

District Court
Anoka County

William H. Staples
Appel.

vs
The Board of County
Commissioners of the
County of Anoka

Notice of Appeal

Filed Aug 21 1889

G. W. Putnam
Auditor Anoka Co., Minn.

By George D. Goodrich Deputy

Geo. W. Merrill
Atty. for Appellant
Anoka, Minn.

1 State of Minnesota
2 County of Anoka

District Court
Fourth Judicial District

3
4 William H. Staples. Appellant

5
6 The Board of County Commissioners
7 of the County of Anoka Respondent

8
9 To the Chairman of the Board of County
10 Commissioners of the County of Anoka.

Please take

11
12 notice that William H. Staples, the appellant
13 in the above entitled action appeals to the
14 District Court of said Anoka County from the
15 order and determination of the Board of County
16 Commissioners by them made and entered
17 of record on the 22nd day of July A.D. 1889 locating
18 and establishing a certain ditch passing through
19 said Appellant's land to wit: the East part of
20 the South East quarter of Section Three (3)
21 Township Thirty Two (32) North of Range
22 Twenty Four (24) West, which said ditch
23 was located and established as prayed
24 by the petition of John Olson and others
25 and said appeal is taken upon the
26 following grounds, to wit:

27 1st That the said Board of County Commissioners
28 never had jurisdiction of the subject matter
29 of said petition.

30 2nd Because the viewers never assessed the
31 damages and benefits therein.

32 3rd Because said order of the Respondent

1 did not assess any damages and benefits
2 therein.

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

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

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

16 7th That said ditch will not be conducive
17 to public health, convenience or welfare.

18 8th That the route of said ditch is not
19 practicable.

20 9th That the benefits to be derived from
21 the construction of said ditch are equal
22 to, and are less than the total cost thereof
23 including damages awarded, and
24 Appellant asks the judgment of this
25 Court that said ditch may be reversed
26 and said ditch vacated.

27 The Appeal bond has been filed with the
28 County Auditor of said Anoka County
29 State of Minnesota.

30 Geo. W. Merrill

31 Attorney for Appellant
32 Anoka, Minn.