

Great Northern Railway Company.

Right of Way & Land Department.

Address only the
Right of Way & Land Commissioner.

St. Paul, Minn. July 13, 1909.

Mr. Arthur A. Caswell,
County Auditor,
Anoka, Minn.

Dear Sir:-

Referring to county ditch which it is proposed to carry across our right of way 3784 feet west of Mile Post 125, west of Cedar, notice in regard to which is said to have been mailed this Company on the 8th day of July 1908:

I am in doubt as to the number of this ditch as ⁱⁿ the copy of "Proof of mailing copies to non-residents," which you sent us June 16, 1909, the ditch is referred to as #48, while in your letter of May 28th addressed to Superintendent Taylor you refer to the ditch as #49. However, from the proposed crossing as given above, I think you will have no difficulty in determining the ditch to which ^I ~~you~~ refer.

The matter has been up with our Legal Department and they desire to ascertain whether any award was made to this Company to cover the cost of the crossing or whether the agreement made with the contractor on this ditch required him to construct the portion of the ditch under our tracks. I shall be greatly obliged if you will give me information on this point as soon as possible.

Yours truly,


Right of Way & Land Commissioner.

County of Anoka
County Auditor's Office
Anoka, Minn.

ARTHUR A. CASWELL, County Auditor
CARRIE STARRETT PIPER, Deputy

July 15, 1909.

Mr. Chas. H. Babcock,
St. Paul, Minn.

Dear Sir:-

My letter to Supt. Taylor gave the wrong number for the ditch. The number of the ditch is 48.

Our agreement with the contractor on this ditch does not require him to construct that portion of the ditch under your tracks nor across the right of way, nor was any award made to your Company to cover the cost of the crossing, nor was any assessment made against your company for benefits to be derived from this ditch.

On June 9th, 1908, the engineer, Mr. J. E. Hill, visited St. Paul and conferred with some of the officials of your company concerning the construction of this ditch. At the final hearing the Board of County Commissioners expected that if your company had any objections to this ditch across your right of way you would be represented, and if compensation was expected a demand for it would be made for it at that time, as that was the report made to the Board by the engineer. There was no appearance on your part, and the Board considered that you probably deemed the benefits equal to the expenses you would incur in making this crossing. The culvert at this place at that time was deemed insufficient to carry off the overflow of water from the lake above, and the proposed ditch would drain a large portion of the right of way and render the grade more stable at this point. As this is a natural waterway, of which your culvert forms a part, the Commissioners also considered that it might be incumbent upon you to maintain a culvert at that point which would

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carry off all the water flowing therein. All these matters were taken into consideration by the Board, as I now recall it, and, in view of that fact that no appearance was made on your part, relying also upon the report of the engineer in that regard, it was considered that the matter was settled and that your company felt that the benefits to be derived from the ditch were at least equal to the cost of lowering the culvert.

It is imperatively necessary that the culvert be built as soon as possible, as the lake may break through at any time, in which case the present ^{culvert} will not begin to take care of the water. We will be very glad to receive a statement of your views in this connection.

Yours respectfully,