

Filed for record the 9th day of February 1911 at 10,00 o'clock A.M.
 Fred Klaes, Register of Deeds.

Transcript of Proceeding had in County Court
 In the matter of the Right of Way of Elkhorn River Drainage District.
 State of Nebraska, Dodge County, ss.

County Court Docket January Term A.D. 1910.
 Robert J. Stinson, Judge.
 In the matter of the Right of Way of Elkhorn River Drainage District
 Wm. J. Courtright &
 S. S. Signer, Attorneys
 Pltff's Costs

Judge's Fees	.25	
Docketing	2.20	
Filing Papers (22)	1.50	
Commission (3)	3.00	
Reports (6)	2.00	
Apptment Appraisers	2.00	
Oath (8)	3.30	
Indexing (33)	4.00	
Attendance (4)	23.00	
Recording	.50	
Citation	.25	
Affidavit	25.50	
Transcript	.25	
Certificate to Transcript	.25	
	Total	\$67.75, Pd Jan 10, 1911
W. C. Condit, Sheriff's Fees	.50	
Service of notice	1.00	
Mileage on "	.25	
Copy of "		1.75
W. C. Condit		
Service of Citation	3.00	
Copies	1.50	
Mileage	.60	
		5.10
Ira Flanagan, Deputy Sheriff	1.85	
C. S. Smith, Sheriff of Madison County, Nebraska		
Mileage	2.30	
Service	.50	
Copy	.25	
	Total	\$3.05 Paid by Drainage District

January 8th 1910 The Elkhorn River Drainage District appeared by William J. Courtright, its attorney and filed application and petition as follows:

In the County Court of Dodge County Nebraska.
 In the matter of the Right of Way of Elkhorn River Drainage District
 Petition.

Comes now Elkhorn River Drainage District and for cause of action herein states:

1. Said petitioner is a corporation organized and doing business under the provisions of Chapter 153, Laws of Nebraska enacted in the year 1907 and other laws amendatory thereof and supplemental thereto, and is authorized by virtue of said laws and its said organization, to locate, construct, excavate and maintain a system of drainage of lands within said district, and to take hold and appropriate real estate by right of eminent domain for the purposes of said drainage district, and for the purpose of locating, constructing, excavating and maintaining such system or systems of drainage.

2. Said Elkhorn River Drainage District embraces territory in Dodge and Washington Counties Nebraska, and embraces the territory marked and shown upon the blue print plats filed in connection herewith, marked Exhibit 1 to 6 inclusive and made a part hereof.

3. Said petitioner has had surveys made of the lands within said District, and has now located and contracted for the excavation and construction of a drainage system as shown on said Exhibits 1 to 6 inclusive, being the plans, as shown by the profiles, being 7 to 26 inclusive, which are filed herewith and made a part hereof, said drainage system, of river cut offs and ditches, embankments, and clearing and grubbing, all substantially located as follows:

Ditch No. 1. is located at or near the section line on the west and south of section thirty two, and south of sections thirty three, thirty four and thirty five, township seventeen, range nine.

ditch No. 2 Commences at or near the center of the west line of section nineteen township seventeen, range nine, thence runs southeasterly to a point at or near the south east corner of said section, thence easterly at or near the section line nearly two miles, thence southeasterly across the corner of section twenty eight, and through sections twenty seven, twenty six, township seventeen, range nine.

Ditch 2a commencing at or near the Military Road at or near the half section line running east and west through section twenty five, township seventeen, range eight, thence easterly at or near said half section line to the intersection with ditch No. 2 at or near the center of section twenty seven, township seventeen, range nine.

Ditch 2b commences at or near the north west corner of south west quarter of north east quarter of section twenty four, township seventeen range eight, thence runs easterly to a point at or near the east line of said section, thence south about one-fourth of a mile to an intersection with ditch No. 2

Ditch No. 3 Commences at or near the half section line running north and south through the south half of section thirty one, township seventeen, range ten, thence runs southeasterly through said section and across section thirty two, to the north line of Douglas County.

Ditch No. 4 Commences at or near the north line of section eight in township seventeen, range nine, thence running southeasterly through the north east quarter of said section and through sections nine, sixteen, fifteen, twenty two, twenty three and twenty six, and thence easterly at or near the section line between sections twenty five and thirty six to a junction with Christ

deed to
 (Grace M. Shively
 Commission expires July 20, 1911
 Dodge County, Nebraska.

Lake, all in township seventeen, range nine.

Ditch 4a Commences at or near the center of the west half of section seventeen, township seventeen, range nine, thence runs easterly along or near the half section line to an intersection with ditch No. 4.

Ditch 4b Commences at or near the south west corner of section two, township seventeen range nine, thence runs easterly along or near the section line to an intersection with Ditch 4.

Ditch 4d Commences at a point at or near the center of the west line of section twelve, township seventeen, range eight, thence runs easterly along or near said half section line to the intersection with ditch 4.

Ditch 4g Commences at or near the north line of section eight, township seventeen, range nine, and runs thence southerly to the intersection with ditch 4.

Ditch 5 commences in the north east quarter of north east quarter of section nineteen, township seventeen, range nine, thence runs in a general easterly and southeasterly course through sections twenty, twenty one, twenty two, twenty seven and twenty six to an intersection with ditch 4.

Ditch 6 commences in the west half of section fifteen, township seventeen, range nine, and runs in a general easterly, southerly and southeasterly direction through sections fifteen, fourteen, twenty three, twenty four, twenty five and thirty six in said township and range, and section thirty one, township seventeen range ten to an intersection with Christ Lake

Ditch 6b commences at or near the center of the south line of section twenty three, township seventeen, range nine and runs easterly along or near said section line to the intersection with ditch 6 at or near the north east corner of section twenty five.

Ditch 7 commences at or near the north west corner of north east quarter of north west quarter of section two, township seventeen, range eight thence runs easterly along or near the section line to a point near the center of the north line of section five, township seventeen, range nine, thence southeasterly to an intersection with ditch 8 near the east line of section five.

Ditch 7a commences at or near the north west corner of north east quarter of north west quarter of section four, township seventeen in range eight, thence runs easterly along or near the section line about two miles, to an intersection with ditch 7.

Ditch 8 commences in the west half of west half of section thirty three, township eighteen range eight and runs in a general easterly, northeasterly, southeasterly and southerly course through sections thirty three, thirty four, thirty five, thirty six in township eighteen, range eight, and sections thirty one, thirty two, in township eighteen, range nine, and section five, township seventeen range nine.

Ditch 8a is located in sections thirty two, and thirty three in township eighteen, range eight and extends westerly from the commencement of ditch 8.

Ditch 9 connects with Maple Creek in the south west quarter of north west quarter of section seven, township eighteen, range nine thence runs in a general southeasterly direction to an intersection with the Elkhorn River in the south west quarter of south east quarter of said section.

Ditch 10 commences at or near the north west corner of the district, and runs easterly along or near the section line about three fourths of a mile.

Ditch 11 is a little over three fourths of a mile long, and extends along or near the east line of section one and twelve in township eighteen, range eight.

Ditch 12 is approximately one half mile long and runs at or near the south line of section eighteen, township eighteen, range nine and connecting with the Elkhorn River.

The Gayton Ditch intersects with ditch 4 in the south east quarter of north west quarter of section twenty six, township seventeen range nine, thence runs in a general southerly direction to an intersection with ditch 2 at or near the south line of said section.

4. The size of each of said river cut offs and ditches and the location thereof are more particularly shown by said blue print exhibits filed in connection herewith, but the exact location and dimensions of all of said work are subject to modification by said drainage district.

5. Said drainage district will also from time to time construct, excavate and maintain other cutoffs and main ditches, road ditches and lateral ditches at various places within said district and without said district, and owners of land will drain the same into the ditches in this petition mentioned and into ditches that may hereafter be constructed by said drainage district, all with a view to the more perfect drainage of lands.

6. For the location, construction, excavation, maintenance and convenient use of said various cutoffs and ditches in this petition mentioned, it is necessary for said Elkhorn River Drainage District, your petitioner, to take hold and occupy the lands along said various cutoffs and ditches.

7. The river cutoffs above mentioned are designed to be of sufficient capacity for the purpose of operating as a cutoff and change of the main channel of the Elkhorn River.

8. The various owners of land hereinafter mentioned have each refused to grant, the Right of Way, through said land, and your petitioner is and has been unable to agree with any of said owners of said lands upon the terms and conditions on which your petitioner may use and occupy any of said strips of land, and is therefore compelled to resort to these proceedings to assess the damages which the said owners and each of them may sustain by reason of the appropriation of said lands and injury to land not taken.

16. Nils Johnson is the owner of the north half of north west quarter, north west quarter of north east quarter, and west half of north east quarter of section thirty six, township seventeen, range nine, and Maggie Johnson is his wife, your petitioner, for the purposes hereby presented to the court needs a strip or piece of land forty five feet wide along the north margin of the north half of north west quarter and north west quarter of north east quarter, also a strip or piece of land fifty feet wide on the north margin of the west half of north east quarter of north east quarter all in section thirty six, township seventeen range nine in Dodge County Nebraska, containing four and sixty seven hundredths acres. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary, and take said matter into consideration in determining the amount of damages to be paid, and make report thereof to the court.

20. Peter J. Ryan is the owner of the west three fourths of the east half of the north east quarter of south east quarter and the east one fourth of west half of north east quarter of south east quarter of section four, township seventeen, range nine in Dodge county Nebraska, and Margaret Ryan is his wife. Said Peter J. Ryan and John W. Ryan unmarried, and Margaret Ryan their mother, are the owners of the south half of north west quarter and south half of north east

Quarter, and west half of south east quarter, and all of the south west quarter of section three township seventeen range nine in Washington County Nebraska, and the north east quarter of north west quarter of section ten, township seventeen, range nine, and south east quarter of north east quarter, and east half of south west quarter of north east quarter, and east half of north west quarter of south east quarter, and west three eighths of north east quarter of south east quarter, and the east one eighths of north east quarter of south east quarter of section four township seventeen range nine in Dodge County Nebraska, the title and interest of said parties in said land being as follows: Phillip Ryan the father of said Peter J. Ryan and John W. Ryan, and the husband of said Margaret Ryan, owned said land, and died leaving a will by the terms of which he bequeathed said land to his said widow Margaret Ryan, so long as she lived and remained unmarried, and at her death or marriage the said land was to be divided as follows: Said Peter J. Ryan was to have the south half of north west quarter and west half of south west quarter of section three, township seventeen range nine in Washington County Nebraska, and the south east quarter of north east quarter and east half of south west quarter of north east quarter, and east half of north west quarter of south east quarter, and west three eighths of north east quarter of south east quarter of section four, township seventeen, range nine in Dodge County Nebraska, and the said John W. Ryan was to have the south half of north east quarter and west half of south east quarter and east half of south west quarter of section three, township seventeen range nine in Washington County Nebraska, and the north east quarter of section ten, township seventeen, range nine in Dodge County Nebraska, and with a further provision however that if either of said sons, Peter J. Ryan and John W. Ryan should die without issue, the surviving son of said Phillip Ryan should take the share bequeathed to his said brother.

Your petitioner for the purpose hereby presented to the court needs a strip or piece of land two hundred feet wide being one hundred feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said mentioned drainage district and extending across from the north side of the east half of south west quarter of north east quarter to the east side of the north east quarter of south east quarter of section four, township seventeen range nine in Dodge County Nebraska, containing nine and ninety three hundredths acres, in the east half of south west quarter of north east quarter and south east quarter of north east quarter and west three eighths of north east quarter of south east quarter and east one eighth of north east quarter of south east quarter of said section four and three and eighty hundredths acres in the west three fourths of east half of north east quarter of south east quarter and east one fourth of west half of north east quarter of south east quarter of said section four. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary, and take said matter into consideration in determining the amount of damages to be paid and make report thereof to the court.

22. George F. Unland, widower, is the owner of the east half of south east quarter of section three and south west quarter of south west quarter of section two, township seventeen range nine in Washington County Nebraska, and the north east quarter of section ten, township seventeen, range nine in Dodge County Nebraska, Your petitioner, for the purpose hereby presented to the court, needs a strip or piece of land two hundred feet wide being one hundred feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district, and extending across from the north side to the east side of the north east quarter of section ten, township seventeen range nine in Dodge County Nebraska containing about nine and seventy three hundredths acres. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon and petitioner prays that the commissioners determine whether or not a bridge will be necessary and take said matter into consideration in determining the amount of damages to be paid and make report thereof to the court.

23. Your petitioner is negotiating with other owners of other portions of the right of way necessary for petitioner, and there are still other owners yet to be seen with reference to right of way over other tracts before it can be determined whether condemnation proceedings are necessary on tracts in addition to the tracts above mentioned. It is probable that further proceedings will be necessary and petitioner reserves the right to file supplemental petitions in this action from time to time for the condemnation of a right of way over additional land.

Wherefore your petitioner prays that six disinterested freeholders of said county not interested in a like question be selected in the manner provided by law, and that the sheriff of said county be directed to summon said freeholders whose duty it shall be to inspect and view the lands above mentioned as being needed by this petition, and such other lands as this petitioner may from time to time find it necessary to condemn for the purposes of its drainage system as above mentioned, and assess the damages if any, which the owners of said land mentioned or either of them and owners of other lands which the petitioner may from time to time need to condemn for the purposes aforesaid, may sustain by the appropriation thereof for the purposes of your petitioner, and make report in writing to this court in the manner provided by law and that said various reports be certified to the register of deeds of said County for record.

Elkhorn River Drainage District,
Petitioner
By Courtright & Sidner, its Attorneys

State of Nebraska, Dodge County, ss.

I, W. J. Courtright being first duly sworn depose and say that I am one of the attorneys for the petitioner above named, that said petitioner is a corporation, and that the statements and allegations contained in the foregoing petition are true as I believe.

Subscribed in my presence and sworn to before me this 8th day of January 1910.
(seal) W. J. Courtright
C. C. Courtright

Notary Public
On same day, to wit: January 8, 1910 entered order appointing Alfred J. Taylor, John C. Cleland, E. N. Morse, Ezra Phillips, George A. Murrell and Charles F. Dodge, as Commissioners, and issued Commission as follows:

deed as
(Grace M. Shively, no.
(Commission expires July
(Dodge County, Nebraska.)

In the county court of Dodge County Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District.
Commission.

Be it remembered that on the 8th day of January 1910 the Elkhorn River Drainage District filed its petition in the office of the county judge of said county, praying for the appointment of six disinterested freeholders of said county to assess all the damages sustained by the owner or owners of said real estate described and referred to in said petition, and that may be described in supplemental petitions filed in said cause, situated in the county of Dodge and state of Nebraska by reason of the appropriation of said property by said drainage district for drainage purposes, and it appearing that said Elkhorn River Drainage District has taken the necessary steps required by law to have six freeholders of said county appointed for the purpose above set forth, it is ordered that Alfred J. Taylor, John C. Cleland, E. N. Morse, Ezra Phillips, George A. Murrell and Charles F. Dodge, freeholders of said Dodge County, not interested in a like question, be and they are hereby appointed commissioners to assess all the damages sustained by the owner or owners of and parties interested in said real estate described and referred to in said petition and that may be described in supplemental petitions filed in said cause, by reason of its appropriation by said Elkhorn River Drainage District for the purposes hereinbefore specified.

And it is further ordered that a citation issue directed to the sheriff of said Dodge County commanding him to summon the above named persons to be and appear before me and qualify as such commissioners or show cause why they should not do so.

Dated at my office in Fremont, Nebraska this 8th day of January 1910.

(Seal)

Robert J. Stinson,
County Judge.

January 8, 1910 issued citation as follows:

In the county court of Dodge County Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District.
Citation.

State of Nebraska, Dodge County, (ss.

To The Sheriff of said County.

You are hereby commanded to summon Alfred J. Taylor, John C. Cleland, E. N. Morse, Ezra Phillips, George A. Murrell and Charles F. Dodge six disinterested freeholders of said Dodge County Nebraska, and not interested in a like question, to appear before me Robert J. Stinson County Judge of said Dodge County on the 13th day of January 1910 at two o'clock P.M. to take the oath of office and to view the real estate sought to be appropriated by Elkhorn River Drainage District for drainage purposes, described and referred to in the petition filed with the county judge of said County on the 8th day of January 1910, by said Elkhorn River Drainage District, and such real estate as may be described in supplemental petitions of said County, and to ascertain and assess all the damages which the owner or owners thereof will or may sustain by the appropriation of said land to the use of said Elkhorn River Drainage District for drainage purposes, said commissioners to make report of the proceedings therein to me, the county judge of said County.

You will make return of this writ on the 13th day of January 1910.

Witness my hand and official seal at Fremont Nebraska this 8th day of January 1910.

(Seal)

Robert J. Stinson,
County Judge.

January 12th, 1910 delivered citation to W. C. Condit, Deputy Sheriff.

January 13th, 1910 W. C. Condit, Deputy Sheriff returned and filed Citation showing manner and time of service as follows:

I certify that this writ came into my hand on the 12th day of January A.D. 1910, and on the 12th day of January A.D. 1910 I served the same by delivering personally to the within named John C. Cleland, E. N. Morse, George A. Murrell, Charles F. Dodge, and upon Ezra Phillips by leaving at usual place of residence and on the 13th day of January A.D. 1910 by delivering personally to Alfred J. Taylor a true and certified copy of this writ with all endorsements thereon.

A. Bauman Jr. Sheriff

By W. C. Condit, Deputy

Service	3.00
Fees: Copies	1.50
Mileage	.60

\$5.10

January 13th, 1910, 2 o'clock P.M., Elkhorn River Drainage District appeared by W. J. Courtright, Also appeared Alfred J. Taylor, John C. Cleland, E. N. Morse, Ezra Phillips, George A. Murrell and Charles F. Dodge commissioners appointed aforesaid and it being made to appear by E. N. Morse that he the said E. N. Morse is the owner of and has an interest in lands situate within said Elkhorn River Drainage District, he the said E. N. Morse was excused from acting as commissioner and William A. Carroll a disinterested freeholder of said Dodge County Nebraska, and not interested in alike question was duly appointed by me as one of the commissioners in said matter to take the place of E. N. Morse and the said William A. Carroll and the said Alfred J. Taylor, John C. Cleland, Ezra Phillips, George A. Murrell and Charles F. Dodge all being personally present before me did each duly qualify as said commissioners and taking and subscribing the following oath before me to wit:

In the county court of Dodge County, Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District
Oath of Office.

State of Nebraska, Dodge County, (ss.

we, Alfred J. Taylor, John C. Cleland, Ezra Phillips, George A. Murrell, Charles F. Dodge and William A. Carroll duly appointed commissioners to view the real estate sought to be appropriated by Elkhorn River Drainage District for drainage purposes described in and referred to in the petition now on file with the county judge of said county and such real estate as may be described in supplemental petitions to be filed in said action and to ascertain and assess all the damages which the owner or owners thereof will or may sustain by the appropriation of said lands to the use of said Elkhorn River Drainage District for drainage purposes, do solemnly swear that we and each of us are freeholders in the county of Dodge and State of Nebraska, and not interested in a like question as is involved herein, that we will carefully and impartially inspect and view said real estate and assess all the damages which the owner or owners thereof shall sustain by the appropriation of said land,

To the use of said Elkhorn River Drainage District for the purposes specified, that we will make report to the county Judge herein of all our doings in connection with the assessment of said damages, and do all of the things required by us as such commissioners to the best of our ability, according to law so Help Us God.

Alfred J. Taylor
John C. Cleland
Ezra Phillips
George A. Murrell
Charles F. Dodge
William A. Carroll

Subscribed in my presence and sworn to before me by Alfred J. Taylor, John C. Cleland, Ezra Phillips, George A. Murrell, Charles F. Dodge and William A. Carroll, each for himself, this 13th day of January 1910.

Robert J. Stinson, County Judge.

January 26, 1910 Elkhorn River and Drainage District by Courtright & Sidner, its attorneys, filed Supplemental Petition No. 1, as follows.

In the County Court of Dodge County, Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District,
Supplemental Petition No. 1.

Comes now Elkhorn River Drainage District and for supplemental petition No. 1, herein states:
24. Paragraph No. 1 to 7 inclusive of the petition filed herein are hereby adopted as a part of this petition.

25. The various owners of land hereinafter mentioned have each refused to grant the right of way through said land, and your petitioner is and has been unable to agree with any of said owners of said lands upon the terms and conditions on which your petitioner may use and occupy any of said strips of land, and is therefore compelled to resort to these proceedings to assess the damages which the said owners and each of them may sustain by reason of the appropriation of said lands and injury to lands not taken.

26. Christopher Knoell is the owner of the south east quarter of north east quarter of section thirty two, and south west quarter of north west quarter of section thirty three, township eighteen, range eight in Dodge County Nebraska, and Dora Knoell is his wife.

Your Petitioner, for the purposes heretofore and hereby presented to the court, needs a strip or piece of land fifty feet wide along the south margin of and upon the south east quarter of north east quarter of section thirty two, and sixty six feet wide along the south margin of and upon the south west quarter of north west quarter of section thirty three, township eighteen, range eight, both in Dodge County Nebraska containing three and fifty two hundredths acres. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary, and take said matter into consideration in determining the amount of damages to be paid, and make report thereof to the court.

Wherefore your petitioner prays that the commissioners heretofore appointed by this court, and now acting as commissioners in the matter, may inspect and view the lands above mentioned and assess the damages which the various parties therein mentioned may sustain by the appropriation of the lands above mentioned for the purposes of your petitioner, and make report in writing to this court, in the manner provided by law, and that said report be certified to the register of Deeds of said county for record.

Elkhorn River Drainage District
Petitioner

By Courtright & Sidner, its Attorneys

State of Nebraska, Dodge County, (ss.

I, W. J. Courtright being first duly sworn, depose and say that I am one of the attorneys for the petitioner above named, that said petitioner is a corporation and that the statements in the foregoing petition are true as I believe.

W. J. Courtright

Subscribed in my presence and sworn to before me this 26th day of January 1910.

(Seal)

C. C. Courtright,

Notary Public

January 28th, 1910 Report of Commissioners, as follows, filed:

In the County Court of Dodge County, Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District
Report of Commissioners

We, the undersigned commissioners appointed by the county court of Dodge County Nebraska, having taken the oath of office and duly qualified in the above entitled matter, do hereby report as follows:

20. Due and legal notice having been given to Peter J. Ryan and Margaret Ryan his wife, John W. Ryan and Margaret Ryan, which notice and the proof of service thereof is hereto attached, as an exhibit and marked No. 20 and made a part hereof and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land two hundred feet wide, being one hundred feet wide on each side of the center line of the ditch to be constructed, as the same is now surveyed, staked and located by said above mentioned drainage District and extending across from the north side of the east half of south west quarter of north east quarter, to the east side of the west three eighths of north east quarter of south east quarter, and from the west side to the east side of the east one eighth of north east quarter of south east quarter of section four, township seventeen, range nine in Dodge County Nebraska containing about 9.93 acres, and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein with reference to the amount of damages, while we were so inspecting and viewing said above described real estate, and having also inspected and viewed the premises adjacent thereto and having there after assembled at the time and place mentioned in said notice for the assessment of damages and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing, and the land owners appearing by F. Dolezal, attorney and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain, the sum of \$1244.75.

The Drainage District consents that the owners of land adjoining the right of way may travel

Over the right of way including the embankments in going from one tract to another of their land We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged, and have compared the same, and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary, and these facts have been taken into consideration by us as elements in fixing the damages.

20. Due and legal notice having been given to Peter J. Ryan and Margaret Ryan his wife which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 20 and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land two hundred feet wide, being one hundred feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned Drainage District and extending across from the west side to the east side of the east one fourth of west half of north east quarter of south east quarter, and the west three fourths of east half of north east quarter of south east quarter of section four, township seventeen, range nine in Dodge County Nebraska containing about 3.80 acres and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein, with reference to the amount of damages, while we were so inspecting and viewing said above described real estate, and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing, and the land owners appearing by F. Dolzal, attorney and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain the sum of \$337.50.

The Drainage District consents that the owners of land adjoining the right of way may travel over the right of way including the embankments, in going from one tract to another of their land. We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged, and have compared the same, and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary, and these facts have been taken into consideration by us as elements in fixing the damages.

22. Due and legal notice having been given to George F. Unland widower, which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 22, and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land two hundred feet wide being one hundred feet wide on each side of the center line of the ditch to be constructed, as the same is now surveyed, staked and located by said above mentioned Drainage District and extending across from the north side to the east side of the north east quarter of section ten, township seventeen, range nine, in Dodge County, Nebraska, containing about 9.73 acres and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein, with reference to the amount of damages, while we were so inspecting and viewing said above described real estate and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages and having then and there given a further hearing to all persons interested, at said hearing, and the land owners appearing by [redacted] and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain, the sum of \$3250.00.

We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged, and have compared the same, and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary and these facts have been taken into consideration by us as elements in fixing the damages

All of which is respectfully submitted

Dated January 26th, 1910.

A. J. Taylor,
J. C. Cleland
W. A. Carroll
Ezra Phillips
Geo. A. Murrell
Chas. F. Dodge.

In the County Court of Dodge County, Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District.
Affidavit of Service.

State of Nebraska, Dodge County, (ss.

I, J. A. Yager, being first duly sworn depose and say that I served the notices marked No. 20 and 22 in Washington County Nebraska upon the parties herein-after mentioned respectively, which service was made upon the dates respectively shown opposite each name, and in the manner respectively shown opposite each name, the service, marked "Personal" being by delivering a true and duplicate copy of such notice to said party in person, said numbers, parties, date of service and manner of service being as follows:

Number	Name of each of parties	Day Served	How Served
20	Peter J. Ryan	Jan 14th, 1910	Personal
20	Margaret Ryan	Jan. 14th "	"
20	John W. Ryan	Jan. 14th "	"
20	Margaret Ryan	Jan. 14th "	"
22	George F. Unland	Jan. 14th "	"

J. A. Yager

Subscribed in my presence and sworn to before me this 24th day of January 1910.

(Seal)

C. C. Courtright,

Notary Public.

In the County Court of Dodge County Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District.
Notice to Land Owners

To Peter J. Ryan and Margaret Ryan, John W. Ryan and Margaret Ryan:
You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith describing and explaining

A proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented, and praying for the condemnation of a strip or piece of land two hundred feet wide, being one hundred feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district, and extending across from the north side of the east half of the south west quarter of north east quarter to the east side of the north east quarter of south east quarter of section four township seventeen, range nine containing nine and ninety three hundredths acres in the east half of south west quarter of north east quarter and south east quarter of north east quarter and west three eighths of north east quarter of said section four and three and eighty hundredths acres in the east quarter of south east quarter of said section four and one fourth of west half in the west three fourths of east half of north east quarter, all in Dodge County, Nebraska. The Commissioners selected and commissioned by the County Judge of the above named county pursuant thereto and duly qualified for that purpose, will, on January 25th, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned, and on said day, proceed to view said real estate and the premises adjacent thereto and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate and said Board of Commissioners will assemble at the office of Courtright & Sidner, 145 East Sixth Street Fremont Nebraska at 3,45 o'clock P.M. of January 26th, 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated January 13th, 1910.

20

Elkhorn River Drainage District

By Courtright & Sidner, its Attorneys

In the County Court of Dodge County, Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District.

Notice to Land Owners.

To George F. Unland:

You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibit in connection therewith describing and explaining a proposed system of drainage improvement by said drainage district and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented, and praying for the condemnation of a strip or piece of land two hundred feet wide, being one hundred feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district and extending across from the north side to the east side of the north east quarter of section ten, township seventeen, range nine in Dodge County Nebraska, containing about 9,73 acres. The Commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on January 25th, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned, and on said day proceed to view said real estate and the premises adjacent thereto, and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate, and said board of commissioner will assemble at the office of Courtright & Sidner, 145 East Sixth Street in Fremont Nebraska at 3,45 o'clock P.M. of January 26th, 1910, and then and there further hear all persons interested there in and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated January 13th, 1910.

22

Elkhorn River Drainage District

By Courtright & Sidner, its Attorneys

February 8th, 1910 Comes the Elkhorn River Drainage District by Courtright & Sidner its attorneys and files report of commissioners as follows:

In the County Court of Dodge County Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District.

Report of Commissioners.

We, the undersigned commissioners appointed by the county court of Dodge County Nebraska, having taken the oath of office and duly qualified in the above entitled matter do hereby report as follows:

26. Due and legal notice having been given to Christopher Knoell which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 26 and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land fifty feet wide, along the south margin of and upon the south east quarter of north east quarter of section thirty two and sixty six feet wide along the south margin of and upon the south west quarter of north west quarter of section thirty three, township eighteen, range eight both in Dodge County Nebraska containing about 3.52 acres and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein with reference to the amount of damages while we were so inspecting and viewing said above described real estate and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages, and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing and the Land Owners appearing by E.F. Gray attorney and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain, the sum of \$356.80

We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged, and have compared the same and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary and these facts have been taken into consideration by us as elements in fixing the damages

All of which is respectfully submitted.

(Grace M. Shivers
Commission expires July
Dodge County, Nebraska.)

Dated February 7th, 1910.

A. J. Taylor
Geo. A. Murrell
J. C. Cleland
Ezra Phillips
W. A. Carroll
Chas. F. Dodge.

State of Nebraska, Dodge County, (ss.

I, Fred W. Klumb being first duly sworn depose and say that on the 27th day of January 1910 I served the attached notice by delivering a true and duplicate copy thereof in person to Christopher Knoell in Dodge County Nebraska, Dora Knoell mentioned in said notice was formerly the wife of Christopher Knoell but is now dead, and said Christopher Knoell is a widower.

Fred W. Klumb
Subscribed in my presence and sworn to before me this 31st day of January 1910.
(Seal) C. C. Courtright, Notary Public

In the County Court of Dodge County Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District.
Notice to Land Owners.

To Christopher Knoell and Dora Knoell:

You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented, and praying for the condemnation of a strip or piece of land fifty feet wide along the south margin of and upon the south east quarter of north east quarter of section thirty two and sixty six feet wide along the south margin of and upon the south west quarter of north west quarter of section thirty three, township eighteen, range eight both in Dodge County Nebraska containing 3.52 acres. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on February 7th 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned and on said day proceed to view said real estate and the premises adjacent thereto and will then and there hear all parties interested therein with reference to the amount of damages when they are so inspecting and viewing said above described real estate and said board of commissioners will assemble at the office of Courtright & Sidner, 145 East Sixth Street Fremont Nebraska at three o'clock P.M. of February 7th, 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated January 26th, 1910.

26

Elkhorn River Drainage District

By Courtright & Sidner, Its Attorneys

February 9th, 1910, Elkhorn River Drainage District by its attorneys Courtright & Sidner, filed supplemental petition No. 2 as follows.

In the County Court of Dodge County Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District.
Supplemental Petition No. 2.

Comes now Elkhorn River Drainage District and for supplemental petition No. 2 herein states. 29. Paragraph No. 1 to 7 inclusive of the petition filed herein are hereby adopted as a part of this petition.

30. The various owners of land hereinafter mentioned have each refused to grant the right of way through said land and your petitioner is and has been unable to agree with any of said owners of said land upon the terms and conditions on which your petitioner may use and occupy said strips of land and is therefore compelled to resort to these proceedings to assess the damages which the said owners and each of them may sustain by reason of the appropriation of said lands and injury to lands not taken.

31. Barbara Hammang widow, Samuel P. Hammang, Belle Chapman, Grace Mastick, Harry J. Hammang, Michael Hammang, Robert Hammang and Byron L. Hammang are the owners of the east half of south east quarter of section fourteen, township seventeen, range nine in Dodge County Nebraska and Myrtle Hammang is the wife of Samuel P. Hammang, Joseph Chapman is the husband of Belle Chapman and Otto Mastick is the husband of Grace Mastick and said Byron L. Hammang is a minor of the age of nineteen years and Babara Hammang his mother is the duly appointed, qualified and acting guardian of said minor. Your Petitioner for the purposes heretofore and hereby presented to the court needs a triangular piece of land consisting of a right angled triangle in shape, in the north east corner of north east quarter of south east quarter of section fourteen, township seventeen, range nine in Dodge County Nebraska, containing six hundredths of an acre. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon and petitioner prays that the commissioners determine whether or not a bridge will be necessary, and take said matter into consideration in determining the amount of damages to be paid, and make report thereof to the court.

32 Barbara Hammang, widow, Samuel P. Hammang, Belle Hammang, Grace Mastick, Harry J. Hammang, Michael Hammang, Robert Hammang and Byron L. Hammang are the owners of the south half of north east quarter of section twenty eight, township seventeen range nine in Dodge County Nebraska, and Myrtle Hammang, is the wife of Samuel P. Hammang, Joseph Chapman is the husband of Belle Chapman, and Otto Mastick is the husband of Grace Mastick said Bryon L. Hammang is a minor of the age of nineteen years and Babara Hammang his mother, is the duly appointed qualified and acting guardian of said minor. Your Petitioner for the purposes heretofore and hereby presented to the court needs a strip or piece of land ten feet wide along the south margin of and upon the south half of north east quarter of section twenty eight, township seventeen range nine in Dodge County Nebraska, containing sixty hundredths of an acre. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that

The commissioners determine whether or not a bridge will be necessary, and take said matter into consideration in determining the amount of damages to be paid and make report thereof to the court.

35 Barbara Hammang widow, Samuel P. Hammang, Belle Chapman, Grace Mastick, Harry J. Hammang, Michael Hammang, Robert Hammang and Byron L. Hammang are the owners of the north half of north west quarter of section twenty four, township seventeen range nine in Dodge County Nebraska and Myrtle Hammang is the wife of Samuel P. Hammang, Joseph Chapman is the husband of Belle Chapman and Otto Mastick is the husband of Grace Mastick. Said Byron L. Hammang is a minor of the age of nineteen years and Barbara Hammang his mother is the duly appointed, qualified and acting guardian of said minor. your Petitioner for the purposes heretofore and hereby presented to the court needs a strip or piece of land thirty feet wide along the south margin of and upon the north half of north west quarter of section twenty four, township seventeen, range nine extending across from the west line of said north half of north west quarter of section twenty four, eastward two thousand twenty feet in Dodge County Nebraska containing one and thirty nine hundredths acres. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioners prays that the commissioners determine whether or not a bridge will be necessary, and take said matter into consideration in determining the amount of damages to be paid, and make report thereof to the court.

Wherefore your petitioner prays that the commissioners heretofore appointed by this court and now acting as commissioners in the matter, may inspect and view the lands above mentioned and assess the damages which the various parties therein mentioned may sustain by the appropriation of the lands above mentioned for the purposes of your petitioner and make report in writing to this court, in the manner provided by law, and that said report be certified to the Register of Deeds of said county for record.

Elkhorn River Drainage District
By Courtright & Sidner, Its Attorneys.

State of Nebraska, Dodge County, (ss.

I, W.J. Courtright being first duly sworn, depose and say that I am one of the attorneys for the petitioner above named, that said petitioner is a corporation and that the statements in the foregoing petition are true as I believe.

W.J. Courtright

Subscribed in my presence and sworn to before me this 9th day of February 1910.

(Seal)

C.C. Courtright, Notary Public.

February 25th, 1910 Elkhorn river Drainage District by Courtright & Sidner its attorneys filed petition as follows:

In the county court of Dodge County Nebraska

In the matter of the Right of Way of Elkhorn River Drainage District.

Petition

Comes now petitioner and shows the court that George A. Murrell one of the commissioner herein is now absent at Denver Colorado, that notice have been served for inspection and hearings as to four tracts, to be had to day, that it will be necessary to appoint some one to take the place of said G.A. Murrell for to days hearing only. That said Murrell is expected to return in time for any future hearings.

Wherefore petitioner asks the appointment of a suitable person for to days hearing.

Elkhorn River Drainage District
By Courtright & Sidner, its attorneys

State of Nebraska, Dodge County, (ss.

I, W.J. Courtright, being first duly sworn depose and say that I am one of the attorneys for the petitioner in the above action and that the above statements are true

W.J. Courtright

Subscribed and sworn to before me this 25th day of February 1910.

(seal)

C.C. Courtright,
Notary Public.

February 25th, 1910, issued commission as follows:

In the county court of Dodge County Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District.

Commission.

Be it remembered that on this 25th day of February 1910 the Elkhorn River Drainage District filed its petition for the appointment of a commissioner to act for to day only, by reason of the absence of George A. Murrell, to inspect and assess damages in certain proceedings in which notices have been served. It is hereby ordered that John D. Markey a freeholder of said Dodge County not interested in a like question, be and he is hereby appointed a commissioner for to day only to assess all the damages sustained by the owner or owners of and parties interested in said real estate described and referred to in said petition by reason of its appropriation by said Elkhorn River Drainage District for the purposes hereinbefore specified. And it is further ordered that a citation issue to the Sheriff of said county of Dodge, commanding him to summon the above named person to be and appear before me and qualify as such commissioner or show cause why he should not do so.

Dated at my office in Fremont Nebraska this 25th day of February 1910.

(Seal)

Robert J. Stinson, County Judge.

February 25th, 1910 appeared John D. Markey who duly qualified as said commissioner by taking and subscribing the oath before me as follows:

In the county court of Dodge County, Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District.

Oath of Office.

State of Nebraska, Dodge County, (ss.

I, John D. Markey duly appointed a commissioner to fill temporary vacancy caused by the absence of George A. Murrell, to this day view the real estate sought to be appropriated by Elkhorn River Drainage District for drainage purposes, described and referred to in the petition now on file with the county judge of said county and to ascertain and assess all the damages which the owner or owners thereof will or may sustain by the appropriation of said lands to the use of said Elkhorn River Drainage District for drainage purposes do solemnly swear that I am a freeholder in the county of Dodge and State of Nebraska and not

(Grace M. Shively
Commission expires July
Dodge County, Nebraska.

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Interested in a like question as is involved herein, that we will carefully and impartially inspect and view said real estate and assess all the damages which the owner or owners thereof shall sustain by the appropriation of said land to the use of said Elkhorn River Drainage District for the purposes specified, that we will make report to the county judge herein of all our doings in connection with the assessment of said damages, and do all the things required by us as such commissioners to the best of our ability according to law So Help Me God.

John D. Markey

Subscribed in my presence and sworn to before me this 25th day of February, 1910.

(seal)

Robert J. Stinson, County Judge.

February 28th, 1910, Elkhorn River Drainage District by its attorneys Courtright and Sidner filed report of commissioners as follows:

In the county court of Dodge County Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District

Report of Commissioners.

We, the undersigned commissioners appointed by the county court of Dodge County Nebraska having taken the oath of office and duly qualified in the above entitled matter, do hereby report as follows:

Due and legal notice having been given to Nils Johnson and Maggie Johnson which notice and the proof of service thereof is hereto attached, as an exhibit and marked No. 16 and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land forty five feet wide along the north margin of the north half of north west quarter and north west quarter of north east quarter, also a strip or piece of land fifty feet wide on the north margin of the west half of north east quarter of north east quarter all in section thirty six, township seventeen, range nine in Dodge County Nebraska containing about 4.67 acres, and this board of commissioners having at said time inspected and viewed said premises and then there given a hearing to all persons interested therein with reference to the amount of damages, while we were so inspecting and viewing said above described real estate and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages, and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing, and the land owners appearing by Nels Johnson, and we being fully advised in the premises do find and assess as the amount of damages that the owners will sustain, the sum of \$350.25.

We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged and have compared the same and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary and these facts have been taken into consideration by us as elements in fixing the damages.

Due and legal notice having been given to Barbara Hammang, widow, Samuel P. Hammang and Myrtle Hammang, Belle Chapman and Joseph Chapman, Grace Mastick and Otto Mastick, Harry J. Hammang, Michael Hammang, Robert Hammang, Byron L. Hammang and Barbara Hammang guardian for Byron L. Hammang a minor which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 31 and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a triangular piece of land consisting of a right angled triangle in shape, in the north east corner of north east quarter of south east quarter of section fourteen, township seventeen range nine in Dodge County Nebraska containing about .06 acres and this board of commissioners having at said time inspected and viewed said premises and then there given a hearing to all persons interested therein with reference to the amount of damages, while we were so inspecting and viewing said above described real estate, and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages, and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing, and the land owners by ^{and} we being fully advised in the premises do find and assess as the amount of damages that the owners will sustain the sum of \$2.00 we have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged, and have compared the same and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary, and these facts have been taken into consideration by us as elements in fixing the damages.

Due and legal notice having been given to Barbara Hammang, widow, Samuel P. Hammang and Myrtle Hammang, Belle Chapman and Joseph Chapman, Grace Mastick and Otto Mastick, Harry J. Hammang, Michael Hammang, Robert Hammang, Byron L. Hammang, and Barbara Hammang guardian for Byron L. Hammang a minor which notice and the proof of service thereof is hereto attached as an exhibit marked No. 32 and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land ten feet wide along the south margin of and upon the south half of north east quarter of section twenty eight, township seventeen range nine in Dodge County Nebraska containing .60 acres and this board of commissioners having at said time inspected and viewed said premises and then there given a hearing to all persons interested therein, with reference to the amount of damages while we were so inspecting and viewing said above described real estate and having also inspected, the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages, and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing, and the land owners appearing by ^{and} we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain the sum of \$45.00

We have considered the cost of bridging the proposed ditch, and have considered the damages that will be suffered if said ditch is not bridged, and have compared the same and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary and these facts have been taken into consideration as elements in fixing the damages.

Due and legal notice having been given to Barbara Hammang, widow, Samuel P. Hammang and Myrtle Hammang, Belle Chapman and Joseph Chapman, Grace Mastick and Otto Mastick, Harry J. Hammang, Michael Hammang, Robert Hammang, Byron L. Hammang and Barbara Hammang guardian for Byron L. Hammang a minor which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 35 and made a part hereof and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land thirty feet wide, as the same is

Now surveyed, staked and located by said above mentioned drainage district along the south margin of and upon the north half of north west quarter of section twenty four, township seventeen, range nine, extending across from the west line of said north half of north west quarter of section twenty four eastward two thousand twenty feet in Dodge County Nebraska containing about 1.39 acres and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein with reference to the amount of damages while we were so inspecting and viewing said above described real estate, and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages and having then and there given a further hearing to all persons interested, the said drainage district being then represented at said hearing and the land owners, and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain the sum of \$67.60, we have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged and have compared the same and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary and these facts have been taken into consideration by us as elements in fixing the damages.

State of Nebraska, Dodge County, ss.

I, C. C. Courtright being first duly sworn depose and say that on February 10th, 1910 I served the attached notice No. 12 on Stella Franksett by delivering to her a true and duplicate copy thereof in Washington County Nebraska. On the same day I served said notice on John Franksett by leaving a true and duplicate copy of said notice at his usual place of residence in Washington County Nebraska.

On February 10th, 1910 I served the attached notice No. 16 upon Nils Johnson and Maggie Johnson by leaving a true and duplicate copy thereof for each at their usual place of residence in Dodge County Nebraska.

On February 10th, 1910 I served the attached notice No. 31 by delivering a true and duplicate copy thereof in person to each Barbara Hammang, widow, Samuel P. Hammang and Myrtle Hammang, Belle Chapman and Joseph Chapman, Grace Mastick and Otto Mastick, Harry J. Hammang, Robert Hammang, Byron L. Hammang and Barbara Hammang, guardian for Byron L. Hammang in Washington County Nebraska and on the same day I served said notice on Michael Hammang by leaving at his usual place of residence in Washington County Nebraska a true and duplicate copy thereof.

On February 10th, 1910 I served the attached notice No. 32 by delivering a true and duplicate copy thereof to each Barbara Hammang widow, Samuel P. Hammang and Myrtle Hammang, Belle Chapman and Joseph Chapman, Grace Mastick and Otto Mastick, Harry J. Hammang, Robert Hammang, Byron L. Hammang and Barbara Hammang guardian for Byron L. Hammang a minor in Washington County Nebraska, and on the same day I served said notice on Michael Hammang by leaving at his usual place of residence in Washington County Nebraska a true and duplicate copy thereof.

On February 10th 1910 I served the attached notice No. 35 by delivering a true and duplicate copy thereof in person to each Barbara Hammang, widow, Samuel P. Hammang and Myrtle Hammang, Belle Chapman and Joseph Chapman, Grace Mastick and Otto Mastick, Harry J. Hammang, Robert Hammang, Byron L. Hammang and Barbara Hammang guardian for Byron L. Hammang a minor in Washington County Nebraska and on the same day I served said notice on Michael Hammang by leaving at his usual place of residence in Washington County Nebraska a true and duplicate copy thereof.

Subscribed in my presence and sworn to before me this 14th day of February 1910.
(Seal)

C. C. Courtright
J. A. Yager, Notary Public

My Commission expires Dec. 13, 1915
In the county court of Dodge County Nebraska
In the matter of the Right of Way of Elkhorn River Drainage District.
Notice to Land Owners.

To Nils Johnson and Maggie Johnson:

You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith describing and explaining a proposed system of drainage improvement by said drainage district and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issued presented and praying for the condemnation of a strip or piece of land forty five feet wide along the north margin of the north half of north west quarter and north west quarter of north east quarter, also a strip or piece of land fifty feet wide on the north margin of the west half of north east quarter of north east quarter all in section thirty six township seventeen range nine in Dodge County Nebraska containing about 4.67 acres. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose will, on February 25th, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned, and on said day proceed to view said real estate and the premises adjacent thereto and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate and said board of commissioners will assemble at the office of Courtright & Sidner 145 East Sixth Street, Fremont Nebraska at three o'clock P.M. of February 25th, 1910 and then and there further hear all persons interested there in and will then and there proceed to assess all damages that you and each of you may sustain by reason of the Appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated February 10th, 1910.

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Elkhorn River Drainage District
By Courtright & Sidner, Its Attorneys
In the County Court of Dodge County, Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District
Notice to Land Owners
To Barbara Hammang, widow, Samuel P. Hammang, and Myrtle Hammang, Belle Chapman and Joseph Chapman, Grace Mastick and Otto Mastick, Harry J. Hammang, Michael Hammang, Robert Hammang, Byron L. Hammang and Barbara Hammang, Guardian for Byron L. Hammang a minor:
you are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith and supplemental petitions No's 1 & 2 describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the

(Grace M. Shivers July
Commission expires
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Ownership thereof and various other matters and issues presented, and praying for the condemnation of a triangular piece of land consisting of a right angled triangle in shape, in the north east corner of north east quarter of south east quarter of section fourteen township seventeen range nine in Dodge County Nebraska containing about .06 acres. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on February 25th, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned, and on said day proceed to view said real estate and the premises adjacent thereto, and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate and said board of commissioners will assemble at the office of Courtright and Sidner 145 East Sixth Street Fremont Nebraska at three o'clock P.M. February 25th 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof of any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated February 10th, 1910.

Elkhorn River Drainage District

By Courtright & Sidner, Its Attorneys

31

In the county court of Dodge County Nebraska

In the matter of the Right of Way of Elkhorn River Drainage District.

Notice to Land Owners.

To Barbara Hammang widow, Samuel P. Hammang and Myrtle Hammang, Belle Chapman and Joseph Chapman Grace Mastick and Otto Mastick, Harry J. Hammang, Michael Hammang, Robert Hammang, Byron L. Hammang and Barbara Hammang, guardian for Byron L. Hammang a minor:

You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith and supplemental petitions No's 1 & 2 describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented and praying for the condemnation of a strip or piece of land ten feet wide along the south margin of and upon the south half of north east quarter of section twenty eight, township seventeen range nine in Dodge County Nebraska, containing about .60 acres. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on February 25th, 1910 at nine o'clock A.M., or as soon thereafter as they arrive at the premises above mentioned, and on said day, proceed to view said real estate and the premises adjacent thereto and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate, and said board of commissioners will assemble at the office of Courtright & Sidner, 145 East Sixth Street, Fremont Nebraska at three o'clock P.M. February 25th, 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated February 10th, 1910.

Elkhorn River Drainage District

By Courtright & Sidner, Its Attorneys

32

In the County Court of Dodge County Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District

Notice to Land Owners.

To Barbara Hammang, widow, Samuel P. Hammang and Myrtle Hammang, Belle Chapman and Joseph Chapman Grace Mastick and Otto Mastick, Harry J. Hammang, Michael Hammang, Robert Hammang, Byron L. Hammang and Barbara Hammang, guardian for Byron L. Hammang a minor:

You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith and supplemental petitions No. 1 and 2 describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented, and praying for the condemnation of a strip or piece of land thirty feet wide, being along the south margin of and upon the north half of north west quarter of section twenty four township seventeen range nine extending across from the west line of said north half of north west quarter of section twenty four eastward two thousand twenty feet in Dodge County Nebraska containing about 1.39 acres. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on February 25th, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned and on said day, proceed to view said real estate and the premises adjacent thereto, and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate, and said board of commissioners will assemble at the office of Courtright & Sidner 145 East Sixth Street Fremont Nebraska at three o'clock P.M. February 25th 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated February 10th, 1910.

Elkhorn River Drainage District

By Courtright & Sidner, Its Attorneys

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All of which is respectfully submitted
Dated February 25, 1910.

A. J. Taylor,
J. C. Cleland
Chas. F. Dodge
Ezra Phillips
W. A. Carroll
John D. Markey

February 17th, 1910, the Elkhorn River Drainage District deposited and paid into court a warrant in the sum of \$356.80 in payment of damages awarded to Christopher Knoell.
 April 7, 1910 the Elkhorn River Drainage District deposited and paid into court their check No. 125 for one thousand five hundred eighty two & 25/100 (\$1582.25) dollars in payment of damages awarded to Peter J. Ryan and Margaret Ryan his wife, John W. Ryan and Margaret Ryan.
 April 11, 1910 received this day from Robert J. Stinson County Judge the sum of \$1582.25/100 the amount awarded to us.

Peter J. Ryan
 Margaret Ryan, his wife
 John W. Ryan
 Margaret Ryan

By F. Dolezal, their atty

April 29th, 1910, Elkhorn River Drainage District deposited in court their warrant No. 140 in the sum of \$3250 in payment of damages awarded to George F. Unland.
 May 26, 1910 received from Robert J. Stinson county judge warrant for \$3250 in full payment of damages and compensation for lands taken and damages.

George F. Unland

April 29th, 1910 Elkhorn River Drainage District deposited in court their warrant No. 141 in the sum of \$47.00 in payment of damages, for Hammang Right of Way No. 31 and 32.
 May 3rd, Elkhorn River Drainage District deposited in court their warrant No. 151 in the sum of \$67.60 in payment of damages awarded for Hammang Right of Way No. 35.
 May 11th, 1910, came Elkhorn River Drainage District by Courtright & Sidner its attorneys and filed supplemental petition No. 3, as follows:

In the county court of Dodge County, Nebraska

In the matter of the Right of Way of Elkhorn River Drainage District.
 Supplemental Petition No. 3

Comes now Elkhorn River Drainage District and for Supplemental petition No. 3 states.

36. Paragraph No. 1 to 7 inclusive of the petition filed herein are hereby adopted as a part of this petition.

37. The various owners of land hereinafter mentioned have each refused to grant the right of way through said land and your petitioner is and has been unable to agree with any of said owners of said lands upon the terms and conditions on which your petitioner may use and occupy any of said strips of land and is therefore compelled to resort to these proceedings to assess the damages which the said owners and each of them may sustain by reason of the appropriation of said lands, and injury to lands not taken.

38. Henry Niederhoeffler is the owner of the west half of the south east quarter of the north west quarter of section eight, township seventeen, range nine in Dodge County, Nebraska and Anna Niederhoeffler is his wife. Your petitioner, for the purposes heretofore and hereby presented to the court needs a strip or piece of land forty nine and one half feet wide along the south margin of and upon the west half of the south east quarter of the north west quarter of section eight, township seventeen, range nine in Dodge County Nebraska containing seventy five hundredths of an acre. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary, and take said matter into consideration in determining the amount of damages to be paid, and make report thereof to the court.

39. Fritz R. Ackerlund and Gilbert Ackerlund own the south east quarter of section thirty four township seventeen range nine in Dodge County Nebraska and Doris Ackerlund is the wife of Fritz Ackerlund and Gilbert Ackerlund is unmarried. Your petitioner for the purposes heretofore and hereby presented to the court needs a strip or piece of land sixteen and one half feet wide on the north side of and adjoining the highway located on the south line of the south east quarter of section thirty four, township seventeen Range nine in Dodge County Nebraska, containing one acre. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary and take said matter into consideration in determining the amount of damages to be paid and make report thereof to the court.

40. Annesine Ostergard widow, is the owner of the east half of the south east quarter of the south east quarter of section twenty one, township seventeen range nine in Dodge County Nebraska your petitioner, for the purposes heretofore and hereby presented to the court, needs a strip or piece of land sixty feet wide, being thirty feet wide on each side of the center of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district and extending across from the north and west sides to the east side of the east half of the south east quarter of the south east quarter of section twenty one, township seventeen range nine, Dodge County Nebraska containing eighty three hundredths of an acre. Also a strip or piece of land sixteen and one half feet wide and extending across from the west side of the east half of the south east quarter of the south east quarter of section twenty one, township seventeen, range nine easterly to the point of deflection southeasterly, and lying on the north side of and adjoining the highway located at the south line of said section in Dodge County Nebraska containing sixteen hundredths of an acre. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary, and take the said matter into consideration in determining the amount of damages to be paid, and make report thereof to the court.

41. Joseph C. Chapman owns the north east quarter of the south east quarter of section thirty township seventeen range ten in Dodge County Nebraska, and Belle Chapman is his wife. Your petitioner for the purposes heretofore and hereby presented to the court needs a strip or piece of land two hundred feet wide along the east margin of and upon the north east quarter of the south east quarter of section thirty, township seventeen range ten in Dodge County Nebraska, containing six and six hundredths acres. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary and take said matter into consideration in determining the amount of damages to be paid and make report thereof to the court.

Wherefore your petitioner prays that the commissioners heretofore appointed by this court

(Grace M. Shivers
 Commission expires July
 Dodge County, Nebraska.)

And now acting as commissioners in the matter may inspect and view the lands above mentioned, and assess the damages which the various parties therein mentioned may sustain by the appropriation of the land above mentioned for the purposes of your petitioner and make report in writing to this court, in the manner provided by law, and that said report be certified to the Register of Deeds of said county for record.

Elkhorn River Drainage District
By Courtright & Sidner, its attorneys.

State of Nebraska, Dodge County, (ss.

I, W.J. Courtright being first duly sworn depose and say that I am one of the attorneys for the petitioner above named, that said petitioner is a corporation, and that the statements in the foregoing petition are true as I believe.

Subscribed in my presence and sworn to before me this 11th day of May, 1910.
(Seal) W.J. Courtright
C.C. Courtright,

Notary Public

May 25th, 1910, Comes the Elkhorn River Drainage District by Courtright & Sidner its attorneys and files petition as follows:

In the County Court of Dodge County, Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District.
Petition.

Comes now petitioner and shows the court that George A. Murrell one of the commissioners herein is now absent from the county, that notice have been served for inspection and hearings as to four tracts to be had to day, that it will be necessary to appoint some one to take the place of said George A. Murrell, that at one previous hearing he was absent without notice and has given no notice of his expected absence at this time, although notified several days ago of a hearing to day.

Wherefore petitioner asks the appointment of a suitable person to take the place of said George A. Murrell for all future hearings.

Elkhorn River Drainage District
By Courtright & Sidner, its attorneys

State of Nebraska, Dodge County, (ss.

I, W.J. Courtright, being first duly sworn, depose and say that I am one of the attorneys for the petitioner in the above action and that the above statements are true.

Subscribed in my presence and sworn to before me this 25th day of May 1910.
(Seal) W.J. Courtright
C.C. Courtright,

Notary Public

On same day, to wit: May 25th, 1910, issued commission as follows:

In the county court of Dodge County Nebraska
In the matter of the Right of Way of Elkhorn River Drainage District.
Commission.

Be it remembered that on this 25th day of May 1910 the Elkhorn River Drainage District filed its petition for the appointment of a commissioner to take the place of George A. Murrell who is absent from the county, to inspect and assess the damages in said proceedings in which notices have been served and certain proceedings that may hereafter be commenced by supplemental petitions that may be filed.

It is hereby ordered that John D. Markey a free holder of said Dodge County not interested in a like question be and he is hereby appointed a commissioner to take the place of George A. Murrell to assess all damages sustained by the owner or owners of and parties interested in said real estate described and referred to in the petition and supplemental petitions now on file, and that may be described in supplemental petitions hereafter to be filed by reason of said appropriation by said Elkhorn River Drainage District for the purposes hereinafter specified. And it is further ordered that a citation issue to the Sheriff of said County of Dodge commanding him to summon the above named person to be and appear before me and qualify as such commissioner or show cause why he should not do so.

Dated at my office in Fremont Nebraska this 25th day of May 1910.
(Seal)

Robert J. Stinson,
County Judge.

May 25th 1910 appeared John D. Markey, who duly qualified as said commissioner by taking and subscribing the oath before me, as follows:

In the county court of Dodge County Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District.
Oath of Office.

State of Nebraska, Dodge County, (ss.

I, John D. Markey duly appointed commissioner to fill the vacancy caused by the absence of George A. Murrell to view the real estate sought to be appropriated by Elkhorn River Drainage District for drainage purposes, described in and referred to in the petition and supplemental petitions now on file with the county judge of said county and all lands that may be described in supplemental petitions hereafter to be filed and to assess certain and assess all the damages which the owner or owners thereof will or may sustain by appropriation of said lands to the use of said Elkhorn River Drainage District for drainage purposes, do solemnly swear that I am a free holder in the County of Dodge and State of Nebraska and not interested in a like question as is involved herein, that we will carefully and impartially inspect and view said real estate and assess all the damages which the owner or owners thereof shall sustain by the appropriation of said lands to the use of said Elkhorn River Drainage District for the purposes specified, that we will make report to the county judge here in of all our doings in connection with the assessment of said damages and do all the things required by us as such commissioner, to the best of our ability according to law, So Help Me God.

John D. Markey

Subscribed in my presence and sworn to before me this 25th day of May, 1910.
(Seal)

Robert J. Stinson, County Judge.

May 26th, 1910 Comes the Elkhorn River Drainage District by Courtright & Sidner its attorneys and files report of commissioners as follows:

In the county Court of Dodge County, Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District.
Report of Commissioners.

We, the undersigned commissioners appointed by the county court of Dodge County Nebraska having taken the oath of office and duly qualified in the above entitled matter, do hereby report as follows:

38. Due and legal notice having been given to Henry Niederhoeffler and Anna Niederhoeffler which notice and the proof of service thereof is hereto attached as an exhibit marked No. 38 and made a part hereof and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land forty nine and one half feet wide along the south margin of and upon the west half of the south east quarter of the north west quarter of section eight, township seventeen range nine in Dodge County Nebraska containing about .75 acres and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein, with reference to the amount of damages, while we were so inspecting and viewing said above described real estate, and having also inspected and viewed the premises adjacent thereto and having thereafter assembled and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing and the land owners appearing by and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain the sum of \$55.00

We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged and have compared the same and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary, and these facts have been taken into consideration by us as elements in fixing the damages.

39. Due and legal notice having been given to Fritz R. Ackerlund and Doris Ackerlund husband and wife and Gilbert Ackerlund unmarried, which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 39 and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land sixteen and one half feet wide on the north side of and adjoining the highway located on the south line of the south east quarter of section thirty four, township seventeen range nine in Dodge County Nebraska containing about one acre, and this board of commissioners having at said time inspected and viewed said premises and then and there giving a hearing to all persons interested therein with reference to the amount of damages, while we were so inspecting and viewing said above described real estate, and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages, and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing, and the land owners appearing by and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain, the sum of \$75.00

We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged and have compared the same, and find and report that the conditions are such that the construction of a bridge upon said right of way, will not be necessary and these facts have been taken into consideration by us as elements in fixing the damages.

41. Due and legal notice having been given to Joseph C. Chapman and Belle Chapman his wife which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 41 and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land two hundred feet wide, as the same is now surveyed, staked and located by said above mentioned drainage district and extending along the east margin of and upon the north east quarter of the south east quarter of section thirty, township seventeen, range ten in Dodge County Nebraska containing 6.06 acres, and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein, with reference to the amount of damages while we were so inspecting and viewing said above described real estate, and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages, and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing and the land owners appearing by F. Dolezal, attorney and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain, the sum of \$350.00:

We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged, and have compared the same, and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary, and these facts have been taken into consideration by us as elements in fixing the damages.

40. Due and legal notice having been given to Annesine Ostergard widow, which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 40 and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land sixty feet wide being thirty feet wide on each side of the center line of the ditch to be constructed, as the same is now surveyed, staked and located by said above mentioned drainage district and extending across from the north and west side of the east side of the east half of the south east quarter of the south east quarter of section twenty one, township seventeen range nine in Dodge County Nebraska containing about eighty three hundredths of an acre, also a strip or piece of land sixteen and one half feet wide and extending across from the west side of the east half of the south east quarter of the south east quarter of section twenty one, township seventeen, range nine easterly to the point of deflection southeasterly and lying on the north side of and adjoining the highway located at the south line of said section in Dodge County Nebraska containing about .16 acres, and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein with reference to the amount of damages, while we were so inspecting and viewing said above described real estate and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing

And the land owners appearing by C. Christensen and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain the sum of \$75.00 we have considered the cost of bridging the proposed ditch, and have considered the damages that will be suffered if said ditch is not bridged and have compared the same, and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary and these facts have been taken into consideration by us as elements in fixing the damages.

All of which is respectfully submitted.
Dated May 25th, 1910.

J. C. Cleland
Ezra Phillips
A. J. Taylor
W. A. Carroll
Chas. F. Dodge
John D. Markey

In the county court of Dodge County, Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District.
Notice to Land Owners.

To Annesine Ostergard, widow:

You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith, and supplemental petitions No's 1, 2 & 3 describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented, and praying for the condemnation of a strip or piece of land sixty feet wide being thirty feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district, and extending across from the north and west side to the east side of the east half of the south east quarter of the south east quarter of section twenty one, township seventeen, range nine in Dodge County Nebraska containing about eighty three hundredths of an acre, also a strip or piece of land sixteen and one half feet wide and extending across from the west side of the east half of the south east quarter of the south east quarter of section twenty one, township seventeen, range nine easterly to the point of deflection southeasterly and lying on the north side of and adjoining the highway located at the south line of said section in Dodge County Nebraska containing about .16 acres. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on May 25th, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned, and on said day proceed to view said real estate and the premises adjacent thereto and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate, and said board of commissioners will assemble at the office of Courtright and Sidner, 145 east sixth street Fremont Nebraska at three o'clock P.M. on May 25th, 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purpose, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court. *dated May 12th 1910*

40.

The State of Nebraska, Madison County, (ss.

Elkhorn River Drainage District
By Courtright & Sidner, its attorneys

Received this notice on the 12th day of May 1910, served same on the 14th day of May 1910 on the within named Annesine Ostergard, widow, by leaving for her at her usual place of residence in Madison County Nebraska a true and certified copy thereof with all the endorsements thereon.

Fees:

Mileage	\$2.30
Service	.50
Copy	.25
Total	\$3.05

C. S. Smith, Sheriff
of Madison County, Nebraska.

Paid by Drainage District.

State of Nebraska, Dodge County, (ss.

I, C. C. Courtright, being first duly sworn depose and say that on May 12, 1910 I served the attached notice No. 38 on Henry Niederhoeffler and Anna Niederhoeffler by leaving for each of them a true and duplicate copy of said notice at their usual residence in Washington County, Nebraska.

On May 12, 1910 I served the attached notice No. 39 by leaving a true and duplicate copy of the said notice at the usual residence of Fritz R. Ackerlund in Douglas County Nebraska by delivering a true and duplicate copy of said notice, *in person to Fritz R. Ackerlund and by leaving a true and duplicate copy of said notice* at the usual place of residence of Gilbert Ackerlund in Douglas County, Nebraska.

On May 12 1910 I served the attached notice No. 41 by delivering a true and duplicate copy of said notice to Joseph C. Chapman in person and by delivering a true and duplicate copy of said notice to Belle Chapman in person.

C. C. Courtright

Subscribed in my presence and sworn to before me this 17th day of May 1910.

(Seal)

Fred C. Laird

Notary Public

In the county Court of Dodge County Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District
Notice to Land Owners.

To Henry Niederhoeffler and Anna Niederhoeffler:

You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith and supplemental petitions No's 1, 2 & 3 describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented, and praying for the condemnation of a strip or piece of land forty nine and one half

Feet wide along the south margin of and upon the west half of the south east quarter of the north west quarter of section eight, township seventeen, range nine in Dodge County Nebraska, containing about .75 acres. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on May 25th, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned, and on said day proceed to view said real estate and the premises adjacent thereto and will then and there hear all parties interested therein with reference to the amount of damages when they are so inspecting and viewing said above described real estate and said board of commissioners will assemble at the office of Courtright and Sidner 145 east sixth street Fremont Nebraska at three o'clock P.M. on May 25th 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated May 12th, 1910.

Elkhorn River Drainage District
By Courtright & Sidner, its attorneys.

38.
In the county court of Dodge County Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District
Notice to Land Owners.

To Fritz R. Ackerlund and Doris Ackerlund husband and wife and Gilbert Ackerlund, unmarried:
You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith and supplemental petitions No's 1, 2 & 3 describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented, and praying for the condemnation of a strip or piece of land sixteen and one half feet wide, on the north side of and adjoining the highway located on the south line of the south east quarter of section thirty four township seventeen, range nine in Dodge County Nebraska containing about one acre. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on May 25th 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned, and on said day proceed to view said real estate and the premises adjacent thereto, and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate, and said board of commissioners will assemble at the office of Courtright and Sidner 145 east sixth street Fremont Nebraska at three o'clock P.M. on May 25th 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated May 12th, 1910.

Elkhorn River Drainage District
By Courtright & Sidner, its attorneys.

39-
In the county court of Dodge County Nebraska
In the matter of the Right of Way of Elkhorn River Drainage District.
Notice to Land Owners.

To Joseph C. Chapman and Belle Chapman his wife.

You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith, and supplemental petition No's 1, 2 & 3 describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented, and praying for the condemnation of a strip or piece of land two hundred feet wide as the same is now surveyed, staked and located by said above mentioned drainage district, and extending along the east margin of and upon the north east quarter of the south east quarter of section thirty, township seventeen, range ten in Dodge County, Nebraska containing about 6.06 acres. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on May 25th, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned and on said day, proceed to view said real estate and the premises adjacent thereto, and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate, and said board of commissioners will assemble at the office of Courtright & Sidner, 145 east sixth street Fremont Nebraska at three o'clock P.M. on May 25th, 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated May 12, 1910

Elkhorn River Drainage District
By Courtright & Sidner, its attorneys

41.
June 8, 1910, Elkhorn River Drainage District deposited into Court Warrant for \$75 for Ackerlund
June 8, 1910 Elkhorn River Drainage District deposited into Court Warrant for \$75, for Ostergard
June 15, 1910 Elkhorn River Drainage District by Courtright & Sidner, its attorneys filed supplemental petition No. 4 as follows:

In the county court of Dodge County Nebraska
Supplemental Petition No. 4.

Comes now Elkhorn River Drainage District and for supplemental petition No. herein states 29. Paragraph No. 1 to 7 inclusive of the petition filed herein are hereby adopted as a part of this petition:

30. The various owners of land hereinafter mentioned have each refused to grant the right of way through said land and your petitioner is and has been unable to agree with any of said owners of said lands upon the terms and conditions on which your petitioner may use and occupy

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(Grace M. Shively, no
(Commission expires July 26, 1910)
Dodge County, Nebraska.

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any of said strips of land, and is therefore compelled to resort to these proceedings to assess the damages which the said owners and each of them may sustain by reason of the appropriation of said lands and injury to lands not taken.

William G. Hindmarsh, single, owns the south east quarter of the south east quarter and the south half of the south west quarter of the south east quarter of section nineteen, and the north half of the north east quarter and the south west quarter of the north east quarter and the north west quarter of the south east quarter and the north half of the south west quarter of section thirty, township seventeen, range ten in Dodge County Nebraska, and five acres in the western portion adjoining the west line of the south west quarter of the north west quarter of section twenty nine, township seventeen, range ten in Washington County Nebraska. Your petitioner for the purposes heretofore and hereby presented to the court needs a strip or piece of land two hundred red feet wide along the east margin of and upon the south east quarter of the south east quarter of section nineteen and the north east quarter of the north east quarter section thirty, township seventeen, range ten in Dodge County Nebraska, containing twelve and twelve hundredths acres. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land with out a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary and take said matter into consideration in determining the amount of damages to be paid, and make report thereof to the court.

43. Frank C. Bliss is the owner of the north half of south west quarter, and north west quarter, and west half of north east quarter and north east quarter of north east quarter of section twenty six, township seventeen range nine in Dodge County, Nebraska and Ada M. Bliss is his wife Your petitioner for the purpose heretofore and hereby presented to the court needs a strip or piece of land ninety feet wide being forty five feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by petitioner and extending across from the north side to the east side of the north west quarter of north west quarter containing two and ninety eight hundredths acres, and from the west side to the south side of the north east quarter of north west quarter containing thirty three hundredths acres, and from the north side to the south and east sides of the south east quarter of the north west quarter containing three and sixty eight hundredths acres and from the west side to the south side of the south west quarter of north east quarter, containing ten hundredths acre, and from the north side to the east side of the north east quarter of south west quarter containing two hundredths acre. Also a strip or piece of land sixty feet wide being thirty feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district and commencing on the west line of the north west quarter of north west quarter and running easterly and southeasterly, being in part on the south side of and adjoining the highway located on the north line of said section and then extending southeasterly to a junction with the ninety foot wide right of way above mentioned, in the north portion of the north west quarter of north west quarter of said section, containing one and twenty one hundredths acres, also a strip or piece of land sixty feet wide being thirty feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district, and extending across from the north side to the south side of the west half of north east quarter of said section containing three and sixty six hundredths acres, all being in section twenty six, township 17 range 9 in Dodge County Nebraska. The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary and take said matter into consideration in determining the amount of damages to be paid, and make report thereof to the court.

44. James B. Johnson holds a lease from Mary A. Beck in words and figures as follows.

Blair Nebr. Dec. 1st, 1903

Articles of agreement made and entered into between Mary A. Beck of the first part and James B. Johnson of the second part, all of Washington County Nebraska, Witnesseth: That the said James B. Johnson the following described land in Dodge County, 165 acres of farm land, also 14 acres hay land in Washington County, this farm known as Alf Bullock farm. It is agreed that said James B. Johnson is to deliver my corn at nearest station, I paying the sheller for shelling my share of corn. My share of corn is to be gathered as he gathers his. Mr. Johnson is to pay \$28.00 for 14 acres hay land.

H. H. Meyer - Witness

Mary A. Beck
J. B. Johnson

Said Mary A. Beck holds a life estate interest in the south east quarter of section six, and the north half of north east quarter and south east quarter of north east quarter of section seven all in township eighteen, range nine in Dodge County Nebraska, and said James B. Johnson under said lease has a leasehold interest in the quantity of land mentioned in said lease which is located upon the above described land in sections six and seven, the exact location of which is to petitioner unknown. Petitioner has a right of way deed in proper form from said Mary A. Beck, with covenants of warranty, conveying to petitioner a strip of land two hundred feet wide, being one hundred feet wide on each side of the center line of the cutoff ditch as the same is now surveyed and located by petitioner, and extending across from the north side of the south east quarter of section six to the south side of north west quarter of north east quarter of section seven township eighteen, range nine, together with all desired access thereto by petitioner, its agents contractors, representatives and employees across other portions of the land of said Mary A. Beck. Said James B. Johnson was in possession of said land at the time petitioner obtained its contract and deed from said Beck, and denies that the rights of petitioner take precedence over his rights as a tenant, and denies petitioner access to said land. Your petitioner, for its contractors, needs a right of way for the year 1910, from the termination of the public road on the east line of the south east quarter of north east quarter of section seven, northerly on the land of said Mary A. Beck, to the north east corner of south east quarter of south east quarter of section six, thence west to the said Two Hundred Foot strip of land above mentioned, the same to be used simply for team travel. Your petitioner also needs a strip of ground two hundred feet wide, being one hundred feet wide on each side of the center line of the cutoff ditch as the same is now surveyed and located by petitioner and extending across from the north side of the south east quarter of section six to the south side of north west quarter of north east quarter of section seven, township eighteen, range nine in Dodge County Nebraska, for the purpose of excavating a ditch to operate as a river cutoff, the latter containing fourteen and six hundredths

The conditions are such that the construction of a bridge by petitioner upon said right of way will not be necessary, the cost of bridging being greater than the damages to the land without a bridge thereon, and petitioner prays that the commissioners determine whether or not a bridge will be necessary and take said matter into consideration in determining the amount of damages to be paid, and make report thereof to the court.

Wherefore your petitioner prays that the commissioners heretofore appointed by this court and now acting as commissioners in the matter may inspect and view the lands above mentioned and assess the damages which the various parties therein mentioned may sustain by the appropriation of the lands above mentioned for the purposes of your petitioner, and make report in writing to this court in the manner provided by law, and that said report be certified to the register of deeds of said county for record.

Elkhorn River Drainage District
Petitioner

By Courtwright & Sidner, its attorneys

State of Nebraska, Dodge County, (ss.

I, W.J. Courtwright being first duly sworn depose and say that I am one of the attorneys for the petitioner above named, that said petitioner is a corporation and that the statements in the foregoing petition are true as I believe.

W.J. Courtwright

Subscribed in my presence and sworn to before me this 15th day of June, 1910.
Robert J. Stinson, County Judge
June 30th 1910 Elkhorn River Drainage District by Courtwright & Sidner its attorneys filed report of commissioners as follows:

In the county court of Dodge County Nebraska.
In the matter of the Right of Way of Elkhorn River Drainage District
Report of Commissioners

We, the undersigned commissioners appointed by the county court of Dodge County Nebraska having taken the oath of office and duly qualified in the above entitled matter do hereby report as follows:

42. Due and legal notice having been given to William G. Hindmarsh single, which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 42 and made a part thereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land two hundred feet wide as the same is now surveyed, staked and located by said above mentioned drainage district and extending along the east margin of and upon the south half of the south east quarter of the south east quarter of section nineteen and the north east quarter of the north east quarter of section thirty, all in township seventeen, range ten in Dodge County Nebraska, containing 9.09 acres, and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein with reference to the amount of damages, while we were so inspecting and viewing said above described real estate, and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages, and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing and the land owners appearing by and we being fully advised in the premises do find and assess as the amount of damages that said owners will sustain the sum of \$610.00

By direction of the attorneys of Elkhorn River Drainage District the north half of the south east quarter of south east quarter of section nineteen is eliminated from consideration on the ground that said land is not owned by said William G. Hindmarsh.

We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged and have compared the same and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary and these facts have been taken into consideration by us as elements in fixing the damages.

Due and legal notice having been given to Frank C. Bliss and Ada M. Bliss, which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 43 and made a part hereof, and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a strip or piece of land ninety feet wide, being forty five feet wide on each side of the center line of the ditch to be constructed, as the same is now surveyed, staked and located by said above mentioned drainage district and extending across from the north side to the east side of the north west quarter of north west quarter of section twenty six, containing two and ninety eight hundredths acres, and from the west side to the south side of the north east quarter of north west quarter, containing thirty three hundredths acre, and from the north side to the south and east sides of the south east quarter of north west quarter containing three and sixty eight hundredths acres, and from the west side to the south side of the south west quarter of north east quarter containing ten hundredths acre, and from the north side to the east side of the north east quarter of the south west quarter, containing two hundredths acre. Also a strip or piece of land sixty feet wide, being thirty feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district, and commencing on the west line of the north west quarter of north west quarter and running easterly and southeasterly, being in part on the south side of and adjoining the highway located on the north line of said section, and then extending southeasterly to a junction with the ninety foot right of way above mentioned, in the north portion of the north west quarter of north west quarter of said section containing one and twenty one hundredths acres. Also a strip or piece of land sixty feet wide being thirty feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district and extending across from the north side to the south side of the west half of the north east quarter of said section containing three and sixty six hundredths acres, all being in section twenty six, township seventeen, range nine in Dodge County, Nebraska, and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein, with reference to the amount of damages, while we were so inspecting and viewing said above described real estate and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages and having then and there given a further hearing to all persons interested, the said drainage district being represented at said hearing, and the land owners appearing in person and by E. F. Gray attorney and we being fully advised in the premises do

(Grace M. Shivers
(Commission expires July
Dodge County, Nebraska.

Find and assess as the amount of damages that said owners will sustain, the sum of \$1683.00. We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged and have compared the same and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary and these facts have been taken into consideration while considering said matter the board adjourned from evening of June 28 until the following morning to complete their work.

All of which is respectfully submitted
Dated June 29, 1910

A. J. Taylor
J. C. Cleland
W. A. Carroll
Chas. F. Dodge
Ezra Phillips
John D. Markey

In the matter of the right of Way of Elkhorn River Drainage District
To William G. Hindmarsh, single: Notice to Land Owners.

You are hereby notified that the above mentioned drainage district supplemental petitions No's 1, 2 & 3 and 4 describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented, and praying for the condemnation of a strip or piece of land two hundred feet wide, as the same is now surveyed, staked and located by said above mentioned drainage district, and extending along the east margin of and upon the south east quarter of the south east quarter of section nineteen range ten in Dodge County Nebraska containing about 12.12 acres. The Commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on June 28, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned and on said day, proceed to view said real estate and the premises adjacent thereto, and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate and said board of commissioners will assemble at the office of Courtright & Sidner 145 east sixth street Fremont Nebraska at 3 o'clock P.M. June 28, 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof of the above mentioned drainage district for drainage purposes, and any damages that you may sustain to land not taken and all matters and issues presented by the pleadings on file in said court.
Dated June 15, 1910

Elkhorn River Drainage District
By Courtright & Sidner, Its Attorneys
I hereby certify that this notice came into my hands on the 16th day of June 1910 and on the 16th day of June 1910 I served same by leaving at usual place of residence of the within named defendant William G. Hindmarsh at true and certified copy hereof with all endorsements thereon this being done in Dodge County State of Nebraska

A. Bauman Jr. Sheriff
By W. C. Condit, Deputy

Fees:	
Service	.50
Copy	.25
Mileage	1.00

\$1.75

State of Nebraska, Douglas County, (ss.

Received this writ on the 16th day of June 1910 and served the same on the 17th day of June 1910 by delivering to the within named Ada M. Bliss, personally in Douglas County Nebraska a true and duly certified copy of this writ with all endorsements thereon.

I further served this writ on the 17th day of June 1910 on the within named Frank C. Bliss by leaving for him at his usual place of residence in Douglas County Nebraska a true and duly certified copy of this writ with all endorsements thereon

Fees:	1.25	E. F. Brailey, Sheriff
Mileage	.60	By Ira Flanagan, Deputy
	1.85	

In the county court of Dodge County Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District
Notice to Land Owners

To Frank C. Bliss and Ada M. Bliss:

You are hereby notified that the above mentioned drainage district supplemental petitions No. 1, 2, 3 and 4 describing and explaining a proposed system of drainage improvement by said drainage district and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented and praying for the condemnation of a strip or piece of land ninety feet wide, being forty five feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by said above mentioned drainage district, and extending across from the north side to the east side of the north west quarter of north west quarter of section twenty six, containing two and ninety eight hundredths acres, and from the west side to the south side of the north east quarter of north west quarter, containing thirty three hundredths acre, and from the north side to the south and east sides of the south east quarter of north west quarter containing three and sixty eight hundredths acres, and from the west side to the south side of the south west quarter of north east quarter containing ten hundredths acre, and from the north side to the east side of the north east quarter of south west quarter, containing two hundredths acre. Also a strip or piece of land sixty feet wide, being thirty feet wide on each side of the center line of the ditch to be constructed as the same is now surveyed, staked and located by

Said above mentioned drainage district, and commencing on the west line of the north west quarter of north west quarter and running easterly and southeasterly, being in part on the south side of and adjoining the highway located on the north line of said section, and then extending southeasterly to a junction with the ninety foot wide right of way above mentioned in the north portion of the north west quarter of north west quarter of said section, containing one and twenty one hundredths acres. Also a strip or piece of land sixty feet wide, being thirty feet wide on each side of the center line of the ditch to be constructed, as the same is now surveyed, staked and located by said above mentioned drainage district and extending across from the north side to the south side of the west half of north east quarter of said section containing three and sixty six hundredths acres all being in section twenty six, township seventeen, range nine in Dodge County Nebraska. The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for that purpose, will, on June 28, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned and on said day, proceed to view said real estate and the premises adjacent thereto, and will then and there hear all parties interested therein with reference to the amount of damages, when they are so inspecting and viewing said above described real estate and said board of commissioners will assemble at the office of Courtright & Sidner 145 east 6th street in Fremont Nebraska at 3 o'clock P.M. of June 28, 1910, and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

Dated June 15, 1910.

43.

Elkhorn River Drainage District

By Courtright & Sidner, Its attorneys

In the County Court of Dodge County, Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District.

Report of Commissioners.

We, the undersigned commissioners appointed by the county court of Dodge County Nebraska, having taken the oath of office and duly qualified in the above entitled matter do hereby report as follows:

Due and legal notice having been given to James B. Johnson which notice and the proof of service thereof is hereto attached as an exhibit and marked No. 44 and made a part hereof and having at the time mentioned in said notice assembled as a board for the purpose of inspecting and viewing a right of way for the year 1910 from the termination of the public road on the east line of the south east quarter of north east quarter of section seven, on the land of said Mary A. Beck, to the north east corner of south east quarter of south east quarter of section six, thence west to the said two hundred foot strip of land hereinafter mentioned the same to be used for team travel only. Also a strip of ground two hundred feet wide being one hundred feet wide on each side of the center line of the cutoff ditch as the same is now surveyed and located by petitioner and extending across from the north side of south east quarter of section six to the south side of the north west quarter of north east quarter of section seven, township eighteen, range nine in Dodge County Nebraska for the purpose of excavating a ditch to operate as a river cutoff, the latter containing 14.6 acres, and this board of commissioners having at said time inspected and viewed said premises and then and there given a hearing to all persons interested therein with reference to the amount of damages while we were so inspecting and viewing said above described real estate and having also inspected and viewed the premises adjacent thereto and having thereafter assembled at the time and place mentioned in said notice for the assessment of damages and having then and there given a further hearing to all parties interested, the said drainage district being represented at said hearing and the lessee appearing in person, and we being fully advised in the premises do find and assess as the amount of damages that said lessee will sustain the sum of \$220.00

We have considered the cost of bridging the proposed ditch and have considered the damages that will be suffered if said ditch is not bridged, and have compared the same and find and report that the conditions are such that the construction of a bridge upon said right of way by said drainage district will not be necessary, and these facts have been taken into consideration by us as elements in fixing the damages.

All of which is respectfully submitted.

Dated June 27" 1910.

- A. J. Taylor
- Ezra Phillips
- J. C. Cleland
- Chas F. Dodge
- W. A. Carroll
- John D. Markey

In the county court of Dodge County Nebraska.

In the matter of the Right of Way of Elkhorn River Drainage District

Notice to Land Owners

To James B. Johnson:

You are hereby notified that the above mentioned drainage district has filed in the above mentioned court a petition and map exhibits in connection therewith and supplemental petitions No. 1, 2 and 3 and 4 describing and explaining a proposed system of drainage improvement by said drainage district, and the conditions existing with reference to the lands therein mentioned and the ownership thereof and various other matters and issues presented including an allegation that said James B. Johnson has a leasehold interest in the tract of land hereinafter mentioned, by virtue of a lease in writing a copy of which is set out in said supplemental petition and that petitioner has a conveyance of the right of way from Mary A. Beck the owner of said land and all the land hereinafter mentioned, and praying for the condemnation of a right of way for the year 1910, from the termination of the public road on the east line of the south east quarter of north east quarter of section seven northerly on the land of said Mary A. Beck to the north east corner of south east quarter of south east quarter of section six, thence west to the said two hundred foot strip of land hereinafter mentioned the same being used for team travel only. Also a strip of ground two hundred feet wide being one hundred feet wide on each side of the center line of the cutoff ditch, as the same is now surveyed and located by petitioner, and extending across from the north side of the south east

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 (Grace M. Shively, Notary
 Commission expires July 22, 1904)
 Dodge County, Nebraska.

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Quarter of section six, to the south side of north west quarter of north east quarter of section seven, township eighteen, range nine in Dodge County Nebraska for the purpose of excavating a ditch to operate as a river cutoff, the latter containing fourteen and six hundredths acres.

The commissioners selected and commissioned by the county judge of the above named county pursuant thereto and duly qualified for the purpose, will, on June 27, 1910 at nine o'clock A.M. or as soon thereafter as they arrive at the premises above mentioned and on said day proceed to view said real estate and the premises adjacent thereto, and will then and there hear all parties interested therein with reference to the amount of damages when they are so inspecting and viewing said above described real estate and said board of commissioners will assemble at the office of Courtright & Sidner 145 east sixth street in the city of Fremont Dodge County Nebraska at 3 o'clock P.M. of June 27, 1910 and then and there further hear all persons interested therein and will then and there proceed to assess all damages that you and each of you may sustain by reason of the appropriation thereof or any part thereof by the above mentioned drainage district for drainage purposes, and any damages that you may sustain to lands not taken and all matters and issues presented by the pleadings on file in said court.

No. 44

Dated June 15, 1910

Elkhorn River Drainage District
By Courtright & Sidner, Its Attorneys

I hereby accept service on this notice June 15, 1910 admit the receipt of a copy, and hereby enter my voluntary appearance.

F.W. Button, Attorney for
James B. Johnson

June 16, 1910 Hayman Chapman and Joseph C. Chapman by Frank Dolezal their attorney filed appeal Bond as follows:

Whereas in condemnation proceedings by the Elkhorn River Drainage District to acquire 200 feet wide strip along the east margin of the north east quarter of the south east quarter of section thirty, township 17, range 10 east in Dodge County Nebraska, there was made an assessment of damages by reason of the taking of said strip which is part of the above described premises, on the 25th day of May, 1910, and from which the undersigned appeal to the district court of said County.

Now, therefore we, Hayman Chapman and Joseph C. Chapman as principals and Jas. A. Cassell as surety do hereby undertake to the said Elkhorn River Drainage District that the said appellants shall prosecute said appeal to effect without unnecessary delay and if judgment be adjudged against appellant on the appeal the appellant shall satisfy whatever judgment may be adjudged against such appellant.

Witness our hands this 16th day of June, 1910.

Hayman Chapman
Joseph C. Chapman
Jas. A. Cassell

The foregoing undertaking with the surety is hereby approved by me this 16th day of June, 1910.
(Seal) Robert J. Stinson, County Judge

July 2nd 1910 at request of Frank Dolezal attorney for Hayman Chapman and Joseph C. Chapman made transcript.
cost of transcript \$1.00. July 14th 1910 Elkhorn River Drainage District deposited Warrant No. 239 for \$220. for J.B. Johnson, right of way No. 44.
July 14th 1910 received from Robert J. Stinson, warrant No. 239 for \$220.00 in payment of amount awarded as damages and compensation in Elkhorn River Drainage matter.

James B. Johnson

July 15th, 1910 Elkhorn River Drainage District deposited Warrants as follows:
Warrant No. 150-Nils Johnson No. 16 for \$350.25
" " 194-Niederhoffer No. 38 for \$55.00
" " 196-Chapman No. 41 for \$350.00
July 27th, 1910 Elkhorn River Drainage District deposited Warrant No. 238 for \$1683.00 for F.C. Bliss right of way No. 43

In the county court of Dodge county Nebraska.
In the matter of the right of way of Elkhorn River Drainage District
Receipt

I, F.C. Bliss do hereby acknowledge receipt from the county judge of Dodge County Nebraska of the sum of sixteen hundred eighty three dollars allowed to me in condemnation proceedings in the above entitled action.

Dated July 23, 1910

F.C. Bliss

August 15th 1910 Received from Robert J. Stinson County Judge, Warrant No. 194 dated May 26, 1910 for \$55.00 in payment of amount awarded as damages and compensation in Elkhorn River Drainage district matter No. 38

Henry Niederhofer

August 16, 1910 Received from Robert J. Stinson, County Judge, Warrant No. 150 dated 4-30-1910 for \$350.25 in payment of amount awarded as damages and compensation in Elkhorn River Drainage District matter No. 16

Nils Johnson

August 24 1910, Receipt as follows filed.

In the County Court of Dodge County Nebraska.
In the matter of the right of way of Elkhorn River Drainage District.

I hereby acknowledge receipt of six hundred ten dollars in full payment of the condemnation money due me in the above entitled action as per report of the board of appraisers paragraph No. 42 in the sum of six hundred ten dollars.

In presence of

H. Wahner

W.G. Hindmarsh

September 6th, 1910, received Elkhorn River Drainage District Order No. 197 for \$75 in payment for right of way condemnation proceedings, the said warrant being endorsed by me as County Judge to said Annesine Ostergard

L.D. Richards, Agt

September 6th, 1910 Received from Robert J. Stinson Co. Judge Fremont National Bank certificate of Deposit No. 28,166 for \$356.80 made payable to Robert J. Stinson, County Judge and endorsed by me to Christopher Knoell, said certificate bearing date February 17, 1910 and bearing interest at

3 % said \$356.80 being amount awarded to said Christopher Knoell in above entitled proceedings for lands taken and condemned, and damages by the Elkhorn River Drainage District.
Christopher Knoell
By E.F.Gray, his atty.

State of Nebraska, County of Dodge, (ss. I, Robert J. Stinson County Judge in and for said County of Dodge, do hereby certify, that the above and foregoing is a true and correct transcript of the proceedings had and done in said court, in a certain proceeding pending therein, entitled "In the Matter of the Right of Way of the Elkhorn River Drainage District" so far as it refers to and effects the lands described in said transcript, as the same appears of record upon the docket of said court now in my possession and under my control.
Given under my hand and the seal of said county court this 14th day of December 1910.
Robert J. Stinson,
(Seal of County Court) County Judge
(Dodge County, Nebraska.)

Affidavit.

Carl Schafer (Filed for record the 11th day of February 1911 at 11,45 o'clock A.M.
To (Fred Klaes, Register of Deeds.
Whom it may concern. (In Relation to the title to Lots No.10 & 11
In Block No.7 in the town of Dodge, Nebraska.

State of Nebraska, County of Dodge, (ss. Carl Schafer being first duly sworn says: That he was the husband of Clara Schafer now deceased, that at the time of her death the said Clara Schafer was the owner of the fee title of Lots 10 and 11 in Block 7 in the town of Dodge, Dodge County Nebraska as said lot is described in the recorded platt of said town of Dodge and of its additions, that the said Clara Schafer died testate, leaving her last will and testament, which was duly allowed for probate by the County Judge of Dodge County Nebraska on the 18th day of April 1894, that on the 23rd day of November 1897 a final decree was entered in the matter of the estate of the said Clara Schafer, in which the said court found that all the debts and legal claims against the estate of the said Clara Schafer has been paid, and by the said decree assigned to this affiant Carl Schafer all of the residue of the said estate both real and personal, according to the provisions of the said will and testament, the above described lot being a part of the real estate belonging to the said estate.

Affiant further says, that a copy of the last will and testament together with the certificate of proof and allowance for probate and the final decree as herein set out were duly recorded in the office of the register of deeds of Dodge County Nebraska in Book No.24 of Deeds on page 89. Affiant therefore asks that this instrument be recorded and indexed on the numerical index to the said lot and that the record of said will and final decree be indexed on the numerical index of Dodge County Nebraska as to the said lot.
his
Carl X Schafer
Witness to mark mark
William Patterson
A.J.Hasson
Subscribed in my presence and sworn to before me this 10 day of February 1911
(Albert J.Hasson, Notarial seal) A.J.Hasson,
(Commission expires Jan.24,1916) Notary Public
(Dodge County, Nebraska.)

Affidavit.

William Patterson (Filed for record the 11th day of February 1911 at 11,45 o'clock A.M.
To (Fred Klaes, Register of Deeds.
Whom it may concern (

State of Nebraska, County of Dodge, (ss. William Patterson being first duly sworn says, that he was acquainted with Clara Schafer during her life time and also with Carl Schafer, her husband that the Carl Schafer making the foregoing affidavit is the same person as Carl Schafer, the husband of said Clara Schafer, deceased.
Affiant further says, that he knows the facts that said Clara Schafer was at the time of her death the owner of Lots No.10 & 11 in Block No.7 in the town of Dodge, Nebraska.
And further affiant sayeth not.

William Patterson
Subscribed in my presence and sworn to before me this 10th day of February 1911
(Albert J.Hasson, Notarial seal) A.J.Hasson,
(Commission expires Jan.24,1916) Notary Public
(Dodge County, Nebraska.)