



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

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No. 835

DISTRICT COURT,
CARVER COUNTY, MINN.

Isaac Oppenheimer & Co
- Plaintiff.

vs.
Daniel Stone
Defendant.

J. S. MacDonald
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry June 20, 1874

Register of Actions A Page 206

Term Tried 19

Judgment for Plaintiff

Amount of Judgment \$ 141.03

Date of Judgment June 20, 1874

Judgment Book A Page 369

Default Judgment Book Page

Date of Docketing June 20, 1874

Judgment Record A Page 188

STATE OF MINNESOTA, }

County of _____

DISTRICT COURT,

Judicial District.

Summons for Relief.

*Filed June 25th A.D. 1874.
Cathryn Schuchert
Plaintiff.*

Plaintiff's Attorney.

PIONEER PRINT, ST. PAUL.

State of Minnesota ss. I do hereby
County of Carver ss. Certify and return that at the
Store of Davis Store, in the village of Charter
County of Carver, Minn. on the 12th day of May
A.D. 1874. at 8 3/4 o'clock a.m. of said day
I did personally serve the within
Summons and Complaint on the within
named defendant by then & there handing
to and leaving with him a true copy
of the same J. E. De Pich
Jury Service Summons \$1.00
" " Complaint 2.00
Total \$3.00
Front Money 2 Rules 2.20.

Shiff Carver County
Minn

State of Minnesota,

DISTRICT COURT,

County of Carver }

Eighth Judicial District.

Isaac Oppenheim and August
Oppenheimer, partners under the firm
name of Isaac Oppenheim &
Company
against

SUMMONS.

Daniel Stone

The State of Minnesota,

TO THE ABOVE NAMED DEFENDANT:

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 city 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
take judgment against you for the sum of One
hundred and twenty five dollars and interest
thereon at the rate of 12 per cent per annum from the
15th day of February A.D. 1874, and costs of suit.

Dated,

A. D. 1874

John L. MacDonald
Plaintiff's Attorney, Shakopee city Minn.

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

Isaac Appenheim and August
Appenheimer partners under the firm name
of Isaac Appenheims & Company } **COMPLAINT.**
against
Daniel Stone

The Complaint of the Plaintiff shows to this Court:

That at Chaska in the State of Minnesota
on the 17th day of December, A. D. 1879, the Defendant made
his promissory note, in writing, dated on that day, and thereby promised to pay
to pay to said plaintiffs who are partners as above stated,
sixty days after said date of said note,
the sum of One hundred & twenty five ¹⁰⁰ Dollars, for value
received, with interest thereon ~~from the date thereof~~ ^{after maturity}, at the rate of 12 per cent.
per annum until paid, and delivered it to these plaintiffs.

~~That before the maturity of said note, the said~~

~~for value received, sold, transferred, endorsed, and delivered it to the plaintiff~~

That the Plaintiff are now the holders and owners of said note; that the
same has not been paid, nor any part thereof
but the defendant is now justly indebted to the plaintiff thereon, in the sum of
One hundred & twenty five Dollars with interest
thereon at the rate of 12 per cent. per annum from the 15th day
of February, A. D. 1874.

WHEREFORE, the Plaintiff demand judgment against the Defendant
for the sum of One hundred & twenty five ¹⁰⁰ Dollars,
with interest thereon, at the rate of 12 per cent. per annum, from the
15th day of February, A. D. 1874, together with the
costs and disbursements of this action.

John L. MacDonald

Plaintiff's Attorney.

Shakopee Minnesota

STATE OF MINNESOTA, }
County of Scott } ss.

John L. MacDonald
of Shakopee city in said County, being duly sworn, says that he is the
Attorney of the Plaintiff in this action; that the Plaintiff are absent from the County of
Scott where this deponent resides, and that the foregoing complaint is true to
the best of deponent's knowledge, information and belief.

John L. MacDonald

Subscribed and sworn to before me,
this 5th day of May 1874

D. A. Brown

Notary Public
Scott Co
Minnesota

DISTRICT COURT,

8th Judicial District,

County of *Carver*

Isaac Oppenheim & Co.

vs.

Daniel Stone

Summons &

COMPLAINT

ON PROMISSORY NOTE.

Filed, June 20th 1874

W. H. Wagonbush

Clerk

Sub.

John L. MacDonald

Plaintiff's Attorney.

St. Paul, Minnesota

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

State of Minnesota,
County of *Carver*

} District Court Eighth District

*Isaac Oppenheimer and August
Oppenheimer partners under the firm name
of Isaac Oppenheimer and Company*
AGAINST

Affidavit of Disbursements.

Daniel Stone

Plaintiff's Costs and Disbursements.

Statute Costs,	- - - - -	\$	5.00
Disbursements.			
<i>Three</i> Affidavits,	- - - - -		75
Sheriff's Fees,	- - - - -		1.20
Clerk's Fees to be added	- - - - -		3.95
			<hr/>
			\$ 10.90

Amount claimed in Summons.

Principal,	- - - - -	\$ 125.00
Interest,	- - - - -	5.13
		<hr/>
		\$ 130.13

State of Minnesota,
County of *Scott*

} ss.
J. L. MacDonald came personally before me and
having been first duly sworn, he doth depose and say, that he is
the Attorney of said Plaintiff in the above entitled cause; that the above
bill and items of Costs and Disbursements therein, are just and correct,
and have been necessarily incurred therein.

Subscribed and Sworn to before me, on
this *19th* day of *June* A.D. 187*4*

Eli Southworth
Notary Public
Scott Co., Minn.

J. L. MacDonald

State of Minnesota, } District Court Eighth District
County of Carver }
Isaac Oppenheimer and August
Oppenheimer partners under the firm
name of Isaac Oppenheimer and Company
AGAINST
Affidavit of No Answer.

Daniel Stone

State of Minnesota, }
County of Scott }

J. L. MacDonald came personally before
me, and having been first duly sworn, he doth depose and say, that he is
the Attorney for the Plaintiff in the above entitled action :

That the summons and complaint were personally
served on said defendant on the 12th day of May
A.D. 1894

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 19th day of June 1894

J. L. MacDonald

Eli Southworth
Notary Public
Scott Co. Minn.

Dist. Court 8th Dist.
County.
Carver
Isaac Oppenheimer and
Company

Against

Daniel Stone

Affidavit of No Answer, &c.

Filed, June 20th 1894
J. L. MacDonald
Attorney for Plaintiff

Attorney for Plaintiff

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

July 1

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

Isaac Oppenheimer & Co.
vs.

Daniel Stone

Judgment Roll

Judgment	\$130.18
Costs	" 10.90
<hr/>	
Total	\$141.03

Filed, June 20th A.D. 1874
Guthrie & Co. Clerk

206-

J. L. Macdonald
Atty for Plffs.

and that they have
been of Penobscot and many other
careful process therefor
By the Court
Guthrie & Co. Clerk
June 20th 1874

State of Minnesota
Dist. Court 2nd Dist.
County of Carver
Isaac Oppenheimer and
August Oppenheimer, partners
under the firm name of
Isaac Oppenheimer & Company
Against
Daniel Stone

This action having been commenced by personal service of the summons and complaint herein, upon said defendant and no answer or demurr having been served upon said plaintiffs Attorney herein, and said defendant having wholly neglected and failed to appear in said action in any manner, and more than twenty days having elapsed since the service of said summons and complaint upon said defendant as aforesaid:

Now therefore, on motion of J. L. MacDonald, Attorney for said plaintiffs herein it is adjudged and determined that said plaintiffs recover of said defendant the sum of One hundred and thirty dollars and thirteen cents (\$130.¹³/₁₀₀) and costs of suit taxed at

No. 836

DISTRICT COURT,
CARVER COUNTY, MINN.

Louisa Rotha

Plaintiff.

vs.

Christian Rotha

Defendant.

Baxter & Beck

Plaintiff's Attorney.

J. A. Sargent

Defendant's Attorney.

Date of Entry June 30, 1874

Register of Actions A Page 50

Term Tried 19

Judgment for

Amount of Judgment \$

Date of Judgment 19

Judgment Book Page

Default Judgment Book Page

Date of Docketing 19

State of Minnesota
County of Carver
6th Jul 1874

Louisa Rotha
against
Christian Rotha

Answer

Original -

Her service of the
within answer ad-
mitted this 29th June
1874 -

Baxter Peck
Attys for Peck

Filed June 30th 1874.
Attest
= 50 =

State of Minnesota }
County of Hennepin }

do come personally
before me Christian Rother & make oath
that he is the defendant in the
above entitled action. That he has
heard the above answer and that
the same is true of his own knowl-
edge and belief as to matters therein
stated upon his information & belief
& as to those matters he believes
to be true -

Subscribed & sworn to
before me this 25th day
of November 1874

Chas. E. Rother
Christian Rother

Peter L. J. Justice of the Peace

State of Minnesota
County of Cannon

In His
Court &
District

Louisa Rotha
against
Christian Rotha

The defendant in the above entitled action for answer to the complaint of the plaintiff therein, respectfully states, and shews to the Court - That he denies each and every allegation in said Complaint, except the allegations of marriage, residence, ages, living together as husband and wife, and no children by virtue of said marriage -

Wherefore said defendant prays that said action may be dismissed with his costs -

J. A. Sargent
Wfts Atty
Leaska Minn

No. 837

DISTRICT COURT,
CARVER COUNTY, MINN.

Henry H. Schaeffer
et al. Plaintiff.

vs.
Henry Spikers
Defendant.

J. A. Sargent
Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry

Register of Actions

Term Tried

Judgment for

Amount of Judgment

Date of Judgment

Judgment Book

Default Judgment Book

Date of Docketing

State of Minnesota ss. J. F. E. Du Toit Sheriff
 County of Leavenworth
 I said County of Leavenworth, Minnesota, do hereby
 certify & return that I did on the 9th day
 of June AD 1874 at the village of Chaska
 County & State of fore-said serve the within
 Summons on the within named defendant
 by handing to & leaving with him a
 true copy of the same.

Two-Sixty Summons \$4.00
 Mileage \$1.40
 Total \$5.40

J. F. E. Du Toit
 Sheriff Leavenworth Minn.

SUMMONS.

Schaffer & Korfage
 vs
 Mary Spicker

DEMAND FOR SUM CERTAIN

original

Filed, June 29th 1874
 J. F. E. Du Toit
 Sheriff

Plaintiff Attorney

Ramaley & Cunningham, Printers, St. Paul.

State of Minnesota,

County of Leavenworth

ss.

DISTRICT COURT,

6th

Judicial District.

Henry M. Schaeffer & Louis Korfhaug
partners as Schaeffer & Korfhaug

Plaintiff

vs.
Henry Spicker

Summons

Defendant

The State of Minnesota,

To the above named Defendant .

You are hereby summoned and required to answer the complaint of the Plaintiff in the above entitled action, of which a copy is herewith annexed and herewith served upon you, and to serve a copy of your answer to said Complaint on the subscriber, at his office, in the town of Leavenworth 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 take judgment against you for the sum of fifty two Dollars and forty two Cents, with interest at the rate of 12 per cent. per annum from the 20th day of December 1873 and the sum of sixty three dollars and twenty three cents + interest at 7 per cent from Feb 20 1874 together with the costs and disbursements of this action.

Dated Leavenworth Minnesota,

May 21 1874

J. A. Sargent

Plaintiff's Attorney

Charles M. Munn

A. St. Paul, May 19 - 1874

Mr Henry Spicker

Bought of H. H. A

Louis

SCHAEFER & KORFHAGE,

DEALERS IN

Foreign and Domestic Dry Goods and Notions,

Terms 60 days.

No. 7 Seventh Street, Cor. of Jackson.

1874	Febr 20	1 Pc plaid Flannel	25 yds	40	10 00		
		4 " Linsey	$3\frac{3}{4}$ - 18 $\frac{3}{4}$	17 $\frac{1}{2}$	3 29		
		1 " Gingham	23	14 $\frac{1}{2}$	3 34		
		1 " Print	28 $\frac{3}{4}$	10 $\frac{1}{2}$	3 02		
		1 " "	22	11	2 42		
		3 " "	60	12	7 20		
		1 " Cottonade	20	33	6 60		
		1 " Ky Jean	25 $\frac{3}{4}$	32 $\frac{1}{2}$	8 38		
		1 " Kerash	25	13 $\frac{1}{2}$	3 38		
		1 " Cheviot Shirting	20	22 $\frac{1}{2}$	4 50		
		1 " Sheetting	20	14	2 80		
		1 " Ribbon			50		
		3 " "		60	1 80		
		1 " "			75		
		1 " Vel. "			1 00		
		1 " " "			1 25		
		2 Gross H & Eyes		20	40		
		1 Set Jewelry			40		
		1 Breastpin			1 00		
		16 doz sp cotton		45	7 20	69 23	
		Per By Cash				6 00	
		Balance				63 23	

Vol

1

State of Minnesota } In District Court
County of Hennepin } 8th Judicial Dist

Henry H Schaeffer and
Louis Korfage - partners
as Schaeffer & Korfage
against
Henry Spicken

The complaint
of the above named plaintiffs against
the above named defendant states
& shows to the Court -

That the said
defendant ^{for value received} made, executed and deliv-
ed his promissory note in writing, to
these plaintiffs in words and figures
as follows to wit: "

St Paul Minn

November 20th 1873 - Sixty days
after date I promise to pay to the order
of Schaeffer & Korfage Fifty two $\frac{42}{100}$
interest at twelve per cent per annum
until paid at the German American
Bank St Paul - Value received
\$52-42

W. Spicken "

Dec Feb 21/74

That said plaintiffs

are the owners & holders of said promissory note. That no part of the sum has been paid. That there is now due and owing these plaintiffs by said defendant on said promissory note the sum of fifty two dollars & forty two cents and interest on the sum at twelve per cent per annum —

3

And for a further cause of action said Plaintiffs aver & allege. That on the 20th day of February 1874 these plaintiffs sold & delivered to said defendant and as his receipt — goods wares & merchandise, as per bill of particulars hereto attached marked 'A' and forms part of this complaint. That said goods wares & merchandise were reasonably worth the sum set opposite each article in said bill of particulars amounting in the aggregate and of the value of Sixty Nine dollars & twenty three cents. That no part of said sum has been paid except the sum of Six dollars paid on said 20th day of Feb. That there is now due and owing these plaintiffs by said

4

defendant - for said goods, wares
+ merchandise so sold + deliver
the sum of Sixty three dollars +
twenty three cents -

Wherefore said
Plaintiffs demand judgement
against said defendant for
the sum of fifty two dollars + forty
two cents + interest thereon from Decem-
ber 20, 1873 at 12 per cent per
annum - And for the further
sum of Sixty three dollars + twenty
three cents + interest thereon from
May 20 1874 at 7 per cent per annum
besides the costs of this action

J. A. Sargent -
Plffs Atty -
Chaska Minn

State of Minnesota }
County of Leam }

Leam personally
before me J. A. Sargent - and being
first duly sworn on oath says that
he is the Attorney for the Plaintiffs
in the above entitled action - that
the same is true of his own knowledge

expresses as to matters therein stated
upon his information and belief and
as to those matters he believes it to be
true. That the reason why this
complaint is not verified by one
of said plaintiffs is that they reside
in St Paul Mining and are not
now in said loc of claim where
their attorney resides. That the grounds
of the belief of this defendant as to the
truth of said complaint are that
he has in his possession the note &
bill of particulars mentioned in
said complaint - sent to him
for collection -

Shown & subscribed to } of A Sargent
before me this 22nd day
of May 1874 }

Peter L. L. S.
Justice of the Peace

H. M. Schaeffer and
Louis Kiefhauser
as Schaeffer & Kiefhauser

agrs

Henry Spieker

Summons & Complaint

Filed June 30th 1874.

By Henry Spieker

Wm. L. S.

1874.

of A Sargent
M. S. L. S.
Christian Mining

State of Minnesota
District Court
Carver County,

Henry H. Schaeffer and
Charles Morfhaage, ^{Plaintiffs}
Schaeffer & Morfhaage
vs
Henry Spickler.

Affidavit of no answer.

Filed, July 24th 1874
Guthrie
Clerk

State of Minnesota } In High Court
burn county } ss Justice

Henry M. Schaeffer & Louis Korbhage }
Parties as Schaeffer & Korbhage }
vs }
Henry Spieker }

State of Minnesota }
burn - county } ss

¶ A Sargent

being first duly sworn on oath says
that he is Attorney for the Plaintiff in
the above entitled action. that the
summons & complaint in said
action has been served on said
defendant more than twenty days
exclusive of the days of such service
that no answer - demurrer - or
notice of return has been served
in this docket - .

Served & subscribed to ¶ A. Sargent
before me this 24th

July, 1894

John H. Sargent

John H. Sargent

Baron Comings

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

Henry H. Schaeffer and
Charles Thorphage, partners as
Schaeffer & Thorphage
against
Henry Spickler.

The Complaint
in the above entitled action having been filed
with the Clerk of said Court, and the summons
duly served personally upon the defendant
on the 9th day of June, A.D. 1874. And it appearing
by the Affidavit of the Attorney for Plaintiff, on
file, that no answer or demurrer or copy of either
has been received by said Plaintiff's attorney in
said cause.

Now therefore, upon motion of
J. A. Sargent Attorney for said Plaintiff, It is
hereby Adjudged and determined that said plaintiff
recover of said defendant the sum of One
Hundred fifteen dollars & Sixty five cents with
five dollars & fifty cents interest, as claimed by
said summons and Complaint, together with
the sum of Nine dollars & eighty five cents, costs.

State of Minnesota
District Court
Warner County,

Henry, H. Schaeffer and
Charles Warphage

Partners as

Schaeffer and Warphage

vs.

Henry Spinkler,

Judgment Roll,

Judgment	\$115.65
Interest	" 5.60
Costs	" 9.85

Total \$131.10

Filed July 24th A.D. 1894.
J. H. Grayentahl
Clerk.

=152.=

J. A. Sargent, Attorney for Plaintiff
Charles A. Munn

No. 838

DISTRICT COURT,
CARVER COUNTY, MINN.

In the Matter of the
Vacation of a part of
time ~~street~~ ^{Plaintiff} in the Village of
Carver.

vs.

Defendant.

Frank Warner
Attorney Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry July 2, 1874

Register of Actions A Page 50

Term Tried 1

Judgment for Petitioner

Amount of Judgment \$

Date of Judgment Nov. 14, 1874

Minute Book A Page 392, 394

Default Judgment Book Page

Date of Docketing 1

To the Hon District Court
the judicial District in
and for the County of
Carver State of Minnesota

In the matter of the vacation
of a part of Lime Street
as designated upon the
Town Plat of Carver in
the State of Minnesota.

We the undersigned
your petitioners would
represent to the Court
that we are residents
and proprietors of the Town
Site of Carver as surveyed
and platted by J. C.
Walstead in the Year
A.D. 1857 and which said
Plat was duly recorded
in the Office of the Register
of Deeds for said County
of Carver State of Minnesota
during said Year of
A.D. 1857 - that said
Town was duly laid
out into Lots, Blocks, Streets

And Alleys - That by
reason of the building
and Establishment of the
Railway known as the
"Minneapolis and St. Louis
Railway" a portion of
a street in said town
named "Lime Street" has
become useless for the
purpose for which it
was laid out, to wit:
all that portion of said
Lime Street lying between
Blocks twenty seven (27)
and twenty eight (28) in
said town site adjacent
to Lots six (6) and seven
(7) in Block twenty seven
(27) and Lots one (1) and
two (2) in Block twenty
eight (28) therefore your
petitioners ^{ask} that all that
portion of Lime Street
lying between and opposite
said blocks (27) and
(28) be vacated

Dated March

Petition

In Matter of vacation
of Lin. Street
Carroll road

To file with J.
Kraegenbuhl - Clerk
of Court.

John J. Taylor 1874,
J. Kraegenbuhl Clerk

Do.

July 1st 1874 }

Wm A Griffin
H. K. Denny
A Knutson
A G Anderson
John Funk
John Dunn
~~Wm A Griffin~~
Levi B. Griffin

State of Minnesota
County of Carver

Be it known
that on this 1st day of July
A.D. 1874 personally appeared
before the undersigned
A Griffin H. K. Denny A.
Knutson, A. G. Anderson
and John Funk, John Dunn
and Levi B. Griffin and
upon oath acknowledged
that they signed the
forgoing petition freely
and voluntarily for the
uses and purposes
therein expressed.

Frank Warner
Justice of the Peace

24

— To whom it may Concern

Notice is hereby given
that the undersigned
proprietors and residents
of Canon in said County
of Canon State of Minnesota
will ~~move the Court~~

apply to Hon. A. J.
Whitfield Judge of the
District Court & Federal
District for said County
of Canon on the first
day of the next Regular
Term thereof to be held
at the Court House
at Chaska in said
County on the 5th day
of October A.D. 1894 at
10 o'clock in the forenoon
or as soon thereafter
as the parties can be
heard for an order
of said Court vacating
all that part of "Line
Street" lying between
Blocks twenty seven (27) and
twenty eight (28)

a designation upon the
recorded Plat of Survey
as surveyed by J.
C. Halstead in the Year

1857

July 1874

Wm A. Griffin
D. A. Denny
A. Knudsen
A. G. Anderson
John Lunk
John Dunn
Lori A. Griffin

Frank Warner

att'y for Applicants

"A"

State of Minnesota
County of Carver E & S

Anton Kuddluch
being first duly sworn
deposeth and says that
he is one of the Proprietors
of the Loran Plant of Carver
in the County of Carver
State of Minnesota and
that he has caused a
petition to be filed with
the Officer of the Clerk
of the District Court for
said County praying for
a vacation of a portion
thereof and in pursuance
thereof has on the 1st day
of July A.D. 1874 posted
two notices of the hearing
of said Petition in two
of the most Public places
in said County, to wit:
one at the Post Office
at Carver in said County
and one at the Court
House in the village of
Chaska in said County
a copy of which said

Notices. As portion is hereto
annexed and marked
"A" and further dependent
faith not

From Office
Subscriber before
me this 5th day
of October A.D. 1874

Anton Kurblauch

G. Weyenbuhl
Chief Clerk
Carroll County

Dist. Court
8th Div.
in "

Application for
vacation of a
portion of Lower
Site of Carroll
Notices and Procs
of pending cases

Filed, October 5th 1874.
G. Weyenbuhl
Clerk

11

Dist Court
Sta Judicial Dist
" "

Application for
Vacation of portion
of Lower Flat of
Canon
" "

Proof of Publication
" "

John W. Storer
Gestrengebuhl
Schulz

511.

State of Minnesota
Said Court
County of Carver,

Order on Petition
for vacation of part
of Lime Street in the
Village of Carver.

Jules, October 25th 1894.
Gehringmuhl
Clerk

50.

State of Minnesota
County of Carver }
District Court }
Superior Judicial Dist. }

In the Matter of the Vacation of
a portion of Line Street upon
the Plat of Carver in said County

(Upon reading and
filing the Petition, proof
of posting proper notices of
hearing, and publication thereof
and upon hearing the
evidence in support of such
vacation, there being no
opposition thereto - ordered
the prayer of said Petitioners
be granted and that portion
of Line Street lying between
Blocks Twenty Seven (27), and
Twenty Eight (28) upon the
Lorion Plat of Carver in
said County be and the
same is hereby vacated

Dated at Chicago
Oct 5th 1874 }

By the Court.

A. G. Chaufield
Judge cc.

No. 829

DISTRICT COURT,
CARVER COUNTY, MINN.

Lucian Harner
Plaintiff.

US.
Lucius H. Harner
Defendant.

J. A. Sargent
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry July 2, 1874

Register of Actions A Page 193

Term Tried 1

Judgment for Plaintiff

Amount of Judgment 374.14

Date of Judgment July 24, 1874

Judgment Book A Page 374

Default Judgment Book Page

Date of Docketing July 24, 1874

Judgment Book Page 190

State of Minn. County of Beaver certify
 Chaska, Leavitt County Minn., on the 2^d
 day of July A.D. 1874, I did serve the
 within Summons upon ^{the} within named defendant
 Lucius Howe, of the firm of Lucius & Eunice
 Howe, by then & there handing to and leaving
 with him at his residence in Chaska
 a ^{for said} true & correct copy hereof.
 Fees - Service Summons \$1.00
 Mileage 2 miles Copy $\frac{20}{20}$
 \$1.40 J. E. De Loit
 Sheriff Cass Co. Minn.

DISTRICT COURT.

5th Judicial District.

County of Beaver

Lucius Weimer
 against -

Lucius & Eunice
 Howe and firm
 named of & Menomonie

Verdict

SUMMONS.

Filed July 15 1874.
 J. E. De Loit
 Sheriff

Bluff

193.

W. A. DeLoit
 Plaintiff Attorney

State of Minnesota,

County of

Cannon

DISTRICT COURT

6th

Judicial District.

Lucien Warner

Plff

against-

SUMMONS.

Lucius Home & Sons & Home under firm
name of L Home & Son Hlpts

THE STATE OF MINNESOTA To the above named Defendants

You said defendants are hereby summoned and required to answer the complaint in this action which is on file in the Clerk's office of said County in Chaska in said County of Cannon

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

Chaska 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 take

judgment against you for the sum of Three hundred & fifty five dollars & interest thereon from May 26th 1874, besides the costs of this action

Dated

Chaska July 2

A. D 1874

J A Sargent

Plaintiff Attorney, Chaska Minn.

DISTRICT COURT

Dated July 2

J A Sargent

Doc

1 State of Minnesota } In Dist Court
County of Hennepin } 6th Equal Matter

Lucien Warner
against
Lucien Warner & Son
Warner under firm name
of L Warner & Son

The complaint
of the above named Plaintiff
respectfully shows to the Court, that
the above named Defendants
have been, ~~for~~ over one year last
past, and now are, copartners
doing business under the firm
name of L Warner and Son.

That the said Defendants made,
executed, and delivered their prom-
issory note, in writing in words &
figures following to wit: -

"# 355⁰⁰ Alaska Minn May 26
1874. Thirty days without grace
after date we promise to pay to
pay to the order of W P Upham Cashier
Three hundred & fifty five dollars at
First National Bank St Paul

value received.

No 10095

" & "Horse & Son"

And Plaintiff further shows and avers. That the said payee in said promissory note describing for a valuable consideration, duly sold, and assigned said promissory note to this Plaintiff. That said Plaintiff is now the lawful owner and holder of the same - That no part of the same has been paid - That the said defendants are jointly indebted to this Plaintiff therein in the sum of Three hundred and fifty five dollars, as principal and interest from said 26th May 1874 - For which said principal sum and interest this Plaintiff demands judgment against said defendants besides the costs of this action

J. A. Sargent

Plff's Atty.

Chas. A. Smith

State of Minnesota
County of Le Sueur
Dist Court & the
Justice

Lucien Warner
agent

L. Warner & Son
minn

Filed, July 12, 1894
J. H. Wray, Clerk
Le Sueur Co.

193.

State of Minnesota }
County of Leam- }

Leam personally

before me Lucien Warner and
having duly sworn he says
that he is the Plaintiff in the
above entitled action, that he has
read the above complaint -

4

that the same is true of his own
knowledge - He also as to those
matters therein stated upon his
information and belief and as to
those matters he believes it to be
true

Sworn + Subscribed

Lucien Warner

to before me this

2^d day of July 1874

J. A. Sargent

Justice of the Peace

District Court.

County of Leavenworth

Lucien ~~Warren~~

against

E. Horn & Son

Affidavit for Attachment.

To the Clerk of Said Court:

On filing the within affidavit and a bond approved
by me in the within entitled cause, let a Writ of
Attachment issue as within prayed.

Dated July 10th 187 4

J. A. Sargent

Commissioner ^{Judge of said Court.} Leavenworth

Filed July 10th A. D. 187 4

G. H. Gray
Clerk of said Court.

Plaintiff Attorney.

Ramaley & Cunningham, Printers and Stationers.

198

State of Minnesota,
County of Carver } ss.

District-
8th Dist-

Court.

Lucien Warner

Affidavit for Attachment.

Lucien Warner & Emerson S. Warner
under firm name of
S. Warner & Son

State of Minnesota,
County of Leum } ss.

Lucien Warner came

before me personally, and being first duly sworn, doth say, that he is the
said Plaintiff in the above entitled action, which
is brought for the recovery of money, and a summons has been issued therein.

That a cause of action exists against the Defendant, and in favor of said Plaintiff therein,
and the amount of said Plaintiff's claim therein is Three hundred + fifty five
dollars + int from May 26 1874 Dollars, and the ground thereof
is as follows, that is to say The said plaintiff is owner & holder
of one promissory note - made executed & delivered by
said defts to H. P. Upham, ^{cashier} on order dated May 26 1874
for \$355.00 payable in 30 days

Deponent further says that the said Defendant & are about to assign
& sell and dispose of their property for the
purpose of and with the intent to defraud their
creditors and especially this deponent.

Therefore deponent asks that a Writ of Attachment may be allowed and issued against the
property of said Defendant, according to the statute in such case provided.

Lucien Warner

Subscribed and sworn to before me this
10th day of July 1874

J. A. Sargent
Justice of the Peace

State of Minnesota,

County of Levee

ss.

and _____ came before me personally, and being by me first duly sworn, both say, each for himself, that he is the surety above named; that he is a resident and freeholder of and in this State of Minnesota, and worth the amount of _____ 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 _____ day of _____ A. D. 187

District _____ Court.
Levee _____ County.

Lucien Warner

AGAINST

L. Howe & Son

BOND FOR ATTACHMENT.

I hereby approve the within Bond and the sureties thereon.

Dated July 16th A. D. 1874

J. H. Sanger & Son
Commissioners for Levee Co
Minn

Filed July 19th A. D. 1874
W. H. Hagenbuhl

Plaintiff Attorney

RAMALEY, CHANEY & Co., Printers, St. Paul.

-193-

State of Minnesota,

County of Cum

Justice

Court.

ss.

6th Federal District

Sueen Warner
against
Lucius Howe & Emmons & Howe
under firm name of
L Howe & Son

Bond for Attachment.

KNOW ALL MEN BY THESE PRESENTS, That we Sueen Warner

as principal, and

P. H. Manning

as surety are held and firmly bound unto

Lucius Howe & Emmons & Howe

above named

in the sum of Five hundred

Dollars, to be paid to the said Lucius Howe & Emmons & Howe
for the payment whereof, 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 10th day of July

A. D. 1874

The condition of this obligation is such that, whereas the above named plaintiff has duly
applied for a Writ of Attachment against the property of said defendant in this action, according
to the statute in such case provided.

NOW THEREFORE, if the said Defendant, recover judgment, if the plaintiff shall
pay all costs that may be awarded to the defendant and all damages which he may sustain by
reason of the attachment, not exceeding the penalty of this Bond, then this obligation shall be void,
otherwise of force.

In testimony whereof, we have hereunto set our hands and seals on this 10th
day of July A. D. 1874

Signed, Sealed and Delivered in Presence of

J. H. Sawyer

E. C. Moser

Sueen Warner

P. H. Manning

SEAL

SEAL

SEAL

STATE OF MINNESOTA,

County of Cum

ss.

Be it Known, That on this 10th

day of July

A. D. 1874,

came before me personally Sueen Warner

+ P. H. Manning

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. H. Sawyer
Notary Public

State of Minnesota ss. I Frederick E. Du Pont Shiff.
 County of Carver 3 ss. I do hereby certify
 in and for said County do hereby certify
 and return that on the 10th day of July
 1874 I attached as the property of the within
 named defendants by virtue of the within writ
 of Attachment the following described Real
 Estate, Situate lying and being in the
 County of Carver and State of Minnesota
 to wit: Lots 1 & 2 Block 3. Also Lots 3, 4, 5,
 6, 7, 8, 9 & 10 Block 18. Also Lots 2, 3, 4 & 10
 Block 19, in the village of Chaska, as per
 plat of said village in the office of Register
 of Deeds of said County.

Dated July 10th 1874.

State of Minnesota
 County of Carver

F. E. Du Pont Shiff
 Carver Co., Minn.

I do hereby certify and return
 that the within foregoing are true copies
 of the writ of Attachment & the return
 thereon in the within entitled action

Dated July 10th 1874.
 Fees. - Service attachment - \$ 1.00
 Copies 3. 2 miles 90
 mileage 2 miles 20
 2.10.

F. E. Du Pont Shiff
 Carver Co. Minn.

Original,

District Court,

County of Carver,

Quinn Warner

Charles Howe, Emma, G. Howe

under the firm name of

S. Howe & Son,

WRIT OF ATTACHMENT.

Issued July 10th 1874

G. H. Hays

Returned July 10th 1874

G. H. Hays

Plaintiff Attorney.

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

State of Minnesota,

County of

Carver,

DISTRICT COURT,

Eight

Judicial District.

Lucius Warner

Lucius Howe & ^{against} Emmans, H. Howe, under the
firm name of L. Howe & Son,

Writ of Attachment.

STATE OF MINNESOTA,

County of

Carver,

ss.

The State of Minnesota,

To the Sheriff of the County of

Carver

GREETING:

Whereas, in the above entitled action, which is for the recovery of money, an application has been made by Lucius Warner the Plaintiff, for a Writ of Attachment against the property of H. Howe & Son

defendant therein, and to that end an affidavit has been made and filed, showing that a cause of action exists against such defendant, specifying the amount of the claim and the ground thereof; and that the defendant are about to assign secretly and dispose of their property for the purpose of and with intent to defraud their creditors especially this defendant and the bond in such case required by law, has been duly filed, and such Writ has been duly allowed.

Therefore, You are hereby commanded and required to attach and safely keep all the property of said H. Howe & Son within your County, and not exempt from execution, or so much thereof as may be sufficient to satisfy the said plaintiff demand, (which amounts to the sum of Three hundred and fifty five dollars as appears by the Complaint in said action,) together with costs and expenses, and that you proceed herein in the manner required of you by law.

Witness the Honorable

J. G. Chatfield

Judge

of the District Court aforesaid, at

Chaska

this

twelfth

day of

July

in the

year 1874.

year 1874.

G. Wraymull

Clerk.

Miss Court & Co
District - Carver Co

Suein Warner

vs
Suein Warner & Son

Affidavit of
no answer -

Filed, July 24th 1894
G. H. H. H. H.
H. H. H.

State of Minnesota }
Carver County } The Dist-Court
8th Judicial Dist

Lucien Warner
against

Lucas Horn & Son
Horn under firm name
of L. Horn & Son

State of Minnesota } ss
County of Carver }

If A. Surgen
being first duly sworn on oath
says that he is the attorney for
the plaintiff in the above entitled
action - that the summons
in said action was duly & per-
sonally served on Lucien Warner
one of said defendants on the
2^d day of July 1874 - That more
than twenty days have expired
since the service of said sum-
mons - exclusive of the day of said
service - That no answer, demand
or notice of appearance has been
served on this defendant by said
defendants as required in said sum-
mons, or otherwise -

Sworn & subscribed to before If A. Surgen
on this 24 July - 1874

Peter L. L. Justice of the Peace

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

Chas. W. Warner

Against

Chas. Hove & Emmons, Ch. Hove

Under firm name of
Ch. Hove and Son.

The Complaint in the above
entitled action having been filed with the Clerk of this Court,
and the summons duly served personally upon the
defendants herein on the 2^d day of July A.D. 1874. And it
appearing by the Affidavit of the Attorney for Plaintiff,
in file, that no answer or demurrer or copy of either
has been received by said Plaintiff's Attorney in said
cause.

Now therefore, upon motion of J. A. Sargent
Attorney for said Plaintiff, It is hereby adjudged and
determined that said Plaintiff recover of said
defendants the Sum of Three hundred and
fifty five dollars, with four dollars and
fourteen cents ^{interest.} as claimed by said summons
and complaint, together with the Sum of
fifteen dollars, costs and disbursements
taxed in said action, the whole amounting
to the Sum of Three hundred seventy four
dollars and fourteen cents, and that said

Plaintiff have this lawful process therefor.

Judgment	\$ 355.00
Interest	" 4.14
	<hr/>
	\$ 359.14

<u>Costs.</u>	Statute Costs	\$ 5.00	
	Court Com fees	" 2.00	
	Sheriff fees	" 3.50	
	Deputies	" 4.50	" 15.00
		<hr/>	
	Total	\$ 374.14	

Dated July 24th AD 1874.

By the Court:

G. W. Mayentahl
Clerk.

State of Minnesota
District Court
County of Carver,

Lucien Warner

by
Charles Howe and
Emmons. H. Howe
Under firm name of
H. Howe & Son,

Judgment Roll.

Judgment	\$355.00
Interest	" 4.14
Costs	" 15.00

Total \$374.14.

Filed July 24th 1894
Wm. H. Sargent, Clerk.

193.

J. A. Sargent, atty for Plaintiff
Charles A. Munn

No. 840

DISTRICT COURT,
CARVER COUNTY, MINN.

Ferdinand Satz
Plaintiff.

vs.
*The Board of County Commissioners
of Carver County*
Defendant.

Baxter & Park
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry *July 2nd* 1874

Register of Actions *"A"* Page 195

Term Tried *At the Term* 1874

Judgment for *Plaintiff*

Amount of Judgment \$ *22.20*

Date of Judgment *October 17th* 1874

Judgment Book *"A"* Page 397

Default Judgment Book Page

Date of Docketing *November 25th* 1874

Judgment Book Page *202*

original

SUBPENA.

DISTRICT COURT,
CARVER COUNTY.

IN THE MATTER OF

Herdin and Gatz
The Board of Local Commissioners
of Carver County

Subpena on the part of

Refund

State of Minnesota, }
Carver County. }

Chaska, Oct 6th 1874

I have duly served the within by reading
the same to the within named *Peter*
Barthel by handing
him a copy thereof

as I am therein commanded.

H. C. Du Toit Sheriff.

FEES--Service	<i>Subpna</i>	\$	<i>50</i>
Mileage	<i>copy</i>	\$	<i>20</i>
Return		\$	<i>75</i>

Filed in said Court this *Sixth*
day of *October* A. D. 187*4*
Estherayentuhl Clerk.
Attorney.

SUBPENA.

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

To

Peter Barthel

Greeting:

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

Ferdinand Gatz

and *The Board of County Commissioners of Carver County* Plaintiff,

Defendant on the part of the *Defendant*.

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

Witness, The Honorable A. G. Chatfield, Judge of the District Court
aforesaid, at *Shaska* in said County, this *fourth*
day of *October* in the year 187*4*.

G. H. Grayenbuhl

Clerk.

SUBPENA.

DISTRICT COURT,
CARVER COUNTY.

IN THE MATTER OF

Arden and Gath,
The Board of Commissioners
of Carver County,

Subpena on the part of

County

State of Minnesota, }
Carver County. }

Chaska. Oct 6th 1874

I have duly served the within by reading
the same to the within named *Levi*
N. Griffin

as I am therein commanded.

F. E. Du Toit Sheriff.

FEES--Service,.....	\$ 50
<i>Copy</i>	<i>20</i>
Mileage,.....	\$ 70
Return,.....	\$

Filed in said Court this *Sixth*
day of *October* A. D. 1874.

John H. H. H. H. Clerk.
Attorney.

SUBPOENA.

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

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Greeting:

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

Frederick Veith

and The Board of County Commissioners of Carver County ^{Plaintiff,}

Defendant on the part of the Defendant

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

Witness, The Honorable A. G. Chatfield, Judge of the District Court
aforesaid, at Oskana, in said County, this 21th
day of October 1874, in the year 1874.

in the year 1874,
Guthrie

State of Massachusetts }
Lynn County } 22

~~William Michael~~
Forsman, 73, 40th

The Board of Comm.
of Commission of
Lynn County.

To Peter Barthel Clerk.

You will take notice that
the above named Forsman 73, 40th
has appeared to the District Court
of said County from that order
or determination of said Board of
Commrs changing a certain highway in said
County petitioned for by Joseph Auburn
and others dated June 4th 1854, arriving
through Res. 16. Term 116. R 25 in
said Court Co.

Dated June 20 1854

Barthel Barthel
Atty. for County
Wilmington.

David L. Lumb
Lumber Co.

4444

Office of
Gen. Comm. of
Lumber Co.

Notice of appeal

By L. L. Lumb

Attest

L. L. Lumb

I do hereby approve

the within appeal

the said appeal

dated July 28, 1894

at the City of

Co. and

Filed July 28, 1894

Attest

Notary Public

State of Minnesota
Lumber Co. ss. H. J. Rents, clerk
sees says that he did on the 2^d day of
July 1894, receive the within notice on
the within name Peter Barthel Clausen
the Attorney General of Lumber Co. by handing
to him having with him in Alaska a true
copy of said notice of appeal.
Subscribed and sworn to
this 2^d day of July
1894, S. L. Baxter
Notary Public
Lumber Co. Minn

H. J. Rents

In the matter of the ~~highway~~ ^{highway} and a public
highway in the County of Cass Minnesota
petitioned for by Joseph Weber and others.
Described as follows to wit: Commencing at a
certain bridge on the Wagoner Helvetia and
Lacadena road in Section 16, Township 116.

Range 25; a few rods west of the house of
August Mathe. thence running north west
through the SW¹/₄ of the SE¹/₄. thence through
the SE¹/₄ of the SW¹/₄ thence through the NE¹/₄ of
the SW¹/₄. thence through the SE¹/₄ of the NW¹/₄
thence through the SW¹/₄ of the NW¹/₄. thence
through the NW¹/₄ of the NW¹/₄ all in said
Section 16 T. 116 R. 25. the said road
as charged running over the land of
John Kern, William Grochel, Ferdinand
Goetz and Edward Long, in said Township

The undersigned Ferdinand Goetz over
whose land the said road passes
take leave or leave out will now
humbly makes application for an official
and habeas corpus to the District Court
of said County, from a certain order ^{or determination} of
the said Board of County Commissioners
of said Cass County. laying out and
charging said highway dated June 4th 1874.
the amount of charges claimed by said
Goetz there being over the sum of \$100.

Said application is made and ^{affidavit} taken
upon the following grounds and for the following
very cause to wit:

- 1st To reverse entirely the proceedings,
of said County Commission, in
changing said highway.
- 2nd To reverse the proceedings of said
County Commission in relation to
the amount of charges allowed
this Appellant by said Board of
Commissioners.
- 1st Because said Board have no
any jurisdiction of the subject
matter or the persons relation to a
change in said highway.
- 2nd Because the said Commission
never allowed any charge or
made any award of charges
for the taking of the land em-
brasured by said road or highway.
- 3rd Because the charges to the land
of this Appellant are greater than
the public utility of said proposed
change in said road or highway.

Dated Jan 12/1894/Baxter & Beck

Atty's for General Galt,
Appellant.

Know all men by these presents
 that Ferdinand Gatz as principal and
 Gottlieb Gatz and Martin Gatz all of Lewis &
 as securities are held and firmly
 bound unto the Board of County Com-
 mission of Carver County Minnesota
 in the sum of fifty dollars lawful money
 the payment of which well and truly to
 be made we have ourselves our heirs
 executors administrators and assigns jointly
 by these presents.

Signed Sealed & Delivered this 1st day of July
 1874.

The Condition of this obligation is such that
 whereas the said Ferdinand Gatz
 has appealed to the District Court of
 said Carver County Minnesota from a certain
 order or determination of said Board of
 Commission of date June 4th 1874.

Changing a certain highway in said County, peti-
 tioned for by Joseph Weber and others,
 Now therefore if the said order or determination
 of said Board of Commission shall be
 sustained on said appeal and the said
 Ferdinand Gatz shall pay all costs arising on
 such appeal then this obligation shall
 be void otherwise of full force

and of full force
 signed & sealed in presence of
 J. H. B. L. O.
 John Leo Mock

Ferdinand Gatz	Sol
Gottlieb Gatz	and
Martin Gatz	and

Original

STATE OF MINNESOTA, }

County of *Leann* }

District Court,

80

Judicial District.

General Gentry

AGAINST

The Comm of Leann Co.

NOTICE OF TRIAL.

Due service of the within notice is hereby ad-
mitted this *26* day of

Sept A. D. 187 *4*

E. H. H. H.
Attorney for *Sept.*

Attorney for

Filed this

October 1st

day of

October

A. D. 187 *4*

Robert D. Bell

Attys for appellants

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

-195-

STATE OF MINNESOTA,

DISTRICT COURT,

County of *Cannon*

ss.

8th

Judicial District.

Ferdinand Gouty

AGAINST

*The Comm of Can Board of
Commission of Cannon County Minn*

Notice for Trial.

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

*the sum of 1000
dollars*

Term of this Court, to be held

at the Court House, in the *Village*
of *Chaska* in said County, on the *5th* day of
October A. D. 187*4* at the opening of said Court on that day, or as soon
thereafter as Counsel can be heard.

Dated, *Sept 17* 187*4*

Yours Respectfully,

Boxter Pres

Attorney C for *Oppellunt*

To *G. H. Hurlin Co Atty*

Attorney for

Respondent

District Court
Cann. County.

Frederick Gray

- 185 -

The Comm. of Cann.
County, Minn.

Order.

Filed October 6th 1894
(Gestreyentall
Delut)

- 195 -

State of Minnesota }
County of Cannon } ss
District Court & 1st
Harrison Fort,
- vs -
The Board of Commissioners
of Cannon County, }

This case came on for trial
before said Court on the 6th day
of October 1874, and after due
consideration it was ordered by
the Court and the order of this
Court is that the order and
determination of said Board
of County Commissioners in changing
said highway referred to in
the proceedings of said Board
be ~~in~~ their action be and the
same are in all things reversed
and set aside, and are of no force
or effect.

By the Court,

A. G. Chatfield

Judge of

State of Minnesota,
County of Leann -

District COURT.
8th Judicial Dist

Frederick Gouty

Against

The Board of County
Commissioners of Leann
County Minnesota

Affidavit of Disbursements.

Plaintiff's Costs and Disbursements.

Statute Costs,

4

Affidavits,

~~Sheriff's Fees,~~

Clerk's Fees to be added,

Eduard Long 2 days attendance

William Foxell 2 days "

\$ 10.00

1.00

7.20

2.00

2.00

Total \$ 22.20

Amount claimed in Summons.

Principal,

Interest,

State of Minnesota.

County of Leann

ss.

H. J. Pack

being first duly sworn, doth depose and say, that he is one of the Attorneys of said Plaintiff 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 13th day of Oct A. D. 1874

L. L. Dwyer

Notary Public, Minn.

H. J. Pack,

STATE OF MINNESOTA,
County of _____

Court _____

against _____

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. 187 _____

To E. Hamilton Co. Atty General.

You will take notice that the affidavit will be made before the Clerk of the Dist. Court of said Co. at his office in Chicago in said County on the 17 day of Oct 1874 at 10 o'clock A.M. for the taxation of its within bill of costs and disbursements and the entry thereof in the judgment in favor of said Plaintiff.

Boyle & Peck

Attys for Plaintiff.

Lane Court Lane Co.

St. Louis COUNTY.

For and for

AGAINST

The B & B Co.
of Lane County

Notice of Taxation of Costs,

Affidavit of No Answer, &c.

Filed for Taxation, Oct 1874
Boyle & Peck

1875.

Boyle & Peck

Attorney for Plaintiff.

Hamley & Cunningham Stationers.

State of Minnesota } Leam County
Levi. Gault & Levi }
Fencemen & Gentry }
- 75 -

The Board of Commissioners
of Leam County,

Edw. A. Luy
- 75 -

The Board of Commissioners
of Leam County.

William Lusk
- 75 -

The Board of Commissioners
of Leam County.

John Kern
- 75 -

The Board of Commissioners
of Leam County.

State of Minnesota
Leam County } ss,

H. J. Peto being duly sworn says that
he is one of the Attys for the Plaintiff &
affiants in the above entitled action. That the
annexed notice of trial in the above entitled
action was mailed on the 13th day of

of Oct. 1874 mail to E. Hainlin Co. City of
 Leanne County by mailing at Chuska postoffice
 enclosed in an envelope addressed to
 E. Hainlin Co. City Cum Co. Minn Wabtown
 Minn. and have the postage thereon. That
 there is regular mail communication between
 said Chuska and Wabtown as far as the
 residence of said Co. City.

Subscribed and sworn to
 this 14th day of Oct } H. J. Puse.
 1874.

L. L. Barton
 Notary Public
 Cum Co Minn

Ernest L. Barton
 Co. Minn.

H. J. Puse

- or -

The Comm. of Leanne
 Co. Minn.

Official of Leanne
 of taxation of Co. Minn.

John, October 14th 1874

Ernest L. Barton

195, 196, 197, 198,

Box 12 & 13
 City, Washburn

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

Ferdinand Gatz,
against
The Board of County Commissioners
of Carver County.

This case came on to be heard before the Court on the 6th day of October A.D. 1894, and after due consideration it was ordered by the Court that the proceedings of said County Commissioners in laying out and changing said highway be and in all things reversed and set aside.

And therefore, upon motion of said Plaintiff's attorneys for said Plaintiff, it is adjudged and the judgment of this Court is that all the proceedings of the County Commissioners of said County to the premises referred to in said appeal be and they are in all things set aside and vacated, and declared of no effect and that Plaintiff recover of said County defendant the costs taxed at the sum of twenty two & no part of a dollar.

Dated October 11th A.D. 1894.

By the Court:
G. Straymühl
Clerk

State of Minnesota
District Court
County of Carver,

Ferdinand Gatz
vs
The Board of Commis^{rs}
of Carver County,

Judgment Roll.

Judgment for costs
\$22.20,

Filed November 25th 1894
G. H. Raynolds
Clerk

- 195 -

Baxter & Pelt, Attys. for
Plaintiff, both at the same time

841
No.

DISTRICT COURT,
CARVER COUNTY, MINN.

Edward Fenty
Plaintiff.

vs.
*Heber & Co. Commis-
ioners*
Defendant.

Baxter & Beck
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry *July 2nd.* 1874
19

Register of Actions *"A"* Page 197

Term Tried *Oct. General* 1874
19

Judgment for *Plaintiff*

Amount of Judgment \$ *1890*

Date of Judgment *Nov. 25* 1874
19

Judgment Book *Minute Book "A"* Page 322

Default Judgment Book Page

Date of Docketing *Nov. 25th.* 1874
19

Judgment Book "A" page 202

State of Minnesota
Carver County.
Edward Long

- 75 -

The Board of Commissioners
of Carver County.

To Peter Barthelme

Sir. You will take notice that the
above named Edward Long has
appealed to the Dist Court of said
Carver County from that order or
determination of said Board of Com.
Changing a certain highway petitioned for
by Joseph Weber and others dated
June 4th 1874, running through Section
16th Township 116 Range 25 in said Carver
Co.

Dated June 20 - 1874.

Boyd & Rich

Attys for Edward Long
Appellants.

In the matter of Champion a public
highway in the County of Leann
Minnesota petitioners for by Joseph
Weber and others describes as follows;
to wit: Commencing at a certain bridge
in the Wagonia. Helvetia and Leann
road in Section 16 - Town. 116. Range 25 -
a few rods west of the house of August
Statter. thence running north west through
the $SE\frac{1}{4}$ of the $SE\frac{1}{4}$, thence through the $SE\frac{1}{4}$ of
the $SW\frac{1}{4}$. thence through the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$
thence through the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$, thence through
the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$. thence through the
 $NE\frac{1}{4}$ of the $NE\frac{1}{4}$ all in Section 16. Town
116 R. 25; the said road as shown
running over the lands of John Kevin
William Gehl. Ferdinand Gotsch and
Edward Long. in said Leann Co.
Minnesota

The undersigned Edward Long over whose
land the said road proposed the line
will run hereby makes application for an
appeal and hereby appeals to the
District Court of said County
from a certain order or determination
of said Board of Commissioners, Leann
and ^{Champion} Champion highway dated June 4 1894
The amount of damages claimed by said
appellants is over the sum of \$100.

Said Application is made and said
affidavit is taken upon the following propo-
sitions to wit-

- 1 To reverse entirely the proceedings of
said Board of Commissioners in
Charging said highway.
 - 2 To reverse the proceedings on account of
damages claimed said Appellant.
 - 1 Because said Board never had any
jurisdiction of the subject-matter relating
to the Charge in said highway.
 - 2 Because said Board did not
proceed as provided by law in hearing
out or charging said highway.
 - 3 Because the damages are greater
than the public utility of said
Charge in said highway.
- Subscribed and sworn to
Sept 11 1874

Protestants
Attys for Edward Long
Appellant.

Know all men by these presents, that
 Edward Long as Marshal and
 Ferdinand Gotsch and Martin Luster
 as sureties are held & firmly bound unto
 the Board of Commissioners of the
 County of Cass Minnesota in the sum of
 fifty dollars lawful money the payment
 of which well and truly to be made we
 bind ourselves our heirs & executors adminis-
 trators and assigns jointly by these presents
 signed sealed and delivered the 1st
 day of July 1874.

The Condition of this obligation is such that
 whenever the said Edward Long
 has appealed to the District Court of
 said Cass County from a certain
 order or determination of said Board
 of Commissioners, of date June 4th 1874.
 Changing a certain highway in said County
 petitioned for by Joseph Weber and
 others. Now therefore if the said order
 or determination of said Board of
 Commissioners shall be sustained on
 such appeal and the said Edward Long
 shall pay all costs arising on such appeal
 then this obligation shall be void otherwise of force.

Signed & sealed in presence of

H. J. Peck
 John Van Hook

Edward Long
 Ferdinand Gotsch
 Martin Luster

State of Minnesota
Leann County } ss.

Personally appeared before me this
1st day of July 1874, Edward Leany
Gardner Gortz and Martin Greer
to me known to be the persons who execute
the foregoing bond and each duly acknow-
ledge that they execute the same
freely and voluntarily for the uses &
purposes therein expressed.

John Geo. Mock
Justice of the Peace

First Count
Leann County

Edward Leany

The County of Leann

ss.

Officer of the Peace

as attested.

I do hereby approve
the within bond and
the service therein

Witness my hand
this 1st day of July 1874.

John Geo. Mock

Filed July 2nd 1874

Attest
197

Attest
197

Attest

Attest for Affiant

STATE OF MINNESOTA, }

County of *Leann* }

District Court,

85 Judicial District.

Edward Long

AGAINST

The Com. of Leann Co

NOTICE OF TRIAL.

Due service of the within notice is hereby ad-

mitted this

26 -

day of

Sept

A. D. 187*4*

E. Hamilton

Attorney for

Leann Co

Attorney for

Filed this

31st
October

day of

A. D. 187*4*

Proctor & Pelt

Attorneys

for Leann Co

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

194

STATE OF MINNESOTA,

DISTRICT COURT,

County of

Leam

ss.

8

Judicial District

Edward Leng

AGAINST

*The Board of Commrs of
Leam Co. Minn*

Notice for Trial.

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

the second
trial

Term of this Court, to be held

at the Court House, in the
of *Chaska* in said County, on the *5th* day of
October 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 & Pugh
Attorneys for *Appellant*

To *E. Hamilton & Co*

Attorney for *Respondent*

STATE OF MINNESOTA,
County of Cannon

Superior Court Cannon Co.

Edward Levy

against

The Board of Commissioners
of Cannon Co. Minn.

Affidavit of No Answer.

STATE OF MINNESOTA,
County of Cannon

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 17th day of Oct A.D. 1894

L. E. Huntington Atty Cannon Co.
Notary Public, Minn.

You will take notice that an application will be made before the Clerk of the Dist Court of Cannon Co. at his office in Chaska in said County, on the 17th day of Oct 1894 at 10 o'clock A.M. for the taxation of the within bill of costs & disbursements and the entry of judgment in favor of the Plaintiff

Baxter & Peto
Attys for Plaintiff

Dist Court
Cannon COUNTY.

Edward Levy

AGAINST

The Board of Commrs
of Cannon Co.

Affidavit of No Answer, &c.

Filed for taxation & entry of
judgment in favor of
Plaintiff
19th

Baxter & Peto

Attorney for Plaintiff.

Ramsey & Cunningham, Chaska,

State of Minnesota,
County of Leum

Leumist COURT.
Leum A.

Edward Luy

Against

Affidavit of Disbursements.

The Board of Commissioners
of Leum Co. Minnesota

Plaintiff's Costs and Disbursements.

Statute Costs,	\$ 10.00
<u>4</u> Affidavits,	1.00
Sherriff's Fees,	
Clerk's Fees to be added,	3.00
<u>Heranum Gouty 2 days Attendance</u>	<u>2.00</u>
<u>John Kern 2 days Attendance</u>	<u>2.00</u>
	<u>Total \$ 18.00</u>

Amount claimed in Summons.

Principal,

Interest,

State of Minnesota.
County of Leum

ss.

H. J. Pick

being first duly sworn, doth depose and say, that he is one of the Attorney of said Plaintiff 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 13 day of Oct A. D. 1874

H. J. Pick

L. D. Bapton
Notary Public, Minn.

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

Edward Herz
against
The Board of County Commissioners
of Carver County.

This case came on to be heard before the Court on the 10th day of October AD 1874. and after due consideration it was ordered by the Court that the proceedings of said County Commissioners in laying out and changing said highway be and in all things be vacated and set aside.

And therefore, upon motion of
Wesley Reed Attorney for said Plaintiff, It is adjudged
and the judgment of this Court is that all the proceedings
of the County Commissioners of said County to the
premises referred to in said Appeal be and ~~declared~~
they are in all things set aside and vacated, and
declared of no effect, and that plaintiff recover of
said County Defendant the costs taxed at the
sum of eighteen dollars & ninety cents,
Dated October 14th AD 1874.

By the Court:
G. H. Hagenbuhl,
Clerk

State of Minnesota
District Court
County of Carver.

Edward Lentz
^{by}
Trustees of Co. Commissioners
of Carver County,

Judgment Roll.

Judgment for Costs
\$18.90

Filed, Nov. 25th A.D. 1874
G. H. Hagenbuhl
Clerk

Baxter & P. M. Ostry for Plaintiff
to Hanka Union.

No. 842

DISTRICT COURT,
CARVER COUNTY, MINN.

John Kern
Plaintiff.

vs.

*The Board of Co. Commissioners
of Carver County*
Defendants.

Baxter & Beck
Plaintiff's Attorneys.

Defendant's Attorney.

Date of Entry *July 2nd* 1874

Register of Actions *"A"* Page 198

Term Tried *Oct General* 1874

Judgment for *Plaintiff*

Amount of Judgment \$ *18.90*

Date of Judgment *Nov 15th* 1874

Judgment Book *Minute Record "A"* Page 400

Default Judgment Book Page

Date of Docketing *Nov 15th* 1874

Judgment Record *"A"* Page 202

State of Minnesota
Linn County
~~County of Linn~~
John Kern

- 73 -

The Board of Commissioners
Linn Co.

To Peter Buxton Chairman

You will take notice that
the above named John Kern has
appeared to the District Court of said
Linn County, from that order or determination
of said Board changing &
certifying petitions for by Joseph
Webb and others, dated June 4th 1874
running through Section 16 - Town 116
Range 25 in said Linn Co.

Dated June 20 1874

Buxton & Kern

Attys. for John Kern
Appellants.

State of Minnesota,
 Le Sueur County. } So. H. J. Peck being
 duly sworn says that he did on the 2nd day
 of July 1874 serve the within notice of appeal
 on the within named Peter Arthur Christen
 of the Board of Commissioners of Le Sueur
 County by handing to and leaving with him
 a true copy hereof in Abstract and
 Subscribed to
 this 2nd day of July
 1874. L. L. Bayliss

H. J. Peck

~~Notary Public~~
 County Commissioner

Onse County
 Le Sueur County,
 John Kinner

- ss -
 the Coroner of
 Le Sueur Co
 Notice of appeal

John Kinner, Esq.
 Le Sueur County, Minn.
 Bayliss

198

Box 109 Peck
 Atty for Oppellant

from all men by their parents
that ~~John Kern~~ as principal
and William Treichel and Ferdinand Gatz,
as sureties, are held and jointly
bound unto the Board of County
Commissioners of Le Sueur County, Minnesota
in the sum of fifty dollars lawful
money the pay ment of which well
and truly to be made we bind
ourselves our heirs, executors
administrators and assigns jointly
by these presents.

Signed under our date this 15th
day of June 1874.

The condition of this obligation is such
that, whereas the said John Kern
has appealed to the District Court
of said Le Sueur County Minnesota
from a certain order or determination
of the said Board of Commissioners
dated June 4th 1874, charging a certain
highway in said Le Sueur County, petitioned
for by North Wefar and others.

Now therefore if the said John Kern
shall pay all costs arising from
said appeal, provided the determination
of said Commission, shall be sustained
then this obligation to be void otherwise of force

Signed in presence of { John Geo. Mock: } seal
 H. J. Beck { Wilhelm Treichel } seal
 { Ferdinand Gatz } seal

State of Minnesota,
 Leann County. ss.

John Kern and William Treichel
 and Ferdinand Gatz, personally appeared
 before me this 15 day of June 1874,
 to me known to be the persons who
 executed the within Bond and each
 duly acknowledged that they executed
 the same for the uses and purposes
 therein expressed.

John Geo. Mock

Justice of the Peace

John Kern

- 1874 -

Leann County

Appeared in Answering

Exhibiting.

Applicant & Bond

I do hereby approve
 the within Bond &
 the Securities thereon

Witness my hand
 and seal this 15 day of June 1874

C. C. Gatz

Filed July 22nd 1874
 Notary Public

- 1874 -
 Notary Public

B. J. Beck
 Atty. for Applicant

In the matter of Changing a public
highway in the County of Leum Minnesota
petitioners for by Joseph Weber and others
described as follows to wit: Commencing
at a certain bridge on the Waconia & Dakota
and Camden road in Section 16 Township
116 Range 25 a few rods west of the
house of August Stalke, thence running
north west through the $SE\frac{1}{4}$ of the $SE\frac{1}{4}$
thence through the $SE\frac{1}{4}$ of the $SW\frac{1}{4}$, thence
through the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$, thence through
the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ thence through the
 $SW\frac{1}{4}$ of the $NE\frac{1}{4}$, thence through the
 $NE\frac{1}{4}$ of the $NE\frac{1}{4}$ all in Section 16. Town
116 R. 25; the said road as changed
running over the land of John Kern
William Trachel Ferdinand Gorty
and Edward Long, in said County
Leum, Minnesota

The undersigned John Kern over whom
have the said proposed to be laid will
now hereby makes application for an
appeal and hereby appeals to the
District Court of said County
from a certain order or determina-
tion of said Board of County
Commissioners of said County Leum
laying out and changing said
highway dated June 4 1874.

The amount of damages claimed
by said John Kern being over the
sum of \$100.

Said objection is made and said
affidavit taken upon the following grounds
and for the following causes to wit.

- 1 To remove entirely the proceedings of said
County Commissioners in changing
said highway.
- 2 To remove the proceedings of said
County Commissioners in relation
to the amount of damages ^{allowed}
this affidavit by said Board of
Commissioners.
- 1 Because said Board never have
any jurisdiction of the subject
matter or the premises relative to a
change in said highway.
- 2 Because the said Commission
never allowed any damages or
made any claims for taking the land
contemplated by said road or highway.
- 3^d Because the claims to the land of this
affidavit are greater than the public
utility of said proposed changes in said
road.

Dated June 1st 1894 Baskin & Peto

Attys for John Kern
Appellant.

STATE OF MINNESOTA, }

County of *Leann* }

District Court,

8

Judicial District.

John Kern

AGAINST

The Comm of Leann
vs.

NOTICE OF TRIAL.

Due service of the within notice is hereby ad-

mitted this

26

day of

Sept

A. D. 187*4*

E. Hamilton

Attorney for

Sept

Attorney for

Filed this

first
Monday

day of

A. D. 187*4*

Box two 7
City of St. Paul
Atty for Appellant

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

198.

STATE OF MINNESOTA,

DISTRICT COURT,

County of Le Sueur

ss.

8

Judicial District.

~~William G. Smith~~
John G. Smith

AGAINST

Notice for Trial.

The Board of County Comm.
of Le Sueur Co. Minn.

Sir: You will Please take Notice, That the sum of five
the above entitled action, will be brought on for hundred
at the next General Term of this Court, to be held
of Chaska at the Court House, in the County
October in said County, on the 5th 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 & Pugh
Attorney for Applicant

To E. H. Hamilton & Co. Attys
Attorney for Applicant

State of Minnesota
Leann County. Dist Court & Dist.
~~Edward Long~~ John Horn

The Board of Commissioners of
Leann Co. Minn.

Plaintiffs Costs & Disbursements

Statute Costs - \$10.00

4 Affidavits 1.00

Clerk's fees to be added - 3.00

~~Edward Long~~ John Horn 2 days attendance 2.00

August Statute 2 days attendance 2.00

Total \$18.00

State of Minnesota
Leann County. } ss.

H. J. Pick being first duly sworn says that
he is one of the Attorneys of said County in the
above entitled action. That the above bill of
Costs and Disbursements therein are just and
correct and have been necessarily incurred
therein.

Subscribed & sworn to }

this 13th day of Oct }

1894.

H. J. Pick.

L L Dwyer
Notary Public
Carver Co Minn

L. E. Hamilton

C. Atty. Gen. Co. Min.

You will take notice that an applica-
-tion will be made before the clerk of the
Dist. Court of said Co. at his office in Chaska
in said Co. on the 17th day of Oct 1874 at 10
o'clock A.M. for the location of the within title of
Certs & disbursements and the entry thereof in the
judgment in favor of the plaintiffs

Baxter & Peck

Atty. for Plffs.

Land Court
L. E. Hamilton
Notary Public
St. Paul, Minn.

Notary
The Court of said
Co. Minn.
Notice of location of
Certs.

Filed for record
16 Oct 1874
Attest
John R.

1874

Baxter & Peck
Atty. for Plffs.

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

John Kern
against
The Board of County Commissioners
of Carver County.

This case came on to be heard before the Court on the 6th day of October, A.D. 1874. And after due consideration it was ordered by the Court that the proceedings of said County Commissioners in laying out and changing said Highway be and in all things be reversed and set aside.

Now therefore Upon motion of Baxter & Pugh Attorneys for said Plaintiff, it is adjudged and the judgment of this Court is that all the proceedings of the County Commissioners of said County to the premises referred to in said Appeal be and they are in all things set aside and vacated, and declared of no effect, and that Plaintiff recover of said County Defendant the costs taxed at the sum of thirteen dollars & ninety cents,
Dated October 14th A.D. 1874.

By the Court,
G. H. Traub
Clerk

State of Minnesota
District Court
County of Carver,

John Kern
vs
The Board of Commissioners
of Carver County,

Judgment Roll.

Judgment for costs
\$18.90

Filed, November 15th 1874.
Gettraymahl
Clerk

Walter A. Peck, Attorney at Law
for Plaintiff,