant the following goods, wares and
merchandise at the time and for the prices
below specified, as to each article, that is to say:

| | | | | |
|---------|------------------|-------|---------------------------------|--------|
| March | 2 ^d | 1870. | To one Keg | \$1.30 |
| October | 31 st | " | " ^{of} Liquor & Cigars | 18.80 |
| January | 23 ^d | 1871. | " | 33.00 |
| April | 25 th | " | " | 43.00 |
| May | 31 st | " | " | 135.50 |
| July | 10 th | " | " | 7.40 |

in all amounting to Two hundred and Thirty nine dollars. (\$239⁰⁰). That the said Defendant has not paid the said sum of Two hundred and thirty nine dollars or any part thereof, save and except the sum of Eighteen & 100/100 Dollars on the 6th day of August, 1870. and the sum of One hundred dollars, on the 15th day of November, 1871. and the sum of Twenty dollars, on the 10th day of February, 1872. and the sum of Twenty five dollars on the 22^d day of June, 1872 and the sum of Twenty dollars on the 4th day of October, 1872 amounting in all to the sum of One hundred eighty three & 100/100 Dollars (\$183⁰⁰). ^{and no other or greater sum of} leaving a balance due and owing from said Defendant to said Plaintiff in the sum of Fifty five and 20/100 dollars. (\$55²⁰). And the Complaint of the Plaintiff further shows that although often requested to do that said Defendant, has neglected and refused and still refuses to pay the same.

Therefore the said Plaintiff demand judgement against said Defendant for the sum of Seventeen & 100/100 dollars (\$17⁰⁰), with interest since the 2^d day of March 1870. and for the further

State of Minnesota }
 County of Carver }

v.s.

I hereby certify and return that I served the within summons on the within named Defendant Ferdinand Stracker by reading the same to him personally and by delivering to him a true copy thereof in the County of Carver State of Minnesota on the 3^d day of January A.D. 1883

Service .25
 Copy .10
 Mile .10

Frederick Foster
 Constable - Carver
 Carver County.

In Justice Court
 Before
 J. Warner Day
 Justice of Peace

A

Filed March 18th A.D. 1883
 G. W. Ayers, Clerk

Ferdinand & Stracker

- vs -

Stracker

Summons

Filed June 14th 1883

1883
 J. Warner Day

Justice

Filed January 16th 1883

J. S. DeGroot
 Justice of the Peace

State of Minnesota
County of Carver } ss.

The State of Minnesota to

To the Sheriff or
any constable of said County:

You are hereby commanded to summon
Herman Straker if he shall be found in your
County, to be and appear before the undersigned one
of the justices of the peace in and for the said
County on the Eleventh day of January A.D. 1873
at ten o'clock in the fore noon at my office in the
Town of Carver in said County to answer to William
Schmidt and Frederick Richter Plaintiffs vs "Schmidt
and Richter" in a civil action, and have you
then and there this writ.

Given under my hand this second day of January
A.D. 1873

Frederick Warner
Justice of the Peace

State of Minnesota
County of Carver

Schmidt, vs Richter

B vs

Ferdinand Struck

Filed Jan'y 15th 1893

J. S. Sanford Justice of
the peace

Complaint,

filed Jan'y 11th
1893 -

Frank Warner

Justice

Filed March 18th A.D. 1893,
Guthrie & Co. Clerk.

John W. Cunningham
Plff's Att'y.

sum of Fifty five ^{and 20/100} Dollars (\$55²⁰) and interest
thereon since the 4th day of October 1871 besides
the cost of this action.

Joseph Weinmann
Plaintiff, &c.

State of Minnesota }
County of Carver } ss

Joseph Weinmann, being first
duly sworn, says that he is the Attorney for the
Plaintiffs in the foregoing action, that the fore-
going Complaint is true as he verily believes.
That the reason this verification is made by the
attorney and not by the plaintiffs, is because
said plaintiffs are not present.
Sworn to and subscribed before me, J. Weinmann
me, this 11th day of January 1873.

Frank Warner
Justice of the Peace

In Justice's Court
Before Frank Warner, Esq.
Justice of the Peace

C

Plaintiff et al

- vs -

Stracker

Affidavit

Filed for
18th 1873

Frank Warner

Justice of the Peace

Filed March 18th A.D. 1873,
Goshayenbuhl, Ill.

Stracker

Def's Atty.

Filed January 18th 1873
J. V. DeFord, Secy of the Peace

State of Minnesota } ss
County of Carver }

In the Justice's Court
William Schmidt and
Frederick Richter doing
business under the firm name
of "Schmidt and Richter"
against. Plaintiff
Ferdinand Stracker
Defendant

Before
Frank Warner Esq.
Justice of the Peace.

Ferdinand Stracker being first duly sworn doth depose
and say as follows.

That he is the Defendant in the above entitled action

That he has reason to believe that the above
mentioned Justice of the Peace Frank Warner Esq. before
whom the trial of this cause is set for Saturday the
18th day of January A.D. 1870 at ten o'clock in the
forenoon cannot by reason of bias and prejudice
on the part of the said Justice decide impartially
and fairly between the parties to this action.

Therefore the said Defendant prays that the
said cause be removed from before the aforesaid
Justice of the Peace.

Dated Carver January 18th A.D. 1873

Subscribed before me this

18th day of January A.D. 1873

Frank Warner
Justice of the Peace

J. Warner

State of Minnesota
County of Leasno

Schmidt and Richter
vs

Ferdinand Struck

Answer

F. amended

Filed May 18th
1873

Forrest E. Mason

Attorney at Law

Filed January
18th 1873. S. S. Leifson
Justice of the Peace

S. Fowler
att'y for def^t

Filed March 18th AD 1873.
Guthray & Co.
debt.

State of Minnesota }
County of Carver } ss

In the Justice's Court
Before Frank Warner Esq
Justice of the Peace

William Schmidt and
Frederick Richter doing
business under the firm name
of Schmidt and Richter
- against. Plaintiffs
Lerdinand Stracker
Defendant

Amended Answer

The Defendant for answer to the ^{amended} complaint of
the Plaintiff in this cause says that he denies each
and every allegation contained in the said
complaint of the Plaintiff and prays that this
action may be dismissed with his costs incurred
therein

Howler
Defts Atty.

State of Minnesota }
County of Carver } ss

Lerdinand Stracker being
first duly sworn says that he
is the Defendant in the foregoing answer. That
the above answer is true of his own knowledge.
Sworn before me this 17th
day of January A.D. 1893
Frank Warner
Justice of the Peace

J. Stover Jr

In the Justice's Court

Before

Frank Warner,
Justice of the Peace

D

John Warner, 1858 & 1873,
Chapman, et al.

Schmidt et al

vs

Trucker

Answers

Filed January 18th 1873
J. P. Leiford, Justice of
the Peace

Filed June
11th 1873

Frank Warner
Justice of the Peace

Notary
City of Dept

State of Minnesota }
County of Carver } ss.

In the Justice Court
Before Frank Warner Jcy
Justice of the Peace

William Schmitt and Frederick Richter
doing business under the firm name of
Schmitt and Richter at St. Paul Minn
against - Plaintiffs
Ferdinand Stracker

Answer

Defendant

The Defendant for answer to the Complaint of
the Plaintiff in this cause says that he
denies each and every allegation contained in
the said complaint of the Plaintiff.

Now
Defendant

State of Minnesota }
County of Carver } ss.

Ferdinand Stracker being first duly
sworn says that he is the Defendant in the foregoing
answer. That the above answer is true of his
own knowledge.

Sworn before me this 11th day of
January A. D. 1873

J. Warner

Frank Warner
Justice of the Peace

Frank Warner Esq
Justice of the Peace

E

Schmidt et al

Stricker

Removes

Overrall and
filed June 11th
1873-

Frank Warren
Justice

Power
Rights Atty

Filed January 18th 1873
D. Webster & Co. of New York

State of Minnesota
County of Carver

James J. J.
J. of the Peace

William Schmidt and
doing business under the
Schmidt and Richter at St. Paul Minn
against
Ferdinand Stracher

Plaintiffs

Defendant

The Defendant Ferdinand Stracher by Stowler his attorney
objects to the complaint of the Plaintiff in this cause
for the following reason.

That the said complaint does not state any
cause of action.

Stowler

Defendant's Atty.

State of Minnesota }
County of Carver }

ss.

In Justice's Court

Before Frank Warner Esq
Justice of the Peace

William Schmidt and Frederick Richter
doing business under the firm name of
Schmidt and Richter at St. Paul Minn

against

Plaintiffs

Ferdinand Stracher

Defendant

The Defendant Ferdinand Stracher by Fowler his attorney
objects to the complaint of the Plaintiff in this cause
for the following reason.

That the said complaint does not state any
cause of action.

Fowler

Defendant's Atty.

State of Minnesota
County of Carver

William Schmidt & Co
Ferdinand Richter
doing business under
firm name of
Schmidt & Co Richter

vs
Ferdinand Stracka

1873

Jan 2nd Summons issued and placed
in hands of Fred Fortin
Constable, made returnable
the 11th day of January 1873
at 10.0'clock in the forenoon

" 11th at 10.0'clock in the forenoon
parties appeared the plaintiff
filed his Complaint and
the defendant filed his
demurrer which upon being
submitted was overruled
and the defendant, excepted.
The defendant then filed
his answer, by the consent
of the parties the court
was then adjourned
until the 18th day of January

1873 at 10 o'clock in the forenoon

" 18th at 10 o'clock in the forenoon the parties appeared, the plaintiff asked leave, and leave was granted to file an amended Complaint - was filed. The defendant then filed an amended Answer - def^t offered affidavit for a continuance and thereupon moved that this cause be postponed, the Court refused to grant such continuance the def^t excepted, the def^t offered affidavit for transfer of venue action which motion was denied on the ground of the insufficiency of affidavit of the defendant, Excepted, The defendant then offered affidavit for the transfer of venue action which was filed

Stete & Minnert
County & Baron

Schmidt & Reichtlin

rs

Fred. Stäcker

Manuscript

G

Filed January 18th
1843.

J. S. Lefora
Author of the poem

Filed March 18th 1843.
Guthrie & Co. Clerk.

and allowance, the
plaintiff, excepts.

Therefore
the Court hereby orders
and adjudge that said
cause be transferred to
J. S. Lefore Justice of the
Peace.

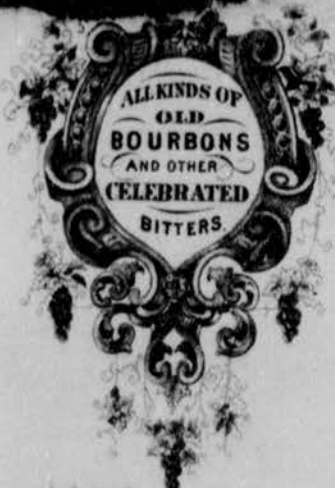
Costs of Justice
\$2.00 Paid -

Frank Mearns
Justice of the Peace

State of Minnesota
County of Carver

I hereby certify
that the foregoing is
a true transcript of
my Docket this 18th
day of January A.D. 1893

Frank Mearns
Justice of the Peace



St. Paul. January 2nd 1873
 Mr Ferdinand Straube Carver

Bought of **Schmidt & Richter**
 IMPORTERS & WHOLESALE DEALERS IN
WINE & LIQUORS.

(No. 17 Sibley St.)

| | | | | | | | | |
|------|---------------|---------|-----------------|-----------------------|-----------------|-----|----|--|
| 1870 | March 2 | One Key | 1 ³⁰ | 10 Gall Bourbon | 1 ⁷⁵ | 18 | 80 | |
| | April 31 | " " | 1 ³⁰ | 10 " " | 1 ⁷⁵ | 18 | 80 | |
| | January 23/71 | " " | 1 ⁵⁰ | 14 " Brandy | 2 ²⁵ | 33 | 00 | |
| | April 25 | " Brl | | 43 " Whisky | 1 ⁰⁰ | 43 | 00 | |
| | May 31 | " Key | 1 ⁷⁵ | 12 " Brandy | 2 ⁵⁰ | 31 | 75 | |
| | " " | " Brl | | 44 1/2 " Brandy | 2 ⁵⁰ | 103 | 75 | |
| | July 10 | " Jug | 20 | 1/2 " Houghton Whisky | 3 ⁰⁰ | 1 | 70 | |
| | " 10 | " " | 20 | 1/2 " Peppermint | | 1 | 70 | |
| | | Two Key | | Having | | 4 | 00 | |

\$256 50

Aug 6/70 By Cash
 Nov 15/70 " "
 Febr 10/71 " "
 June 2/71 " "
 Oct 4 " "

\$18 80
 100 00
 20 00
 25 00
 20 00
 \$183 80

183 80

Balance overdue

\$74 70

State of Minnesota
County of Brown

In Justice Court before
Frank Warner Esq
Justice of the Peace

William Schmidt & Friedrich Richter
doing business under the firm name
of Schmidt and Richter & Co
Plaintiffs
against
Ferdinand Strack Defendant

Complaint

The undersigned

Complainant of the above Plaintiff respectfully
states and shows to this Court that the said
defendant is indebted to these Plaintiff in
the sum of seventy two dollars and seventy
cents \$72.⁷⁰ ^{as a balance} for the goods more and merchan-
dise sold and delivered by the Plaintiff unto
the said defendant at divers times between
2nd day of March A.D 1870, and the 11th day
of July A.D 1871, and at the special instance
and request of said defendant all of which
were furnished and delivered at the days and
times, and in and about the matters and
things, and at the agreed prices, as appears
by a bill of Particulars hereunto annexed
marked 34 & recd which is hereby made
a part of this Complaint and to which
special reference is hereby had. amounting
to \$256.⁵⁰ ^{per} That the said defendant has

not paid the same or any part thereof save &
or: 1st The sum of \$18.⁰⁰/₁₀₀ on the 6th day of
August 1870, and the sum of One hundred
dollars on the 15th day of November 1871,
and the sum of Twenty dollars (20.⁰⁰/₁₀₀) on
the 10th day of February 1872, and the sum
of \$25.⁰⁰/₁₀₀ on the 21st day of June 1872
and the sum of \$20.⁰⁰/₁₀₀ on the 4th day of
October 1872, leaving due and owing
from said defendant unto said Plaintiff
the sum of \$72.⁷⁰/₁₀₀; that although often
requested so to do the said defendant has
neglected and refused and still neglects
and refuses to pay the same or any part
of it.

Wherefore the said Plaintiff demand
Judgment against said defendant for
the sum of \$72.⁷⁰/₁₀₀ and interest thereon
since the 4th day of October A.D. 1872, being
the costs of this action.

Joseph Hecimann
Plaintiff
Att.

State of Minnesota }
County of Cass }

Friedrich Richter
being first duly sworn says that he is
of of Plaintiff in the foregoing entitled
action, that he has read the foregoing

In the Justice's Court
Before
Frank Warner Esq.

I

Schmidt et al.

v.

Stracker

Affidavit

filed June
18th 1873

Green Edwards

Justice of the Peace

filed March 18th AD 1873,
Goshuaymuckl

Crowder

Deft's Atty

Filed January 18th 1873
D. S. Sanford, Justice of the Peace

In the Justice's Court
William Schmidt and
Friedrich Richter doing
business under the firm
name of Schmidt and Richter

—against— Plaintiffs
Ferdinand Stracker

Defendant

Ferdinand Stracker being
first duly sworn doth depose and say as follows
That he is the Defendant in the above entitled
action.

That in order to proceed with his defence in this
cause it is necessary that he should be able to refer
to accounts and receipts of the Plaintiffs delivered
by the Plaintiffs to the Defendant.

That notwithstanding due diligence has been
used by the Defendant in searching for the said
accounts and receipts he has not yet been able
to find all of the said accounts and receipts
but he believes that with further time he will
be enabled to find the same.

Sworn before me this 18th
day of January A.D. 1873

Ernest Warner

Justice of the Peace

I' Veron

State of Minnesota
County of Le Sueur

Schmidt & Reichen
vs

Lord & Strachan

Answered
Complaint

Filed Jan'y 18th
1873

Forrest W. Morris
Justice

Filed January 18th 1873
J. L. Leiford Clerk of
the Peace

For Wm Morris
att'y for Plaintiff

Filed March 18th A.D. 1873.
Gebrayentuhl
Clerk

Complained - that the same is true of his
own knowledge except as to matters
therein ~~not~~ stated as his information
or belief and as to those matters
he believes it to be true.

Wm. D. Rice

Fred. Richter

Subscribed before
me this 18th day
January A.D. 1873

Frederick W. W. W.
Justice of the Peace

In Justice Court,

Leam

County.

Schmitt & Schen

against

H. Struck

AFFIDAVIT ON APPEAL.

Filed on the *24th* day of

January

A. D. 1873

J. S. Luford,

Justice of the Peace.

D. Ramaley, Printer.

Filed, March 18th A.D. 1873.
Gettrayentuhl
Clerk,

STATE OF MINNESOTA,

County of Leum

IN JUSTICE COURT,

Before

J. S. Seeford

Justice of the Peace.

William Schmidt & Frederick Richter
plaintiffs as Schmidt & Richter
- vs -
Frederick Stricker

STATE OF MINNESOTA,

County of Leum

Frederick Stricker

came personally before me, and being duly sworn, he

doth depose and say, that he is

said defendant

in the above entitled cause; that said

defendant

appeals to the Dist

Court

in and for said county, from the judgment

rendered by said Justice of the Peace, in this cause, on the

18th

day of January

A. D. 1873 in favor of said plaintiffs therein; and that the said appeal is made in good faith, and not for the purpose of delay, and further saith not.

Subscribed and Sworn to before me,

On this 24 day of January A. D. 1873

J. S. Seeford Justice
of the peace

J. S. Seeford

In Justice Court,

Leavenworth - County

Schmidt & Wichter

against

Henderson Strocker

Notice of Grounds of Appeal.

Filed January 24th
A.D. 1873 *J. R. Seiford* *Judge*
of the Peace

Due service of the within notice is hereby
admitted at *Leavenworth*

Minnesota, on this *24th* day of

January A.D. 187 *3*

Printed and for sale by D. Ramaley.

filed March 18th A.D. 1873
W. H. Hagenbuch *clerk*

State of Minnesota.

IN JUSTICE COURT.

County of LeumBefore J. S. Lelford

Justice of the Peace.

William Schmidt & Ferdinand Richter
Schmidt & RichterFerdinand Straker

Sir: Please to take notice, That the above named defendant appeals to the
District Court _____ in and for said County, from the judgment
 rendered by said Justice of the Peace, in the above entitled action, on the 18th day of
January A.D. 1873, against said Ferdinand Straker
 therein; and that the said appeal is taken upon questions of both law & fact.

Dated January 24 1873

Yours Respectfully,

Boche WelchAtt'y for def.

To the above named

and

Att'y for said

January 29 1873, Render Judgment
in favor of the plaintiff Schmiedt
and Richter, and against the
defendant Ferdinand Strache, for
the sum of \$72.70 and for interest
from the 4th day of October 1872.
at 7 per cent amounting to the sum
of \$1.50, besides the cost in this action
amounting to the sum of \$3.75

Recapitulation

| | |
|---------------------------|-----------|
| Judgment | \$ 72.70 |
| Interest | " 1.50 |
| Justice Warner fees | 2.00 paid |
| Constable fees | " 50 |
| Justice fees J. S. Lefora | 1.25 |
| Appraisal & return | 2.00 paid |
| Total | \$ 79.95 |

J. S. Lefora
Justice of the peace }

1873
Jan 24th. Notice of Appeal given. Affidavit
in Appeal made and filed
Undertaking given Appraised and
filed Appeal allowed and the sum
of two dollars paid by the defendant
for cost of appeal and making
return to the District Court. Proof of
Service filed. } J. S. Lefora Justice of the peace

State of Minnesota }
County of Cass }
In Justice Court
before S. S. Lefor
Justice of the Peace
William Schmudd,
Dorland^{and} Richter

Under the firm name of }
Schmudd & Richter }
vs }
Dorland Stracha, }

1873 Transcript of Doctd of
Frank Warner Esq. a Justice of the
peace for said County at Cass in said
County was this 18th day of January
AD 1873, transferred to me the undersigned
Justice of the peace, together with all
the papers had in the case before said
Justice, and marked respectively from
A to I inclusive.

Jan'y 18th. Case called parties appeared
in person and by Counsel, Defendant
moved for an adjournment. Motion
denied for insufficiency of cause.
Excepted to, The plaintiff Dorland
Richter being sworn testified as to
matters contained in the Complaint
as amended, Plaintiff rested his
case. Defendant offered no testimony
and the case being submitted to this
Court, I hereby this 18th day of

Schmitt. & Richlin
vs
Ferdinand Shachin

Transcript of
Justice Docket

Filed March 18th A.D. 1873,
Gethrayentuhl Clerk

152.

Shirley & Richlin
Herdman & Spock.

I hereby Certify and
Return that the above is a true
transcript of my Docket in the
above entitled action and that
I herewith transmit to the District
Court herewith all the papers
had before me in said action

J. S. Lesford
Justice of the peace,

In justice I cannot

Schmitt Hecht

- or -

L. Ströcker

Undertaking

I hereby approve the
within undertaking
and the trustees therein
named.

H. S. Seiford
Justice of the Peace

Filed March 18th AD 1873,
84 Weymouth, Mass.

Filed January 24th
AD 1873.

H. S. Seiford
Justice of the Peace
187

Mr Ferdinand Stricker and H. R.
Denny do hereby acknowledge ourselves
to owe and be indebted to William
Schmidt. Ferdinand Richter partner of Schmidt
& Richter of the city of Saint Paul Minn
in the sum of One hundred dollars lawful
money of the United States the value of
our goods chattels lands and tenements
upon the following conditions to-wit:

Whereas jury met upon the 18th day
of January 1873, summoned by J. S. Litchford
Esq a Justice of the Peace in and for
said County in favor of said Plaintiff
and against said Defendant, and whereas
said Defendant has appealed to the next
Court of Sessions then and there to be held
Now therefore if the said Defendant shall
prosecute his said appeal with effect
and abide the order of the Court then
then this obligation shall be void otherwise of
force.

Dated January 24th

1873.

J. Stricker
H. R. Denny

Judgment in Justice Court \$44.20
Interest from Jan'y 1873 " 1.85

\$46.05

Costs in Justice Court \$1.95
Deeds for " 5.15 " 6.90

Total \$82.95

Date, June 2nd 1873.

By the Court,

Geo. W. Wainwright
Clerk

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

William Schmidt and
Frederick Richter,
Partners as
Schmidt and Richter
against
Ferdinand Strache.

Judgment.

This action came on
for trial at a Regular Term of the District Court for
said County, held at Chaska, on the 8th day of
April, A.D. 1873. and on motion of defendants
attorneys said action was dismissed.

Wherefore, upon motion of Jas.
Weinmann attorney for the Plaintiffs, it is hereby
adjudged and determined and the judgment of this
Court is that said Plaintiffs do recover of said defendant
the sum of twenty four dollars and twenty cents, as
per judgment in Justice Court, with one dollar and
eighty five cents, interest, together with the sum of six
dollars and ninety cents, costs in both Courts, the
whole amounting to the sum of eighty two dollars
and ninety five cents, and that said Plaintiffs have
their lawful process therefor.

State of Minnesota
District Court
County of Carver,

William Schmidt and
Frederick Richter
Plaintiffs as
Schmidt and Richter
Against
Ferdinand Strache,

Judgment Roll,

| | |
|----------|----------|
| Judgment | \$ 76.05 |
| Costs | " 6.90 |
| Total | \$ 82.95 |

Filed June 2nd AD 1873,
Gehrayenbühl
Clerk.

Jos. Weinmann Attorney for
Plaintiffs, Carver, Minn.

No. 750

DISTRICT COURT,
CARVER COUNTY, MINN.

William Schmidt
Plaintiff.

vs.
Ferdinand Strache
Defendant.

Jas. Heinemann
Plaintiff's Attorney,
J. J. [unclear]
Defendant's Attorney.

Date of Entry Mar 18 1873
Court Cont. A Page 152
Register of Actions
Term Tried 1
Judgment for
Amount of Judgment \$82.95
Date of Judgment June 2nd 1873
Judgment Book Page 308
Default Judgment Book Page
Date of Docketing 1

No. 751

DISTRICT COURT,
CARVER COUNTY, MINN.

Constantine Laugherty
Plaintiff.

vs.

Frederick Hecklin
Defendant.

Warner & Fowler
Plaintiff's Attorney.

J. L. McDonald
Defendant's Attorney.

Date of Entry June 2nd 1873

Register of Actions "A" Page 176

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,
County of *Carr*

District COURT.
Eighth Judicial District

Constantine Dougherty

Against

Fredrick Hecklin

Affidavit of Disbursements.

~~Supplement~~

~~Costs and Disbursements.~~

Statute Costs,

Am Affidavits,

Sheriff's Fees,

Clerk's Fees to be added,

\$ *6.00*
80

Amount claimed in Summons.

Principal,

Interest,

State of Minnesota.

County of *Carr*

ss.

L L Baxter

being first duly sworn, doth depose and say, that he is *one of* the Attorney, of said ~~Plaintiff~~ *Defendant* in the above entitled cause; that the above bill and items of Costs and Disbursements therein are just and correct, and have been or will be necessarily incurred therein.

Subscribed and Sworn to before me,

On this *24th* day of *July* A. D. 187*4*

L L Baxter

Clerk Des Moines
Carr Co

State of Minnesota
County of Carr ss - L L Baxter being duly sworn on a oath says that he is
the Attorney for the Plaintiff defendant in the above entitled action and on the
day of July 1874 he served the writ in notice of temporary of cost and disbursement
upon the Plaintiff named Plaintiff Attorney General Warren, by depositing the same in
the post office in Des Moines Iowa County of Des Moines, properly addressed
in an envelope addressed to the Plaintiff said action at Carr in Iowa

County of Carver the undersigned of said plaintiff's attorney, having first paid the full legal postage thereon - come that this is a regular daily mail postman being clear in said Carver before this 2nd day of July 1874

STATE OF MINNESOTA, }
County of Carver } Dist Court Eighth Dist

Constantine Dargherty

against

Frederick Klein

Affidavit of No Answer.

STATE OF MINNESOTA,

County of

ss.

being first duly sworn, doth depose and say, that he is the Attorney for the Plaintiff in the above entitled action; that the summons in said action was personally served upon the defendant therein as appears by the return thereon; that more than twenty days have elapsed since the service of said Summons, and that no answer or demurrer, or copy of either, has been received by the Plaintiff's Attorney in this cause, and prays judgment according to law.

Subscribed and Sworn to before me,

On this day of A. D. 1874

Notary Public, Minn.

En - You will please to take notice that the within bill of cost, will be taxed and adjusted in the within entitled action by and before J. Maymankle Clerk of the within entitled court at his office in Chaska in the County of Carver Minnesota on the 1st day of July 1874 at ten o'clock in the forenoon of that day and payment for such costs entered against said plaintiff to Frank Murns Refs Atty

Dated July 2nd 1874

Done by a Pick

Dist Court of the

CARVER COUNTY.

Constantine Dargherty

AGAINST

Frederick Klein

Affidavit of No Answer, &c.

Filed July 2nd 1874
J. Maymankle
Clerk

Done by a Pick

Attorney for Plaintiff

Hamaley & Cunningham, Printers and Stationers.

State of Minnesota,
County of Carver } ss.

Constantine Dougherty came
before me personally, and being duly sworn, doth say that he is
Constantine Dougherty the Plaintiff
in the above entitled action: that the foregoing Complaint
is true of his own knowledge, except as to those matters therein stated on
his information and belief, and as to those matters, that he believes
it to be true.

Subscribed and Sworn to before me,
On this 26th day of May } Constantine Dougherty
A. D. 1873 } Frank Warner

documentary

Wherefore said Plaintiff demand judgment against said Defendant for the immediate return and possession of the property above described, or the sum of four hundred Dollars, the value thereof, in case a delivery thereof cannot be had, and one hundred Dollars, damages for the detention thereof, besides the costs and disbursements of this action.

Dated Carver May 26th AD 1873

Warner & Fowler

Plaintiff's Attorney

Carver Minn

Carver County.

District Court.

Constance Dougherty

vs.

Frederick Becklin

Complaint in Replevin.

Filed June 10th AD 1873
Shelby county court Minn.

Warner & Fowler

Plaintiff Attorney

ST. PAUL PRESS PRINT.

176-

State of Minnesota,

County of Carver

District Court.
9th Judicial District

Instantine Dougherty

Fredrick Hecklin

AGAINST

COMPLAINT.

The complaint of the Plaintiff in this action shows to this Court, and states:

That said Plaintiff is the owner and entitled to the immediate possession of that certain personal property which is described as follows, that is to say:

Three hundred and fifty bushels of Spring wheat
and thirty one bushels of barley

That the same, all and singular, and the possession thereof, are wrongfully and unlawfully detained from said Plaintiff by said Defendant at the County of Carver in the State aforesaid. That said Plaintiff has demanded and caused to be demanded of said Defendant the delivery and possession thereof before the commencement of this action; but said Defendant has refused and still refuses and neglects to deliver the same, or any part of the same to the Plaintiff And that the same is worth, and of the actual value of Four hundred - - - - - dollars.

State of Minnesota }
County of ~~Cass~~ }
Constantine Dougherty }

District Court
8th Judicial District

vs.
Frederick Hecklin }

Know all men that I Frederick Hecklin as principal and E. Holmes & Wm. A. Griffin as surety are held and firmly bound unto Constantine Dougherty plaintiff the above entitled action, in the sum of eight hundred dollars, lawful money of the United States, to be paid unto the said Constantine Dougherty his heirs, executors, administrators or assigns, for which payment well and truly to be made, we jointly and severally bind ourselves our heirs and administrators firmly by these presents.

Sealed with our seals and dated this 27th day of May A.D. 1873 -

The condition of this obligation is such that whereas a writ of replevin has been issued in this action and certain personal property therein described and alleged to be of the value of four hundred dollars seized by virtue of said writ and said defendant desires a return of such property to him according to the statute in such case provided.

Now therefore if said property shall be delivered to said plaintiff, if a delivery is adjudged, and said plaintiff pay such sum as for any cause may be recovered against the defendant.

then this obligation shall be void otherwise of force.

In testimony whereof we have hereunto set our hands and seals on this 27th day of May A.D. 1873.

Signed, sealed and delivered in presence of
J. L. Macdonald
J. L. Macdonald
J. L. Macdonald

J. H. Acklin
E. Holmes
Wm. A. Griffin

State of Minnesota }
County of ~~Carter~~

Be it known that on this 27th day of May A.D. 1873 personally came before me Fred. X. Hecklin and E. Holmes & Wm. A. Griffin and to me well known to be the same persons who executed the foregoing bond and they severally acknowledged the same to be their own free act and deed.

J. L. Macdonald
Notary Public
Carter Co. Minn

State of Minnesota }
County of Carter

E. Holmes and Wm. A. Griffin upon oath both say 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 amount of eight hundred dollars specified in the foregoing bond, above his debts liabilities and exclusive of his property which is exempt from execution.

Sworn & sworn to before me
this 27th day of May A.D. 1873
J. L. Macdonald

E. Holmes

State of Minnesota }
County of Carver }

I hereby certify that upon the service upon me
of the within bond the property therein mentioned was by me returned
to said defendant

Dated May 28th 1873

Magnus Walk
Coroner Carver & Minn

Dist. Court
County of Carver
Constance Boylston
vs

Frederick Hecklein

Bond of Deft in Replevin

The Deft. herein hereby
requires an immediate return
of the property seized on the
writ issued in this action

Dated May 27th 1873

To Magnus Walk

Coroner of Carver Co.
Minnesota

(Filed June 24th 1873.
Attest my hand, clerk.

J. L. MacDonald

Defendant's Attorney

State of Minnesota
 County of Carson ss. L L Basten being duly sworn, on oath says that
 is one of the defendants attorneys in the within entitled action, that on
 the 14th day of March A.D. 1874 he received a copy of the within notice of trial on
 from the Warm Attorney for the within named plaintiff, by depositing the same
 in the Post Office at Chaska in said county the place of residence
 of the defendants attorneys, inclosed in an affidavit envelope addressed
 to the said Frank Warm at Carson in said county, his place of residence
 that at the time of receiving said paper he paid the full legal
 postage thereon - And that there is a regular mail communication
 between said Chaska and Carson
 Such evidence was shown to before me
 this 30th day of March 84 by
 G. Wraymull, Clerk District Court,
 Minnesota.

L L Basten

STATE OF MINNESOTA,
 County of Carson }

District Court,

Judicial District.

C. Sengler

AGAINST

F. Erickson

NOTICE OF TRIAL.

Due service of the within notice is hereby ad-
 mitted this _____ day of _____

A. D. 187

Attorney for

Wraymull

Attorney for

Wraymull

Filed this

March 30, A. D. 1874,

G. Wraymull

Clerk

Printed and for sale at the St. Paul Pioneer office.

-176-

STATE OF MINNESOTA,

DISTRICT COURT,

County of

Carm

ss.

Elyette

Judicial District.

Constantine Sampson

AGAINST

Frederick Hicklin

Notice for Trial.

Sir: You will Please take Notice, That the issue of fact
the above entitled action, will be brought on for Trial
at the next General Term of this Court, to be held
for said county, at the Court House, in the Village
of Clarks in said County, on the Sixth day of
April A. D. 1874 at the opening of said Court on that day, or as soon
thereafter as Counsel can be heard.

Dated, March 14th 1874

Yours Respectfully,

Bayless Dick

Attorney for Defendant

To Anna Warner

Attorney for Plaintiff

Dist Court Com C. 8th Dist
Minnesota,

Contains Overyhty

Agst

Francis T. Chlin

The defendant ^{in this action} for answer
to the Complaint of the Plaintiff
therein denies that he is the owner or
entitled to the possession of the personal
property described in said Complaint
or any part thereof as therein alleged

And further answering the defendant
alleges that he the said defendant
is now and for more than one year
last past has been Sheriff of the County
of Carver in the State of Minnesota

That on the 26th day of May 1893, the
said personal property in the said
Complaint described was owned by and
was the personal property of John Brown
of Carver in said County of Carver and
was then stored in a warehouse of
Conch Holmes at Carver aforesaid

That on the day and year aforesaid
at Carver aforesaid, and while the said
John Brown, was as aforesaid the
owner of said personal property
to wit: ~~that he~~

the said defendant as Sheriff

of on said and under and by virtue
of a writ of attachment, ^{they} ^{are} in
his hands and ~~them~~ ^{are} ~~directed~~ ^{issued}
out of and under the seal of the District
Court of in and for the said County
of Beaver in an action then pending in
said Court wherein Lucien B. Martin
was Plaintiff and John Dunn of on said
was defendant, did in obedience to
said writ take into his possession
seize and attach as the property of the said
John Dunn, the said personal property and
all of it, and did by virtue of the said
writ of attachment hold possession
of the ~~same~~ until taken from him
under the proceedings in this action,
and the defendant says that he is ent-
itled to the immediate possession of
said personal property as sheriff of on said
under the attachment aforesaid,
Wherefore the defendant demands
judgment against the said Plaintiff
for the return of the said property to him
or if a return thereof can not be had
then for the sum of three hundred and
sixty nine dollars, damages, the value
of said personal property and ^{the costs} for
in this action.

Robert P. Smith

Att'y for Def't

STATE OF MINNESOTA, }

County of *Cass* }

DISTRICT COURT.

Eight Judicial District.

Constantine Dougherty

AGAINST

Fred Becklin

Verdun
~~Oath of Verification by Party.~~

Filed, April 14-AM 1874.
W. G. Wray
Clk

Becklin
Becklin Attorney &

Printed and for sale at the St. Paul Pioneer Office.

-176-

State of Minnesota, }
 County of Carm } ss.

And Hecklin

being duly sworn, doth depose and say, that he is Appellant
 in the action in the foregoing Mason entitled, and
 that the said Mason is true of his own knowledge, except
 as to the matters which are therein stated on his information and belief,
 and as to those matters, that he believes it to be true.

Subscribed and Sworn to before me,
 this 28th day of May A.D. 1873

J. Hecklin

177. Park,
Metrop. Public
Library Co Minn

DISTRICT COURT,

8th Judicial District.

County of *Cecum*

Constantine Duguid
vs

Frederick Becklin

SUMMONS.

Filed June 30, 1893
Edw. J. W. W. W. W. W.

Harmon C. Fowler
Plaintiff Attorney.

C. W. W. W. W.
Printed and for sale at the St. Paul Press Office.

DISTRICT COURT.

State of Minnesota.

8th Judicial District.

County of

Carver

Constantine Daugherty
vs.

Frederick Hecklin

SUMMONS.

The State of Minnesota, TO THE ABOVE NAMED DEFENDANT:

You *Frederick Hecklin* are hereby summoned and required to answer the Complaint in this action *which is filed in the office of the Clerk of the District Court at Carver in said County* and to serve a copy of your Answer to the said Complaint on the subscribers, at *their* office in *Carver in said County* within twenty days after the 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 the Complaint.*

Dated

May 27th

A. D. 1873

Warner and Fowler
Plaintiff Attorney, *Carver Minn.*

State of Minnesota County of Carver } p

I the undersigned, Exoner in and for said County of Carver, do hereby certify and return that I have taken the property described in the annexed affidavit in Replevin in a bedchamber to the order endorsed thereon, and that I have served the annexed Summons, Bond in Replevin, Affidavit in Replevin, Affidavit of Ownership and Warrant of Sequestration on the within named deft.

For
Serving Summons \$1.00
Notage 20
necessary expenses
to secure copy
Keep the property 2.00
Serving Affidavit 50
Serving Affidavit in Replevin 50
Bond in Replevin 50

Frederick Hecklin on the 27th day of May A.D. 1873, in the Town of Carver in said County by reading and explaining the same to him and by then and there selecting to him and leaving in his hands a true and correct copy thereof and of each of them.

Done under my hand this 28th day of May 1873
\$4.70

Wm. W. Walker
Carver - Carver County

Re
For Return

Applicant of
Conclusive Copy

Done May 26th A.D. 1873

W. W. Walker

John, June 26th 1873
Wm. W. Walker

Wm. W. Walker

To F. Becking
Sheriff Carver County
Minn
Distn

State of Minnesota }
County of Carver }

Constantine Daugherty being first duly
sworn deposes and says:

That he is the owner of and entitled to the possession
of Three hundred and fifty bushels of spring
wheat of the value of Three hundred and eighty
and also of thirty one bushels of barley of the value of fifteen dollars
five dollars, now stored in the warehouse of John
Dunn of the Town of Carver in the County of
Carver, and taken by ^{to Hicken Sherry} ~~him~~ by virtue of a writ of replevin at the suit
of one Patrick Kelly.

That this deponent raised the said wheat and
barley and deposited the same in the said warehouse for
the purpose of being kept safely, and took
receipt from the said John Dunn for the safe
keeping of the same.

That this deponent has never sold the
said wheat, ^{and barley} or any part thereof.

Subscribed and sworn to

Before me this 26th day of
May A.D. 1873

Constantine Daugherty

F. Rank Warner
Justice of the Peace

State of Minnesota }
County of Carver }

See
Serving Summons \$1.00
Mileage 40
necessary expenses
to secure and safely keep
the property
Serving Affidavit
in Replevin
Serving Bond in
Replevin

I, the undersigned, Clerk in and for said County of Carver,
do hereby certify and return that I have taken the property des-
cribed in the annexed affidavit in Replevin in her
dinner to the order endorsed thereon and that I have
received the annexed Summons and Bond in Replevin,
affidavit in Replevin, affidavit of ownership and right
of Replevin, on the within named deft; Frederick
... of Carver in said County by reading the
same to him and by then and there
delivering to him and leaving in his
hands a true and correct Copy thereof
and of each of them, and that upon
the giving of Counter Bonds the property
has returned to the defendant.

Given under my hand this 28th day of May 1873
Wm. W. Walk
Clerk in and for County of Carver

District Court,

County of Carver

Christianine Stephens

AGAINST

Frederick Heeklin

Affidavit in Replevin.

To Wm. W. Walk
Clerk in and for County of Carver

Sir: You are hereby required to issue a writ directed to the Sheriff, commanding him to take the property described in the within affidavit, from the within named Defendant, and the same safely keep until disposed of according to law.

Dated May 26th A. D. 1873

Yours &c.,

Warner & Fowler

Plaintiff's Attorneys

To the Clerk of the District Court of the

County of Carver Minnesota.

Warner & Fowler

Plaintiff's Attorneys

Wm. W. Walk
Clerk in and for County of Carver

State of Minnesota,
County of Carver

District Court

8th District.

Constantine Dougherty

AGAINST

AFFIDAVIT IN REPLEVIN.

Fredrick Hecklin Sheriff of Carver County

State of Minnesota,
County of Carver

ss.

Constantine Dougherty came before me personally, and being first duly sworn doth say, that he is Constantine

Dougherty the said Plaintiff in the above entitled cause; that said Plaintiff is the owner, and lawfully entitled to the immediate possession of that certain personal property to recover possession of which this suit is brought, and which is described as follows, that is to say:

Three hundred and fifty bushels of Spring Wheat and thirty one bushels of barley

that the same is wrongfully detained from said Plaintiff by said Defendant at the County of Carver and State aforesaid; that the same has not been taken for a tax, assessment or fine, pursuant to a statute, or seized under an execution or attachment against the property of said Plaintiff

and that the actual value of the aforesaid property is Four hundred

and further saith not.

Dollars,

Subscribed and Sworn to before me,
On this 25th day of May A.D. 1893

Frank Warner

Justice of the Peace

Constantine Dougherty

State of Minnesota,
County of Carver

DISTRICT COURT,

8th Judicial District.

Constantine Dougherty

- Against -

Fredrick Hecklin Sheriff of the
County of Carver

Bond in Replevin.

Know all men by these presents, That we Constantine Dougherty
as principal and John A. Hilstrom as surety

are held and firmly bound unto Fredrick Hecklin Sheriff of
the County of Carver

defendant

in the above entitled action, in the sum of - Eight hundred - Dollars,
lawful money of the United States, to be paid unto the said

Fredrick Hecklin

heirs, executors, administrators or assigns, for which payment well and truly to be made,
we jointly and severally bind ourselves, our heirs, executors and administrators, firmly
by these presents.

Sealed with our seals and dated this

26th day of May

A. D. 1873

The condition of this obligation is such that WHEREAS, an affidavit has been duly
made in this action, that the said defendant wrongfully detains from said plaintiff
certain personal property therein described, of the value of Four
Hundred Dollars, and said plaintiff
claims the immediate delivery of such property to him, according to the statute in such case
provided.

NOW THEREFORE, if the said plaintiff shall prosecute said action with effect, and
return said property to said defendant if a return is adjudged, and shall pay to him such
sum as for any cause may be recovered against the plaintiff, then this obligation shall be
void, otherwise of force.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals, on this

26th day of May

A. D. 1873

Signed, Sealed and Delivered in presence of

Frank Warner
A. D. Anderson

Constantine Dougherty [SEAL.]

John A. Hilstrom [SEAL.]

[SEAL.]

State of Minnesota,
County of Carver

ss.

BE IT KNOWN, that on this

26th day of May

A. D.

1873 came before me personally

Constantine Dougherty
and John A. Hilstrom

No.

751

DISTRICT COURT,
CARVER COUNTY, MINN.

Constantine Dougherty
Plaintiff.

vs.

Frederick Hecklin
Defendant.

Warner + Fowler
Plaintiff's Attorney.

J. L. McDonald
Defendant's Attorney.

Date of Entry June 2nd 1873

Register of Actions "A" Page 176

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1