

District Court
Anoka County

Thomas Green, Appell.
vs
The Board of County
Commissioners of the
County of Anoka

Notice of Appeal
Filed Aug 19, 1889
G. W. Putnam
Auditor of Anoka Co., Minn.
By George D. Goodrich Deputy

Geo. W. Morrill
Attorney for Appellant
Anoka, Minn.

State of Minnesota } District Court
County of Anoka } Fourth Judicial District

Thomas Green, Appellant

vs

The Board of County Commissioners
of the County of Anoka, Respondent

To the Chairman of the Board of County
Commissioners of Anoka County

Please take

notice that Thomas Green, the appellant in
the above entitled action appeals to the District
Court of said Anoka County from the order
and determination of the Board of County
Commissioners ^{of the County of Anoka} by them made and entered
of record on the 22nd day of July A.D. 1889 locating
and establishing a certain ditch passing
through said appellants land, to wit: ^{the} west
part of the South East quarter of Section Three
(3) Township Thirty two (32) North of Range Twenty
Four (24) West, which said ditch was located
and established as prayed by the petition
of John Olson and others, and said appeal
is taken upon the following grounds, to wit:
1st That the said Board of County Commissioners
never had jurisdiction of the subject matter
of said petition.
2nd Because the viewers never assessed the
damages and benefits therein
3rd Because said order of the Respondent did
not assess any damages and benefits therein

1 4th Because said order of the Respondent
2 contains no findings authorizing them
3 to act in the premises.

4 5th Because said order does not contain
5 sufficient findings to authorize said
6 respondent to act in the premises.

7 6th Because no benefits will accrue to this
8 appellant by reason of the establishment
9 and location of said ditch and the construction
10 thereof, but on the contrary he will be
11 damaged in the sum of one hundred
12 dollars by the location and construction
13 thereof.

14 7th That said ditch will not be conducive to
15 public health, convenience, or welfare.

16 8th That the route of said ditch is not practicable

17 9th That the benefits to be derived from the
18 construction of said ditch are not equal to
19 and are less than the total cost thereof
20 including damages awarded, and appellant
21 asks the judgment of this Court that said order
22 may be reversed and said ditch vacated.

23 The appeal bond has been filed with the
24 County Auditor of said Anoka County, State
25 of Minnesota.

26 Geo. W. Merrill
27 Attorney for Appellant
28 Anoka, Minn.