

ORDER DESIGNATING TIME AND PLACE OF VIEWERS'

FIRST MEETING.

In the matter of the petition of A. E. Wellman and others for a public ditch in the county of Anoka, state of Minnesota.

Whereas, a petition has been filed, bearing date the 12th day of June, 1905, praying for the establishment of a public ditch in said County along the route described in said petition, together with a proper bond accompanying the same, and the petition has been heard and considered by the board of county commissioners at their meeting held on the

28th day of August, 1905, pursuant to notice of said hearing duly published and posted as by law required, and the said board of county commissioners has appointed a competent civil engineer, to-wit: Arthur E. Morgan, to make a complete survey of said ditch and of the route thereof who has on the 2nd day of January, 1906, filed his report of said survey in my office, and the said board of county commissioners have appointed John Hunter and Richard Dryer and I. A. Hathorn to be viewers of said proposed public ditch by their order filed herein in my office on the 29th day of August 1905.

And Whereas, Richard Dryer and I. A. Hathorn, two of the viewers, have failed to appear and qualify as viewers, and I have this day appointed H. W. Sterling and W. E. Cundy to be viewers in the place of the said Richard Dryer and I. A. Hathorn,

Now, Therefore, It Is Herby Ordered, That the said viewers be and meet at the auditor's office in the city of Anoka in said county, on the 8th day of January, 1906, at 10 o'clock in the forenoon of said day preparatory to assuming and commencing their duties as such viewers, said time being within fifteen (15) days after the filing of the engineer's report of his survey in said matter.

Witness my hand and seal of office this 8th day of January, A. D. 1906.

Arthur E. Caswell

County Auditor of Anoka County, Minnesota.

State of Minnesota,) ss.
County of Anoka,)
I, Arthur E. Caswell, county auditor of Anoka county, Minnesota, do hereby certify that I have carefully compared the foregoing order with the original order on file in my office and that the same is a full, true and complete copy of said original order, and of the whole thereof.

Witness my hand and seal of office this 8th day of January, A. D. 1906

Arthur E. Caswell

County Auditor of Anoka County Minnesota.

APPOINTMENT OF VIEWERS.

In the matter of the Petition of A. E. Wellman and others for a public Ditch in the County of Anoka, State of Minnesota:

Whereas, A petition, bearing date the 12th day of June, A. D. 1905, signed by A. E. Wellman 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: Arthur E. Morgan 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;

And Whereas, Richard Dwyer and I. A. Hathorn, two of the viewers appointed by the board of county commissioners by their order dated Aug. 28, 1905, failed to appear and qualify on this day pursuant to the auditor's notice, a copy of which with the sheriff's return thereon is filed in this office;

Now, Therefore, I, Arthur A. Caswell, auditor of said county, have appointed and hereby do appoint H. W. Sterling and W. E. Gundy, who are 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 known to be interested therein, to be viewers of said ditch and of the route thereof, in place of said Richard Dwyer and I. A. Hathorn.

In witness whereof I have hereunto set my hand and official seal at Anoka, this 8th day of January, A. D. 1906.

Arthur A. Caswell

Auditor of Anoka County, Minnesota.

MAY 21, 1917.

STANDING & NOTARIAL, INC., TO NOTARIAL OFFICE, TO REGISTERED MAIL
STATE OF MASSACHUSETTS, BOSTON, MASS., TO VARIOUS CITIES AND PORTS

NOTARIAL AND DOCUMENTARY FEE LIST USED AS NOTARIAL & REGISTERED

BLSE OR NOTARIAL OR IN FORMULATIONS NOT NOTARIAL, 2001, 2001, 2001

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JOSEPH H. COOPER, ATTORNEY FOR DEFENDANT

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Notice of meeting
appointment of
Sterling and W. E. Kennedy
as viewers.

Filed in my office
this 8th day of January 1906

Arthur A. Caswell
Auditor of Alaska Co. Minn.

Office of Auditor, H. H. Sterling,
State of Alaska,
Date, A. D. 1906
to witness and
certified by me at Anchorage, Alaska
on the 8th day of January 1906.

This instrument of writing shall be valid to cover the time from
the date hereof and shall remain in force until the 1st day of April
of the next ensuing year, unless sooner terminated by either party
to this instrument, or by mutual agreement of the parties, or by
any other instrument in writing, or by a written notice to the other
party, given at least 30 days before the time of termination.

Each party shall be entitled to receive compensation for services
rendered, at the rate of \$100 per day, plus expenses, and
shall be entitled to receive payment for services rendered, plus
expenses, at the rate of \$100 per day, plus expenses.

The parties hereto shall be bound by the terms of this instrument
until terminated, and shall be liable to each other for all damages
and expenses arising out of the breach of any provision of this
instrument, except that the party in fault shall not be liable for
damages arising out of the breach of any provision of this instrument
if such breach was caused by the other party's negligence or
willful misconduct, or if such breach was caused by reason of
any act of God, or by reason of any other cause which is beyond
the control of the party in fault.

Any dispute between the parties hereto concerning the interpretation
or application of this instrument shall be referred to arbitration
by three persons, one to be selected by each party, and the third
person to be selected by the two first persons, and the award of
the arbitrators shall be final.

Any action or proceeding to enforce the provisions of this instrument
shall be brought in the state of Alaska, in the county of Anchorage.

Witness my hand this 8th day of January, A. D. 1906.

Arthur A. Caswell, Auditor.