

When swamp
lands to be deeded
to commis-
sioners

first meeting of said commissioners, the said road shall have been surveyed, located, and constructed, by doing all necessary clearing and grubbing, corduroying, bridging, and all other work necessary for the convenience and safety of transit for stage coaches, and copies of the field notes, and map of such portions of the road as lie within the boundaries of any organized counties, be filed with the registers of deeds of said counties, and also a copy of the field notes and map of the entire road, filed in the State bureau of public lands, then the aforesaid quantity of ten thousand acres of swamp lands shall be deeded by the State to said commissioners; *Provided, however,* That the Governor of the State shall have first been satisfied, after a proper inspection of the road, by a competent agent, appointed by himself, that the work required, by the provisions of this section, has been faithfully performed.

SEC. 5. That this act shall take effect and be in force from and after its passage.

Approved March 7th, 1862.

CHAPTER LVII.

An Act to Locate and Open a State Road from Bloomington Ferry, in Scott County, to Belle Plaine in said County.

- SECTION 1. Commissioners appointed.
 2. Meeting of commissioners—to fill vacancies.
 3. May employ assistants.
 4. To file plat of road.
 5. Right of way—how procured.
 6. Assessments of damages to be filed with county auditor—for what purpose.
 7. Expenses—how paid.
 8. Act, when to take effect.

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

SECTION 1. That W. Gilenback, J. B. Allen and S. B. Strait, are hereby appointed to locate, survey and open a

State road from Bloomington Ferry, on the Minnesota river, in the county of Scott, to Belle Plaine, in said county. Commissioners appointed

SEC. 2. The commissioners shall meet at the court house in the county of Scott, on the third Monday of March, A. D., 1862, or as soon thereafter as convenient, and proceed to discharge the duties imposed upon them by this act; *Provided*, That in the absence of any one of said commissioners, the other two shall have power to fill said vacancy, by the appointment of some suitable person who shall have the same authority as is, by this act, conferred upon the said commissioners above named. Meeting of commissioners—to fill vacancies

SEC. 3. The said commissioners are hereby empowered to employ one surveyor, two chainmen and one axeman, and such other help as may be necessary for the purpose of fully performing the duties imposed upon them by this act. May employ assistants

SEC. 4. That the said commissioners shall file or cause to be filed in the office of the county auditor of said county, a plat of said road, which, or a certified thereof, shall be conclusive evidence of the existence and location of said road. To file plat of road

SEC. 5. That the said commissioners shall have full power to procure the right of way, either by obtaining voluntary releases of the owners of the land over which the said road shall be laid, or by agreement with said owners, or in case no agreement can be made with said owners, the said commissioners may assess the damages at such sum as to them shall seem just and proper, from which proceeding or assessment any such owner of land may apply to the district court, where the same may be assessed by a referee or referees, at the option of such owner or owners of land, and a judgment shall thereupon be entered as in civil cases, for the amount assessed against the town in which said road shall lie. Right of way

SEC. 6. That all such assessments so made by said commissioners, or a memorandum thereof in writing must be filed in the office of the county auditor, and when an appeal is taken therefrom by any person, a transcript of the same, so far as relates to the appeal so taken, must be certified to the district court, and the appellant shall recover no costs unless a greater amount is recovered in said court than was awarded to him by said commissioners. With whom assessment of damages to be filed

Expenses—how
paid

SEC. 7. That all damages, costs, and expenses of locating, laying out, and opening such road, including the damages for the right of way, shall be paid from the respective town treasuries, except such as may be received by way of road taxes.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 7th, 1862.

CHAPTER LVIII.

An Act to Construct a State Road from a point on the Road leading from Mankato to Mapleton, in Blue Earth County, to Winnebago City, in Faribault County, Minnesota.

- SECTION 1. Commissioners appointed.
 2. Meeting of commissioners—to fill vacancies.
 3. May employ assistants.
 4. To file plat of said road.
 5. Compensation of commissioners, surveyors, &c.
 6. Damages sustained—how ascertained.
 7. Act, when to take effect.

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

Commissioners
appointed

SECTION 1. That David Wilcox, Wm. H. Blackman, and J. A. Latimer, are hereby appointed commissioners, to mark out, locate and establish a State road, commencing at a point on the Indian reservation, at or near where the road leading to Shelbyville leaves the Mapleton road, south of the LeSueur river, in Blue Earth county; thence by the nearest and most practicable route, to a point of intersection with the Faribault county road at Shelbyville, in Blue Earth county; thence by the nearest and most practicable route to Winnebago city, in Faribault county.