

after the survey thereof, the right of way, not exceeding four rods in width, shall thereafter be deemed established.

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

Approved March 3, 1864.

CHAPTER LII.

An Act to locate a State Road from Hokah to Riceford, by way of Sheldon, in Houston County.

- SECTION 1. Commissioners appointed—for what purpose.
2. When Commissioners to meet—vacancies how filled.
 3. May employ assistants—compensation.
 4. Damages sustained—how ascertained.
 5. To file plat of said road.
 6. Duty of the Board of Supervisors.
 7. Expenses, how paid.
 8. When act to take effect.

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

SECTION 1. Henry Smere, John Brown and Milton Fellows are hereby appointed commissioners to locate a State road from the village of Hokah, in the county of Houston, by way of the village of Sheldon, to Riceford, in the same county, to intersect the Caledonia and Preston road at the last-mentioned place.

For what purpose
commissioners ap-
pointed

SEC. 2. Said commissioners shall meet at Hokah, in said county of Houston, at a time not later than the first day of August next, and proceed to the discharge of their duties under this act; and if, from any cause, any one of the said commissioners, appointed under this act, shall be unable to perform the duties imposed by this act, he shall have the power to appoint a sub-

When to meet—va-
cancies how filled

stitute, who shall have the same authority, when so appointed, as one of the commissioners named in this act.

May employ assistants—compensation

SEC. 3. Said commissioners are hereby authorized to employ, in locating said road, one chainman, one axeman, and one surveyor. *Provided*, said commissioners, chainman and axeman shall not receive more than one dollar and fifty cents per day, nor the surveyor more than three dollars per day, for services rendered by virtue of this act.

Damages sustained—how ascertained

SEC. 4. It shall be the duty of such commissioners to appraise the damages sustained by each owner of land through which said road may pass, and in case any one shall feel himself aggrieved by such appraisal, he may appeal to the county commissioners of his county at any time within thirty days after the filing of the plat of the said road, as hereinafter provided in this act, and the said county commissioners shall, at their next meeting, after such appeal shall have been taken, proceed to hear and determine said appeal, as they may deem just. *Provided*, That in all cases where the said road shall pass through lands owned by non-residents of the town, county or State that the said commissioners appointed by this act shall duly appraise the damage to the said land, sustained by reason of the laying out of the road described in this act, and a full description of the road, as laid out by said commissioners, running through such land described as above, together with the appraisal of the commissioners thereon, shall be published in some newspaper published in the county (if any); if not in some newspaper published in an adjoining county at least once in each week for six successive weeks before the said road shall be deemed to be established; and such non-resident, if aggrieved, shall have thirty days to appeal from the decision of such commissioners after the expiration of the publication of the notice aforesaid, such appeal to be taken to the county commissioners in the same manner as prescribed by this section for resident landowners.

To file plat of road

SEC. 5. Said commissioners shall, on or before the first day of November next, file an accurate map and plat of said road in the town clerk's office of each of the towns through which said road may run, and also

in the office of the register of deeds of the county of Houston, and thereafter said road shall be deemed established.

SEC. 6. After the filing of the plat, as provided for in the fifth section of this act, and the determination of appeals, if any, it shall be the duty of the board of supervisors and the road overseers of the towns through which the said road may run, to open and work the same in the same manner as other roads are worked in the said towns.

Duty of the board
of supervisors

SEC. 7. The expense of laying out and locating said road shall be paid by each of the towns through or in which said road may pass, in proportion to the distance it may run in each town.

Expenses, how
paid

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

Approved March 4, 1864.

CHAPTER LIII.

An Act to provide for the location of a State Road from Hastings, in Dakota County, to Shakopee, in Scott County.

- SECTION 1. Commissioners appointed—for what purpose.
 2. When to meet—fill vacancies.
 3. May employ assistants—compensation.
 4. Damages sustained—how ascertained.
 5. Expenses, how paid.
 6. To file plat of said road.
 7. When act to take effect.

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

SECTION 1. That John H. McKay, K. N. Guiteau and Lewis R. Hawkins are hereby appointed commis-