



[Minnesota.](#)
[District Court \(Carver County\).](#)
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No.

795

DISTRICT COURT,
CARVER COUNTY, MINN.

C. M. Taylor

Plaintiff.

vs.

W. H. Miller

Defendant.

Baxter & Beck

Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry Dec 30, 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
District Court 8th Dist
Carver County

C. W. Taylor }
vs }
W. H. Mills } 3

Sir - you will please
be taken notice that the above entitled
action has been this day dismissed
and discontinued by the plaintiff, and
an entry of which the following is hereby
made
has in the Clerk's register in said Court
in said action to wit -

"On motion of Baxter & Peck plaintiffs
attorneys ordered that the above entitled
action be and the same is hereby
dismissed and discontinued."

Dated Chaska Dec 30th 1878

Baxter & Peck

To S. F. Coulson

Plaintiffs Attorneys

Defendants Attorney

District Court
Carver County

C W Taylor
vs

W H Mills

Notice of Dismissal

Due service of the
within notice of dis-
missal of action is hereby
acknowledged this
30th day of Decem^r 1873

Howar

Defts Atty

Filed, December 30th 1873

Gotthardt
J. B. =

Dayton Pick
Plffs Atty

No.

795

DISTRICT COURT,
CARVER COUNTY, MINN.

C. M. Taylor

Plaintiff.

vs.

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Baxter & Beck

Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry Dec. 30, 1873

Register of Actions A Page 136

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

No. 796

DISTRICT COURT,
CARVER COUNTY, MINN.

Henry L. Chevre

Plaintiff.

vs.

John C. Brunius

Defendant.

John L. McDonald

Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry December 31, 1873
County Register of Actions A Page 145

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 Carver

DISTRICT COURT,

Eighth Judicial District.

Henry J. Chevre

- against -

John O. Brunius

SUMMONS.

The State of Minnesota,

TO THE ABOVE NAMED DEFENDANT:

You *John O. Brunius* 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 the City of 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 said complaint within the time aforesaid, the plaintiff will apply to the Court for the relief demanded in said Complaint.

Dated,

A. D. 1886

John L. MacDonald

Plaintiff's Attorney, *Shakopee City Minn.*

Fol 1

State of Minnesota
County of Carver }

District Court
8th District

Henry J. Chevre
- against
John O. Brinnius }

The above named

Plaintiff for complaint against said Defendant respectfully states and shews^{to} the Court:

I That he is, and for more than five years last past has been, a citizen of the United States and of said State, and a resident and elector and legal voter of the said County of Carver.

II That at the last general election held in said County, and which was on the 4th day of November A.D. 1873 this Plaintiff was a candidate for the office of County Surveyor of said County, and that said Defendant was at said election also a candidate for said office of County Surveyor.

III That a majority in the aggregate of the legal votes cast at said election in said County were cast in favor of and for this Plaintiff for the said office of County Surveyor of said County and that this Plaintiff received the highest number of

Fol 2

votes cast by the electors of said County,
at said election for any one person for
said office of County Surveyor as hereinafter
stated:

Fol 3 And that the Plaintiff was at said election
legally and fairly elected to said office of
County Surveyor of said County, and is
entitled to have and hold said office for
two years from the first day of January
A.D. 1874 and to receive the pay and
emoluments of said office for the said
two years.

IV That the entire number of votes cast at
said election for said office of County
Surveyor, in the several election districts
in said County were, and are as follows:

Fol 4 In the Township and election
district of Benton one hundred and
fifty three (153) votes for this Plaintiff, and
seventeen (17) votes for said Defendant
and one (1) vote for D. Bunnies, and
three (3) votes for Bunnies without any
Christian name;

In the Township and election
district of Camden five (5) votes for this
Plaintiff and two (2) votes for J. Bunnies,
fifty eight (58) votes for said Defendant,
and two (2) votes for H. J. Bunnies and

Fol 5-

thirty eight (38) votes for Brumius without any Christian name, and one vote for this Plaintiff And Brumius without any Christian name jointly - and which vote was therefore void;

In the Township and election district of Chaska one hundred and seventy three (173) votes for this Plaintiff, fifty seven (57) votes for said Defendant, two (2) votes for O. Brumius, seven (7) votes for Brumius without any Christian name and two (2) votes for Chevre without any Christian name;

(Fol 6)

In the Township and election District of Chamassan for this Plaintiff one hundred and twenty six (126) votes, for said Defendant thirty three (33) votes for H. J. Brumius one (1) vote, for O. Brumius two (2) votes, for Brumius without any Christian name two (2) votes, and one (1) vote for Chevre without any Christian name;

In the Township and election district of Carver seventeen (17) votes for this Plaintiff Ninety six (96) votes for said Defendant five (5) votes for J. Brumius, ten⁽¹⁰⁾ votes for Brumius without any Christian name;

Fol 7

In the Township and election district of Dahlgreen for this Plaintiff sixty three (63) votes, for said Defendant eighty four (84) votes, for J. Brumius five (5) votes, for H. J. Brumius four (4) votes, for O. Brumius six (6) votes, for Brumius without any Christian name twenty three (23) votes;

In the Township and election district of Hollywood for this Plaintiff sixty-eight (68) votes, for said Defendant fourteen (14) votes, for H. J. Brumins one (1) vote for Brumins without any Christian name one (1) vote, and for Chevre without any Christian name one (1) vote.

Fol 8

In the Township and election district of Hancock for this Plaintiff thirty-eight (38) votes, for said Defendant twenty-eight (28) votes, for J. Brumins two (2) votes, for H. J. Brumins one (1) vote, for Brumins without any Christian name three (3) votes;

In the Township and election district of Laketown for this Plaintiff ninety (90) votes, for said Defendant thirty-four (34) votes, for H. J. Brumins six (6) votes, for O. Brumins twenty (20) votes, for Brumins without any Christian name five (5) votes;

Fol 9

In the Township and election district of San Francisco for this Plaintiff seven (7) votes for said Defendant eighty-nine (89) votes, for J. Brumins three (3) votes, for H. J. Brumins two (2) votes, for Brumins without any Christian name three (3) votes;

In the Township and election district of Maconia for this Plaintiff seventy-six (76) votes, for said Defendant fifty-six (56) votes, for J. Brumins one (1) vote, for O. Brumins two (2) votes, for Brumins without any Christian name twenty-six (26) votes, for Mesabecker without any Christian name one (1) vote, for Chevre without any Christian name one (1) vote;

Fol 10

Fol 11 In the Township and election district of Watertown for this Plaintiff one hundred and four (104) votes, for said Defendant eighty (80) votes, for J. Brunius five (5) votes, for H. J. Brunius four (4) votes, for O. Brunius ~~two~~ (2) votes, for Brunius without any Christian name eleven (11) votes.

In the Township and election district of Young America for this Plaintiff forty-seven (47) votes, for said Defendant seventy-one (71) votes, for J. Brunius six (6) votes, for H. J. Brunius five (5) votes, for O. Brunius seven (7) votes for Brunius without any Christian name twenty-three (23) votes.

V That said election districts constitute and are all of the election districts of and in said County on said 4th day of November A.D. 1873 being the day of said last general election.

VI That the votes cast at said election districts on said election day for the several officers voted for were canvassed by the judges and Clerks of said several election districts, and that each and every one of the votes cast as aforesaid for J. Brunius, H. J. Brunius, O. Brunius, and this Plaintiff and Brunius jointly and Brunius without any Christian name ^{were} unlawfully and wrongfully ~~were~~ canvassed and counted as votes cast for said Defendant for said office of ~~County~~

Fol 13

of County Surveyor whereas in truth and fact they were not; and that within the time fixed by law the said judges and clerks of the said several election districts made pretended returns of the votes cast in their respective election districts at said election to the County Auditor of said County, and that by said returns it is wrongfully and unlawfully made to appear that the entire number of votes cast therein for the said office of County Surveyor is as follows:

Fol 14

AI

In said Benton for this Plaintiff one hundred and fifty three (153) votes, for said Defendant twenty one (21) votes;

In said Camden for this Plaintiff five (5) votes, for said ~~Plaintiff~~^{Defendant} one hundred and one (101) votes;

^

In said Chaska for this Plaintiff one hundred and seventy five (175) votes, for said Defendant sixty six (66) votes;

Fol 16

In said Chanhassen for this Plaintiff one hundred and twenty one (121) votes, for said Defendant thirty eight (38) votes;

In said Carver for this Plaintiff seven (7) votes, for said Defendant one hundred and eleven (111) votes.

In said Dahlgreen for this Plaintiff sixty three (63) votes, for said Defendant one hundred and twenty two (122) votes;

In said Hollywood for this Plaintiff sixty eight (68) votes, for said Defendant

seventeen (17) votes;

In said Hancock for this Plaintiff thirty eight (38) votes, for said Defendant thirty four (34) votes;

Fol 16

In said Laketown for this Plaintiff ninety (90) votes, for said Defendant sixty five (65) votes;

In said San Francisco for this Plaintiff seven (7) votes, for said Defendant ninety seven (97) votes;

In said Waconia for this Plaintiff seventy six (76) votes, for said Defendant seventy nine (79) votes;

In said Watertown for this Plaintiff one hundred and four (104) votes, for said Defendant one hundred and two (102) votes;

In said Young America for this Plaintiff forty seven (47) votes, for said Defendant one hundred and twelve (112) votes

Fol 17

VII

That said returns, so made by said judges and clerks of said Election districts, were canvassed by the County Canvassing board of said County, as provided by law, on or about the 6th day of November A.D. 1873, and thereupon said County Canvassing Board pretended to make an abstract of the votes cast at said election in said

County for the different State and County
officers to be then elected, which abstract
was then at the office of said County
Auditor, in said County, by said County
Canvassing Board, signed and certified
in form as required by law, and deposited
in the said office of said County Auditor,
and immediately thereafter a copy thereof
in form duly certified was transmitted
to the Secretary of State of said State;
and that said County Canvassing Board,
then and there wrongfully and ^{untruly} ~~untruly~~
declared said Defendant to have been
at said election duly elected to the
said office of County Surveyor of said
County and to be entitled to have and hold
the same and emoluments thereof for the
term of two years from and after the first
day of January A.D. 1874 and until his
successor is elected and qualified; And
that in and by said Abstract made by
said County Canvassing Board, and copy
thereof transmitted as aforesaid, it was
untruly made to appear and stated that
said Defendant received nine hundred
and sixty five (965) votes at said election
for said office of County Surveyor, and
that the same was the highest number of votes

Fol 20

Cast at said election for any one person for said office of County Surveyor; whereas in truth and fact this Plaintiff received at said election nine hundred and sixty four (964) votes, that being the highest number of votes cast for any one person for that office, and said Defendant received but seven hundred and seventeen (717) votes as aforesaid.

VIII

Fol 21

That by reason of the result so appearing on said abstract, and the decision of said County Canvassing Board, declaring said Defendant elected County Surveyor as aforesaid, the County Auditor of said County has issued and delivered to said Defendant his official Certificate of the election of said Defendant to said office of County Surveyor, and refuses and withholds such certificate from this Plaintiff; and that said Defendant intends to, and states that he will qualify and enter upon the duties of said office of County Surveyor on the first day of January A.D. 1874.

IX

Fol 22

That this Plaintiff is now and for more than one year last past has been the County Surveyor of said County, and duly elected and qualified as such County Surveyor, he having been duly elected to such office at the general election held in said County

in the Month of November A.D. 1871, and
that this Plaintiff is entitled and has a
legal right to hold said Office of County
Surveyor until his successor is duly
elected and qualified; and that this
Plaintiff is a Surveyor by profession
and is wholly dependent upon his said
profession for a livelihood, and for the
support of himself and family, and that
during the time he has held said Office of
County Surveyor he has been enabled to
secure the support of himself and family
from the proceeds of his labors as such
Surveyor; but that in case he is wrongfully
and unlawfully deprived of said Office
by said Defendant as aforesaid he will
be deprived of his business and occupation
as such Surveyor and the same will
be injured and destroyed and taken away
from him, to such an extent as to render
the same valueless to him, and he will
be compelled to abandon such occupation
in said County, and thereby be greatly and
seriously wronged and irreparably injured
and damaged, and be unjustly and
wrongfully deprived of his rights as a
Citizen and elector of said County.

Wherefore this Plaintiff asks the

Expende

John L. MacDonald
Attorney for Plaintiff
Shakopee Minn

State of Minnesota
County of Scott

Henry J. Chevre being duly
sworn, doth depose and say,

that he is the Plaintiff in the action in the foregoing
Complaint entitled, and that the said Complaint 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 27th day of December A.D. 1873 } (sd) H. J. Chevre
(sd) Frank McGladie
Justice of the Peace

State of Minnesota
County of Carver
District Court
9th Judicial District

H. J. Chevre
against
J. O. Simmons
Respondent
Complaint
Affidavit of Verification by party
(Copy)

J. L. MacDonald
Plaintiff's Attorney

Simmons
Complainant
No. 12345

judgment and decree of said Court

1 That this Plaintiff be adjudged and determined to have been duly elected County Surveyor of said County at said last general election held therein on the 4th day of November A.D. 1843, and to be entitled to the possession of the same, and the emoluments and profits thereof;

Fol 25

2 That the said certificate of election issued to said Defendant, by said County Auditor as aforesaid, be declared and determined to be fraudulent and void and of no effect and that said Defendant take nothing thereby;

3 That said Defendant be restrained and enjoined from taking, or attempting to take possession of said office, or from attempting to perform the duties of said County Surveyor under said pretended election or certificate thereof; or from in any manner interfering with this Plaintiff in the free exercise of his functions and duties as such County Surveyor;

Fol 26

4 That this Plaintiff have such other or further relief as may be just and proper in the premises and have judgment against said Defendant for his costs and charges in this action by him in his behalf paid laid out and

Dist. Court
Cam County

H. J. Chever
- 25 -

J. C. Bruner
—

Order

Given, April 11th 1874.
& Gegenwärtig
Selbst,

State of Minnesota
Dist. Court of Dist.
Cann County.

H. J. Chever

- vs -

Order -

J. C. Munier

This case came on to be heard
before the Court upon demurrer
to the Complaint and motion to
dissolve the temporary injunction
in said action and after hearing
Mun. Baxter & Pick in support of
the demurrer and in favor of
dissolving the injunction and
J. L. MacDonald Counsel for the
Plaintiffs in opposition thereto
it is hereby ordered that
the demurrer be ^{and the same is allowed and} dismissed and
the injunction dissolved and
that said action be and the same
is hereby dismissed ~~with the~~
~~costs to be paid by the~~
~~Plaintiffs in each case.~~

Apr. 11th 1874.

By the Court

A. G. Chatfield

Judge oc.

Abstract of the Votes Cast for County Surveyor
at the last General Election, on the fourth day of November
AD 1873 in the County of Carver, State of Minnesota.

Wards.	H. J. Cheever.	J. W. Brannin.
Benton	153.	21.
Camden	05.	101.
Charila	145.	66.
Chanhassen	121.	38.
Clanier	14.	111.
Dahlgren	63.	122.
Hollybrook	68.	14.
Hancock	38.	34.
Kathlamet	41.	65.
San Francisco	4.	94.
Wacoma	46.	44.
Watertown	104.	102.
Young America	44.	112.
	964.	965.

State of Minnesota
County of Carver

J. W. Brannin and J. W. Brannin, Auditors of the
County of Carver and State of Minnesota,
do hereby certify, that the foregoing is a true
and correct copy of the Abstract of Votes Cast at the last Election, in
Nov. 4th 1873. for County Surveyor: that I have carefully compared
the same with the original abstract on file in my office, and
that the same is a true transcript thereof.

In testimony whereof, I have hereunto set my name and affix
my official seal at Charila, in said County, this 8th day of Jan'y AD 1874.

J. W. Brannin
Co Auditor

Auditors Office
Carr Co. Minn. 4 Chaska Nov. 28th 1873

"B"

To J. O. Brunius Esq.

This is to Certify that at
the last General Election held on the Fourth
day of November A. D. 1873. in and for said
County, of Carr and State of Minnesota,
you have received a majority of the vote
over any other Candidate for the Office of
County Surveyor, and was consequently duly
declared elected to said Office by the
Canvassing Board of said County

L. J. Strentz Esq.
Co. Auditor.

Certificate of
Election.
John C. Arvinius.

State of Minnesota
List, Count & Vice
County.

Henry J. Oliver

- vs -

John C. Brunus

Court of County, Minn. John C. Brunus being
duly sworn says that he is the defendant in
the above entitled action that he has ^{read} ~~known~~
the Complaint therein and knows the contents
thereof that he has fully and fairly
stated to H. J. Pick of Chaska his atty in
said cause the grounds of his defense to
said action and is advised by his said
attly that after such statement that he has
a good and complete defense thereto
upon the merits of said action which
this affiant verily believes
Subscribed and sworn to by John C. Brunus
this 6th day of January

1894. J. H. Sargent

Judge of the Peace

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Leicorox Comat

Cherov

- 77 -

Brunia

Affidavit & T

Notion Popus.

Baxter & Pelt
Litho for dupl

"6"

State of Minnesota }
County of Carver } ss. James Slocum
Jr and Ernst Hainline each being duly
sworn doth each for himself say that
they are each the Town clerks of the
Townships of Young America and Watertown
and have been before and since the
last election Nov. 4th 1873. that immediately
after the canvass of said votes the said
votes were duly replaced in the ballot boxes
and the same locked and that the same
now with of them have not been opened
or the votes examined by Mr. Slocum or
any other person, that both of said
ballot boxes have not been out of
the possession of said ^{respective} clerks since
said election or opened by any person
to our knowledge.

Subscribed & sworn to
this 8th day of June.

1874.

P. W. Hemming Notary Public

Carver Co. Minn

James Slocum Jr.
Town Clerk

Young America Town

Ernst Hainline

Town Clerk

Watertown Town

Leist. Baumt
Leorverbaumt?

H. J. Leherer

— 22 —

John O. Munn.

Stipulation

Butler & Co
Litho. & Print

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

H. J. Oliver

- vs -

John C. Brumby

} Stipulation

It is hereby stipulated and agreed by
and between the parties and Atty. General
that the answer and the motion to
dissolve the injunction in the above
entitled action shall be brought on for
argument before Judge Chaffin
at Hokone Jan'y 17th 1894 at the
opening of said Court or as soon
thereafter as counsel can be heard.
Wato Jan'y 9th 1894.

Barton & Pelt

Atty for Deft.

J. L. MacDonnell
Atty for Plff

where
- vs - } The Temporary Injunction
Primer } in this case should be
dissolved -

1st The Court has no jurisdiction of
the subject matter of the action.

Spaul Statute, page 64, and amendments
of 1872 p. 123. This is not *Ex parte*
or in the nature thereof, Spaul Statute page
552 Sec 3 & 5.

The Statute provides for a special
proceeding for contesting election of County
Officers and Members of the Legislature
and parties must pursue the remedy
provided and, *Crittenden v. Board of Supervisors*
9 Allen R. 150. If this action will lie
under the injunction then the same
course could be taken with members
of the Legislature for the same remedy is
given to both. If it applies to Co Officers it
also does to members of the Legislature.

2nd It does not appear that the
injury is irreparable or that the
rights of the Plaintiff are free from
doubt, or that the rights are capable
of being clearly ascertained & measured
All this should appear to entitle a party
to the extraordinary remedy of injunction
~~22 N.Y.~~ *Padgett v. Boston* 22 N.Y. 309.

The Plaintiff has his remedy over
the instruments of the Officer, hence there
is no irreparable injury People vs. Rices
27 N.Y. 56.

3 There is no oppression, and the Complainant is not vexatious in the manner
required to warrant the issue of the
writ. 7 Page Report, 140.

4 But an injunction in an action of this
kind is sanctioned by law in any case.
24 Barb. 265. 265. 9 Page 570.
7 Allen 259. 5 Abbott 141.

5 All Courts should be sworn in
favor of the defendant is the true
rule relating to injunction.
Williams, Equity 342.

Cham
vs
Dennis
Pring.

Baxter & Pels
Attys for deft

Dist. Court
Cann. County

H. J. Chever

vs.

John O. Munn.

Declarator

See service of the within
acknowledges this day
of January 1874

Atty for Plaintiff

Baxter & Peck
Atty, for Deft

State of Minnesota
Dist. Court 3rd Dist
County of Leavitt.

Henry J. Chivers }

- vs -

John C. Brunius }

Demo.

The defendant for demurrer to
the complaint of the Plaintiff states and
shows to the Court;

- 1st That said complaint does not state
facts sufficient to constitute a cause
of action.
- 2nd That the Court has no jurisdiction of
the subject matter of the action.
And this that it appears from the complaint
that the twenty days after the canvass of
the votes had elapsed before the commencement
of this proceeding.
- 3rd That the Plaintiff, has not legal capacity
to sue.

Wherefore ~~Plaintiff~~ Defendant asks that said
action be dismissed with costs.

Baxter Geo Pickle

Attys for Deft.

State of Minnesota
Dist. Court 8th Dist.

County of Carver

Henry J. Chevre

vs.

John O. Brunius

Writ of Injunction.

The State of Minnesota, to John O. Brunius the defendant herein:

Whereas, it appears by the sworn complaint of the said plaintiff herein, that the said plaintiff is entitled to the relief therein asked for, among which is that said defendant be restrained and enjoined from acting or assuming to act as County Surveyor of said County and,

Whereas it has been ordered by said Court that upon the filing of the bond required by law in the sum of five hundred dollars a temporary writ of injunction be issued herein against said defendant restraining and enjoining him from acting or assuming to act as County Surveyor of said County, until the further order of said Court, and whereas said bond has been filed in said Court;

Now Therefore, You the said John
O. Brunius defendant in said action,
are hereby enjoined and restrained
from acting, or assuming to act,
as County Surveyor of said County,
of Carver, or in any manner
interfering with said office or
its functions until the further
order of said Court relieving you
from this injunction; and until
the foregoing order granting this
injunction, and this writ is modified
by the order of this Court, the
same is to be in all respects
obeyed. ~~And~~ fail not under
the penalty of the law.

Witness the Honorable A. G. Chatfield
Judge of the District Court aforesaid
at Chaska in said County this
second day of January A.D. 1874.

Wm. Mayenbuhl
clerk of said Court

State of Minnesota
County of Carver

S.S.

J. J. E. DuToit

Sheriff of Carver Co. Minnesota &
State aforesaid do hereby return
that I did personally serve
~~a copy of~~ the within writ of in-
junction, on ^{Said} John O'Brinn at
Carver on Saturday the 3^d day
of January A.D. 1874, by reading
the same to him & by leaving a true copy thereof
& also order of Court J. E. DuToit
Sec. Service \$1.00. Sheriff Carver Co. Minn.

District Court
County of Carver

Henry J. Chesse

- vs. -

John O'Brinn

Writ of Injunction

Filed January 3rd 1874

Wm. H. Wagoner

Attorney

145

J. L. MacDonald

Plaintiff's Attorney

Dist. Court
County of ^{Garner} ~~Scott~~

Henry J. Chevre
vs.

John O. Brunius

Order for Writ
of Exemption

Filed, December 21st 1873.
Gethwayenbuhl
145- C

J. L. MacDonald
Atty for Def

State of Minnesota
Dist. Court 8th Dist.

County of Carver.

Henry J. Chevre

vs.

John O. Brunius

The complaint herein having been exhibited to me, and it having been made to appear that a temporary injunction should be granted herein, on motion of J. L. MacDonald attorney for said plaintiff herein, it is hereby ordered, that upon the filing of the bond required by law, in the ~~same~~ sum of five hundred dollars, that a writ of injunction be issued herein against said defendant restraining ^{and appointing him} from acting or assuming to act as County Surveyor of said County until the further order of this Court

Dated Dec. 29th 1873.

A. S. Chatfield
Judge Dist Court
8th Dist.

State of Minnesota,
County of Carver

BE IT KNOWN, that on this Thirtieth day of December A.D.
1873 came before me personally Henry J. Cherre and Andrew Riderly

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

Peter Michals Justices of
the Peace
Andrew Riderly

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 Five hundred - - -

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 30th day of December A.D. 1873 } Kenneth Prindle

Peter Michals Justices
of the Peace.

District Court 8th Dist.

County of Carver

Henry J. Cherre

vs.
John R. Brumley

BOND FOR INJUNCTION.

I hereby approve the within bond and
the sureties thereon.

Dated Dec - 31st A. D. 1873

A. G. Chaffee

Judge of Dist. Court

145-

J. L. Macdonald

Plaintiff's Attorney

Filed, December 31st 1873

John R. Brumley
Defendant

State of Minnesota,
County of Carter

ss.

District Court Eighth District

Henry J. Chevre
against
John O. Brumins

Bond for Injunction.

Know all men by these presents, That we Henry J. Chevre
as principal and Andrew Riderly as surety
are held and firmly bound unto John O. Brumins the above
named

defendant

in the above entitled action, in the sum of Five hundred Dollars,
lawful money of the United States, to be paid unto the said
John O. Brumins 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.

Scaled with our seals and dated this 30th day of December
A. D. 1873

The condition of this obligation is such that **WHEREAS**, the above named plaintiff
has duly applied for a writ of injunction against said defendant in this action, according
to the statute in such case provided, ~~restraining~~ and ~~enjoining~~ him from acting or assuming
to act as County Supervisor of Said County until the further order of this Court

NOW THEREFORE, if the said plaintiff shall pay the said defendant such damages
as he sustain by reason of the said writ, if the Court finally decide that the said plaintiff
was not entitled thereto, then this obligation shall be void, otherwise of force.

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

Thirtieth day of December A. D. 1873

Signed, Scaled and Delivered in presence of

Howler

J. J. Madulka

Henry J. Chevre [SEAL.]
Andrew Riderly [SEAL.]

[SEAL.]

State of Minnesota,
County of Carver

DISTRICT COURT,

Eighth

Judicial District.

Henry J. Chevre

— against —

John O. Brumins

SUMMONS.

The State of Minnesota,

TO THE ABOVE NAMED DEFENDANT:

You John O. Brumins 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 the City of 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 said complaint within the time aforesaid, the plaintiff will apply to the Court for the relief demanded in said Complaint.

Proctor,

~~A. D. 1886~~
John L. MacDonald

Plaintiff's Attorney,

Shakopee City Minn.

STATE OF MINNESOTA, }

County of

Carver }

DISTRICT COURT,

Eighth

Judicial District.

H. J. Chevre

v.
J. L. Brumby

Summons for Relief.

J. L. Macdonald

Plaintiff's Attorney.

PIONEER PRINT, ST. PAUL.

Filed, Jan'y 5th 1887.
Edw. Grayson
clerk

fol 1

State of Minnesota }
County of Carver }

District Court
9th District

Henry J. Chevre }
against }
John O. Brunius }

The above named Plaintiff for
Complaint against said Defendant respectfully
states and shews to the Court.

I That he is, and for more than five years last
past has been, a citizen of the United States
and of said State and a resident and elector
and legal voter of the said County of Carver.

II That at the last general election held in said
County, and which was on the 4th day of

fol 2

November A.D. 1873 this Plaintiff was a
candidate for the office of County Surveyor of
said County, and that said Defendant was
at said election also a candidate for said
office of County Surveyor

III

IV

That a majority in the aggregate of the legal
votes cast at said election in said County were
cast in favor of and for this Plaintiff for the said
office of County Surveyor of said County and
that this Plaintiff received the highest number
of votes cast by the electors of said County,
at said election for any one person for
said office of County Surveyor as hereinafter

fol 3

stated: And that this Plaintiff was at said

election legally and fairly elected to said office of County Surveyor of said County, and is entitled to have and hold said office for two years from the first day of January A.D. 1874 and to receive the pay and emoluments of said office for the said two years.

IV

That the entire number of votes cast at said election for said office of County Surveyor, in the several election districts in said County were, and are, as follows:

704

In the Township and Election District of Benton one hundred and fifty three ⁽¹⁵³⁾ votes for this Plaintiff, and seventeen (17) votes for said Defendant and one (1) vote for O. Bunnins, and three (3) votes for Bunnins without any Christian name;

705

In the Township and Election District of Camden five (5) votes for this Plaintiff and two (2) votes for J. Bunnins, fifty eight (58) votes for said Defendant, and two (2) votes for H. J. Bunnins, and thirty eight (38) votes for Bunnins without any Christian name, and one vote for this Plaintiff and Bunnins without any Christian name, jointly and which vote was therefore void.

In the Township and Election District of Chaska one hundred and seventy three (173) votes for this Plaintiff, fifty seven (57) votes for said Defendant, two (2) votes for O. Bunnins, seven (7) votes for Bunnins without any Christian name and two (2) votes for

Cheve without any Christian name;

7066 In the Township and Election District of Chautauque
for this Plaintiff one hundred and twenty six (126) votes
for said Defendant thirty three (33) votes, for
H. J. Brunius one (1) vote, for O. Brunius two
(2) votes, for Brunius without any Christian name
two (2) votes, and one (1) vote for Cheve without any
Christian name;

In the Township and Election District of Carver
seventeen (17) votes for this Plaintiff, ninety
six (96) for said Defendant, five (5) votes for
J. Brunius, ten (10) votes for Brunius without any
Christian name;

7067 In the Township and Election District of Dahlgren
for this Plaintiff sixty three (63) votes for said
Defendant eighty four (84) votes, for J. Brunius
five (5) votes, for H. J. Brunius four (4) votes, for
O. Brunius six (6) votes, for Brunius without any
Christian name twenty three (23) votes;

In the Township and Election District of Hollywood
for this Plaintiff sixty eight (68) votes, for said
Defendant fourteen (14) votes, for H. J. Brunius
one (1) vote, for Brunius without any Christian
name one (1) vote, and for Cheve without any
Christian name one (1) vote.

7068 In the Township and Election District of
Hancock for this Plaintiff thirty eight (38) votes,
for said Defendant twenty eight (28) votes, for
J. Brunius two (2) votes, for H. J. Brunius one (1)

vote, for Bunnius without any Christian name
three (3) votes;

Fol 9

In the Township and Election District of
Lakeston for this Plaintiff Ninety (90) votes, for
said Defendant thirty four (34) votes, for H. J.
Bunnius six (6) votes, for O. Bunnius twenty
(20) votes, for Bunnius without any Christian
name five (5) votes;

In the Township and Election District of San
Francisco for this Plaintiff seven (7) votes, for said
Defendant eighty nine (89) votes, for J. Bunnius
three (3) votes, for H. J. Bunnius two (2) votes,
for Bunnius without any Christian name
three (3) votes;

Fol 10

In the Township and Election District of
Nacoma for this Plaintiff seventy six votes, for
said Defendant fifty six (56) votes, for J. Bunnius
one (1) vote, for O. Bunnius two (2) votes, for Bunnius
without any Christian name twenty six ⁽²⁶⁾ votes,
for Messbecker without any Christian name
one (1) vote, for Chevre without any Christian
name one (1) vote.

Fol 11

In the Township and Election District of
Waterston for this Plaintiff one hundred and
four (104) votes, for said Defendant eighty (80)
votes, for J. Bunnius five (5) votes, for H. J.
Bunnius four (4) votes, for O. Bunnius two (2)
votes, for Bunnius without any Christian name
eleven (11) votes.

In the Township and election district of Young America for this Plaintiff forty-seven (47) votes, for said Defendant seventy one (71) votes, for J. Brunius six (6) votes, for H. J. Brunius five (5) votes, for O Brunius seven (7) votes, for Brunius without any Christian name twenty three (23) votes.

V

701 12 That said election districts constitute and are all of the election districts of and in said County on said 4th day of November A.D. 1873 being the day of said last general election.

VI

701 13 That the votes cast at said election districts on said election day for the several officers voted for were canvassed by the judges and Clerks of said several election districts, and that each and every one of the votes cast as aforesaid for J. Brunius, H. J. Brunius, O. Brunius, and this Plaintiff and Brunius jointly and Brunius without a Christian name were unlawfully and wrongfully canvassed and counted as votes cast for said Defendant for said office of County Surveyor whereas in truth and in fact they were not, and that within the time fixed by law the said judges and Clerks of the said several election districts made pretended returns of the votes cast in their respective election districts at said election to the County Auditor of said County, and that
701 14 by said returns it is wrongfully and unlawfully

made to appear that the entire number of votes
cast therein for the said Office of County Surveyor
is as follows:

In said Benton for this Plaintiff one hundred
and fifty three (153) votes, for said Defendant
twenty one ⁽²¹⁾ votes:

In said Camden for this Plaintiff five (5) votes,
for said Defendant one hundred and one (101) votes:

In said Chaska for this Plaintiff one hundred
and seventy-five (175) votes, for said Defendant
sixty six (66) votes:

708 15

In said Champlin for this Plaintiff one hundred
and twenty one (121) votes, for said Defendant
thirty eight (38) votes:

In said Carver for this
Plaintiff Seventeen (17) votes
for said Defendant one
hundred and eleven
(111) votes

--- In said Dahlgren for this Plaintiff sixty
three (63) votes, for said Defendant one hundred
and twenty two (122) votes;

In said Hollywood for this Plaintiff sixty eight
(68) votes, for said Defendant seventeen (17) votes:

In said Hancock for this Plaintiff thirty eight
(38) votes, for said Defendant thirty four (34) votes;

In said Laketown for this Plaintiff ninety
(90) votes, for said Defendant sixty five ⁽⁶⁵⁾ votes;

708 16

In said San Francisco for this Plaintiff
seven (7) votes, for said Defendant ninety seven
(97) votes;

In said Waconia for this Plaintiff seventy
six (76) votes, for said Defendant seventy-nine
(79) votes;

In said Wadsworth for this Plaintiff one hundred and four (104) votes, for said Defendant one hundred and two (102) votes;

In said Young America for this Plaintiff Forty seven (47) votes, for said Defendant one hundred and twelve (112) votes;

7017

VII

That said returns, so made by said judges and clerks of said election districts, were canvassed by the County Canvassing board of said County, as provided by law, on or about the 6th day of November A.D. 1873, and thereupon said County Canvassing Board pretended to make an abstract of the votes cast at said election in said County for the different State and County officers to be then elected, which abstract was then at the office of the said County Auditor, in said County, by said County Canvassing Board signed and certified in form as required by law, and deposited in the said office of said County Auditor, and immediately thereafter a copy thereof in form duly certified was transmitted to the Secretary of State of said State; And that said County Canvassing Board then and there wrongfully and ^{unlawfully} ~~unlawfully~~ declared said Defendant to have been at said election duly elected to the said office of County Surveyor of said County and to be entitled to have and hold the same and emoluments thereof for the term of two years from and after the first day of January A.D. 1874 and until his successor

7018

7019

is elected and qualified; And that in and by
said Abstract made by said County Canvassing
Board, and copy thereof transmitted as aforesaid,
it was untruefully made to appear and stated
that said Defendant received nine hundred
and sixty five (965) votes at said election
for said office of County Surveyor, and that
the same was the highest number of votes cast
at said election for any one person for said
office of County Surveyor; Whereas in truth
and fact this Plaintiff received at said
election nine hundred and sixty four (964)
votes, that being the highest number of votes cast
for any one person for that office, and
said Defendant received but seven hundred
and seventeen (717) votes as aforesaid -

VIII

That by reason of the result so appearing
on said abstract, and the decision of said
County Canvassing Board, declaring said
Defendant elected County Surveyor as aforesaid,
the County Auditor of said County has issued
and delivered to said Defendant his official
certificate of the election of said Defendant to
said office of County Surveyor, and refuses and
withholds such certificate from this Plaintiff; and
that said Defendant intends to, and states that
he will qualify and enter upon the duties of
said office of County Surveyor on the first day

of January A.D. 1874.

IX

Fol 22

That this Plaintiff is now and for more than one year last past has been the County Surveyor of said County, and duly elected and qualified as such County Surveyor, he having been duly elected to such office at the general election held in said County in the Month of November A.D. 1871, and that this Plaintiff is entitled and has a legal right to hold said office of County Surveyor until his successor is duly elected and qualified; And that this Plaintiff is a surveyor by profession and is wholly dependent upon his said profession for a livelihood, and for the support of himself and family, and that during the time he has held said office of County Surveyor he has been

Fol 23

enabled to secure the support of himself and family from the proceeds of his labors as such surveyor; but that in case he is wrongfully and unlawfully deprived of said office by said Defendant as aforesaid he will be deprived of his business and occupation as such surveyor and the same will be injured and destroyed and taken away from him, to such an extent as to render the same valueless to him, and he will be compelled to abandon such occupation in said County, and thereby be greatly and seriously wronged and irreparably injured and damaged, and be unjustly and wrongfully deprived

Fol 24

of his rights as a Citizen and elector of said County.

Wherefore this Plaintiff asks the judgment and decree of said Court.

1 That this Plaintiff be adjudged and determined to have been duly elected County Surveyor of said County at said last general election held therein on the 4th day of November A.D. 1873 and to be entitled to the possession of the same, and the emoluments and profits thereof:

70426 2 That the said Certificate of election issued to said Defendant, by said County Auditor as aforesaid, be declared and determined to be fraudulent and void and of no effect and that said Defendant take nothing thereby:

70426 3 That said Defendant be restrained and enjoined from taking, or attempting to take possession of said office, or from attempting to perform the duties of said County Surveyor under said pretended election or certificate thereof; or from in any manner interfering ^{with} this Plaintiff in the free exercise of his functions and duties as such County Surveyor;

4 That this Plaintiff have such other or further relief as may be just and proper in the premises and have judgment against said Defendant for his costs and charges in this action by him in his behalf paid laid out and expended

John L. MacDonald
Attorney for Plaintiff
Shakopee Minn

State of Minnesota
County of Carver

S.S.

I F. E. Du Toit
Sheriff of Carver Co. State aforesaid,
do hereby return that I did per-
sonally serve a true copy of the
Within Summons & Complaint ^{on}
the said John O. Brumby, ^{by leaving a true copy thereof} in
Carver on Saturday January 3^d 1874

F. E. Du Toit, Sheriff
Carver Co. Minnesota
Fees Service Summons \$1.00
" Complaint \$1.00
Travel 40
\$2.40.

County of Carver

Eighth.....*Judicial District.*

Anna H. H. H. H.
Jan 31 1871
H. J. Chevre

AGAINST

J. O. Brewster

145.

Complaint

Affidavit of Verification by Party.

Sept 20 1892
Sept 21 1892

Yours, Garry Fort, Nov 1874.

J. L. Mackintosh
Attorn

Attorney.

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

Henry J. Chevre

being duly sworn, doth depose and say, that he is *the plaintiff*
in the action in the foregoing *complaint* entitled, and
that the said *complaint* 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 *27th* day of *December* A.D. 187*8*

H. J. Chevre

Franz McLaughlin
Justice of the Peace

No.

796

DISTRICT COURT,
CARVER COUNTY, MINN.

Henry J. Chere

Plaintiff.

vs.

John C. Brunius

Defendant.

John L. McDonald

Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry December 31, 1873
Court Register
Register of Actions A Page 145

Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

No. 797

DISTRICT COURT,
CARVER COUNTY, MINN.

William Friedrichs
Plaintiff.

vs.
Henry Sauerbrey & Joseph Tietz
Defendant.

Raster & Peck
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry January 2nd 1874

Register of Actions "A" Page 132

Term Tried 1

Judgment for Plaintiff

Amount of Judgment \$ 118.30

Date of Judgment Jan 29th 1874

Minute Book "A" Page 354

Default Judgment Book Page

Date of Docketing January 29th 1874

Judgment Book "A" Page 182

Shoshone,
of Lemai Co. I hereby certify and return
that that I did in said Lemai Co. on the 8th day of January,
1874 personally serve the within summons upon the
within named defendant Joseph Tait by handing to and
leaving with the wife of said Tait at his residence and
Kee of age a person of suitable years & discretion
a true copy thereof L. E. Du Totit Sheriff of Lemai

County By Chas. Shoenborn Deputy
Fees service \$1.00
Four miles travel 40
Copy \$1.48
158

State of Minnesota
Dist. Court 3^d Dist. Cass County.

William Fredericks }
- n s - }
Henry Saunbry ^{hus} } Complaint
Joseph Veit }

The plaintiff for complaint against
the defendants herein avers that herebefore
to wit on the 6th day of March 1873, at
Lakelorn Cass Co. Min. for value received
the said defendant Henry Saunbry made
executed and delivered to this plaintiff
his promissory note in writing which said
note was in the words and figures
following to wit: "Lakelorn March 6th 1873.

"Nine months after date I promise to
"pay to the order of William Fredericks
"Three hundred dollars, at eight percent
"interest value received. (\$300.00)

Henry Saunbry"

That then and there and before the
delivery of said note the said Joseph
Veit did in writing upon the back
of said note guarantee the payment
thereof for value received, which said
guarantee was in the following words: "For
"value received I hereby guarantee the
"payment of this note. Joseph Veit"

Plaintiff further says that there has

been paid on said note the sum of
two hundred dollars on the 15th day of
March 1873. and no other or greater sum
that there is now due and owing, this
plaintiff thereon the sum of one hundred
and six dollars and sixty cents.

Wherefore plaintiff demands judgment
against said defendants for the sum
of \$106.60 besides costs of suit

For test & Recd.

Atty for Plffs.

District Court
Cass County

Jm Frederick
vs

Henry Seaver & son
Complainant

For test & Recd
Atty for Plffs

Original

STATE OF MINNESOTA,
County of Carver

District Court,
English Judicial District.

William Fredericks
-vs-
Henry Sauertory and
John Fair.

SUMMONS.

Boyer and Beck.
Manly Attorney.

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

State of Minnesota ss: I J. E. Dec Fort Sheriff of
County of Carver do hereby return
Carver Co. State aforesaid, do hereby return
or certify that on the 5th day of January A.D. 1874
in said County of Carver, I personally served
the within summons by leaving a true
copy thereof with Henry Sauertory & the
within named defendants.
Dated Jan. 5th 1874 J. E. Dec Fort Sheriff
Carver Co. Minn.
Fees- Service of Summ. \$1.00
Grand Copy 40
15-
\$1.55.

State of *Minnesota*
County of *Carver*

District Court Summons.—Complaint not Served.—St. Paul Pioneer Print.

DISTRICT COURT,

ss.

8a

Judicial District.

William Fredrick

*Henny Saubry and
Joseph Vit*

Plaintiff,

SUMMONS.

Defendant,

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, which has been filed in the office of the Clerk of this Court, at *Chaska* in said County, and to serve a copy of your answer to the said complaint, on the subscribers at *their* office in *Chaska*

in the County of Carver 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 said Complaint within the time aforesaid, the Plaintiff will *take* judgment against you for *the* sum of *One hundred and six dollars and sixty cents* with costs and disbursements of suit.

Dated *Dec 29* A. D. 187*3*

Boyle and Peck Plaintiff's Attorney.

Chaska Minn.

STATE OF MINNESOTA,

County of *Linn*

DISTRICT COURT.

8th

Judicial District.

William H. Hurlbert

AGAINST

Henry Sauntry et al

Affidavit of Verification by Party.

*- Filed January 22 1878
G. W. Hurlbert
Deputy*

*Box 127 P. O. Box
Hurlbert* Attorney.

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

- 137 -

State of Minnesota, }
County of Carr } ss.

William Frederick

being duly sworn, doth depose and say, that he is Marine
in the action in the foregoing action entitled, and
that the said Complaint 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 28 day of June A.D. 1873. } Wm. J. Smith

J. W. Hemming Notary Public

State of Minnesota
Dist. Court 8th Dist

Carver County.

Williams Frederick

- vs -

Henry Saurby ^{and}

Jointly Vt.

County of Carver 3rd av. H. J. Peck being
duly sworn says that he is one of the
attys for the Plaintiffs, in the above entitled
action that more than twenty days
have elapsed since the service of the
summons ^{upon said defendants} upon them, that there has been no
appearance thereon on the part of said
defendants or either of them, neither by
answer return or otherwise

Subscribed & sworn to

this 19th day of January

1894

J. Mayentuhl

Clk Dist Court

Carver County

H. J. Peck.

District Council
Canon County.

William F. Lusk

— & —

Samuel S. Lusk

Joseph Pitt

Affidavit of no
answer.

Robert D. Lusk
Atty for Pitt

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

William Friedrich
against
Henry Bauerbey and
Joseph Weir.

Copy of Judgment.

This case came on to be heard upon the Complaint & Summons and proof of service, and it appearing that there had been no appearance therein, on the part of said defendants or either of them.

Now therefore upon motion of Baxter Peck attorneys for said Plaintiff, It is hereby adjudged and the judgment of this Court is that said Plaintiff recover of said defendants the sum of One hundred and six dollars and sixty cents, and costs and disbursements taxed at the sum of Eleven dollars and seventy cents, amounting in all to the sum of One hundred eighteen dollars and thirty cents, and that said Plaintiff have this lawful process therefor

	Judgment	\$106. 60
<u>Costs.</u>	Statute costs	\$5. 00
	Sheriff's fee	" 3. 10
	Deputy's fee	" 3. 60
		11. 70
	Total	<u>\$ 118. 30</u>

Dated January 29th A.D. 1874
by the Court: Edw. A. Mendenhall
clerk.

State of Minnesota
District Court
County of Carver,

William Frederick
vs
Henry Sauerbrey and
Joseph Veit,

Judgment Roll.

Judgment \$106.60
Costs " 11.70
Total \$118.30

John J. Gandy 29th and 30th 1894.
Gedreyenbuhl
Clerk
-132-

Baxter & Co. Printers
Charles. M. M. M.

No.

797

DISTRICT COURT,
CARVER COUNTY, MINN.

William Fredrick

Plaintiff.

vs.

Henry Sauerbrey & Joseph Tiet

Defendant.

Baxter & Beck

Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry January 2nd 1874

Register of Actions "A" Page 132

Term Tried 1

Judgment for Plaintiff

Amount of Judgment \$ 118.30

Date of Judgment Jan. 29th 1874

Judgment Book Minute Record "A" Page 354

Default Judgment Book Page

Date of Docketing January 29th 1874

Judgment Record "A" Page 182

No. 798

DISTRICT COURT,
CARVER COUNTY, MINN.

Berona Taylor
Plaintiff.

vs.

W. H. Miller
Defendant.

Baxter & Beck
Plaintiff's Attorney.

Samuel Taylor
Defendant's Attorney.

Date of Entry *January 4, 1874*

Register of Actions *A* Page *136*

Term Tried *1*

Judgment for

Amount of Judgment \$

Date of Judgment *1*

Judgment Book Page

Default Judgment Book Page

Date of Docketing *1*

Wherefore the plaintiff demands payment
against the said defendant for the sum
of one hundred and twenty three and $\frac{3}{100}$
dollar with interest thereon from and
since the 6th day of April A.D. 1891
besides the costs of this action

Baxter Peck

Plaintiff's Attorney

Statitz, Kansas etc

Dist Court 8th Dist

County of Carver

Benoni Taylor

AGAINST

Impress

Complément

~~ATTORNEY'S VERIFICATION.~~

Philadelphia, January 31st 1844.

Barth & Beck
Plaintiff Attorneys

DISPATCH PRINT.

136.

State of Minnesota,

County of Cass

ss.

L. L. Bayler came

before me personally, and being duly sworn, doth say that he is one of the attorneys in the above entitled action: that the foregoing pleading is true to the best of his knowledge, information and belief, and that the reason why this affidavit of verification is not made by said Plain Tiff or one of them, is that he is absent from the County of Cass Minnesota, where resides Bayler & Beck his attorneys, and further saith not.

Sworn and Subscribed to before me, on this third
day of January A. D. 1874
Edw. M. Hubl
Notary Public, Minn.
Cliff Hill County
Cass Co.

L. L. Bayler

345-
750

STATE OF MINNESOTA, }

County of *Cum* }

District Court,

8

Judicial District.

Anna Lyster

AGAINST

W. H. Mills

NOTICE OF TRIAL.

Due service of the within notice is hereby admitted this *21st* day of

March A. D. 187*4*

Attorney for *Defendant.*

Robert R. Rusk

Attorney for *Plaintiff*

Filed this *April 1st* day of

A. D. 187*4*

W. H. Buhl
Clk

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

Minneapolis

27 1874. 136

STATE OF MINNESOTA,

DISTRICT COURT,

County of

Cum

ss.

8

Judicial District.

Bonoma Taylor

AGAINST

W. H. Mills

Notice for Trial.

Sir: You will Please take Notice, That
the above entitled action, will be brought on for
at the next

General

*this case of fact
trial*

Term of this Court, to be held

at the Court House, in the

Village

of *Chaska*
Utah

in said County, on the

6th

day of

A. D. 187*4* at the opening of said Court on that day, or as soon

thereafter as Counsel can be heard.

Dated,

187

Yours Respectfully,

Baxter & Pies

Attorney & for

Plaintiff

To *Samuel Lowler*

Attorney for

Def.

State of Minnesota ss. I Frederick E. Deer Tait,
 County of Carver & Sheriff of the said County of Carver in the State
 aforesaid do hereby certify and return that,
 on the 3^d day of January A.D. 1874 in said
 Carver Co., I personally served the within Sum-
 mons on the within named defendant
 by delivering to him in person a true copy of
 said summons
 Dated Jan 5th 1874
 F. E. Deer Tait
 Sheriff Carver Co. Minn.

Fees- Service \$1.00
 Travel 40
 Copy 15
 Total. \$1.55

STATE OF MINNESOTA,

County of Carver

District Court,

Judicial District.

Benjamin Taylor

vs
 W. A. Miles

SUMMONS.

Filed, April 14th 1874.

W. A. Miles
 Plaintiff

Benjamin Taylor
 Defendant

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STATE OF MINNESOTA, } **DISTRICT COURT,**
 County of Cass } ss. Eighth Judicial District.

Ernest Taylor
 against
W. H. Mills

SUMMONS.

THE STATE OF MINNESOTA,

To the above named Defendant.

You are hereby summoned and required to answer the Complaint in the above entitled action, which has been filed in the office of the Clerk of this Court, at Chaska in said County, and to serve a copy of your answer to the said complaint, on the subscriber, at their office in

Chaska in the County of Cass 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 said Complaint within the time aforesaid, the

Plaintiff will take judgment against you for the sum of One hundred and twenty three and 3/4 Dollars with interest thereon from and since the 5th day of April 1871. Besides the costs of this action

Dated January 3rd A. D. 187 3

David P. Peck Plaintiff's Attorney.

Chaska Minn.

State of Minnesota
District Court Eighth Judicial District
County of Carver

Berona Taylor }
 } against
W. H. Mills }
 }

Whereas the above named
plaintiff is a non resident and has
commenced the above entitled action
against said defendant in said court
for the recovery of Money

Now therefore We L. L. Bayler and
H. J. Peck of Chaska in the County of
Carver in the State aforesaid undertake
in the sum of Seventy five dollars that
the Plaintiff in the above entitled action
shall and will well and truly pay or
cause to be paid to the Clerk of the District
Court aforesaid, or his successors all dis-
bursements and costs that may be adjudged
against the Plaintiff in this action.

Dated April 2^d 1874
In presence of }
W. Schwanborn. } L. L. Bayler
Alvyn Dutoit } H. J. Peck.

State of Minnesota
County of Carver. L. L. Bayler and
H. J. Peck being first duly sworn do
swear each for himself that he is the same

State of Minnesota }
County of Carver }

District Court
9th Judicial District

Bessie Taylor }
 } against
W. H. Mullen }

On reading the affidavit
hereto annexed and on motion of Samuel
Fowler Esq Attorney for the Defendant
It is ordered that the Plaintiff in the above
entitled action show cause before me at
the Court Room in the Village of Chaska
in the County of Carver and State aforesaid
on the first Monday (6th) day of April
A.D. 1874 at eleven o'clock in the forenoon why
the said action should not be dismissed
for failure on the part of the Plaintiff to
file the security for costs as required by
Statute.

And it is further ordered that a copy of
the amended affidavit and of this order be served
on the Attorney for said Plaintiff at least four
days previous to said 6th day of April 1874

And it is further ordered that all
proceedings on the part of said Plaintiff be stayed
until the further order of this Court not exceeding
twenty days.

Dated March 26th 1874.

A. G. Chatfield
Judge of Dist. Court.

District Court
8th District
County of Carver

Berona Taylor

v

W. H. Mills

Affid. & Order to Show
Cause

Due service of a true copy
of the within order and affidavit
is hereby admitted this
31st day of March A.D. 1874

Baxter & Peck

Plaintiff's Attorneys

Filed April 6th A.D. 1874
Attest my hand, Clerk

1874

W. H. Mills

Defendant

State of Minnesota }
County of Carver }

District Court
1st Judicial District

Bessie Taylor }
- against - }
W. H. Mills }

County of Carver ss

William H. Mills being duly sworn says
that he is the Defendant named in the above
entitled action, that said action has been commenced
and the summons therein was served on the
deponent on the Third day of January A.D. 1874
that the Plaintiff herein is not a resident of
of the State of Minnesota and that said Plaintiff
resides in the State of New York and did reside
in the said State of New York at the time of the
commencement of this action.

That said Plaintiff has failed and
neglected to file the security for costs as required
by Statute.

Subscribed and sworn to }
this 26th day of March }
A.D. 1874 }

W H Mills

Peter Michels }
Justices of the Peace }

No.

798

DISTRICT COURT,
CARVER COUNTY, MINN.

Benona Taylor
Plaintiff.

vs.

W. H. Mills
Defendant.

Baxter & Beck
Plaintiff's Attorney.

Samuel Fowler
Defendant's Attorney.

Date of Entry January 4, 1874

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Term Tried 1

Judgment for

Amount of Judgment \$

Date of Judgment 1

Judgment Book Page

Default Judgment Book Page

Date of Docketing 1

No. 799

DISTRICT COURT,
CARVER COUNTY, MINN.

The State of Minnesota
Plaintiff.

vs.
William Walsh Jr.
Defendant.

Franko Warner
Plaintiff's Attorney.

E. Hamilton
Defendant's Attorney.

Date of Entry *Jan. 8th* 1874

Acert
Register of Actions *A* Page *154*

Term Tried *Apr.* 1874

Judgment for.....

Amount of Judgment \$.....

Date of Judgment..... 1

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

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

Date of Docketing..... 1

Sulphars
State Prison
to
Catherine & Son

I hereby certify that I have served
the within Sulphars on the within named persons
by receiving the same to them.

Witness at Hallywood, Calaver Co. Nov 26th 1873

William B. Moody
Comptroller

State of Minnesota }
County of Tower }

Rejoana & Sarah & The State of Minnesota
& Catherine C. Brady you are hereby
~~compelled to appear~~
compelled to appear before the under-
signed one of the Justices of the Peace
in and for the said County, at my
office in the Town of Hollywood on the
26th day of Dec^r at 10 o'clock in the
forenoon of said day, to give evi-
dence in a certain cause then and
there to be tried between the State
Minnesota Plaintiff William Welch
Defendant and the Part of the
Plaintiff

Given Under my hand this
26th day of Dec^r A.D. 1873

William H. Kelley
Justice of the Peace

Let this

26th day of

Nov 28 1873

Mathew Kelly

Justice of the Peace

Due service of the

written notice of

appeal by copy

is acknowledged this

26th day of Nov

1873-

Wm. W. Newman

Clerk of the

Court of the

County of

County of Cass
the State of Minnesota

Wm. H. P. C. 13
Wadsworth Bldg. Justice Place

William Walsh Jr. } Sir - Please take notice
that the defendant William Walsh
appeals to the district court for the
County of Cass and State of Minnesota
from all that certain judgment rendered
there on the 26th day of November
1893 and that said appeal is taken
on questions of both law & fact
dated November 26th 1893

J. J. McManis
County Attorney
Cass County State
Minnesota

Ernest W. Churchill
att'y for deft
Wadsworth
Min

2

Subpoena
for Laurence Connolly
+ Laurence Connolly Jr.
in behalf of Dept

filed this 26th
May Nov 8 1873

Mathew Kelly
Justice of the Peace

Filed Jan 8th 1874
G. H. Raymond
Clerk

State Minnesota
County of Carver }

The State Minnesota to the Sheriff
or any Constable of said County

Whereas Thomas O'Gara has complained in writing
(to me) on oath that William Hatch ^{Jun} did on the 19th
day of November 1873 at Hollywood in said County
assault Thomas O'Gara; and Saurice Connolly;
and Saurice Connolly ^{Jun} are deemed material
Witnesses to be examined concerning the same on
the part of the defendant. Therefore you are com-
manded to summon the said Saurice Connolly
& Saurice Connolly ^{Jun} to be and appear before the
undersigned, one of the Justices of the Peace in and
for said County at my office in the Town of Hollywood
in said County on the 26th day of Nov^r & 1873 at
10 o'clock in the forenoon of said day to give evi-
dence and to testify the truth concerning the party

Given under my hand this 25th day of Nov^r 1873

Nathan Kelly
Justice of the Peace

State of Tennessee
County of Carter

The undersigned Constable in and for said
County do hereby certify & return that I have served the within
writ ^{the within writ} on ~~the~~ ^{the} ~~persons~~ ^{persons} Black Ludwig Carl, Joseph Hebler, August
Kremer, Jacob Hebler, John Hebler, M. J. Kagan,
Wm. McEllen, Charles Kremer, Wesley Blalock and
Edward Burns on the 25th day of November 1873 by
reading the same to them and each of them personally
in said Carter County. And that I could not find
S. H. Doughty, and further that I ~~summoned~~ ^{summoned} ~~James~~ ^{James} McEllen from the by standers
to make a jury of 12 in obedience of the within writ
and to order of the Justice before this case is pending
Dated this 26th day of November 1873
William H. Moody

Received for jury

Filed this 26th

day of November

26 1873—

Notary Public

Justice of the Peace

Filed for 26th 1873

William H. Moody

Attest

State Minnesota

State Minnesota }
County of Carver }

To the Sheriff or any Constable of said

County

You are commanded to summon, Charles Black -
Judwig Karlo, Joseph Weber, August Finne -
Great Baker, John Wetter, H. J. Morgan, William H. Collins
James McCallum, L. H. Dickey, Charles Finne, Wesley Blacketter -
Edward Burns to be and appear before the undersigned one
of the Justices of the Peace in and for said County on the
26th day of Nov^r A.D. 1873 at 10 O'clock in the forenoon of
said ~~day~~ day, in the town of Hollywood to make
a jury for the trial of a criminal action between the
State Minnesota plaintiff and William Walsh ^{Defendant} de-
fendant, accused of the offense of assault on Thomas O'Gara
And have you then and there this writ -

Given under my hand this 25th day of Nov^r A.D. 1873

Mathew Kelly
Justice of the Peace

Herbert
St. Cloud, Minnesota

St. Cloud, Minnesota

Filed this 26th day
of November 1887

Mathew Kelly
Justice of the Peace

Filed Jan 1st 1888
St. Cloud, Minn.
J. P.

St. Cloud, Minnesota
Crown County

I hereby Certify that I have arrested the
within named defendant and have him now before
the court in custody.

Dated this 26th day of Nov 1887

Dec 2-5
Jan 10

State of Minnesota }
County of Carver }

To the Sheriff & any Constable of said
County

Whereas Thomas O Jara has this
day complained to me in writing
and oath that one William Walsh
did on the 19th day of November A. D. 1872
in the Town of Hollywood in said County
& make an unlawfully assault upon
him the said Thomas O Jara and
then and there did unlawfully and
violently strike beat bruise and
otherwise ill treat him the said Thomas
O Jara against the Statute in such
case made and provided and
against the peace and dignity
of the State of Minnesota and
prayed that the said William Walsh
& might be arrested and dealt with
according to Law.

Now therefore you are hereby com-
manded to go forthwith apprehend
the said William Walsh & bring
him before me to be dealt with according
to Law.

Given under my hand this 22nd day of
November A. D. 1872.

Matthew Kelly
Justice of the Peace

;

10

29

State of Minnesota } In District Court - Before
County of Cass } W. Kelly, Justice of Peace
The State of Minnesota }

-55- }
William Walsh } Recognizance in Appeal

He W^m Walsh for the
above named deft as ~~presented~~
and ~~summoned~~ ~~convicted~~ for
as surety do acknowledge ourselves
to be indebted to the
State of Minnesota for the sum of the
County of Cass in the sum of
Twenty five dollars lawfully due
of the United States to be levied upon
several parcels of land and
and ~~recognition~~ of default to be made
by the said deft during that
to say. The condition of this
recognizance is such that if the
above named W^m Walsh shall
appear before the District Court in
held for the County of Cass and
State of Minnesota on the first
day of the next general ter-
m of said court and abide the ^{judgment} of the
Court therein and in the meantime
keep the peace and be of good
behavior then this recognizance shall
be void otherwise of force - Dated the
26th day of Apr. 1873

Subscribed and acknowledged before
me this 26th day of November 1873

William Walsh, Deft
Lawrence Connelley, Esq

William Kelly
Justice of the Peace

Complaint
State of Minnesota
vs
William Walcott

Filed this 26th day
of November A.D. 1873

Mathew Kelly
Justice of the Peace

Filed Jan'y 8th A.D. 1874
Geo. W. W. W. W.
Clerk

State of Minnesota
County of Cass

The Complaint of Thomas
O'Gara, of said County, made before
Nathaniel Kelly one of the Justices of the
Peace in and for said County, and after
being duly sworn & examined on his oath
says that on the 19th day of December A.D. 1872
at the Town of Hollywood in said County, one
William Walsh did unlawfully make an
assault upon him, the said Thomas O'Gara
and did, then & there unlawfully and violently
strike, beat, bruise and otherwise ill-treat him
the said Thomas O'Gara against the form
of the Statute in such case made and pro-
vided and against the Peace and dignity
of the State of Minnesota, and prays
that the said William Walsh may be
arrested and dealt with according
to Law. Thomas O'Gara

Subscribed and sworn
to before me this 22nd day
of December A.D. 1872

Nathaniel Kelly Justice of the Peace
Sworn and Subscribed before me this 24th day
of December A.D. 1872

7 11

State Minnesota

vs

William Walsh, Jr.

In Justice Court before

Mathew Kelly, Justice
Carver Co. Minn.

Nov 26th

1873

Lemuel O. Gava being duly sworn doth depose and say, that in the 17th day of Nov. A.D. 1873. about 5 o'clock in the afternoon of said day I was drawing out corn stalks on the road in the town of Kelly-travel in said county - about that time the defendant with Laurence Cannally, Jr. came down the road nooping and shouting for a distance of about thirty rods before they came up where I was,

when they were within two rods of me I was wrapping the fence, when defendant came up and he said to the cattle get out of here for some space. I said he was yourself going the round that if you kill that cow you would not be able to pay for her defendant told me go to hell me word then said I want go there I hope you will be there before me I picked up an arm of stalks and

and I led towards him he
came towards me with a stake
in his hand saying God
damn you and struck me
with the stake knocking me
down, and after I came
to myself I looked around
and seen my wife and
little girl there she says
to defendment you have
killed him now have you
not, Defendment says take
him out of here as I
will smash his skull she
went in between us, and
he shoved her across the
shed. keep your hands off
her I says and that time
I was to myself and I went
for him there was a pile
of wood the other side of
the shed and I shoved
him into that and got
the stake out of his hands
when he got up he came
after me then I struck
him with my fist he got
up yet when I caught
hold of him by the

showing I was going
to choke him when my
wife came and said
to me don't stricken
him let him go. Take
the back of him -
Lawrence Connally Jr
was there all that time with
an axe in his hand
he held my coat on
his hand saying do
not stricken him I let
him go and he went
away. Defendant stopped
his team before he came
off his sled. I threw the
stake on the road and
after I took it up
craps examined. I cannot
tell whether ~~the~~ ^{it was} stake ^{was}
before or after I was struck
that I tried to take the
stake out of the sled
Question Did you ever testify in Relation
to an affray between yourself and
the defendant prior to this day
Answer I did.

proved to strike out the foregoing evidence
by counsel for plaintiff. Motion sustained
and excepted to. Question by defense
were you ever arrested by a warrant issued
by R. H. McCallen Justice of the Peace
County of Carter and tried before said Justice
and convicted of having on the 17th day
of November 1873 at the time and place men-
tioned in your direct examination com-
mitted an assault & battery on the person
of the defendant in this action - Objected
to by Plaintiff, as being improper. Pre-
sented and incompetent on cross exami-
nation. Objection sustained and
defendant excepts. Question, were you
you the man who was charged with
stealing a horse from the father of
the defendant. Objected to by plaintiff -
Objection overruled by court. Answer I
have and been acquitted

~~William O. Garrison~~
Only seven days before
and say that when
he began to speak I heard
the noise, and I was
awakened, as I got down
the defendant had
the stick in his hand
and he was going towards
my husband and defend-
ant struck him twice
I said to defendant
do not strike him you
have killed him, the
defendant said I will
give him God damn him,
then O. Garrison got up
and struck him a
box on the mouth and
afterwards tripped him
and threw him on
the floor, when I
said do not strike
any more take the law
of him. Cross Examined
Question, did you speak
to me? I am sure I
did not speak to
Defendant

3rd

Rapahannock being
first study, however with
suppose since say
I seen the fight between
the defendant and
my father. I was
following the prize at the
corn yard. The yard is
close to the corn stalks
The corn stalks is close
by the road. I was
after coming from the
pig pen and the defen-
dant was coming
across the road.
Father was after giv-
ing corn stalks outside
of the fence as they were
coming, a dog was coming
across across the
road they struck one
of the cars with the
tongue of the sled, father
told him to be have him-
self, giving a bang the
river and he said he
would not do it he
pulled out the stake
and went toward him

and struck him twice
(he had an arm of sleep)
defendant knocked him down
with that stick we had
here to hang. I was inside
of the fence and the
fence is close to the road
father after getting up
tripped the defendant
down.

4th Defendant being duly sworn
soth depose and says I
was coming from the school
house down the Road with
my father's team.
(By consent of defendant
counsel and plaintiff
counsel the defendant's tes-
timony was not taken
down by the court - but
defendant ~~exhibited~~ exhibi-
ted a diagram of the place
where the occurrence took
place.

John Jany 5th Nov 1874
G. W. Mayentuhl
Clark

8th Lawrence Casnally Jun^r being
first duly sworn both
depose and say that
all the testimony of the
deceased William
Malak Jun^r sworn to is
true and correct in
every particular

6th Lawrence Casnally ^{Sen} being
first duly sworn
both depose and say
that I am a Relation
of William

Sworn to before me this
26th day of Dec 1873

Geo. L. Kelly
Justice of the Peace

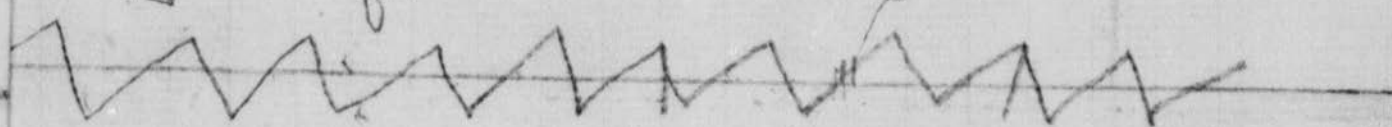
North

Pack
corn stalks

Stopped here

House

Yarrow got over fence



13 yds

50 yds

Tim stopped her

wood pile

Wickham
Aug 24 & 25/11
Bryher
Island

South

William Walsh Junr

Re Justice Court before
Matthew Kelly, Justice Carver to Minn.

1873

Nov 25th

Arrest and Complaint of Thomas O'Hara
Assault & Battery by William Walsh Junr
on file - Warrant Issued and given to
Constable Wm Moody. " " Warrant
Returned Defendant in Court " "
Complaint Read to Defendant where-
upon Def^t Plead not guilty. And Court
ordered William Moody Constable to make
out a list of 24 names to serve as jurors
to try the Issue - List made, complaining
Witnesses and defendant struck off each
Six names - By consent of all parties in-
terested the Case was adjourned ~~until~~
to Nov 26th at my office at 10 O'clock
A.M. - Defendant gave bond for his ap-
pearance at the time mentioned for his
his appearance - Venue Issued, and
Constable Moody for jurors selected the
following named persons - to wit
Chas. Block - Sudwig, Karlo - August
Kinneman - Jacob Baker - John Hetter -
Joseph Heber - M. J. Moran - Wm " "
Wm Mc Phellan - Chas Kinneman
Nesly Blacketter, and Edw. Burns -

Jan 26th Defendant appeared in person & by attorney
E Hanline - State by Co Attorney ...
Joseph Keenman - Jury sworn as select
Witnesses Thos. O Gara, Catherine O Gara,
and Ross O Gara for State, and
W^m Walsh & Laurence Connolly ^{Jun}
And Laurence Connolly ^{Sen} for Deft -
Defendant moved to not introduce the state
exhibited by plaintiff in testimony -
Over ruled by court - And Excepted to
Question by Counsel for deft -

Did you ever testify to an affray
between the defendant and yourself
prior to this day ~~Answer~~ I did -

Moved to Strike out the fore-
going evidence by plaintiff -
motion sustained - and Excepted to

Question by Defendant were you
ever arrested by Warrant Issued by
N. H. Mc Clellan Justice of the Peace
County of Carver, and tried before said
Justice, and, convicted of having
on the 19th day of Nov^r AD 1873, at
the time and place mentioned in
your direct examination commit-
ted an assault and battery on the
person of the Deft. in this
Action

Objected to as been improper
~~Prevalent~~ and incompetent on
cross examination —

Objection Sustained and
Deft excepts — ^{Question} Were you the
man who was charged with steal-
ing a harness from the father of
the deft. ^{objected to} Question Sustained
Answer I was and acquitted.

After hearing evidence for the plain-
tiff and by consent of both parties
interested, the testimony for defense
was not taken down but
verbally given to the jury —

by consent of both counsels the jury
took a recess for 5 minutes — and
after hearing all the evidence apper-
taining to the case, Constable Moody
was sworn to take charge of
jury to render their verdict —

After an absence of about 15
minutes jury returned into court
and rendered their verdict, that
said deftⁿ was guilty of same
offense as charged in complaint

Whereupon I have rendered
Judgement that said deft. shall
pay a fine of five (\$5⁰⁰/100) dollars
and cost — of this suit —

<u>Justices fees</u>		<u>Constables fees</u>	
Complaint	.25	Warrant	.25
Warrant	.25	by Subpoena	.60
1 st adjt "	.15	Mileage 20 mile	2.00
oath "	.15	Summoning jury	1.50
Recognizance	.25	List of jurors	.15
by Subpoena	1.00	Attending on jurors	.50
by oath	.60	Attending court	1.00
Deoore for jury	.25		<u>\$5.50</u>
Swearing jury	.25		
20 folios	\$3.00	Witnesses fees	
5 th Except?	.75	Catherine O'gara 1 day	\$1.00
Transcript	.25	Mileage 6 miles	.36
20 papers filed	1.00	Rosy O'gara 1 day	1.00
discharging prisoner	.25	Mileage 6 miles	.36
Making return	2.00		<u>\$2.72</u>
+ certifying to appeal			
	<u>\$10.40</u>		

And in default of pay-
ing the same to be com-
mitted to the County Jail
for the term of ten days -

Defendant gives notice of
appeal to district Court ~~of said County~~

Ordered that Def^t should
enter into Recognizance in
the sum of Seventy five
($75 \frac{0}{100}$) dollars for his appearance
before the next general term
of the district court, to
be held in said County to
answer said charge -

Recognizance given and
approved - On file -

Judgement	\$3.00
Costs	18.72

State of Minnesota } ss
County of Carver }

to the dist Court of

Whereby certify that
the above return is a true transcript of my
Docket in the above entitled action

State of Minnesota
against

William Walsh, Jr.

Transcript of Docket

Filed, Jan'y 8th 1874.
Ge. H. Hagenbuhl
clerk.

154.

Mathew Kelly
Justice of the Peace

and that the papers here-
unto attached were used
and filed in said action

Matthew Willy
Justice of the Peace

No. 789

DISTRICT COURT,
CARVER COUNTY, MINN.

The State of Minnesota
Plaintiff.

vs.

William Walsh Jr.
Defendant.

Frank Warner
Plaintiff's Attorney,

E. Hamilton
Defendant's Attorney.

Date of Entry

Jan. 8th 1874

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Term Tried

Apr.

1874

Judgment for

Amount of Judgment \$

Date of Judgment

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Judgment Book

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