

sum of three dollars per day for the time necessarily occupied in the location of said road; and they are hereby empowered to employ one surveyor at three dollars per day, two chainmen and one axeman, at a sum not exceeding one dollar and fifty cents per day. *Provided, however,* That said Commissioners shall not receive any pay for laying out and marking any point of said road embraced or included in any territorial road already surveyed and opened.

Per diem

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

Take effect.

GEORGE BRADLEY,  
Speaker *pro tem.* of the H. of R.  
RICHARD. G. MURPHY,  
President of the Senate.

APPROVED—March eight, eighteen hundred and fifty-eight.  
CHAS. L. CHASE, Acting Governor.

SECRETARY'S OFFICE, Minnesota, }  
March 8, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

CHAS. L. CHASE, Secretary.

## CHAPTER XIII.

*An Act to construct a State Road from Otter Tail City, via Wadena and Crow Wing, in Crow Wing county, to Twin Lakes in Carlton county.*

- SECTION 1. Board of Commissioners.  
2. Meeting of Commissioners.  
3. Report plan of construction.  
4. Power to appoint Surveyor.  
5. Expense to be paid by the counties.  
6. Power to appoint substitutes.  
7. Commissioners per diem.  
8. Appropriation of taxes.  
9. Notice to be given for sealed proposals.  
10. Right of residents or non-residents to work.  
11. Legal voters may vote for additional tax.  
12. Authorize the levy and collection of special tax.  
13. Take effect.

*Be it enacted by the Legislature of the State of Minnesota.*

Sec. 1. That Thomas Cathcart, Peter Roy and Charles D. Kimball be, and they are hereby appointed Commissioners Commissioners to survey and locate a State Road from Otter Tail City, by

way of Wadena to Crow Wing, and to some point on the Point Douglas and St. Louis River Military Road between Trenton and Twin Lakes, in Carlton county

Meeting

Sec. 2. Said Commissioners, or a majority of them, shall meet at the house of Thomas Cathcart, in Crow Wing, on the first Monday in February next, or as soon thereafter as practicable, and proceed to lay out, mark and locate said road.

Report

Sec. 3. Said Commissioners shall report to the Road Commissioners of said counties, such road may be located through a plan of construction and estimated cost, specifying the number of acres of clearing, the number of acres of grading, the number of rods of corduroy, and number of feet, lineal, of bridging required in each of said counties to construct a good wagon road by the most feasible route.

Employ sur-  
veyor

Sec. 4. The said Commissioners shall have power, and by this act are authorized to employ a competent surveyor, who shall be entitled to receive for his services, the sum of five dollars per day, and two chainmen and two axemen, who shall receive two dollars per day, during the time actually employed in the survey of said road.

Expense

Sec. 5. The expense of location, survey and construction of said road, shall be paid by the counties through which it passes, in proportion to the distance said road passes through said counties.

Appoint sub-  
stitute

Sec. 6. A majority of said Commissioners shall have power to appoint a substitute, in the event of the absence or refusal to act of either of said Commissioners.

Per diem

Sec. 7. Said Commissioners shall be entitled to receive each the sum of three dollars per day, for their services, while actually employed in the location of said road.

Appropriate  
tax

Sec. 8. The Road Commissioners of such counties as said road may be located through, are hereby authorized and required upon the application of twelve residents of any town through which said road may be located, to appropriate any and all highway taxes levied and collected in said county to the construction of said State Road, upon the plan proposed by the aforesaid Commissioners, if a majority of said county Road Commissioners shall deem proper.

Sealed propo-  
sals

Sec. 9. Upon said Road Commissioners for the county through which said road is located, determining to appropriate part, or the whole of said highway taxes to the construction of said road, twenty days notice shall be given, requesting sealed proposals for the construction of so much, and such part of said road as said Commissioners may determine upon, and upon the receipt of said proposals a contract shall be awarded to the lowest bidder, who shall give the satisfactory securities for the performance of said work, and said Commissioners are hereby authorized and required to execute contracts, to be paid for upon the completion, in warrants upon the treasury of said county, to be provided for from any highway taxes collected, not otherwise appropriated or especially appropriated by vote of legal voters, in said township.

SEC. 10. Any resident or non-resident owner of real estate, or any person subject to highway taxes, in said counties through which this road may have been located, may, upon notice given to the Supervisor of Roads in any road district through which this road may pass, work out his said tax, under the direction of said Supervisor upon said Road, who shall issue certificates as provided for in section 11, as amended in article 10, chapter 8, of the Statutes of Minnesota, relative to Road Supervisors. Work out tax.

SEC. 11. The legal voters of every township through which said road may be located, or a majority of them, upon notice of ten days previously given in writing, by posting in three public places in each of said townships, the application of ten residents of said townships, may, in the usual manner of holding township elections, vote for the levy of an additional special highway tax, not to exceed ten mills upon the dollar of assessed value upon all real and personal estate in said county, to be collected the same as the other State and County taxes, and appropriated to the construction of the aforesaid road, the same as other highway taxes if performed in labor, or by appropriation, if paid in money. Additional tax.

SEC. 12. And the said County Commissioners or the legal authorities of said counties aforesaid, shall, upon the certificates of the officers of election in the several towns where said vote shall have been taken, stating that a majority of the voters of such township did upon a certain day, and in accordance with the provisions of this act, vote upon the proposition of a specific tax, authorize the levy and collection of this special State Road tax, and shall perform all acts requisite and necessary to appropriate the money so collected to the construction of said road as aforesaid. Special tax

SEC. 13. This act shall take effect from and after its passage. Take effect

GEORGE BRADLEY,

Speaker *pro tem.* of the H. of R.

RICHARD G. MURPHY,

President *pro tem.* of the Senate.

APPROVED—February twenty-seven, eighteen hundred and fifty eight.

CHAS. L. CHASE, Acting Governor.

SECRETARY'S OFFICE, Minnesota, }

February 24, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

CHAS. L. CHASE, Secretary.