



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

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No.

848

DISTRICT COURT,
CARVER COUNTY, MINN.

John W. Gregg & Mrs. B. Brimfield
Plaintiff.

vs.
Lucius Howl, Emmerson L. Howl,
John Bell & John Donohoe
Defendant.

Baxter & Peck
Plaintiff's Attorney.

Mead & Thompson
Defendant's Attorney.

Date of Entry July 15, 1874
Court Register A Page 110
Register of Actions

Term Tried General Term April 1875

Judgment for Plaintiff

Amount of Judgment \$ 177.67

Date of Judgment April 17, 1875

Minute
Judgment Book Record A Page 422

Default Judgment Book Page

Date of Docketing April 17, 1875

Judgment Record A, page 212

State of Minnesota,

DISTRICT COURT,

County of

Leum

80 -

District.

John W. Gyg & H. P. Gyg
Complainants as Gyg & Gyg

AGAINST

L. H. Gyg & L. H. Gyg
Defendants as L. H. Gyg & L. H. GygAffidavit in Claim and Delivery of
Personal Property.

State of Minnesota,

County of

Leum

ss.

John W. Gyg

came

before me personally, and being first duly sworn doth say, that he is one of the

firm of Gyg & Gyg

said Plaintiff in the above entitled cause; that the said Plaintiff are the owner, and lawfully
entitled to the immediate possession of that certain personal property to recover possession of which
this suit is brought, and which is described as follows, that is to say:One Green Wagon & one Revere
bush machine

that the same is wrongfully

detained from said Plaintiff by said Defendant at

Chicago

in the County of

Leum

and State aforesaid; that the same has not been taken for

a tax, assessment or fine, pursuant to a Statute, or seized under an execution or attachment against
the property of said Plaintiff or either of them

and that the actual value of the aforesaid property is

One hundred &

Twenty five

\$ 125

Dollars,

and further saith not.

Subscribed and Sworn to before me,

On this 25 day of May 1874

J. H. Gyg

Chas. Gyg

Cm. Gyg

J. W. Gyg.

Cody

DISTRICT COURT,

County of Lincoln

Lyg & Grunler

against

J. H. & Son

Affidavit and Order in Claim and Delivery of Personal Property.

To the Sheriff of the County of

Lincoln

State of Minnesota,

Sir :

You are hereby required to take the property described in the within affidavit from the Defendant in the within entitled cause, and deliver the same to the Plaintiff therein according to law.

Dated

May 26th

A. D. 1874

Yours, &c.,

Baxter & Rich
Plaintiff's Attorney

RAMBLEY, CHANEY & CO. PRINTERS, PAUL.

Chas. A.

Min.

1/6

first lot of Munnarote
District Court & then
Circuit Court

John W. Gregg & William B. Greer
were Copartners doing Business as
Gregg & Greerwell

Lucius Glowe & ^{son} Ermon L. Glowe
partners doing business as L. Glowe & son
the defendants for Complaint against
the defendants allege that for one year
have held the said defendants have been and
still are Copartners doing business as
Gregg and Greerwell That during all of
said time the said defendants have been
and still are Copartners doing business
as L. Glowe & son

the defendants further say that for
one year the defendants have been
and still are the owners of and entitled
to the immediate possession of the following
personal property to wit one Truck wagon
of the value of twenty five dollars and
one piece Brick machine of the value of
one hundred dollars

This is a true Copy of the Complaint

State of Minnesota
County of Carver

District Court
8th Judicial District

John W. Gregg and
Wm B. Griswold
against

Lucius Howe, Edmund L. Howe,
John Bell and John Donahue

}
}
}
} Order

General Term October 9th A.D. 1874—
The above cause was heard, and
tried by jury October sixth A.D. 1874,
defendants and their attorneys
were not present, and a verdict
therein rendered for plaintiffs for
\$583⁷⁵/₁₀₀ and defendants by their
counsel this day came into court, and
on the ground of irregularity, surprise,
and misapprehension, move to set
aside said verdict, and all proceedings
thereafter, and the judgment therein
entered, and vacate the same, and
reinstated said cause upon the
calendar of this this court, and
that the same stand in all respects
~~and asking further time to present said motion~~
as if no attempted trial had been had,
After hearing Baxter & Beck attys
for plaintiffs and W. H. Mead atty

State of Minnesota
County of Ramsey
District Court

Gregg & Griswold

vs

L. & E. L. Home et al

Order

John Gustafson
J. G. Gustafson
J. G. Gustafson

Thos.

for defendants in open Court
It is ordered that, all proceedings
in the above entitled ^{action} be stayed, and
no further judgment be entered
therein and no execution issue
therein, until the further order
of this court.

and that this order is without
prejudice to any other or different
motion which may be made
in above entitled action—

A. G. Chaffield,
Judge.

State of Minnesota District Court
County of Cass 8th Judicial Dist

Gregg & Griswold - Plffs
against
Lucius Horne, Emmons & Horne } Order
John Bell and John Donahue }
septs }

General Term (adjourned) November 9th 1874
Judge A. C. Chatfield - presiding

This matter having been brought on
for hearing upon due notice, to
set aside and vacate and annul
the verdict rendered in the aforesaid
cause in said Court October 6th
1874. \$78583 $\frac{75}{100}$ damages against
said defendants. and to set aside
and vacate and annul the
Judgment in said cause
entered said October 6th 1874
for said sum against said
defendants. on the ground that
the same were rendered, entered
and taken against said defendants
through mistake, inadvertence,
surprise and excusable neglect
and ~~after~~ after hearing affidavits

produced by defendants and
the counsel for plaintiffs Messrs
Baxter & Beck and Mead &
Thompson attorneys of defendants
and on motion of ~~defendants~~
said attorneys:

It is ordered: That the verdict
~~rendered~~ entered in the above entitled
action October 6th A.D. 1874, against
defendants therein for \$583⁷⁵/₁₀₀
damages be set aside, vacated
and annulled, and that the
Judgment entered in said cause
for said sum against defendants
on said day be also set aside
vacated and annulled - and
said cause be reinstated on the
calendar of said court and
stand as if no verdict or
Judgment had ever been had therein
on defendants paying the clerks and
three dollars jury fee, made on trial
of said cause October 6th 1874.

State of Minnesota
Sanctuary
County of Carver,

Gregory & Woodward

vs
William Howe, Simonson, & Howe,
John Ball & John Benbow,

Debtors.

Filed for record 9/5/87 H.
C. H. Gray clerk
By the Court.

A. G. Chasfield
Judge

State of Minnesota
District Court
County of Le Sueur

Gregg L. Grinnald
by
L. Howe, Attorney, & John
John Bell & John Honaker

Verdict,

Given April 8th A.D. 1895
Guthrie & Honaker
Clerk

1111

County of Carver }
State of Minnesota }

To the Hon. A. G. Chaffield
Judge of the Eight Judicial district
We the Jurors on the action of
Griggs & Griswold plaintiffs, and
How & Son ^{or others} defendants. Have upon our
oath found a verdict in favor of
the Plaintiffs for the sum of one
Hundred fifty (\$150.) Dollars, as
damages.

Dated Chaska
April 7th 1875

Andr. S. Skog
foreman

State of Minnesota
Seist levied & sold
Lease County.

John W. Gregg & William B.
Griswold &

- 45 -

Lucius Horne Emory & Horne
John Bell & John Conabine

Lo Mac & Thompson

Attys for Defendants.

Take notice that an
application will be made on the
part of the Plaintiff in the above
entitled action to the Clerk of said
Court at his Office in Chaska
in said County on the 5th day of
June 1875 at 10 o'clock in
the forenoon for the taxation of
the amended bill of costs and
disbursements against said Defen-
dants and the entry thereof
in the judgment.

May June 1/75

Baxter & Rich

Attys for Plaintiffs

June 1st mail by Express

| | |
|---------------------------------|----------|
| Statute costs | \$ 10.00 |
| Henry Robeson & days attendance | \$ 4.00 |
| Low miles travel | \$ 0.12 |
| jury per diem | \$ 3.00 |
| Sheriffs fees on presentation | \$ 2.00 |
| clocks: per to be taxed. | \$ 9.00 |
| Exp. officio writs | \$ 1.00 |
| State of Minnesota, Deft | \$ 27.12 |
| leaving of leave 3 m. | |

H. J. Peck being duly sworn says that he is one of the attys for the plaintiffs in the above entitled action and was engaged in the trial of said cause, that the foregoing bill of costs and disbursements were necessary and were actually incurred and paid out by said plaintiffs in the prosecution and trial of said cause. That the said witness Henry Robeson actually attended said trial for four days and was sworn as a witness for said plaintiffs and traveled the distance stated in said bill of items.

I do certify & subscribe } H. J. Peck.
 This 10th day of June 1875.
 W. H. Child
 Notary Public

State Court
Carver County

George & Frederick

& Home at el

Attain of Exaction
cont.

John Todd being duly sworn says
that on the 1st day of June 1895 he served a copy of the within
notice on Mead & Thompson by depositing the same in the Post
Office at Chaska the place of residence of the plaintiffs Attys
enclosed in an envelope addressed to Mead & Thompson
defendants Attys at St Paul Minn their place of residence. That at
the time of mailing said papers he paid the full legal postage
thereon, and that there is a regular mail communication
between said Chaska & St Paul

John Todd
Attys for Plaintiff

State of Minnesota
County of Carver }
That on the 1st day of June 1895 he served a copy of the within
notice on Mead & Thompson by depositing the same in the Post
Office at Chaska the place of residence of the plaintiffs Attys
enclosed in an envelope addressed to Mead & Thompson
defendants Attys at St Paul Minn their place of residence. That at
the time of mailing said papers he paid the full legal postage
thereon, and that there is a regular mail communication
between said Chaska & St Paul

John S. Todd

Subscribed and sworn to before me

this 10th day of June A.D. 1895

L L Bayler
Notary Public
Carver Co Minn

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

John W. Gregg And
Wm B. Grinnall, Plaintiffs

Against
Lucius Howe and Emma H. Howe
John Bell & John Donohue, Defts

This case came on to be tried with
a jury duly empanelled at a General Term of said
Court on the 6th day of April 1845. which said
jury duly returned into Court a Verdict in favor
of said Plaintiffs and against said defendants for
the sum of One hundred and fifty dollars.

Now therefore upon Motion of Paxton L. Peck atty
for said Plaintiffs it is hereby adjudged and the judgment
of this Court is that said Plaintiffs recover of said
defendants, the sum of One hundred and fifty dollars
damages and their lawful costs and disbursements
tatted at the sum of Twenty seven & 67/100, Dollars and that
they have their lawful process therefor.

Dated April 17th A.D. 1845.

By the Court:

J. H. Grayentuhl
Clerk

State of Minnesota
District Court
County of Carver,

John W. Gregey and
William B. Christwald

vs
Specius Howe and
Emmons L. Howe
John Bell & John Donahoe.

Judgment Roll.

Judgment \$150.00
Costs " 24.64

Total \$174.64

Filed April 24th 1875,
G. H. Grayentuchl Clerk

No action at all. attorneys
for claimants Charles, Minn.

Feb. 1.

State of Minnesota
District Court Eighth Judicial District
County of Carson

John W. Gugg and
Wm B. Gerswald

vs.

Lucius Ward Emmons & Ward
John Bull and John Donohoe

The plaintiff in the above
mentioned action for complaint therein
respectfully states and shows to the
court that hereupon to wit on the 26th
day of June A.D. 1874, the said defendants
by their certain writing obligatory
sealed with their respective seals, the date
whereof is the day and year last aforesaid
acknowledged themselves to be held and
firmly bound unto the above named
plaintiffs, John W. Gugg and William B. Gerswald
in the sum of three thousand dollars
to be paid to the said John W. Gugg
and William B. Gerswald their heirs
executors administrators and assigns
to which payment well and truly
to be made the said defendants
bound themselves their heirs
of their heirs executors and
administrators jointly and severally
firmly by their writing obligatory

3. with a condition to the said Writing Obligatory
thereunder written that if the said Lucius
Haw and Emmon L Haw should pay the said
plaintiffs such damage as they should
sustain by reason of a writ of injunction
duly issued out of and under the seal of
the ~~district court~~ ^{court of common pleas} in and for the County
of Ramsey in the State of North Dakota on the
24th day of ~~July~~ ^{June} 1894 in an action
wherein the said Emmon L Haw and
Lucius Haw were plaintiffs and the said
John H Grogg and William B Johnson
were defendants if the said court
should finally decide that the said
Lucius Haw and Emmon L Haw
plaintiffs in said action were not
entitled to such writ, then the
said Writing Obligatory to be void
otherwise to be and remain in full
4. force and effect, a copy of which
said Writing Obligatory is hereto
attached marked C & shall make
a part of this complaint

And the said plaintiffs for assigning
a breach of the condition of the said
Writing Obligatory are that in the said
action above mentioned the said writ
of injunction above referred to was
duly issued out of and under

the rule of the ^{Court of Common Pleas} ~~the~~ ^{the} Court
of said Ramsey County in the
said action then pending in
said Court when the said
Lucas Howard and Emma Howard
were plaintiffs, and the said
John W. Gregg and William B. Grosbeck
were defendants on the 26th day
of June A.D. 1874 and that the said
writ of injunction was then issued
on the day and your last observed
duly served on said John W. Gregg
and William B. Grosbeck, that the
said plaintiffs were then and there
compelled in obedience to said
writ of injunction to cease and stop
all work management and control
on, with or over ~~the~~ brick yard in
the town of Chaska, Ramsey County,
Minnesota. (said action between the
said Lucas Howard and Emma Howard
plaintiffs, and John W. Gregg and
William B. Grosbeck defendants in which
said injunction was issued having
been brought to prevent the said
John W. Gregg and William B. Grosbeck
among other things from further using
said brick yard or manufacturing
any more brick thereon or from the
day and connection therewith)

And the said John W. Hays and W. B. Newell
do hereby order to said writ of
injunction stop all work on said
brick yard for the space of nine
days, to wit from the 2⁶th day of June
A.D. 1844 to the 6th day of July of that
year as by said writ they were commanded
to do, that during the time work was
so as aforesaid suspended on said
brick yard the said plaintiffs in this
action had in the employ twenty
five workmen employed to manu-
facture brick on said yard. That
during all of said time to wit from
the 2⁶th day of June A.D. 1844 to
the 6th day of July of that year
the said plaintiffs in this action
were unable to employ the
said workmen at any work or
business whatever but entirely
lost the services. That under
the contract existing between the
said plaintiffs and the said
workmen the said plaintiffs were
compelled to pay the said work-
men for said nine days although
they themselves during that time
were unemployed, that the amount
so paid by said plaintiffs to the
said laborers is the amount claimed

And the said plaintiffs further say that the use of said brick yard was worth a use of the value of his by four dollars per day to them. Could they have had the premises then, and that by reason of the loss of the use thereof under said writ of injunction as aforesaid for nine days as aforesaid the said plaintiffs have been damaged in the sum of five hundred and seventy six dollars.

And the said plaintiffs further say that by reason of the said acts of the said Emerson & How and Lucas How in injuring them and preventing them ^{the said plaintiffs} from using the said brick yard and manufacturing brick thereon during the said nine days as aforesaid they the said plaintiffs were put to great loss trouble and expense and damage in the further sum of one thousand dollars.

11 Plaintiffs further say that on the 1st day of July A.D. 1874 the said writ of injunction was duly dissolved set aside and vacated by the order of the court of the said county of Worcester. That on or to wit on the day and year last aforesaid the

11.
Said Plaintiff, Accused of the
said Issues & now and then now
the commitment of themselves by
them sustained as aforesaid
and that they comply with the con-
ditions of said writing, obligatory
but they now have come still do
refuse to pay the sum or any part
thereof or to perform in any manner
the conditions of said writing obligatory
By means of which said several
persons the said writing ob-
ligatory became forfeited and
an action has accrued to said
plaintiff against all of said
defendants to this action
for the sum specified in said
writing obligatory

Plaintiff therefore demand
judgment against the
said defendants for
the sum of three thousand
dollars with interest be-
sides the costs of this action.

Pay to & Pick
Plaintiff's Attorneys

Dist Court
Cann County.

Gregg & Gussler

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L. Horne et al.

Complainant

Filed July 15th A.D. 1894
J. H. May, Clerk
Clerk

110.

Baxley, Peck
Attys for Plaintiff

up in lot 47. referred to
at the hearing complaint

State of Minnesota In Court of Common Pleas
County of Ramsey ss of the County of Ramsey
Lucas Howard and Emmet Howard Plaintiffs

12. John W. Gray and William B. Fensholt Defendants
Know all men by these presents that we Lucas
Howard and Emmet Howard as joint and several
Bill and John Donahoe as Agents of St Paul Ramsey County
Minnesota are and jointly bound unto John W. Gray
and William B. Fensholt Defendants in the above
laid action in the sum of three thousand dollars
lawful money of the United States to be paid unto
the said John W. Gray and William B. Fensholt their
high executor administrators or assigns for
which payment well and truly to be made we
jointly and severally bind ourselves and heirs
executors and administrators firmly by these
presents. Sealed with our seals and dated
this 26th day of June A.D. 1884

The condition of this obligation is such that
whereas the above named plaintiffs have
fully applied for a writ of injunction against
said defendants in this action according to
the statute in such case provided, and
therefore if the said plaintiffs shall pay the said
defendant such damages as they sustain
by reason of the said writ if the court
finally decides that the said plaintiffs are not
entitled thereto then this obligation shall be void and
of no force. In testimony whereof we here
unto set our hands and seals on this
26th day of June A.D. 1884

Lucas Howard
Emmet Howard
John W. Gray
William B. Fensholt
Witness in presence of
M. H. Meacham - M. H. Fensholt

Lucas Howard (Seal)
Emmet Howard (Seal)
John W. Gray (Seal)
William B. Fensholt (Seal)

State of Minnesota
County of Ramsey - Be it known that on this 26th day
of June A.D. 1884 came before me personally Emmet Howard
and John W. Gray and as Atty in fact for
Lucas Howard and John Bell & John Donahoe to be 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 M. H. Meacham
Notary Public

State of Minnesota
County of Ramsey ss John Bell and John Donahoe
upon oath do say each for himself that he is one of
the parties above named, that he is a resident and
freeholder of and in the State of Minnesota and with
the consent of the thousand dollars specified in the
foregoing bond above his debts and liabilities
and inclusion of his property which is subject
from any action
Subscribed and
sworn to before me this
26th day of June A.D. 1884
M. H. Meacham
Notary Public

John Donahoe

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

John W. Gregg and William B. Griswold }
Plaintiffs }
Against } Answer.
Lucius Howe, Emmons S. Howe,
John Bell and John Donahue, Defendants }

Defendants in
the above entitled action for answer to the
plaintiff's Complaint herein allege:

The defendants, Lucius Howe and
Emmons S. Howe, admit that they made
and caused to be made and served a Bond
a copy of which is annexed to said com-
plaint and marked Exhibit "A" and that
the same is in existence - and that
the same is part of the record of a certain
suit commenced in the Court of Common
Pleas of Ramsey County, Minnesota June
26th 1874 between defendants Lucius Howe
and Emmons S. Howe, as plaintiffs, and these
plaintiffs, as defendants, and said records
are now in said Court, and each
allegation and averment thereof, or
pertaining thereto, in said Complaint
is hereby expressly denied save as
contained and shown in said records
in said Court.

Said defendants deny each and every

allegation in said complaint contained commencing with the words: and the said in the 8th line of folio 6th thereof, and ending at the end of said complaint, except that the writ of Injunction in said suit was dissolved.

III. Defendants further deny that plaintiffs in obedience to said writ of Injunction, or otherwise, stopped all or any work on said Brick-yard referred to in said complaint for the space of nine days, or for any time whatever, and aver that they wholly disregarded said writ, and refused to obey the same, and said plaintiffs never suspended work on said brick-yard any portion of the time between June 26th and July 6th A.D. 1874.

And defendants deny that plaintiffs were unable to employ any of their workmen on said brick-yard between said dates and deny that they ever lost any services of any workmen thereon - and deny that plaintiffs ever paid their workmen for time unemployed the sum of \$300⁰⁰, or any other sum.

IV. Defendants further deny that the use of said brick-yard was worth to plaintiffs or of the value of \$64⁰⁰ per day, or of any other sum between said date

And deny that plaintiffs lost the use thereof for nine days, or for any number of days, and deny that they have been

damaged thereby in any sum whatever.

V Defendants further deny that defendants, Lucius Howe and Emmons S. Howe ever prevented said plaintiffs from using said brick-yard or from manufacturing bricks thereon, between said dates, or for during any number of days, and deny that plaintiffs were ever put to any loss, trouble or expense or damage thereby, either in the sum of \$1000⁰⁰, or in any other sum.

VI Defendants further deny that plaintiffs, by reason of any acts, doing or default of defendants, or either of them, or by reason of any matter or thing in said complaint stated, or otherwise, have suffered damage in any sum or amount.

VII Defendants, save as aforesaid, deny each and every allegation, matter or thing in said complaint contained, and each and every part and portion thereof.

Wherefore defendants demand that plaintiffs take nothing by their said action, and that defendants have judgment for their costs and disbursements herein.

Keed & Thompson
Defendants Attorneys.
Saint Paul, Minn.

District Court,

County of *Carver*

John W. Gregg and
Wm B. Griswold, Plaintiffs
against
James Howe, Emmons &
John Bell, John
and Defendants

Answer and
VERIFICATION BY PARTY.

Given, October 24 1894
Chas. W. Thompson
Attorney

Wm B. Thompson
Defendants Attorney &
Saint Paul Minn.

Sent by mail
Sept 18/94 from
St Paul to Chicago
via to Santa Fe
by W. H. Mead

State of Minnesota,

ss.

County of Ramsey

Lucius Howe came

before me personally, and being duly sworn, doth say that he is one of the defendants in the above entitled action; that the foregoing pleading 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 15th day of September 1874

Lucius Howe

W A Mead

Notary Public, Minn.

District Court

Cass County

John W. Gregg et al

against

Lucius Horne et al

NOTICE OF APPEARANCE.

Due service of the within Notice is here
by admitted, at Minn.,
on this day of

A. D. 187

Attorney for Plaintiff

Wheat & Thompson
Attorneys for Defendant

Filed, 11 October 1874
G. W. Wenzel, Clerk

State of Minnesota,
County of Cumner

District Court
8 Judicial Dist

John W Gregg & William B Griswold

vs

Lucius Howe Emms & L Howe

John Bell and John Bonahue

Please to take Notice, That we have been retained and appear as Attorneys for
the defendants named

in the above entitled action, and demand that a copy of the complaint therein be served on us

Dated July 20th

A. D. 1874

Yours Respectfully,

Meach & Thompson

Attorney for Defendant St. Paul, Minn.

To Barter & Reck

Esq.

Attorney for Plaintiff

Charles W. Min

Verdict
in Case of
Gregg & Griswold
v. S.
Lucius Howard &

Filed, October 16th 1874
Cohasset
Maine

Verdict,

Gregg and Griswold
vs
H. Howe, Emma & Anne
Howe.
Stat.

State of Minnesota
District Court
County of Hennepin

Case of Gregg & Griswold
v.s.

Lucius Howe
and
Emmons L Howe, et al.

Verdict for Plaintiff

Damages assessed at
\$ 583⁷⁵ Five hundred and eighty three
dollars & seventy five cents

Geo Barnett. Foreman

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

John W. Gregg and W. B. Griswold
against
Lucius Howe, Emerson S. Howe,
John Bell and John Denohue.

This case came on to be tried before
said Court on the sixth day of October 1894. With
a jury duly impanelled to try said cause which
said jury after due consideration returned into Court
a verdict in favor of the Plaintiffs and against
the defendants for the Sum of Five hundred and
Eighty three dollars and seventy five cents damages.

Now therefore upon motion of Master of
Recd attorneys for Plaintiffs, It is adjudged and
the judgment of this Court is that the Plaintiffs
recover of said defendants the Sum of Five
hundred eighty three dollars and seventy five
cents, damages, and Costs taxed in said action
as the Sum of and that
said Plaintiffs have their lawful process therefor.

Given October 15th 1894

By the Court:

E. H. Grayenbuhl
Clerk.

State of Minnesota
District Court
County of Carver,

John W. Gregg and
Wm. B. Griswold

vs
Lucius Howe Immons,
H. Howe, John Bell and
John Wenhoe,

Judgment Roll.

Judgment, damages \$583.45
Costs "

Total \$

Filed October 14th 1874.
Eschray entered
Debt.

= 110. =

Walter A. Peck Clerk for Plaintiff
Charles M. Quinn,

No.

849

DISTRICT COURT,
CARVER COUNTY, MINN.

George Bierlein
Plaintiff.

vs.

Peter Karlsen
Defendant.

Baxter & Peck
Plaintiff's Attorney.

Defendant's Attorney.

Date of Entry *July 17, 1874*
Const. Register *A* Page *111*
Register of Actions

Term Tried

Judgment for

Amount of Judgment \$

Date of Judgment

Judgment Book

Default Judgment Book

Date of Docketing

District Court
Carmen County

George B. Larkin
vs

Peter Karcher
Complainant

Filed July 14th A.D. 1874
J. H. Gray Clerk
Coludg.

— III —

Burton R. C. M.
Rd. L. L. L.

No. 850

DISTRICT COURT,
CARVER COUNTY, MINN.

Emilie A. Halverson
Plaintiff.

vs.

Carl Halverson
Defendant.

Barth & Beck
Plaintiff's Attorney,

Defendant's Attorney.

Date of Entry *July 22, 1874*
Register of Actions *A* Page *206*

Term Tried

Judgment for *Plaintiff*

Amount of Judgment \$ *76.50*

Date of Judgment *July 22, 1874*

Minute Record A
Judgment Book Page *371*

Default Judgment Book Page

Date of Docketing *July 22, 1874*

Judgment Book Page 190

Emeline A Waldrogel

vs.

Carl Waldrogel

Order to stay proceedings,

Original

Service of the within
by copy is this 10th day
of August 40 1874.
hereby admitted

Baxter Dick

Plffs Atty

served by mail

on Sheriff Aug 12, 1874

Filed Sept 30 5 a.m. 1874
G. W. Wraymehl, Clerk
not

State of Minnesota }
County of Carver } District Court
8th Judicial District
Emeline A. Waldvogel }
against
Carl Waldvogel }

On reading the affidavit
of Carl Waldvogel in the
above entitled action it is
ordered that all proceedings
in said action ^{on the part of the plaintiff} be stayed
for twenty days for the pur-
pose of giving the de-
fendant an opportunity to move
to set aside the summons in
said action and to vacate
all proceedings had therein
subsequent to the service thereof
Aug. 7th 1874

J. M. Crossy
Judge of 1st District
Acting.

Emeline A. Waldvogel
v
Carl Waldvogel

Cops of Sheriff's
return of service
of summons.

Filed Sept 20 1894
E. H. Gray, Clerk
Clerk

Rob

Copy of Return

State of Minnesota W⁸.
County of Carver

I J. F. G. Sheriff of Carver County Minnesota do hereby certify and return that on the 12th day of June A.D. 1894 in said County of Carver I served the within Summons and Complaint on the within named defendant Carl Waldvogel, (by delivering to him in person a true and correct copy of the same.

Dated June 12th 1894.

Travel & miles 1.30.

Service 1.00

Copy S. & Comp 2.10

\$ 4.80

Petition 2.00

J. F. G. Sheriff
Carver Co. Minn

By H. Schwenborn
Deputy

State of Minnesota
Jesse Lewis & Jesse Lewis G.
Emory G. Waldrop,

- vs -

Order.

Local Waldrop.

On reading and filing the petition
in the above entitled action asking for
temporary alimony and the report of J. A.
Sargent referee, appointed by the above named
court, to take and report to this court the
proofs of said plaintiffs in support of the allegations
in said petition contained from which report it
appears that the allegations of said petition
are true, and that the said plaintiff is
entitled to the relief asked for in said petition.

It is therefore upon motion of said plaintiff
that the said plaintiff, ordered that the said
plaintiff be and he is hereby allowed the sum
of seventy five dollars, to enable him to carry
on and prosecute his said action which said
sum the said defendant is hereby ordered
and required to pay to the said plaintiff,
or his said attorney as follows to wit: Fifty
dollars immediately upon the service of this
order by attorney upon him the said defendant
and the further sum of twenty five dollars on
or before the 20 day of Sept 1874.
And it is further ordered that the said defendant

State of Minnesota
County of Carver

District Court
8th Judicial District

Emelia A. Walldvogel
Against
Carl Walldvogel

}

L. Baxter & Pick
Plaintiffs Attorneys.

Take notice that on
the 24th day of July 1874. at nine o'clock
A.M. at the Court house at
Shakopee. in Scott County. A motion
will be made on the part of the
defendant in this action to dismiss
the summons in this action, and
to vacate the order appointing the
referee. and his action. for the
following reasons.

I. Because the time specified in
the summons for answering is
limited to twenty days. instead of
thirty days as required by Law.

II. As a further reason for vacating the
order appointing the referee. because
such appointment was irregular in
being made before the action was

Commenced.

In support of which motion. the
summons. Complaint. Affidavit.
and order. appointing referee. served
on the defendant will be read together
with the defendants affidavit a copy
of which is herewith served on you.

You will also take notice that the
defendant and subscriber do not appear
in this action only for the purpose
of this motion.

Dated July 14. 1874

Henry Bonds

Atty. Genl. appearing
only for the purpose of this
motion

Emeline Walden

v
C. Walden

Justice of the Peace

See service of motion
admitted this day
of July 1874

Atty. Genl.
Robt

Cash received this
15th July 1874

Received P. M.
15th July 1874

Filed. Sept 2nd 1874
Wm. H. H. H. H. H.
Wm. H. H. H. H. H.

3 Court, and the order of said Court, appointing a referee to take such proofs, as might be offered by either of the parties to said action, touching the allegations of fact contained in said petition was made, by said Court and action had thereon by said referee, prior to the commencement of said action, as will more fully appear by reference to said papers, and the return of the Sheriff thereon Endorsed and on file herein, or to the copies of said papers heretofore delivered, and served upon him.

4 That on the 25th day of June A.D. 1874, and long before the time within which this defendant was allowed by law to answer the Complaint herein, an order was made, and granted by Hon A. G. Lehatfield, Judge of said Court, which among other things required this defendant to pay to said plaintiff certain sums of money to her, and also ordered that all proceedings upon the part of this defendant be and they were thereby

5 stayed and enjoined until the
payment of said sums of money,
as will more fully appear, by
reference to said order, which is on
file herein, or the copy thereof,
which was thereafter served upon
this defendant, and which order,
or copy thereof served as aforesaid
and herewith exhibited, is hereby
made a part of this affidavit.

6 That by reason of the making
and service of the said last men-
tioned order, this deponent was
prevented, and has ever since
been unable to answer the Complaint
herein, and defend in said action,

7 That before the service of this
last mentioned order upon this
deponent to-wit on the 15th day of
July A.D. 1874, this defendant
appearing specially in said action,
and for ^{said Plaintiff} that purpose only, duly
notified, that he would on the
24th day of July A.D. 1874, at nine
o'clock A.M. at the Court House
in Shakopee, in said County of Scott,
move said Court to dismiss the
summons in this action, and to
vacate the order appointing the

reference herein, and his action
for the reasons herein ^{before} stated,
as will more fully appear by
reference to said notice and
acknowledgement of service
thereon. Which notice and En-
dorsement is herewith exhibited
and made a part of this affidavit.

8 - That a copy of said last men-
tioned notice was duly served
upon said plaintiff at the time
last mentioned as appears by said
last mentioned endorsement,
but that in consequence of the
said Court having adjourned
without day on the 23rd day of
July A.D. 1874, this defendant was
thereby deprived of the opportunity
of making said Motion, and
that therefore and for that reason
said Motion has not been sooner
made.

9 Therefore this defendant
asks that by the proper order of
said Court, said summons may
be set aside, and all proceedings
subsequent to the service thereof
as aforesaid may be vacated and

State of Minnesota
County of Dakota }

District Court
8th Judicial District
Emilie Waldvogel }
against
Carl Waldvogel }

The above Entitled action was brought before the undersigned upon the notice hereto attached. Having heard the arguments of the attorneys of the respective parties and the evidence submitted

It is Ordered that the motion to dismiss the summons in said action be and the same is hereby denied

It is further ordered that the order appointing a referee in said action, dated June 9th 1874, and the order staying proceedings in said action dated June 25th 1874 be and the same are hereby vacated

Sept 28, 1874

J. M. Crosby
Judge of 1st Dist. Court

set aside, and that said defendant
may have such other or further
order, or relief as to the Court
may be deemed just and proper,
and that in the meantime, and
during the pendency of this
10 motion, all proceedings in said
action on the part of said plaintiff
be stayed.

Subscribed and sworn } Carl W. Aldobogell
before me this 6th day of
August 1874,
William H. Krier
Notary Public
Leath Co, Minn

Emeline A Waldvogel
vs

Carl Waldvogel

Affidavit of time of
service of Complaint
and subsequent
proceedings,

service of the within by
copy is this 13 day of
August 1874 admitted

Barnes & Co.

Plffs Atty.

Filed Sept 30th 1874.

Ge. W. W. W. W. W.
Clerk

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State of Minnesota
County of Carver

District Court
8th Judicial District

Emeline A Waldrogel
Against
Carl Waldrogel

To Baxter & Peck
Plaintiffs Attorneys;

Take notice that on the 25th day of August 1874, at ten o'clock A. M., at the Court House at Hastings in Sacotah County, a motion will be made on the part of the defendant in this action, before his Honor F. M. Cooley, Judge of the 1st District, to dismiss the summons in this action, to vacate the order appointing a referee and his action, and to vacate the order staying all proceedings on the part of this defendant, and for such other and further order or relief as to the Court may seem just and proper, for the following reasons among others to-wit:

- I. Because the time specified in the summons for answering is limited to twenty days, instead of thirty days as required by law;
- II. As a further reason for vacating the order appointing the referee, because such

appointment was irregular in being made before the action was commenced:

III. The order staying proceedings on the part of the defendant should be vacated because it was obtained before the time for answering had expired.

In support of which Motion the summons, Complaint, Affidavit and order appointing a referee, and order for stay of proceedings served on the defendant & copy of the Sheriff return will be read together with the defendants Affidavit a copy of which is herewith served on you

Dated August 13. 1874

Henry Hinds
Supt Attorney
per Rosen

Coneline & Waldvoege

Carl Waldvoege

Notice of Motion
Hinderberg
initiated

~~See~~ service admitted

this 13 day of August
1874

Baxter
Supt Atty

Robt

Henry Hinds

Supt Atty

Filed, Sept 2nd 1874
Hinderberg
initiated

ISTRICT COURT.

Eight Judicial District.

County of *Carm*

John Mulhroy

vs

John Mulhroy

SUMMONS.

Filed July 22nd 1894
Edwray on behalf
of Clerk.

August Beck

Plaintiff & Attorney

STATE OF MINNESOTA,

DISTRICT COURT,

County of

Carver

Eighth

Judicial District.

Emile A Wallvogel

Agent

Leard Wallvogel

SUMMONS.

THE STATE OF MINNESOTA to the above named Defendant:

You are hereby summoned and required to answer the complaint in this action

a copy of which is herewith served upon you

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

the Village of Chaska Carver County Minnesota

within twenty days after the service of this summons upon you, exclusive of the day of such service, and if you fail

to answer the said complaint within the time aforesaid, the Plaintiff in this action will apply to

the Court for the relief demanded in the said Complaint

Dated

Sept

3^d

1874.

Payton & Pick
Plaintiffs Attorneys Chaska Minn.

Action 1 State of Minnesota
Seal Court 8th Dist
Cann County.

Emilie F. A. Waldrope }
- 25 - } Plaintiff
Carl Waldrope }

The Complaint for Complaint in the
above entitled action states and shows to
the Court: That herebefore to wit about
the middle of November 1871, in Chaska
in said Cann County, the said Plaintiff
and defendant were duly married to
each other and ever since have been and
still are husband and wife, that said
Plaintiff is twenty six years of age that
the age of said defendant is forty one
years. That all the time since said mar-
riage said plaintiff has been and still is
a resident of ^{Chaska} ~~Chaska~~ in said Cann
County Minnesota,

Plaintiff further states that during all
of the time since said marriage & as it
as hereafter stated she has lived with
and cohabited with said defendant as
husband and wife, that all the time
during their residence together she treats
her said husband with kindness and
attention and manages his household
affairs with prudence and economy,

and in all respects conformed to her marriage vow, that notwithstanding the said Defendant has been guilty of cruel and inhuman treatment towards this Plaintiff since said marriage at the time and in the manner hereinbefore stated.

- 3 Plaintiff further says that in the spring of the year 1892, said Defendant did commence a course of cruel and tyrannical treatment towards this Plaintiff by calling her vile and obscene names, and by using abusive and vulgar language towards her. This V. & C. and continued the same at intervals all the time she has resided with him as his wife. That on the 11th day of Sept. 1892 she was delivered of a child the fruits of her said marriage with said Defendant. That during the time she was enraptured and especially during the last three months of said pregnancy, she was sickly and unable to perform her usual amount of labor for said Defendant, that during said time and about the middle of August 1892, the said Defendant did force and by threats and violence compel this Plaintiff to perform labor that greatly injured the health of this Plaintiff, ^{to wit, pitching bundles of wheat upon a stack} and was during said time
- 4

...ing language towards her.

That about the 15th of August 1872, the said Defendant did in a fit of anger and without any cause, strike this Plaintiff on the shoulder and arm with his fist greatly injuring this Plaintiff and then and there used abusive language towards her, and then and there told her that he hoped she would die in childbirth. That during her said confinement at the time of the birth of said child, said Defendant neglected and refused to take proper care of said Plaintiff in her sickness. That about the 1st of Oct 1872 said child died.

That on the 28th day of April 1873, the said Defendant did strike this Plaintiff ^{with his fist} on her face, and did then and there throw her down, and took her by the hair of the head, and forced her face upon the floor, greatly injuring her and bruising and disfiguring her face.

That through this Plaintiff abandoned said Defendant and remained away from him for the space of six weeks.

That at the end of said time the said Defendant asked and entreated this Plaintiff to return to him, and to induce

her so to return prisoned and agreed
to forever abandon and abstain from
all abuse and cruel treatment of
this Plaintiff. That relying upon said
promises so made by said Dependent-
and and not otherwise she did on
or about the first of June 1873. so
return to the home of the said Dependent,
and continue to live with him until the
time hereafter stated.

That during the month of October
1873. and while this said Plaintiff
was pregnant with child, ~~the said~~
and sick and unable to work and
labor out of doors upon the farm
at men's labor the said Dependent
did by abuse and threats of violence
compel this Plaintiff to perform hard
labor, labor injurious to the health of
said Plaintiff, to wit spreading man-
ure with a fork in the field, by means
of which this Plaintiff became sick
and miscarried said child at the
end of four months of said pregnancy
and that from that time forth up to
and until the first of April 1874,
the said Dependent continued his
abuse and abuse and ill treatment
of this Plaintiff. That all the time since

constantly using abusive and threatening
October 1843, this plaintiff has been and still
is sick and emaciated and unable on account
of said sickness to work and support herself
that owing ^{to} and on account of said
treatment ~~by~~ ^{by} said defendant ~~of~~ this plaintiff
she did on the 1st of April ^{last} leave the house
of said defendant and go to her friends
since which time she has not dared
to return to his house or to live with him

And the plaintiff further shows that since
she left the house of the said ~~defendant~~
he has refused to provide for her support and
maintenance. And that she is now and
has been entirely dependent upon her
own labor and the charity of her friends
for her support. That she is now very
distressed and in great want, and that
she is indebted to a considerable amount
for board and necessary clothing

And the said plaintiff further says that
the said defendant as she is informed
and believes is rich and possessed
of real and personal property and estate
to the amount of two thousand dollars
and that his annual income is at least
eight hundred dollars.

Wherefore the plaintiff demands judgment
that a divorce be granted to this plaintiff and the
marriage contract now existing between
the said plaintiff and defendant be dissolved

That the said plaintiff have, allowed
her as alimony, out of the property
of said defendant, a proper amount
for support and for such other need
further relief in including the payment
by the said defendant of the costs and
disturbance in this action as
the said court shall deem just
and proper

Bay & Beck
Plaintiff's Attorneys

State of Minnesota.
 County of Carver ss - I H E District Sheriff
 of Carver County Minnesota do hereby
 certify and return that on the 12th day
 of June A.D. 1894 in said County of
 Carver I served the within Summons
 and complaint on the within named
 defendant Carl Muldrowd by Albin
 Ingstad in person at the same Court
 day of the same

Date June 12th 1894
 Hour 10 AM
 Place
 Court Room
 District

H E District Sheriff
 Carver Co Minn
 By V. Schornbarn
 Deputy

District Court,

County of Carver

Emily Muldrowd

against

Carl Muldrowd

Summons and Complaint

VERIFICATION.

Subscribed and sworn to before me
 this 9th day of June 1894

Paster and Paster.

Attorney's,

for Paster and Paster Minn.

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

sum 12

State of Minnesota,

County of Leaves

} ss.

Emily A Waldfoz came

before me personally, and being duly sworn, doth say that she is Married

in the above entitled action: that the foregoing Complaint is true of her own knowledge,

except as to the matters which are therein stated on her information and belief, and as to those

matters that she believes it to be true.

Subscribed and Sworn to before me,

On this 18th day of May 1874

L L Baxter

Notary Public, Minn.

Cass Co

Emily A Waldfoz

Given, July 22nd 1894
Wm. J. G. G. G.
Deputy

State of Minnesota
County of Currie ss- I F. E. DuZoit Sheriff
of the County of Currie in the State of Minn
do hereby certify and return
that on the 12th day of June 1894
in said Currie County I served the
within notice to quit with the paper
therein referred to on the within named
defendant by delivering to him in person
a true copy of said notice and of the paper
therein mentioned and referred to

Given June 12th 1894

Wm. J. G. G.

F. E. DuZoit
Sheriff Currie Co Minn
By R. Schoenberg
Deputy

Spice, July 22nd 1874
W. H. Wagoner
Col. H. H.

Filed 1 State of Minnesota
District Court Eighth Judicial District
County of Carver

Emilia Wallbom }
 vs }
Carl Wallbom }

In the District Court
in and for Carver County in the State
of Minnesota.

The petition of the above named
plaintiff respectfully states and shows
to said Court, that she has commenced
an action in said court to obtain
a divorce from the above named
defendant upon the grounds and
for the cruel and inhuman treatment
of her said plaintiff by said defendant
which action is now pending in said
court.

2 And your petition further shows
to said Court that she is wholly dis-
titute of the means of supporting herself
during the pendency of said action
or of carrying on her ~~said~~ action and
defraying the costs and expenses
attending the same, that the
said defendant as your petition
is informed and verily believes

has real and personal property to a
large amount and amply sufficient
to enable him to advance thereout
to your petition. Such sum as may
be necessary for the above mentioned
purposes. That your petition is informed
and believes, that the said ~~decedent~~
^{decedent} is the owner of property to the
amount of more than two thousand
dollars and that his annual in-
come is about eight hundred
dollars. Your petition there-
fore asks that the said defendant
may by an order of this Court be
required to pay to your petition
a reasonable sum for her support
and maintenance during the pendency
of said action, and such sum
or sums of money as may be nec-
essary to enable your petition to
carry on her said action and to defray
the necessary costs and expenses
thereof

Dated June 3rd 1874 Dapster & Peck
Plaintiffs Attorneys

District Court,

County of Carr

Emilia A. Muldregal

against

Carl Muldregal

VERIFICATION.

Filed, July 22nd A.D. 1894,
Notary Public

Baugh & Beck
Attorneys,

Chaska Minn.

State of Minnesota,

County of

Carnum

ss.

Emily A Wallbøgel came

before me personally, and being duly sworn, doth say that she is plaintiff & petitioner

in the above entitled action: that the foregoing petition 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,

On this

3rd

day of

July 1874

L L Buxton

Emilia For Wallbøgel

Public Notary

Separately stated

2. The Amount per month necessary to be paid for the proper and comfortable support of the plaintiff pendente lite

3^d The Amount necessary to enable said plaintiff to prosecute his said action.

The testimony before said referee to be given under oath and sworn by the party giving the same.

The referee must be duly sworn as such according to law, and at least two days notice of the time and place of hearing before him must be given to said defendant or to his Attorney if any he has in this action.

Dated June 9th 1874

A. G. Chatfield
Judge of Dist. Court

Dist Court
San Francisco

Wm. H. H. H. H.

or

Wm. H. H. H.

Attorneys

Filed, July 22, 1874
Wm. H. H. H.
Shaw.

Wm. H. H. H.
Reps. Attys

State of Minnesota
County
Last Court 8th Dist.
Emilia A. Waldroyel, }
- 23 -
Carl Waldroyel. }

This case came on to be
heard before me pursuant
to the order of the Court in
the above entitled action of debt
June 9th 1874, and upon due
and legal notice to said defendant
as appears by the return of the
Sheriff of said County, on
the 22nd day of June 1874 at 10
o'clock A.M., the Sheriff, appearing
personally and by Counsel the
defendant did not appear.
Whereupon I did proceed to take
the evidence and the facts of said
plaintiff's relation to the matter
set out in the petition served
in said case. That the witnesses
himself named were sworn ac-
cording to law and testified as
follows: - That I did reduce the
said testimony to writing and
herewith transmit the same to this
Court as is due under process.

Emile de Walvogel duly sworn -
(decreasing de Biehoffen sworn as Inter-
preter -)

My name is Emile
de Walvogel, am Plaintiff in
the above entitled action. my
husband is Carl Walvogel the
defendant - I left the defend-
-ant about 1st of April 1874. I
have lived ever since that time
with my Aunt and with the
family of John Karcher. I
have not been able to support my-
self since I left my husband. on
account of my health. am unable
to work. I have no money. now
neither had I any when I left my
husband. I am destitute in
sufficient clothes for my comfort.

My husband owns & is a possessor
land in this same County - about
twenty five acres under cultivation.
He has twelve head of cattle -
two yoke of oxen - three cows - two steers
two ~~and~~ calves. He has \$766 loaned
and on interest. He has about 70
cords of cord wood cut & piled,
worth about two dollars per cord.

He has about 150 bu of wheat on
hand - worth one dollar per bushel -
The land owned by my husband
worth ~~about~~ nine hundred
dollars -

Sum + subscribed
to before me this 22 *Julia L. Worthington*
June 1874 J. A. Sargent
Refuse

Letto Aoubbraty - duly sw -
I know
the debt land Wabago - I know
the cattle owned by him - the oxen
are worth about \$125 per yoke -
the cows are worth about \$30 ~~each~~ -
the sters are worth about \$15 each -
the yearlings about \$10 each -
I know the land owned by Debt -
it is worth \$900 - ~~Letto Aoubbraty~~
Sum + subscribed to
before me this 22 *June 1874*
J. A. Sargent - Refuse.

Offered in evidence complaint - Sum
+ Mark of Service.

He. H. Peck sum -

I was one
of the attys for Peck in this
action - and I know the num-
ber of witnesses that will be
necessary for Peck on the trial
of this action - that it ^{will} require
an outlay of \$25. to secure the
attendance of witnesses at the trial
on part of Plaintiff - that
the Peck has no money on which
to carry on the case to my knowl-
edge -

H. H. Peck.

Sum to the 22nd June
1874 J. A. Sargent
Reuben -

Henry B. Schaffer sum -

I reside
in Chicago in since 18 months -
Bureau is worth at the least one
hundred pieces from various
works -

Sum & subscribe Henry B. Schaffer
to be paid on the 22nd June
1874 J. A. Sargent 3
Reuben -

Filed July 22nd 1874
J. A. Sargent
Chas. H. Schaffer

Dist. Court
Carr County,
Ernest C. Waldroff

- 75 -

Carl Waldroff
Finding of Return
Boston & Co.
Atty Gen. P. S.

Filed, July 22^d A.D. 1874.
Wray & Co.
Atty Gen.

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

Emilia C. Waldooyel

- 79 -

Carl Waldooyel

To the Hon. J. G. Chalpike Judge
of said Court.

Pursuant to the order of the
Court in the above entitled action
I respectfully report the following
facts:

- 1 That the value of the real estate
of said Defendant is nine hun-
dred dollars, more or less.
- 2 That the value of the personal
property of said Defendant including
money loaned and on interest
is Twelve hundred dollars.
- 3 That the sum of \$12 per month
is necessary for the proper clothing
and support of said Plaintiff during
the pendency of said action.
- 4 That the sum of \$50. is necessary
as Attys fees in the prosecution
of said action.
- 5 That the sum of \$25. is necessary to
enable the Plaintiff to procure his witnesses
in the trial of said action. J. A. Gorgey

Spital, July 22nd 1844
W. H. Wraymbecht
Chir.

State of Minnesota

County of Ramsey

First, Second & Third

Cornelia G. Waldo

- vs -

Carl Waldo

County of Ramsey

6th of April.

You do solemnly swear
that you will faithfully and
fairly hear and examine this
action wherein Cornelia G. Waldo
is Plaintiff and Carl Waldo
Defendant and make a just
and true report thereon according
to the best of your understanding
and ability so help you God
Subscribed and sworn to

This 22 day of June
1874.

J. H. Sargent

L. L. Bayle

Notary Public

Carver Co Minn

State of Minnesota
Dist. Court & Dist.
Leane County.

Emily L. Waldo

- 23 -

Carl Waldo

On reading and filing the petition
in the above entitled action asking for
temporary alimony and the report of J.
H. Sargent referee appointed by the
above named Court, to take and report
to this Court the proofs of said Plaintiff,
in support of the allegations in said
petition contained, from which report
it appears that the allegations of said
petition are true and that the said
Plaintiff is entitled to the relief asked
for in said petition. It is therefore
upon motion of Baxter & Beck Attys
for said Plaintiff ordered that the
the said Plaintiff be and she is
hereby allowed the sum of seventy
five dollars, to enable her to carry
on and prosecute her said action
which said sum the said defendant
is hereby ordered and required to
pay to the said Plaintiff or her
said attorneys as follows to wit:
Fifty dollars immediately upon

the service of this order, by stay
upon him the said defendant, and
the further sum of twenty five
dollars on or before the 20th day
of September 1874.

And it is further ordered that the
said defendant pay to said plaintiff
or her said attorneys for her support
during the pendency of said action
the sum of twelve dollars per
month, such sum of twelve dollars
per month to be paid as aforesaid
on the first day of each month
except the first payment of said
sum of twelve dollars which shall
be paid immediately upon the service
of this order upon said defendant
And it is further ordered that
in case the said defendant shall
neglect or refuse to comply with
the terms of this order or any part
thereof, that all proceedings upon his
part in said action be and they are
hereby stayed and enjoined until such
compliance with said order.

June 25th 1874.

By the Court

A. G. Chatfield
Judge oc.

Best. Court
Cann. Cawby

E. A. Waldoyle

— rs —

Cand. Waldoyle

Order for Alimony.

Boxton & Peto

Atty's for Plaintiff

Filed July 22^d A.D. 1874
Gehragentuhl
Gehragentuhl

Filed, July 20, A.D. 1874.
W. H. Graymiller
Clerk.

State of Minnesota
County of Carver District Court
Explicit Judgement District

Emile A. Wallvoyle 2
Carl ^{vs} Wallvoyle 3

On reading and filing
the Affidavit of H. F. Pick one of the
plaintiffs Attorneys in the above entitled
action and the summons and
complaint there to gether with the
return of the Officer serving the same
thereon enclosed from which it ap-
pears that the summons and complaint
in said action were personally served
on said defendant; that more than
thirty days have elapsed since the said
summons and complaint were served upon
the said defendant as aforesaid, and
that no answer or demurrer has been served
upon or received by said plaintiffs Attorneys
and that said defendant has not
appeared in said action. On Motion
of H. F. Pick plaintiffs Attorneys
Ordered that said action be referred
to J. A. Sargent as referee who
is ordered to take the evidence
and prepare thereon the report
by said plaintiffs in support

Dea M. C. C. C. C.
C. C. C. C. C.

E. A. M. C. C. C.
or

Olus M. C. C. C.

July 12, 1874.
W. C. C. C. C.
W. C. C. C. C.

by me sent complaint and
report the same to suit court
with all commitment & fine
Dated July 15. 1874.

C. C. C. C. C.
Judge

State of Minnesota }
County of Bureau } ss.
Emilie A. Waldvogel }
- ss. - }
Carl Waldvogel }

Pursuant to the order of the Court
in the above entitled action personally
appeared before me the following
named persons witnesses on the part
of the Plaintiff, being who each being
duly sworn according to law testified
as him stated that I did personally
reduce said evidence to writing and
herewith report the same to the
Court as provided in said order.

July 16th 1874.

Emilie A. Waldvogel being duly sworn
testified as follows: True Oath
sworn as interpreter. I am Plain-
tiff in this action. I was married
to defendant on or about November
1861 at Waukegan in said County by
Rev. J. W. Myers a Catholic Priest.
The said Carl Waldvogel is now my
husband. I am now twenty seven
years old - the defendant is now
forty one years old - I live in Bureau
Co. Minnesota, have lived there since

I married defendant - to the 28th
April 1874 - The defendant
has three children at home, child
born by a former wife - I have
no children living - I had a
child by defendant - born about
September 1872 - the child was born
at defendant's house - lived about
fifteen days - I had a mother-
child by Wauldorge born about
December 1873. which was a
premature birth - after three months
pregnancy - About four months
after our marriage he commenced
to abuse and ill treat me by calling
me vile names and struck me on
the head and face - he called me
a damned Protestant - I did nothing
to provoke him - He abused me
again before the first child was
born while I was ploughing corn I
complained of its being so wet, that
I had better not plough until it
dried - he then called me a
damned protestant. and if the oven
can't hold the blow you shall - I
was about seven months in pregnancy
at this time - The next time he
abused me was while I was stacking
grain, a shock train, (about three weeks)

before the child was born. I pitched
the bundles of grain to him on the ~~patio~~
and loaded the wagon. I told my
husband that it hurt me in pain
to pitch the grain so high. he told
me she must do it. and he hoped
I would die in child bed.

After I was confined, the second
day he abused while in bed. told
me to get up and go to work. that
his mother never was confined
to the bed but two days after her
children were born. I was then
weak and feeble but at his compul-
sion I sat up in bed and com-
menced to sew, but could not
but a short. The next day
I became very sick and delirious
which continued about one month.
The child died before I got well.

About April 1873. defendant
struck me with his fists. threw me
down on the floor. took me by the
hair of my head and pounded
my head a number of times against
the floor. & said he wished he could
pound me to pieces. I then left
him. I staid away about six

works. he then entreated me to return
stated that he had abused and
ill treated me, but would do so
no more. believing that he would
better I returned and lived with
him until about April 1st 1873
when I again left him. During
the time I lived with him after I
returned he continually abused
me. I was an invalid unable to
do farm work. have been troubled
with falling of the womb. I com-
plained to him of head ache & pain
in my bowels. he scolded me &
said if I could not in the field
I was not fit to be a farmers
wife. In October 1873 while I
was spreading manure I told
him I was unable to work and
he must get some one else to do
it. while at this work labor pains
came on and I was delivered of
a premature child (about three months)

I have been under the Physicians
care ever since. He continually
abused me. would not allow
me to have a doctor. A short
time after the miscarriage abdom-
inal pain. and while I was sore and
sick & all the time until I left he
desired to have sexual intercourse

with me. and because I could endure
it. he abused me & I could no-
longer live with him, and left him.
I not been back to live with him
since. During all the time
I lived with him I always treated
him with kindness & forbearance
never gave him any cause for his
ill treatment. & towards me. He
is a ^{Roman} Catholic & I am a Protestant.

Sworn & subscribed to
before me this 16th July families: L. Wolford.
1874 J. H. Sargent
Reburr

Wilhelma Prebe being first duly sworn
on oath says-

I know Mrs Wolford the
plaintiff in this action. I know when
her first child was born - was with her
five days during her confinement. I
know her husband. he came to take
her away from my house where she
was. I was taking care of her. I
heard conversation between him & his wife
he admitted that he had told her
that he wished she would die in

child bed - Mrs Walford was very
sick all the time she was at my house.
she was delirious - It was fourteen
days after the child was born when
she came to my house - It appeared
that she had not been washed after
the child was born. prior to her
coming to my house - I assisted
washing and cleaning her. She
was in a very filthy condition when
she was brought to my house - She
talked a great deal about the abuse
of Walford towards her -

Sworn & subscribed
to before me this
20th July 1874

J. A. Sargent
Referee

Wilhelmina
Lizden

July 22^d 1874
G. H. Graymont
Columbia

State of Minnesota
County of Ramsey
Circuit Court
Emilia A. Wolcott
- vs -
Carl Wolcott }
Plaintiff vs. Defendant

I do solemnly
swear that you will faithfully
and fairly hear and examine
this action wherein Emilia A. Wolcott
is Plaintiff and Carl Wolcott
Defendant and make a just and
true report thereon according
to the best of your understanding
and ability, so help me God.
Subscribed and sworn to
this 16th day of August 1874. } You Sargent

Peter L. L. L.
Justice of the Peace

State of Minnesota
Dist. Court 8 Dist
Cannon County.

Emilia A. Waldvogel }

- vs -

Leuel Waldvogel }

Upon reading and filing the
complaint summons proof of service
together with the affidavit of no
appearance therein and the upshot
of the report therein it appears that
the allegations in said complaint
are true and therefore upon
motion of Peter J. Rich attorney
for plaintiff it is ordered that said
plaintiff have judgment for the
relief demanded in the Complaint.
And it is further ordered that said
defendant pay to said plaintiff or
her attys the sum of fifty dollars as attys fees
and that defendant pay the costs and
disbursements in this action.

Chas E. Knudsen
Judge

State of Minnesota
County of Curran ss M. H. Laydin being
dearly sworn on oath says that on
the 22^d day of July 1884 in
said County of Curran this Appellant
served the annexed order on Carl
Mullmeyer the said defendant.
in said order received by delivery
in hand then and there in person
a true and correct copy of said
order, and that then and there
upon the service of said order by copy
as aforesaid I read and fully explained
the same to said defendant and
then and there after such reading and
explanation thereof demanded of
the said defendant, as the agent
for and on behalf of the plaintiff
in said order received, that he pay
over to ^{this appellant} ~~the~~ for said plaintiff the sum
of fifty two dollars in obedience to
said order but the said defendant
then and ever since has refused to
pay the same or any part thereof.
Subscribed and
sworn to before me this } Matthias Laydin
22^d day of July 1884 }
L. H. Sampson
Notary Public
Curran Co Minn

STATE OF MINNESOTA, }
County of _____ Court

against

Affidavit of No Answer.

STATE OF MINNESOTA, } ss.
County of _____

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 _____

Notary Public, Minn.

Shepherd Court & Co.
Carm COUNTY.

Emile A. Muddway

AGAINST

Carl Muddway

Affidavit of No Answer, &c.

Given July 22^d 1874.
Wm. C. Cunningham

Wm. C. Cunningham
Attorney for Plaintiff.

Hansley & Cunningham, Printers and Stationers.

State of Minnesota,
County of *Cass*

District COURT.
Eighth Dist

Emile A. Muller
Against
Carl Muller

Affidavit of Disbursements.

Plaintiff's Costs and Disbursements.

| | |
|--|----------|
| State Costs, ordered by court | \$ 50.00 |
| <i>Six</i> Affidavits, | 1.80 |
| Sheriff's Fees, | 4.80 |
| Clerk's Fees to be added, | 5.90 |
| <i>Sum of order of court</i> | 2.00 |
| <i>Refers Fees</i> | 10.00 |

Amount claimed in Summons.

Principal,
Interest,

76.50

State of Minnesota.
County of *Cass*

ss.

L. L. Baugh

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 *22nd* day of *July* A. D. 187*4*

L. L. Baugh

G. W. Mayenbuhl
Notary Public
Carver County, Minn.

free from the obligations thereof
and a divorce from the bonds
of matrimony is hereby granted
to the said plaintiff. And
it is further adjudged and
decree in pursuance of said order
that the said plaintiff recover
of the said defendant ^{in said action} costs and disbursements, the
sum of Twenty Dollars/100 — dollars
Dated July 22nd 1874

By the Court,
J. H. Weyenbuhl
Clerk.

State of Minnesota
District Court
County of Carver,

Emilie, A. Waldvogel
vs
Carl Waldvogel,

Judgment Roll.

Decree of Divorce for
Plaintiff.

Judgment for costs &
disbursements \$76.50.

Filed, July 22^d A.D. 1894.
Georg Engelbrecht
Clerk.

Master in Prob. case for Plaintiff
Charles M. Munn