

District Court -  
Anoka County

Joseph C. Clark  
Applt;

The Board of County  
Commissioners of the  
County of Anoka

Notice of Appeal

Filed Aug 19 1889

George W. Putnam  
Auditor 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

Joseph C. Clark, 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 Joseph C. Clark, 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 22<sup>d</sup> day of July A.D. 1889 locating  
 and establishing a certain ditch passing through  
 said Appellant's land, to wit: the North East quarter  
 of Section Three (3) in 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:  
 1<sup>st</sup> That the said Board of County Commissioners  
 never had jurisdiction of the subject matter of  
 said petition  
 2<sup>nd</sup> Because the viewers never assessed the  
 damages and benefits therein.  
 3<sup>rd</sup> Because said order of the respondent did  
 not assess any damages and benefits  
 therein.

4<sup>th</sup> Because said order of the respondent contains no findings authorizing them to act in the premises.

5<sup>th</sup> Because said order does not contain sufficient findings to authorize said respondent to act in the premises.

6<sup>th</sup> Because no benefit will accrue to this Appellant by reason of the establishment and location of said ditch and the construction thereof, but on the contrary he will be damaged in the sum of three hundred dollars by the location and construction thereof.

7<sup>th</sup> That said ditch will not be conducive to public health, convenience or welfare.

8<sup>th</sup> That the route of said ditch is not practicable.

9<sup>th</sup> That the benefits to be derived from the construction of said ditch are not equal to and are less than the total cost thereof, including damages awarded, and appellant asks the judgment of this Court that said order may be reversed and said ditch vacated. The appeal bond has been filed with the County of said Anoka County, State of Minnesota.

Geo. W. Merrill  
Notary Public  
Minn.