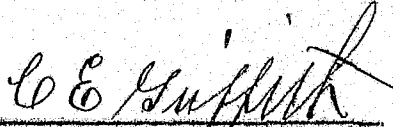


Walker, Minn. Nov 9, 1906.

I, C. E. Griffith, County Auditor of Cass County, state of Minnesota, do hereby certify that I have attached certificate of election to the original petition with a copy of the resolution of the County Board appointing said Inspectors and the original proofs of posting of said election notice and filed the same as one document in my office the second day of November A. D. 1906.

I further certify that the original certificate of the judges of election were cast in the affirmative.

I further certify that I have read and carefully compared the annexed copy of the original petition, resolution, proof of posting notices of election, certificate of election and varification thereof with the original now on file in my office as provided by section 704 of the R. L., 1905, and that the same are true and correct copies of each and the whole thereof.


County Auditor, Cass Co.,

Minnesota.

IN THE MATTER OF THE PROCEEDINGS FOR THE ORGANIZATION)
AND INCORPORATION OF THE VILLAGE OF BENA IN THE COUNTY) Petition.
OF CASS, STATE OF MINNESOTA.)

To the Hon. BOARD OF COUNTY COMMISSIONERS,
Of the County of Cass, Minnesota:

The Undersigned, your petitioners, respectfully represent and show to your Honorable Board:

First: That they are voters residing within the following described territory to-wit: The south west quarter of the northwest quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) and the west half of the southwest quarter (W $\frac{1}{2}$ of SW $\frac{1}{4}$) of section twenty six (26): The southeast quarter of the south east quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of section twenty seven (27) and the northeast quarter of the Section thirty four (34) all in township One hundred and forty five (145) North of range twenty eight (28) West of the 5th P. M., in the County of Cass and State of Minnesota.

Second: That said above described territory is not within any incorporated village or city, and that the same has been partly platted in lots and blocks with a view to a village occupancy, and the plat thereof duly and legally filed in the office of the Register of Deeds in and for said county of Cass, state of Minnesota, where the said lands are situate.

Third:- That said territory has a resident population of not more than three thousand (3000) and not less than two hundred (200), to-wit: A population of two hundred and fourteen (214) as will appear from affidavits hereto attached.

Fourth:- That the unplatted portion of said territory adjoins the platted portion, and is so conditioned as to be properly subject to village government.

Fifth:- That a census of the residents upon said above des-

cribed territory has heretofore been taken, as by law required and the resident population thereon ascertained to be two hundred and fourteen (214).

Sixth:- That the boundaries of said proposed village are the boundary lines of said above described territory, to-wit: The south west quarter of the northwest quarter ($SW\frac{1}{4}$ of the $NW\frac{1}{4}$) and the west half of the southwest quarter) $W\frac{1}{2}$ $SW\frac{1}{4}$) of section twenty six (26) , The southeast quarter of the southeast quarter ($SE\frac{1}{4}$ of $SE\frac{1}{4}$) of section twenty seven (27) and the northeast quarter of section thirty four (34) all in township one hundred and forty five (145) North of range twenty eight (28) west of the 5th P. M., in the county of Cass and state of Minnesota, and that there are embraced within said boundaries three hundred twenty (320) acres of land, more or less, according to the government survey thereof.

Seventh:- That the number of actual residents upon said territory at the date of this petition is two hundred fourteen (214).

Eighth:- That the name of the proposed village is the village of Bena.

WHEREFORE, your petitioners respectfully petition and request:-

That your Honorable body do nominate and appoint a time and place when and where the said electors residing within the boundaries of said above described territory may hold an election for the determination of the incorporation of said proposed village of Bena, in accordance with the provisions of paragraphs 700, 701, 702, 703, and 704 of chapter 9 of the Revised laws of the State of Minnesota, for the year 1905.

And your petitioners will ever pray.

J. E. Johnston
W. J. Desjordin
Frank F. Lane
H. S. Simpson
R. G. Tibbits
T. A. Sheehy
Wm. Middle
Jas D. Middleton
Geo Cochran Jr.
Frederic A. Tibbets
Barney McLean
Joseph Leclair
J. J. Burns
A. D. Sauve

N. M. Bartlett

Verner A. Stewart
Arron L. Dewey
Fred Crow
Alex Ahern
Ed. Rushlo
Ed. Call. *E. P. Kimball*
Joseph Gibson
Antoine Potvin
Michael Jordan
W. J. Duvare.

State of Minnesota.

County of Cass } ss.

J. W.
J. E. Johnston, Antoine Potvin and ~~G. M.~~ Bartlett being first duly sworn on oath doth deposes and say, each for himself: that he is a resident elector upon the lands described in the within and foregoing petition, to-wit: The southwest quarter of the northwest quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) and the west half of the southwest quarter (W $\frac{1}{2}$ of SW $\frac{1}{4}$) of section twenty six (26) The southeast quarter of the southeast quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of section twenty seven (27) and the Northeast quarter (NE $\frac{1}{4}$) of section thirty four (34) all in township one hundred and forty five (145) North of range twenty eight (28) west of the 5th P. M., in the County of Cass and state of Minnesota, That on the 27th day of September A. D., 1906 acting under the instruction of the above named petitioners, they personally enumerated the resident population upon the said ~~###~~ above described ~~#####~~ territory and that on said date there were two hundred and fourteen actual residents thereon: That all of the facts hereinbefore and in said petition set forth are true of their own knowledge, and that said census above referred to was truly and accurately taken within the dates specified therein.

Subscribed and sworn to before me
this 24th day of September 1906.

Fred W. Smith
Notary Public,
Cass Co., Minn.

J. E. Johnston
Antoine Potvin
~~G. M.~~ Bartlett.

J. W.

My commission expires Jany 17, 1913.

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF CASS COUNTY,
MINNESOTA, AND NOTICE OF ELECTION.

WHEREAS, A petition has this third day of October, A. D. 1906 been presented to the Board of County Commissioners, of Cass County Minnesota, signed by twenty five (25) voters residing within the limits of the following described territory, to-wit: The southwest quarter of the Northwest quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) and the west half of the southwest quarter (W $\frac{1}{2}$ of SW $\frac{1}{4}$) of section twenty six (26) The southeast quarter of the southeast quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of section twenty seven (7) and the Northeast quarter (NE $\frac{1}{4}$) of section thirty four (34) all in Township one hundred and forty five (145) North of range twenty eight (28) west of the fifth principal meridian in the county of Cass, state of Minnesota according to the United States government survey thereof, petitioning for the appointment of a time and place, when and where the voters residing within said territory may vote for or against the incorporation of said territory into a village in accordance with the statute in such case made and provided, which petition sets forth the boundaries of, the quantity of land embraced in and the name of such proposed village, to wit: The village of Bena: And whereas said petition sets forth the number of persons actually residing within said territory, to-wit: Two hundred fourteen (214) which number has been duly ascertained by said petitioners, and under their direction, by a census taken of the resident population of said territory, on a day not more than eight (8) weeks prior to the presentation of said petition to this board, to-wit, taken on the 27th day of September A. D. 1906: And whereas said petition has been duly verified by three of said petitioners under oath, to-wit: By J. E. Johnston? Antoine Potvin and T. W. Bartlett to the effect that said census was actually taken within the dates specified and that the statements made in the petition are true, and whereas it further appears to the board by said petition that the said above described territory is not within any incorporated village or city, and that the same has been partly platted into lots and blocks with a view to a village occupancy, and the plat thereof duly and legally filed in the office of the Register of deeds, in and for said County of Cass, state of Minnesota, where the said lands are situate, and that said territory contains a resident population of not more than three thousand (3000) and not less than two hundred, (200), to-wit: A population of two hundred fourteen, and that the unplatted portion of said territory adjoins said platted portion, and is so conditioned as to be properly subject to village government, and it further appearing that all the statutory provisions regulating the proceedings for incorporating villages have been fully complied with:

NOW THEREFORE, Be it Resolved by the Board of County Commissioners of Cass County, Minnesota.

That the prayer of said petitioners be granted: That Monday the 29th day of October A. D. 1906 between the hours of Nine o'clock in the forenoon and four o'clock in the afternoon, be and the same is hereby appointed the time when, and the office of James Middleton, on Lot twenty four in Block Seven of said plat of the village of Bena, situated within the limits of the said proposed village be and hereby is appointed the place, where the voters residing within said territory may vote for or against said corporation. Be it further Resolved, That J. E. Johnston Antoine Potvin and T. W. Bartlett residents of said proposed village, be and the same are hereby appointed inspectors to preside and act as inspectors and Judges of said election and that the chairman of this board cause due notices of said election to be given. "

Griffith

Attest: C. E. Griffith
County Auditor,
Cass Co., Minn.

Chris Burns,

Chairman Board county commissioners,
Cass Co. Minn

Notice of Election.

Whereas, A duly verified Petition has been presented to the Board of County Commissioners of the County of Cass, state of Minnesota, a copy of which is hereto attached praying that a time when and place where be designated by said board for holding an election for the determination of the incorporation of certain territory therein designated into a village to be named the village of Bena: and

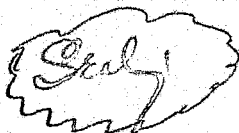
Whereas said county board did on the 3rd day of October A. D. 1906 by its duly adopted resolution approve said petition and designate the time and place for holding said election, and duly appoint three inspectors of said territory to act as judges of said election, Now Therefore:

NOTICE IS HEREBY GIVEN

That in pursuance of the statutes in such case made and provided that on Monday the 29th day of October A. D. 1906 between the hours of Nine o'clock in the forenoon and four o'clock in the afternoon of said day, at the office of James Middleton, on lot twenty four in Block seven of the plat of the village of Bena, within the limits of the said proposed village of Bena, an election will be held, at which the voters actually residing within and upon the Southwest quarter of the ~~the~~ northwest quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and the west half of the southwest quarter (W $\frac{1}{2}$ of SW $\frac{1}{4}$) of section twenty six (26) and the southeast quarter of the southeast quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of section twenty seven (27) and the Northeast quarter (NE $\frac{1}{4}$) of section thirty four all in township one hundred and forty five (145) north of range twenty eight (28) west of the 5th P. M., in the County of Cass and State of Minnesota, may vote for or against the incorporation of said territory as a village to be known as the village of Bena.

That J. E. Johnston, Antoine Potven and T. W. Barteltt, residents of said proposed village be and the same are hereby appointed Inspectors to preside and act as Judges of said election.

Dated Oct 6th 1906.



Chris Burns,
Chairman Board of County Commissioners,
Cass County, Minnesota.

Attest:

C. E. Griffith
County Auditor, Cass County, Minn.

State of Minnesota.)
)SS.
County of Cass)

J. E. Johnston, being first duly sworn on oath deposes and says:- That he is a citizen of the United States of the age of Twenty one years and upwards, and a resident upon the territory described in the within and accompanying notice, that on the eighth day of October A . D. 1906 he posted a copy of the said notice and the copy of petition and affidavit thereto attached in the public places within the boundaries described, to-wit: One on the east of the Potvin Hotel, One on the east side of the Hotel Building of Mina V. Budge and one on the east end of the office building of James Middleton, the place designated for holding said election. Affiant further says, that there is not a qualified newspaper published within the limits of said territory.

J. E. Johnston.

Subscribed and sworn to before me
this 30th day of October A. D. 1906.

Gustaf A. Lind.

Notary Public, Cass Co., Minn.

My commission expires March 1912.

State of Minnesota.)
County of Cass) ss.

I, W. A. White duly appointed Inspector of an election to be held October 29th 1906., to vote upon the question of the Incorporation of the village of Bena do solemnly swear, that I will support the constitution of the United States and the state of Minnesota and that I will perform the duties of Inspector and Judge of such election to the best of my ability, and will studiously endeavor to prevent fraud, deceit and abuse in conducting such election, So Help Me God.

W. A. White

Subscribed and sworn to before me
this 29th day of October 1906.

Gustaf A. Lind,

Notary Public,

Cass County, Minnesota.

My commission expires March 1912.

State of Minnesota.)
County of Cass) ss.

I, J. D. Matterson duly appointed Inspector of an election to be held October 29th 1906., to vote upon the question of the Incorporation of the village of Bena do solemnly swear, that I will support the constitution of the United States and the state of Minnesota and that I will perform the duties of Inspector and Judge of such election to the best of my ability, and will studiously endeavor to prevent fraud, deceit and abuse in conducting such election, So Help Me God.

Subscribed and sworn to before me
this 29th day of October 1906.

Gustaf A. Lind,

Notary Public,

Cass County, Minnesota.

My commission expires March 1912.

J. D. Matterson

State of Minnesota.)
County of Cass) ss.

I, W. M. Bartlett duly appointed Inspector of an election to be held October 29th 1906., to vote upon the question of the Incorporation of the village of Bena do solemnly swear, that I will support the constitution of the United States and the state of Minnesota and that I will perform the duties of Inspector and Judge of such election to the best of my ability, and will studiously endeavor to prevent fraud, deceit and abuse in conducting such election, So Help Me God.

W. M. Bartlett

Subscribed and sworn to before me
this 29th day of October 1906.

Gustaf A. Lind,
Notary Public,
Cass County, Minnesota.

My commission expires March 1912.

State of Minnesota. }
County of Cass } ss.

I, A. Polson duly appointed Inspector of an election to be held October 20th 1906., do solemnly swear, that I will support the constitution of the United States and the state of Minnesota and that I will perform the duties of Inspector and Judge of such election to the best of my ability, and will studiously endeavor to prevent fraud, deceit and abuse in conducting such election. So Help Me God.

A. Polson

Subscribed and sworn to before me
this 20th day of October 1906.

Gustaf A. Lind,

Notary Public,

Cass County, Minnesota.

My commission expires March 1912.

State of Minnesota.)

County of Cass)

I, J. E. Johnson duly appointed Inspector of an election to be held October 25th 1906, do solemnly swear, that I will support the constitution of the United States and the state of Minnesota and that I will perform the duties of Inspector and Judge of such election to the best of my ability, and will studiously endeavor to prevent fraud, deceit and abuse in conducting such election, So Help Me God.

J. E. Johnson

Subscribed and sworn to before me
this 25th day of October 1906.

Gustaf A. Lind,

Notary Public,

Cass County, Minnesota.

My commission expires March 1912.

CERTIFICATE OF JUDGES OF ELECTION.

State of Minnesota.)ss
County of Cass)

We the undersigned, duly designated and appointed inspectors and Judges of Election under Resolution of the Board of County Commissioners of Cass Co, Minnesota adopted October 3rd 1906, providing for an election to be held the 29th day of October 1906, for the purpose of voting for or against the incorporation of the village of Bena, upon certain territory in said resolution specified, and in pursuance of the notice of election thereafter issued on the 6th day of October 1906., and duly posted, do hereby certify and return.

That in pursuance of the terms of said resolution and Notice of Election, and of the duties imposed upon us as such Inspectors and Judges of election we did meet at the time and place in said resolution and notice specified, to-wit: At the hour of nine o'clock in the forenoon of the 29th day of October, 1906, at the office of James Middleton, on Lot twenty four in Block seven of the Plat of the village of Bena, within the limits of the said proposed ##### village of Bena. That we did thereupon duly qualify as such judges of election by taking to oath of office as such as ##### law required. That we did thereupon proceed to organize as an election board by the appointment of two qualified electors of said territory as Clerks of election, to-wit: J. D. Middleton and W. H. White, who were thereupon duly sworn as such clerks of election, whereupon proclamation of the opening of the polls for the purposes of said election was duly made. That said election was so maintained and the polls held open from the hour of Nine O'clock in the forenoon of said day until the hour of four o'clock in the afternoon of said day, at which hour the polls were duly declared closed. That immediately upon the closing of the polls we did ##### proceed to canvass all the votes cast at said election, and did forthwith complete said canvass. That the total number of Ballots cast at such election were forty seven (47). That the number ##### of ##### cast for said incorporation was forty seven (47) and that the number of Ballots cast against said incorporation was None (0) Whereupon we did declare the result of said election in favor of said corporation of the Village of Bena.

Dated October 29th 1906.

Attest: J. D. Middleton, Clerk
 W. H. White, Clerk.

J. E. Johnston. Judge.
A. Potvin Judge

State of Minnesota.)
County of Cass.)ss

J. E. Johnston, Antoine Potvin and T. W. Bartlett, being each duly doth depose and say each for himself, that he is one of the Inspectors and Judges of election who made and signed the within and foregoing certificate. That he has read the same and knows the contents thereof and that the statements therein set forth are true of his own knowledge.

J. E. Johnston.
A. Potvin.

Subscribed and sworn to before me
this 29th day of October 1906.

Gustaf A. Lind.,
Notary Public,
Cass Co., Minnesota.

My commission expires March 1912 $\frac{1}{2}$
