

CHAPTER 8.

Oct. 31, 1849, *An Act to provide for laying out a Territorial Road from Stillwater to the mouth of Rum River.*

SECTION.

1. Commissioners to locate road.
2. Commissioners to be sworn, their duty.
3. Map of road to be made and filed.

SECTION.

4. Commissioners to draw on treasurer of the Territory for fees, etc.
5. Commissioners when to meet.

Commissioners
appointed.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That B. W. Brunson, Albert Harris and Mahlon Black, be, and the same are hereby appointed commissioners to view and lay out and mark a territorial road, beginning at or near Stillwater, thence in a westerly direction to White Bear Lake, passing the said lake on either the northern or southern shore; thence as may be deemed the most practicable route by said commissioners, having reference to the distance, surface of the country and costs of construction, to some point at or near the mouth of Rum River.

Commissioners
to be sworn, their
duty and pay.

SEC. 2. That it shall be the duty of said commissioners or a majority of them, after they have been duly sworn or affirmed before a justice of the peace, who shall file and preserve the same in his office, to perform all the duties enjoined by this act with impartiality, carefully to view the ground over which the road to be laid out by them may pass, having due regard to as straight and easy a route as possible, and that they shall clearly and distinctly mark the road in such manner as shall render the route agreed upon, readily found by any person or persons who may be elected or appointed to open and construct said road. The commissioners shall be allowed the sum of three dollars per day for every day they shall be necessarily employed in performing the duties assigned by this act; and the said commissioners are hereby authorized to employ one surveyor, at three dollars per day, two chain-bearers and one axe-man, at a sum not exceeding for each, one dollar and fifty cents per diem.

Map of road to
be made and filed.

SEC. 3. Said commissioners shall make out a fair and accurate draft of the location of the road, noting thereon, courses, distances and places, waters, county and township lines, with such other matter as may serve for explanation; one copy whereof shall be deposited in the office of the Secretary of the Territory on or before the first day of January next, and one copy in the office of the clerk of the board of county commissioners of the respective counties through which said road may pass, on the time aforesaid, and from thenceforth said road shall be a public highway.

Treasurer of Ter-
ritory to pay ex-
penses.

SEC. 4. The commissioners shall draw on the Treasurer of the Territory, who shall, and he is hereby authorized and required to adjust the accounts of the commissioners, surveyor, chain-bearers and axe-man.

Commissioners
when to meet, va-
cancies how filled.

SEC. 5. Said commissioners shall meet on or before the first Monday of November next, or as soon thereafter as may be, and complete the location of said road as soon as practicable. And if any vacancy shall occur by resignation or otherwise, it shall be filled by the judge of the court of the county in which said person or persons shall have resided.

Approved—October 31, 1849.