

and axeman shall not receive for their services under this act, more than one dollar and fifty cents per day, nor such surveyor more than three dollars per day for the time necessarily spent in surveying, locating and establishing said road.

SEC. 8. Any damage sustained by the laying out and opening said road, shall be assessed and finally determined by said commissioners in the manner provided by law in cases of roads laid out by the supervisors. Damages—how ascertained

SEC. 9. The commissioners are authorized to enter upon and cross the lands of any party or parties, and take any lands necessary to be used for said road, and no objection thereto being made within thirty days after the survey thereof, the right of way, not exceeding four rods in width, shall thereafter be deemed as established. Right of way

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved March 4th, 1862.

CHAPTER L.

An Act to Provide for the Location and Construction of a State Road from Twin Lakes, in Carlton County, to Duluth, in Saint Louis County.

- SECTION 1. Commissioners appointed.
 2. Meeting of commissioners—to fill vacancies.
 3. May employ assistants.
 4. Damages sustained—how ascertained:
 5. To file plat of road.
 6. Expenses—how paid.
 7. Right of way—when deemed to be established.
 8. How road to be kept in repair.
 9. Act, when to take effect.

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

SECTION 1. That William E. Wright, Nico Keeley and

Commissioners
appointed

Reuben B. Carlton, be and are hereby appointed commissioners, to survey, mark out, open, and establish a State road, commencing at Twin Lakes, in Carlton county, and thence, by the most practicable route, to Duluth, in Saint Louis county.

Meeting of com-
missioners—to fill
vacancies

SEC. 2. Said commissioners shall meet at such place and at such time, not later than the first day of July next, as shall be decided by any two of said commissioners, of which meeting at least three days notice shall have been given by them to the third commissioner, and thence proceed to discharge the duties imposed on them by the provisions of this act; *Provided*, that in the absence of any one of said commissioners, the other two shall have the power to fill said vacancy by the appointment of some person, who shall have the same authority as is, by this act, conferred upon the commissioners above named.

May employ
assistants

SEC. 3. The commissioners are hereby authorized to employ, in perfecting the survey and location of said road, one surveyor, two chainmen and one axeman; *Provided*, That said commissioners, axeman and chainmen shall not be paid a higher rate for such service, than one dollar and fifty cents per day, nor such surveyor a higher rate than three dollars for each day necessarily spent in surveying and locating said road.

Damages—how
ascertained

SEC. 4. Any damages sustained by reason of laying out and opening said road, shall be assessed and finally determined by said commissioners in the manner now provided by law in cases of roads laid out by supervisors.

To file plat of
road

SEC. 5. Said commissioners shall cause an accurate plat of the survey and location of said road to be made, and filed in the office of the register of deeds of Saint Louis county.

Expenses—how
paid

SEC. 6. That to aid in the construction of said road, there is hereby appropriated from the "internal improvement fund" of the State, the sum of five hundred dollars, payable on the certificate of any two of said commissioners that said road has been opened and made suitable for a winter road; *Provided*, That a like sum of five hundred dollars be expended by the several towns through which said road may pass, in proportion to the distance in each town, upon a vote at a town meeting, to assess the several sums appropriated to each town, for which amount so voted, the several towns are hereby authorized

to issue town orders which shall be received in payment of the tax voted for this purpose.

SEC. 7. The commissioners are authorized to enter upon and cross the land of any party or parties, and take any lands necessary to be used for such road, and no objections thereto being interposed within thirty days after the survey thereof, the right of way, not exceeding four rods in width, shall thereafter be deemed as established. Right of way

SEC. 8. After the expenditure herein provided for, the several towns through which said road passes, shall keep the same in repair within their own boundaries, by the highway labor to be performed in said towns. How road to be kept in repair

SEC. 9. This act shall take effect and be in full force from and after its passage.

Approved February 13th, 1862.

CHAPTER LI.

An Act to amend an act entitled "An Act to provide for the Location of a State Road from Minneapolis in Hennepin County, to Kandiyohi, in Kandiyohi County, being Chapter Ten of Special Laws of eighteen hundred and sixty-one."

SECTION 1. Amendment to section 1. Appointment of commissioners:

2. Amendment to section 8. Deposit draft of said road—who to be liable for expenses of locating said road.
3. Act, when to take effect.

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

SECTION 1. That section one shall be so amended as to read as follows:

John F. Powers, of Greenwood, Hennepin county, Commissioners
Jesse B. Brouham, Sr., and John S. Shields, of Meeker appointed