

In the Matter of the Petition of E. L. Gilbert
 and Others for a Public Ditch in the County of A N O K A
 State of Minnesota:

Whereas, A petition, bearing date the 31st day of March
 A. D. 1900, signed by E. L. Gilbert and others, praying
 for the establishment of a ditch in said county, the route of which is described in said petition,
 together with a proper bond accompanying the same, has been filed in the office of the County
 Auditor of said county; and the said County Auditor has given due notice of the pendency of said
 petition by publishing and posting the same as by law required, and hearing has been had on said
 petition pursuant to said notice; and a duly competent civil engineer, to-wit,
James Corr has been appointed by the Board of County
 Commissioners of said county to make a survey of said ditch and to make and file his report of
 such survey;

Now, Therefore, We, the Board of County Commissioners of said county, have appointed,
 and hereby do appoint J. B. Meister and
George Wyatt and John Hunter
 who are three resident freeholders of said county who are not interested in the construction of said
 proposed ditch, and who are not of kin to any of the parties interested therein, to be viewers of said
 proposed ditch and of the route thereof.

The said viewers shall meet, preparatory to commencing their duties, at a time and place to be
 hereafter designated by the County Auditor of said county by his order, and shall thereupon first
 take and subscribe an oath to faithfully perform their duties as such viewers; and, having received
 from the County Auditor of said county a certified copy of said petition for said ditch, a certified
 copy of this order appointing them viewers, and a certified copy of the said order of said County
 Auditor designating the time and place of their first meeting, they shall proceed, with or without
 said civil engineer appointed to make said survey, to view and examine said work and said proposed
 ditch, and, having completed said view and examination, shall make and file their report thereof in
 the office of said County Auditor of said county, ~~on or before the~~ day
 of A. D. 1900.

In said report said viewers shall, in tabular form, give the names of the owners of each tract of
 land to be benefited and damaged by the said proposed work; the description of each tract of land
 so benefited or damaged (said names of owners to be the same as appear on the county tax duplicates
 of said county, and the description to be given in legal form); the total number of acres in each of
 said tracts; the estimated number of acres in each tract of land to be benefited or damaged, as the
 case may be; the amount that each tract of land will be benefited or damaged by the construction of
 said ditch; the number of acres added to any tract by the total or partial drainage of any meandered
 lake or by the drainage of any water course, and the location and value of said added tract; the
 damage, if any, to riparian rights pertaining to any tract, and the amount that each such tract of
 land will be benefited or damaged, as the case may be, by the construction of said ditch; and in
 case said ditch drains, either in whole or in part, any public or corporate road or railroad, or benefits
 any such road or railroad so that the roadbed or traveled track thereof will be made better by the
 construction of said ditch, the said viewers shall estimate the benefits arising therefrom to such
 roads, roadbeds or railroads, and report such benefits, with names of roads or railroads and other
 particulars necessary to identify the corporations, public or private, to be benefited thereby, and the
 amount of benefits to each; and they shall also report as a part of said tabular statement the damages
 awarded to each municipal or other corporation for injury to any road or roadbed from the necessary
 construction and maintenance of any bridges, culverts or other works rendered necessary by the
 establishment of said ditch, stating the same separately; and the said viewers shall also report the
 total estimated benefits in respect to the entire ditch and the branches thereof, if any; and also
 whether or not, in their opinion, the estimated expense of the construction of said ditch, including
 the damages awarded therefor, is greater than the utility of said proposed ditch, and whether or
 not the construction of said ditch is impracticable for any reason, and, if so, the reasons why they
 consider it impracticable and why it should not be constructed.

In case the said viewers are unable to agree upon the matters required of them and herein specified,
 each viewer shall make his separate report and findings on the matters concerning which they fail to
 agree. All lands benefited by said ditch, and all public or corporate roads or railroads, benefited in
 whole or in part by said ditch, shall be assessed by said viewers in proportion to the benefits from
 the construction thereof, whether said ditch passes through said lands or along or near the line
 thereof; but said viewers shall not, in estimating the benefits to lands, roads or railroads not traversed