

Expenses of locating road paid, by whom.

SEC. 5. The expenses of surveying, locating and establishing said road shall be paid by the counties through which said road shall enter or pass. The commissioners shall have power to apportion the amount to each of the said counties as in their judgment is just and equal, to defray said expenses: *Provided*, that no county through which said road shall be located shall be liable to pay any of the expenses or damages incurred in locating said road, unless the county commissioners of such county shall first pass a resolution consenting to the location of said road.

Plat of road to be filed.

SEC. 6. Said commissioners shall as soon as practicable file an accurate plat of said road in the office of the register of deeds in each county through which it may pass. Said plat shall be legal evidence of the location of said road.

When act to take effect.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved February 27, 1872.

CHAPTER CLXI.

March 4, 1873.

An Act to Locate and Establish a State Road from the Borough of LeSueur in LeSueur County, to Rice County.

- SECTION 1. Commissioners named to lay out a state road.
 2. Time of meeting of commissioners to discharge their duties.
 3. Surveyor and necessary help to be employed.
 4. Expenses of locating road to be paid by LeSueur county.
 5. Damages to be appraised, and releases for right of way to be filed; also plat of road to be filed.
 6. Appeals from the appraisal may be made to the district court.
 7. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That E. R. Smith of LeSueur, in the county of LeSueur, in the state of Minnesota, John Wood of the town of Tyrone in said county and Denis Sheahan of the town of Derrynane in said county, are hereby appointed commissioners to survey, locate and establish a state road from the south east corner of section thirty six, in the borough of LeSueur, in the county of LeSueur aforesaid, running thence east as near as practicable on the town line between townships in range No. one hundred and twelve and one hundred and eleven north to Rice county in said state.

Commissioners appointed to locate state road.

SEC. 2. That said commissioners shall meet at such time and place convenient to them as they may and proceed to discharge the duties imposed upon them by this act, and they shall give notice of the time and place of their meeting by publishing a notice thereof for two weeks in the LeSueur Courier; provided, that if either of said commissioners shall be unable to discharge the duties aforesaid, the others shall have the power to substitute some person to act in his place, and such action by such substitute shall have the same effect as if he were appointed commissioner by this act.

Time of meeting of commissioners.

SEC. 3. That said commissioners are hereby authorized to employ a surveyor, ax-man and chainmen, and it shall be their duty to cause said road to be accurately surveyed and platted and file the same in the office of the county auditor of LeSueur county, to assess the damages to the lands over which said road may pass or secure releases for the right of way for said road.

Surveyor and help to be employed.

SEC. 4. That the expenses of viewing and locating said road, shall be paid by said LeSueur county; provided, that the said commissioners, ax-man and chainmen shall not receive more than two dollars per day each.

Expenses to be paid by Le Sueur county.

SEC. 5. The said commissioners shall, at the time of locating said road, appraise the damages or compensation to be paid to each person through whose land the same shall pass and for which they have not secured a release for the right of way for said road, and shall file in the office of the county auditor of said county all releases taken by them, and a statement of their said appraisals of damages for lands taken for said road, at the time when they shall file the survey and plat of the same in said auditor's office. Upon the filing of said survey plat, releases and appraisals in the office of said county auditor, the said road shall be deemed located and established, and said compensation or

Damages for right of way to be filed; also plat of road.

damages shall be deemed secured, [and] the amount of such appraisal shall be paid by the said LeSueur county.

Appeals from appraisal made to district court.

SEC. 6. That upon filing the appraisal of damages as aforesaid, the said commissioners shall notify any person to whom any damages may be awarded of the amount so awarded him, and any person deeming himself aggrieved by such appraisal of his compensation may appeal therefrom to the district court of the county of LeSueur, within thirty days after receiving notice of such appraisal by serving a notice of such appeal upon the county auditor of said county. The county auditor shall certify a copy of the appraisal appealed from to the district court of said county within ten days after serving the notice of appeal upon him.

When act to take effect.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 4, 1872.

CHAPTER CLXII.

March 4, 1873.

An Act to Locate, Survey and Establish a State road from Princeton in Mille Lacs County, to Brunswick in Kanabec County.

- SECTION 1. Commissioners named to locate a state road.
2. Time of meeting of commissioners.
 3. Per diem of commissioners, and authority to employ a surveyor and other necessary help.
 4. Expenses of location to be paid by the counties in proportion to the length in each county.
 5. Damages to be appraised, and right of appeal to county commissioners.
 6. Plat to be filed and damages provided for before road shall be declared established.
 7. When act to take effect.