

STATE OF MINNESOTA, COUNTY OF Ramsey, District Court, Second Judicial District.

In the Matter of the Construction of a Ditch, Drain or Waterway along Mud or Rice Creek and a portion of that natural creek that commences at Pine Tree Lake in Washington County, Minnesota, and that empties into Bald Eagle Lake, Ramsey County, Minnesota.

Notice is hereby given that the District Court for the County of Ramsey, Second Judicial District, State of Minnesota, has ordered that a preliminary hearing upon the allegations contained in the petition on file in my office, of which the following is a copy, will be heard before the District Court for the County of Ramsey, Second Judicial District, State of Minnesota, on Saturday, the 9th day of September, 1905, at Chambers, in the County Court House Building, City of St. Paul, Ramsey County, Minnesota, at ten o'clock in the forenoon of said day, or as soon thereafter as counsel can be heard.

Notice is further given that a copy of said petition, duly certified by the undersigned, was filed with the Auditor of Washington County, Minnesota, on the 9th day of June, 1905.

That a copy of said petition, duly certified by the undersigned, was filed with the Auditor of Ramsey County, Minnesota, on the 8th day of June, 1905.

Notice is further given that said petition, of which the following is a copy, was filed in the office of the Clerk of the District Court, Ramsey County, Minnesota, on the 8th day of June, 1905.

Dated this 31st day of July, 1905.

EDWARD G. ROGERS,

Clerk of the District Court,

Ramsey County, Minnesota.

(Seal of Clerk of District Court, Ramsey County, Minnesota.)

Filed July 31st, 1905.

EDWARD G. ROGERS, Clerk.

By George A. Johnson, Deputy.

STATE OF MINNESOTA, COUNTY OF Ramsey, District Court, Second Judicial District.

In the Matter of the Construction of a Ditch, Drain or Waterway along Mud or Rice Creek and a portion of that natural creek that commences at Pine Tree Lake in Washington County, Minnesota, and that empties into Bald Eagle Lake, Ramsey County, Minnesota.

To the Honorable Hascah R. Brill, O. B. Lewis, George L. Bunn, Oscar Hallam, G. M. Orr and W. L. Kelly, Judges of the District Court, Ramsey County, Minnesota.

And now come the undersigned petitioners and respectfully show to the Judges of this Court:

That there is a natural winding creek which commences at Pine Tree Lake, Washington County, Minnesota, and flows in a westerly direction across the northerly half of section seven in Township Thirty, North of Range Twenty-one West, Washington County, Minnesota, and thence westerly and northwesterly across the northerly part of section twelve and across the southerly corner of section one in Township Thirty, North of Range Twenty-two Ramsey County, Minnesota, where it discharges its waters into Bald Eagle Lake in said County of Ramsey. Which creek for convenience of description we call Pine Tree Creek.

That in the northerly half of the southwest quarter of section six, Township thirty, North of Range twenty-one, is a shallow lake or pond, known as Mud or Rice Lake, a greater portion of each and every year said lake or pond is filled with water comprising several acres.

That at the southerly end of said lake or pond a creek, which for sake of convenience herein, is called Rice Creek, commences eighty rods east of north-west corner of southwest quarter, section six, and flows southerly a distance of about 2904 feet, to the junction of Pine Tree Creek, which junction is about 396 feet southeast thirty degrees from the southwest corner of Section six.

That the course of said Rice and Pine Tree Creeks are narrow, very crooked and shallow and are bordered on both sides of their entire length by a large area of low flat swampy lands. That at the point where said Pine Tree Creek crosses the county line between Ramsey and Washington Counties, the bottom is about eight feet higher than the surface of the water in Bald Eagle Lake. That from said point eastward there is a gradual elevation to the junction of said Rice and Pine Tree Creeks aforesaid and to said Rice Lake.

That both of said creeks are wholly insufficient to drain the country through which they pass. That during all times of the year except the winter months, a large part of the lands bordering on said creeks, is covered with water, rendering the same unfit for cultivation or habitation, and making said locality for several miles around unhealthy. That if said creeks are straightened out, made wider and deeper, commencing at the point hereinafter specified, all of said lands would be completely drained and be free of surplus water and dry, thereby rendering said lands fit for cultivation, increasing the value of the same and making the country thereabouts more healthful.

That your petitioners propose as the starting point of said ditch so to be constructed as follows, to-wit:

Commencing at the beginning of said Rice and Mud Creeks, which point is located as follows, to-wit: Eighty rods east of northwest corner of southwest quarter of Section six, Township thirty, North of Range twenty-one West, thence southerly along the course of said Rice or Mud Creek to its junction with said Pine Tree Creek, as nearly as practicable to where it empties into Bald Eagle Lake as aforesaid.

That each and all of your petitioners hereunto subscribed are the owners of lands which will be affected by or assessed for the expense of the construction of the same, the description of the lands so owned and affected being written underneath their names to this petition.

That the construction of said ditch will result in great benefit to the lands bordering on said creeks and all the lands described under the name of each petitioner in both of said counties of Ramsey and Washington, and of great public benefit.

Wherefore, your petitioners pray that proceedings be had under the direction of this Court, for the construction of said ditch without delay and in accordance with the provisions of Chapter 230, General Laws of Minnesota, 1905, and the acts amendatory thereto, and for such further relief as may be proper and right in the premises.

Dated this 15th day of May, 1905.
Signature, Edward L. Fales.

Owner of Lots 1 to 16 inclusive, Block 7, Rice's Addition to White Bear.

One of said petitioners.
Signature, Nellie Leckenby.
Owner of Lots numbered one to nineteen inclusive, of Block fifteen, White Bear Beach.

One of said petitioners.
Signature, F. M. Johnson.
Owner of Lots 10 & 11, Block 35, White Bear Beach, Ramsey Co., Minn.

One of said petitioners.
Signature, Joseph Taylor.
Owner of Lot One, Block eight, Garden Place, White Bear Beach, Ramsey County, Minnesota.

her
Signature, Mary X Campbell.
mark
Owner of Lot 16, Block 21, White Bear Beach.

One of said petitioners.
his
Signature, William X Taylor.
mark
Owner of E 1/2 of Lot 20, Block One, Garden Place, White Bear Beach, Ramsey County, Minnesota.

One of said petitioners.
Signature, Josephine Hallapeter.
Owner of Block 20 at White Bear Beach, Ramsey County, Minnesota.

One of said petitioners.
Signature, F. Hobart.
Owner of 12 lots, Garden Place.
One of said petitioners.
Signature, Eva Cabanne.

By Julius A. Haussner.
Owner of 2-3 of E 1/2 of NE 1/4 of SW 1/4 and E 1/2 of SE 1/4 of NW 1/4, Section 6, Town 30, Range 21.

One of said petitioners.
Signature, Samuel Beard.
Owner of Lots 3 and 4, Block 4, Dellwood, Washington Co.

One of petitioners.
George L. Spangler.
Owner of part of section six, township 30, North of Range twenty-one west, Washington County.
Lydia O. Beard.

Owner of NE 1/4 of SW 1/4 and E 1/2 of NW 1/4 of NW 1/4 and NW 1/4 of NW 1/4 of Section seven and W 1/2 of SW 1/4 and SE 1/4 of SW 1/4 of Sec. six, Township 30, North of Range twenty-one West, Washington County, Minnesota.
Alex. Taylor.

Louisa Haar.
North 1/2 of Lot 2 except northwest 50 by 150 ft. of Blk. 1, Garden Place, Minn.
Signature, C. H. Bachus.

per C. J. Bachus.
Owner of SW 1/4 of NW 1/4, Sec. 7, T. 30, R. 21.
Signature, Sophia Good, et al.

By H. T. Eachus, Attorney.
Owner of Undiv. 1-3 of E 1/2 of NE 1/4 of SW 1/4 and E 1/2 of SE 1/4 of NW 1/4 of Sec. 6, Twp. 30, R. 21, Washington Co.

One of said petitioners.
STATE OF MINNESOTA,

ss.
County of Ramsey,
H. T. Eachus, being first duly sworn, deposes and says, that he is attorney in fact and agent for Sophia Good, et al., signers of the foregoing petition; that the foregoing petition is true to the best of his knowledge, information and belief; and that said Sophia Good is absent from the County of Ramsey, where resides affiant.

H. T. EACHUS.
Subscribed and sworn to before me this 6th day of June, 1905.

E. S. EDGERTON,
Notary Public.
(Notarial Seal) Ramsey County, Minnesota.
(41-43)